

MC/23/1289

Date Received: 7 June 2023

Location: St Nicholas Ce Voluntary Controlled Infant School London Road
Strood Rochester

Proposal: Construction of a new 2 storey teaching wing and single storey pupils toilet block, together with alterations to existing parking and landscaping.

Applicant Medway Council
c/o agent

Agent Bailey Partnership
Mr Stuart Collingwood
Bridge House
Basted
Borough Green
Sevenoaks
TN15 8PS

Ward: Strood North & Frindsbury

Case Officer: Tom Stubbs

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 30th August 2023.

Recommendation - Approval subject to:

A. Delegated powers to determine the application following consideration of bat surveys amended preliminary ecological appraisal imposing any additional conditions as necessary in respect to the conclusions and recommendations in relation to these matters. And

B. The imposition of the following Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

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SNS-BPC-02-00-D-A-9935-P02 - Planning - Demolition - Ground Floor Plan
SNS-BPC-02-02-D-A-9937-P02 - Planning - Demolition - Roof Plan

SNS-BPC-02-ZZ-D-A-9938-P03 - Planning - Demolition - East and West Elevations

SNS-BPC-02-ZZ-D-A-9939-P03 - Planning - Demolition - North and South Elevations

SNS-BPC-02-00-D-A-9950-P04 - Planning - Proposed - Ground Floor Plan

SNS-BPC-02-01-D-A-9951-P04 - Planning - Proposed - First Floor Plan

SNS-BPC-02-02-D-A-9952-P04 - Planning - Proposed - Roof Plan

Received 3 August 2023:

SNS-BPC-ZZ-XX-D-A-9903 P015- Planning - Proposed - Site Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of the NPPF.

- 4 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of the NPPF.

- 5 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, parking of operatives vehicles, deliveries to the site, noise, dust and lighting the effect on wildlife and habitats arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents, the countryside, wildlife and habitat and with regard to Policies BNE2, BNE37 and BNE39 of the Medway Local Plan 2003.

- 6 In this Condition "retained tree" means existing trees and tree groups T1-C1 T2-C1, G1-B2, G3-B2, G1-B2, G2-B2, G4-C2, G5-C2, T3-B1, G6-C2, G7-C2, G8-B2, G9-B2, G10 -B2 and G11-B2 as indicated within the Tree Protection Plan number RA1107 TPP; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
- c) No development, no site clearance and/or no excavation works shall take place until an updated tree protection plan and method statement for the protection of trees during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include: the specification of tree protection fencing, details of the siting and storage of the any materials, waste or equipment, siting and location of site offices and any works for temporary pathing to avoid the root protection areas; site accommodation and construction process. The approved details shall be implemented on site prior to commencement of development and shall be maintained on site for the duration of the construction phase.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on the trees which form an important character

to the conservation area, in accordance with Policies BNE1, BNE6 and BNE43 of the Medway Local Plan 2003.

- 7 No development above slab level shall take place until details of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 8 No development shall take place above slab level until a scheme to minimise the transmission of noise from the use of the premises, has been submitted to and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L_{Ar,Tr}) emitted from the development shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The development shall be implemented in accordance with the approved measures before the building is brought into use and shall thereafter be retained.

Reason: To safeguard conditions amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 No development shall take place above ground floor slab level until details of the provision of 3 electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details prior to the new extensions being brought into use and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 112E of the National Planning Policy Framework 2021.

- 10 Prior to the enlargement of the school herein approved, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include provision of the arrangements for the appointment of a School Travel Plan Coordinator and working group, SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking and bicycle use with details of future monitoring and update procedures. The School Travel Plan shall be implemented upon first use of the extensions hereby approved and shall be kept in place, and updated, thereafter.

The approved school travel plan shall be continually monitored with the results of the monitoring and any recommended actions submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first School Travel Plan submitted pursuant to this

condition, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

- 11 Prior to the bringing into use of the extension of the school herein approved, full details of both hard and soft landscape works, including tree replacements, ecological enhancements and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1, BNE6 and BNE43 of the Medway Local Plan 2003.

- 12 Prior to the bringing into use of the extension to the school herein approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the approved extension is brought into use and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 13 Prior to the bringing into use of the extensions hereby approved (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) shall be submitted to and approved in writing by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 168 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 14 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Climate Change Statement section of the Design and Access statement. The development shall not be brought into use until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local

Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 of the National Planning Policy Framework 2021.

- 15 The proposed extension shall not be brought into use, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 16 Prior to the installation of any external lighting on the new building details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) together with a report to demonstrate its effect on nearby open space with possible bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on nearby residents and wildlife and with regard to Policies BNE2 and BNE39 of the Medway Local Plan 2003.

For the reasons for this recommendation approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks planning permission for the construction of a new 2 storey teaching wing and single storey pupils toilet block, together with alterations to existing parking and landscaping. This will require demolition of existing buildings to the front of the existing school, which are part single storey and part 2 storey.

The proposed two storey gable roof, yellow brick work teachers wing front extension would measure approx. 16.6m in width, approx. 11.5m in depth, approx. 5m in height to the eaves and approx. 11.5m in height to the ridge. This extension would provide four additional classrooms, stores and cloak rooms. Two classrooms would be located on the ground floor and two on the first floor.

A two storey flat roof, timber clad, extension to the side of the front extension is proposed to the east elevation set back from the new front elevation with a mixed projection from approx. 2.4m and 5.9m, depth of approx. 10.4m and height of approx. 6.9m. This would provide the stair core and lift to the proposed upper floor classrooms.

A further single storey flat roof, render, extension is proposed to be located on the east elevation to the rear of the stair core projecting a maximum of 6.2m from the existing side elevation, with a width of 13.3m and height of approx. 3.6m. This would provide a new main entrance and pupil toilet blocks.

Another single storey brick extension is proposed to the west elevation measuring approx. 4.4m in width, 5.3m in depth and 3.5m in height to provide a relocated ICT room. An external staircase is proposed to be located behind this extension which has a mesh enclosure.

Three TPO trees to the front of the site would be lost to provide the two storey front extension and single storey side extension to the west elevation. The proposed landscaping scheme seeks to compensate their loss by providing an additional six trees within the adjacent field to the west.

The existing land to the north of the main building would be re-arranged to provide ten formal parking spaces for use by the school and youth centre. This would also be landscaped with seven additional trees to be planted.

Relevant Planning History

MC/22/1351	Construction of a single storey teaching block and external link canopy, together with creation of MUGA and playground area, and alterations to existing car parking and landscaping. Decision: Withdrawn Decided: 14 June 2023
MC/15/2471	Application for a non-material amendment to planning permission MC/14/1675 to extend the length of the kitchen. Decision: Approval subject to conditions Decided: 13 August 2015
MC/14/1675	Construction of a single storey extension attached to west side of hall to accommodate new kitchen. Decision: Approval subject to conditions Decided: 18 August 2014

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. **KCC Archaeology, KCC Biodiversity, Kent Wildlife Trust, RSPB, Natural England** and **Sports England** were also consulted.

Two letters (from one household) have been received raising the following concerns:

- Highways safety from drop off and pick ups already resulting in parking on double yellow lines and parking over people's driveways around the Montford Road access and the proposal would increase the school capacity.
- Disturbance during construction including noise to neighbours and on highways.
- Loss of trees for the development.
- Impact of development of neighbours on lower land.

KCC Ecology has responded indicating that prior to determination of this application a bat survey is required as set out in the applicants Preliminary Ecological Appraisal (PEA) as the southern annex is being altered with some demolition. This may require mitigation and amendments to the PEA conclusions. Conditions will be required relating to the need for removal of Ivy from tree group G12 and re-assessment for roosting bats prior to any tree removal. There is also the need for conditions to cover a biodiversity method statement, biodiversity enhancement plan and external lighting.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2021 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Background

There was a previous planning application, MC/22/1351 for the extension of the school. Under this planning application it was proposed as a single storey extension on the existing playground to the east of the school building and the provision of a MUGA on the adjacent land to the west. This application went to planning committee in September 2022 which resulted in a member visit to the site and then concerns being raised of that proposal on neighbour amenity and loss of greenspace.

This application differs by providing the additional class room provision in a front two storey extension which would not extend into the existing playground area and therefore removing the need for a MUGA, while not impacting on residential amenity.

Principle

There is no change of use proposed within this application. The proposed building would aid the expansion of the school for primary entry as well as the existing infant provision. Paragraph 95 of the NPPF seeks to give strong weight to the need to create, expand or alter schools through planning decisions.

The school and adjacent land is designated open space under Policy L3 of the Local

Plan which supports development on formal open space where it relates to educational establishments and the development is required for essential educational purposes where adequate areas for outdoor sports can still be retained or provided elsewhere in the vicinity. In this instance the teaching wing to the front would not result in the loss of any existing playground space. There would be a small encroachment by the toilet block to the side however not to an extent that would impact the ability to the school to provide areas of outdoor sports to be retained.

As explained within the submission there is an identified need for primary provision due to the increase in population in the area with close by consented housing developments. Furthermore, as a faith school this would allow pupils to continue a Church of England education at primary level once completing the infant school. Current students have to leave the school to take a primary place most often in a non-faith school. The supporting information also indicates why other schools are not suitable to cover the proposed expansion.

Consequently, the principle of the proposed new form entry and its use is considered acceptable, subject to the compliance with the detailed matters of the above policies which are set out in the assessment below.

Design and impact on trees

Paragraphs 126 and 130 of the NPPF emphasises the importance of good design. Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Policies BNE41 and BNE43 regarding both trees on development sites and trees with preservation orders seek to protect and retain trees on site and where it is necessary to fell trees, provide opportunity for enhanced replanting scheme within the site.

The proposed extensions are considered to be of a suitable size and scale and offset appropriately from the site boundary to neighbours. With regard to appearance, the main two storey material is proposed to have matching brick and roof materials, while the stair core and entrance/toilet cladding extensions are considered to be appropriate in relation to the scale and location of those elements relative to the existing building.

The proposed extensions would result in the loss of 3 grade B TPO trees. However, the weight that must be placed on education provision well located to the population it would serve, allied to the 6 replacement trees which will be secured by condition, outweighs the loss of the 3 protected trees.

There is no objection to the proposed alteration to the entrance to the school from Montfort Road, including formalised parking. The amended footpath route is also considered to be acceptable with suitable landscaping including tree planting.

The application is supported by information relating to a proposed site compound including provision of temporary road and parking and siting of office and welfare during the construction period. This plan however is not acceptable as it stands as it does not indicate the relationship or assess the impact on the trees in close proximity of which some are covered by TPOs. As a result an appropriate condition is recommended.

Subject to conditions the application is considered to be in accordance with Policies L3, BNE1, BNE41 and BNE43 of the Local Plan and paragraphs 95, 126 and 130 of the NPPF.

Amenity

The application is supported by a sunlight and daylight assessment which concludes that the neighbouring windows would not be detrimentally impacted when considered against the BRE guidance. With regard to sunlight the majority of the garden (in the former Cedars Hotel site) would have at least 2 hours sunlight on the 31 March before and after the development which is considered acceptable according to BRE guidance. It is noted that there are small segments which would fall under the 2 hour mark and some section of the garden that didn't provide that level of provision in existing circumstances.

With regard to privacy and outlook due to the proposed siting of the building, its proposed window locations and distance to neighbouring properties and their habitable windows it is considered that there would not be a detrimental impact on neighbours amenity.

A Noise Impact Assessment has been submitted with the application which focuses on the compliance with BB93 and therefore the development needs to be undertaken using the designs and specifications stated in the assessment. It is not known what mechanical plant is required and an appropriate condition is recommended.

During construction there is a potential for noise and dust impacts to neighbours. A Construction Environment Management Plan (CEMP) has been submitted in support of this application. The CEMP is generally acceptable to reduce impact of the development during construction, however section 7 indicates that the CEMP will require updating when the construction method is confirmed. Consequently, a CEMP condition is still required.

Subject to the recommended conditions, it is considered that the application would be acceptable with regards to Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

The development would use the existing vehicular access from Montfort Road. It is appreciated that the increase in pupil numbers will add to the existing problems. However, the school has been sited close to the catchment area providing an greater opportunity for parents to walk their children to school rather than drive, than would exist in alternative location, recognising the absolute requirement for this school provision to serve existing and developing needs in the area.

To assist in mitigating existing issues regarding parental parking which will be exacerbated by the proposal, a condition is recommended requiring an updated school travel plan.

In terms of on-site parking for staff, whilst the applicant has increased the provision it would not be sufficient to meet the likely demand. However, a parking survey has been carried out, which demonstrated sufficient on street parking capacity to accommodate any overspill during school time. Paragraph 112E of the NPPF outlines that development should provide electric charging facilities and a condition is recommended to secure the electric charging points and a separate condition to ensure the parking spaces are provided and retained.

Subject to the recommended conditions the proposal is considered to be in accordance with Policies T1, T2, T3, T13 and T14 of the Local Plan and paragraphs 111 and 112E of NPPF.

Contamination

Policy BNE23 of the Local Plan requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment.

A Geo-Environmental Interpretive Report was submitted in support of this application which is considered satisfactory, and that soil contamination would not be an issue for the proposed development. Subsequently, no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraphs 174 and 183 of the NPPF.

Air Quality

An Air Quality Assessment has been submitted with the application which indicates the concentrations of nitrogen and particle matter being expected to comfortably meet the Councils air quality objectives. The applicant has indicated that the standard mitigation of 25% EV parking to be provided to offset air quality impact and subject to a condition to secure this, the proposal would generally be in compliance with Policy BNE24 of the Local Plan and paragraphs 174 and 186 of the NPPF.

Flooding and Suds

The application is supported by a "Drainage Strategy Plan and Drainage Design Statement. The site lies within Flood Zone 1 (Low Risk) according to the Environment Agency Mapping. The mapping also shows that the site is not at risk of surface water flooding.

British Geological Mapping indicates the presence of Lewes Nodular Chalk formation at bedrock which suggests that infiltration may be likely at the site. A site investigation has been undertaken which shows favourable rates. The proposal seeks to include a permeable paving, cellular storage and will infiltrate. It is recommended that rainwater harvesting, greywater recycling and water butts are provided where practicable in order to provide additional means of surface water attenuation as well as reduced demand on potable water supplies.

Subject to conditions to secure the recommendations the proposed development is in accordance with paragraphs 167 and 169 of the NPPF.

Ecology

The application has been supported by an Extended Phase 1 Ecological Habitat Survey which indicate there is a low potential to support protected or notable flora in the land impacted by the proposed works, with a negligible potential for Great Crested Newts and low potential for foraging common amphibians. There would also be a low potential for common reptiles and notable invertebrates.

There is a medium chance for roosting bats, and consequently a further survey is required which may result in updates to the required mitigation. This survey needs to be undertaken now to allow work to be undertaken to meet the timescales for delivery. Accordingly, delegated authority is requested if Committee are minded to approve the application to allow the survey to be undertaken and any appropriate additional conditions to be added.

There is a high potential for nesting birds on boundaries and within the site. The report recommends the trees to be removed should only take place outside the bird breeding season (March to August) and that all external lighting proposed should be considered in relation to impact on bats. There are Ecological enhancements recommended within the report. The Biodiversity Method Statement for precautionary works will need to be provided to inform the above-mentioned CEMP. Appropriate conditions are recommended in relation to all these matters.

Subject to the recommended conditions and any additional conditions that may flow from the required updated bat survey no objection is raised regarding Policy BNE37 of the Local Plan and paragraph 180 of the NPPF.

Climate change and energy efficiency

The applicants have provided a Climate Change Statement within their Design and Access statement. They indicate that the buildings will be designed in accordance with the latest building regulations and in particular Part L (Energy Use) and use of sustainable design by providing low-impact materials, reduce over energy use and maximise potential for renewable supply and use, maintain and improve biodiversity onsite, efficient water and reduction of water consumption, minimise waste and maximum reuse and recycling both during construction and after occupation.

The school are providing electric charging points and will be encouraging parents and pupils to walk to site where possible.

A condition is recommended requiring the submission of a verification report in accordance with paragraph 154 of the NPPF.

Conclusions and Reasons for Approval

The proposal is considered to be acceptable in terms of principle, design, amenity and highway aspects and with regard to all other material planning considerations. Subject to conditions, the proposal accords with the provisions of Policies L3, BNE1, BNE2, BNE23, BNE24, BNE37, BNE41, BNE43, T1, T2, T3, T13 and T14 of the Medway Local Plan 2003 and paragraphs 95, 111, 112E, 126, 130, 154, 167, 169, 174, 180,

183 and 186 of the NPPF. Accordingly, the application is recommended for a resolution to approve subject to delegated powers to appropriately deal with the bat survey results when received.

The application would normally be determined under delegated powers but is being referred for Committee determination at request of the Chairman and spokes due to consideration by Committee on the previous proposal.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>