

**A01**

**F/TH/16/0867**

**PROPOSAL:** Erection of a primary school to provide up to 420 school places for children aged 4 to 11 years.

**LOCATION:** 140 - 144 Newington Road RAMSGATE Kent CT12 6PP

**WARD:** Newington

**AGENT:** Mr Bluesky Architects

**APPLICANT:** Mr Nicholas Budge

**RECOMMENDATION:** Approve

Subject to the following conditions:

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

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

- 2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised site plan numbered P658 Rev F, received 07 November 2016, the revised elevation plan numbered 10030-04-P702 Rev G, received 29 September 2016, and the floor plans numbered 10030-04-P001 Rev B and 10030-04-P101 Rev B, received 20 June 2016.

**GROUND:**

To secure the proper development of the area.

- 3 Prior to the commencement of development hereby permitted (excluding demolition), a drainage strategy detailing the proposed means of foul disposal and an implementation timetable, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**GROUND:**

To prevent flooding, in accordance with the NPPF.

- 4 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place (excluding demolition) until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified
  - all previous uses
  - potential contaminants associated with those use
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site

It is noted that a desk study and preliminary risk assessment has been carried out. This needs to be followed by additional investigations once the site is cleared as the

preliminary risk assessment is considered incomplete, particularly consideration of areas where underground storage of fuels may have taken place. The PFS needs comprehensive investigations and the protection offered by head materials may not be evident beneath historic tankage. 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**GROUND:**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 5 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**GROUND:**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**GROUND:**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**GROUND:**

To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the NPPF.

- 8 (i) Development shall not begin (excluding demolition) until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated within the site boundary and disposed of via infiltration. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

(ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a timetable for its implementation, and
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

(iii) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**GROUND:**

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 9 The development of the site hereby permitted shall be carried out in accordance with the Project Execution Plan (revision B), received 03 November 2016, detailing the contractor car-parking, and on-site traffic plans during construction.

**GROUND:**

In the interests of highway safety.

- 10 Prior to the commencement of development (excluding demolition) hereby permitted, details of the measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

In the interests of highway safety.

- 11 Prior to the first use of the site hereby permitted, the vehicle parking spaces and drop-off/pick-up areas as shown on the submitted plan numbered P658 Rev F, shall be provided, made available for use, and permanently maintained.

GROUND:

In the interests of highway safety.

- 12 Prior to the first use of the site hereby permitted, the cycle parking facilities as shown on the submitted plan numbered P658 Rev F, shall be provided, made available for use, and permanently maintained.

GROUND:

In the interests of promoting increased cycling in accordance with Policy TR12 of the Thanet Local Plan.

- 13 Prior to the first use of the site hereby permitted, the vehicular and pedestrian accesses and egress as shown on the submitted plan numbered P658 Rev F, shall be completed.

GROUND:

In the interests of highway safety.

- 14 Prior to the first use of the development hereby approved, the redundant vehicle crossings to Newington Road shall be removed and the footway reinstated in accordance with the specifications as set out in the Kent Design Guide.

GROUND:

In the interests of highway safety.

- 15 Prior to the first use of the site hereby permitted, 2 metres x 2 metres pedestrian visibility splays shall be provided behind the footway on both sides of the vehicular egress with no obstructions over 0.6m above footway level, and thereafter maintained.

GROUND:

In the interests of highway safety.

- 16 Prior to the first use of the site hereby permitted, the alterations to the highway as shown on the approved plan numbered P658 Rev F, or as amended by the Highway Authority, shall be completed.

GROUND:

In the interests of highway safety.

- 17 Prior to the first use of the development hereby permitted, a School Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall incorporate the following measures, as previously identified in the Interim Travel Plan;

- i) Provision and maintenance of breakfast and after school clubs, including a free breakfast for those pupils who walk, cycle or use public transport to attend
- ii) Provision and maintenance of walking buses
- iii) Provision and maintenance of a minibus service

The approved plan shall be implemented and maintained upon the use of the site commencing.

GROUND:

In the interests of highway safety and to facilitate the use of alternative means of transport, in accordance with the NPPF.

- 18 Prior to the first use of the development hereby permitted, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include the following measures as identified within the application;

i) A window of up to 15 minutes before school start times and after school finish times for parents to drop off and collect pupils

ii) Assignment of year groups to each drop-off/pick-up area

iii) Management of the drop-off/pick-up areas to maximise the use of the available parking

iv) Management of visits by service/delivery vehicles to ensure they occur outside school drop-off and pick-up periods

The approved plan shall be implemented and maintained upon the use of the site commencing.

GROUND:

In the interests of highway safety.

- 19 The pupil school day start and finish times (excluding breakfast and after school club) shall be staggered as follows:  
(i) Key Stage 1 shall commence at 8.50 am and finish at 3.15 pm  
(ii) Key Stage 2 shall commence at 8.30 am and finish at 4.15 pm

GROUND:

In the interests of highway safety.

- 20 Prior to the first use of the development hereby permitted, boundary treatment along the site boundaries where adjoining neighbouring residential properties shall be either made good or replaced, in order to achieve a solid boundary treatment no less than 1.8m in height from ground level.

GROUND:

In the interests of neighbouring amenity, in accordance with Policy D1 of the Thanet Local Plan.

- 21 Prior to the installation of hard landscaping, details of the paving to the front of the school shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 22 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a

similar size and species, unless the Local Planning Authority gives any written consent to any variation.

**GROUND:**

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan

- 23 Prior to the first use of the development hereby permitted, an emissions statement that provides details of how the air quality damage costs, as calculated within the emission mitigation assessment, are to be used to achieve air quality improvements through the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND:**

To limit air pollution, in accordance with the NPPF.

- 24 The school building hereby permitted shall be constructed in accordance with the acoustic design elements recommended within the Acoustic Design Report, dated 15 September 2016.

**GROUND:**

In the interests of neighbouring amenity in accordance with Policy D1 of the Thanet Local Plan.

- 25 Prior to the first use of the site by members of the community outside of normal school hours, a Community Involvement Plan, to include details of the hours of use, location and type of potential use, required capacity and parking arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The use of the building outside of normal school hours shall be in accordance with the approved Community Involvement Plan, unless otherwise agreed in writing with the Local Planning Authority.

**GROUND:**

In the interests of neighbouring amenity and highway safety, in accordance with Policy D1 of the Thanet Local Plan.

## SITE, LOCATION AND DESCRIPTION

The site is located on the western side of Newington Road, in an area that is characterised by a mix of commercial units and residential properties. To the south of the application site are three commercial units fronting Newington Road, and to the north of the site the nearest development is a semi-detached residential bungalow, although immediately adjacent to the northern boundary is an access road that serves Small Haven School to the rear (a small independent special needs school). To the west and south of the site boundaries are residential properties, which are pre-dominantly semi-detached and 2-storey in height. Within Newington Road the height of development ranges from single storey to 3-storey. Newington Road is a busy through route that serves commercial units as well as other primary schools and the former Ramsgate Swimming Pool site. The application site itself was formerly occupied by a window manufacturing company, and is allocated within the Thanet Local Plan as an employment site. Upon the site are 3no. industrial/office buildings, which vary in height between single storey and 3-storey. The buildings are setback from the

highway with hardstanding to the front of the site, along with 2no. vehicular accesses onto the highway.

### RELEVANT PLANNING HISTORY

DM/TH/16/0111 - Application for determination as to whether prior approval is required for demolition of 3no. industrial/office buildings - approved

### PROPOSED DEVELOPMENT

The proposal is for the erection of a 2-storey primary school building to accommodate a two form entry for reception children up to year 6 (age 4 to 11 years) with a capacity for 420 pupils.

The existing industrial buildings will be demolished and the new school, which measures 70m long by 16-26m wide, is to be constructed a minimum of 11m from the edge of the highway. The proposal will utilise the existing vehicular accesses into the site, subject to minor modifications, including a reduction in width of one of the accesses and the reinstatement of the footpath.

The proposal includes a vehicular access adjacent to the southern boundary of the site, which leads to a staff carpark that would accommodate 25no. staff car parking spaces, 2no. visitor spaces and motorbike parking. A drop-off area for vehicles is also provided, with 14no. spaces to the front of the main entrance, and 16no. spaces adjoining the rear parking area.

The Design and Access Statement advises that this co-educational, mainstream free school has been conceived by Chilton Academy Trust, a multi-academy trust, which also operates nearby Chilton Primary School and Upton Junior School (Ofsted 'good' and 'outstanding'). Ramsgate Free School provides new high-quality provision in an area of Thanet with low quality provision.

The applicant has advised that an open community involvement event was held in January at Chilton Primary School, with copies of the proposed drawings displayed. Approximately 45 people attended the event, and 21 written feedback forms completed, generally expressing support for the scheme, but with the main concerns being in relation to traffic generation/congestion and highway safety issues.

### DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of employment site  
CF1 - Community facilities  
CF3 - Training facilities  
TR12 - Cycling  
TR15 - Green travel plans  
TR16 - Car parking provision  
D1 - Design  
SR1 - New facilities  
SR3 - Maximising use of facilities

### NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. Twenty-one letters were received in response to the original plans, ten in support and eleven with concerns.

Those supporting the scheme commented that:

- great building for a good school,
- staggered start and finish times compared to other nearby schools and drop off area means there should be limited impact on traffic,
- design sympathetic to area,
- additional traffic will be a vast improvement on the arrival and departures of large HGV lorries and delivery vans,
- school will provide a better view than the eye sore that is currently there,
- local need for school,
- bring jobs,
- amazing opportunity, which will benefit families,
- great central location.

Those objecting raised the following concerns:

- drop off area not large enough,
- traffic congestion,
- highway safety, increased risk of accidents,
- lack of parking,
- noise and disturbance to adjacent residents,
- pollution.

Ramsgate Town Council - Consider this to be a great use of a redundant site but raises concerns over insufficient dropping off area for vehicles bringing children to school.. Further mitigation should be sought in relation to parking issues.

In response to the amended plans, which included a larger drop off area, increased off-street parking provision, alterations to the access, and additional information on the staggered start and finish times, one letter of objection have been received raising the same concerns.

## CONSULTATIONS

KCC Highways and Transportation - I refer to the additional information submitted for the above and the latest site plan drawing number P658 Rev F and confirm that the previous highway objections have now been overcome. The highway network has been assessed as part of the application, including the Newington Road/Stirling Way signal junction and the Manston Road and High Street St. Lawrence roundabout junctions. The additional traffic likely to be generated through these junctions is no more than the typical variation in daily flows. The site is in a sustainable location but the following measures will assist in reducing the number and impact of additional vehicle movements:

- Provision of breakfast and after school clubs, thus reducing additional vehicle movements during the traditional peak school periods. The breakfast club would start at 7.30 am and after school club finish at 6 pm, and their provision can be secured by condition.
- Staggering of school start and finish times both for Key Stages 1 and 2 within the school and with other schools in the area. Key Stage 2 would start at 8.30 am and finish at 4.15 pm, with Key Stage 1 starting at 8.50 am and finishing at 3.15 pm, again reducing additional vehicle movements during the traditional peak school periods. These times can be secured by condition.
- Provision of walking buses to facilitate and encourage pupils to walk to and from school; a minibus service to collect/drop off pupils who live further afield and so reduce additional vehicle movements to/from the site; provision of a free breakfast to those pupils who walk,



cycle or use public transport to attend the breakfast club; and encouragement of car sharing by pupils and staff. These measures can be secured through the School Travel Plan.

- Some prospective parents are likely to already be driving on the local highway network taking children to other schools and/or going to/from work, so these would not be additional trips on the network.

On balance and taking all of the above into account there is unlikely to be a severe impact on the highway network as a result of the proposals that would warrant a recommendation for refusal on highway capacity grounds.

The proposed site access arrangements include a separate entry and exit point for cars, with parking and drop-off/pick-up areas located away from the entry point. This will allow vehicles to enter the site without being delayed by vehicles manoeuvring in/out of the parking spaces and prevent queuing back onto Northdown Road. School zig-zag markings are proposed to the south of the exit point to prevent on-street parking and maintain visibility at the exit. Separate pedestrian access points are proposed in three locations along the frontage so that pupils do not have to cross the vehicular entry/exit points in Newington Road. There is an existing zebra crossing in Newington Road at the south west corner of the site. The existing redundant vehicle accesses in Newington Road will be removed and the footway reinstated. These footway works and the provision of the school zig-zag markings will be carried out by the applicant through an agreement with the highway authority. The access arrangements are therefore considered acceptable in highway terms.

Pupil drop-off/pick-up areas are provided at the front and rear of the school building, with pupil access into the building also provided on both sides. This will enable different year groups to be assigned to these two areas and at different start/finish times as previously indicated. Parents will have a window of up to 15 minutes before school start time and after school finish time within which to drop-off/pick up children, and this will help to reduce the peak parking demand during those times. The school will manage the drop-off/pick-up areas to ensure they are used correctly and minimise the delays in parents vacating the parking spaces, and an appropriate management plan can be secured by condition. Sufficient staff parking is provided at the rear of the site. Service vehicles can be suitably accommodated in the rear parking area and visits by the same will be outside the pupil drop-off/pick-up periods, which can be secured by condition. Visitor, motorcycle and cycle parking is also provided. School zig-zag markings are proposed to the north of the existing bus stop in Newington Road to prevent on-street parking at drop-off and pick-up times. The parking arrangements are therefore considered acceptable and unlikely to lead to unacceptable additional parking on the highway.

I note revision B of the Project Execution Plan submitted on 3rd November and note that it includes on-site parking for site personnel and delivery vehicles during demolition/construction, and restrictions on delivery times to avoid the highway network peak hours. This plan can be secured by condition.

I therefore now raise no objection on behalf of the highway authority subject to safeguarding conditions.

Environment Agency - We have reviewed the 'Response to conditions proposed from EA and Contaminated Land' by WML Consulting which outlines the proposed programme of works to address contamination across the site. The conditions requested in our response dated 2 September 2015 (ref: KT/2016/121706/01-L01) are still required to ensure this work is completed. In general we agree with the proposed works. In addition to the proposals, we will require an assessment on the risks to groundwater from historic uses of the site as well as future uses. A groundwater risk assessment will help establish remedial targets across the site to ensure protection of the groundwater in the underlying chalk aquifer and at the

nearby public water supply borehole. If infiltration is proposed as part of the development, it must be proven that these locations are free from contamination.

#### Initial comment

Based on the submitted information we consider that planning permission could be granted for the proposed development if the safeguarding planning conditions are included. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

This site's previous uses as industrial units and a petrol filling station, could have led to contamination. These need to be comprehensively investigated and any contamination appropriately addressed. The site's proposed use is sensitive and the area is underlain by a Source Protection Zone (SPZ), therefore in accordance with NPPF requirements any historic contamination and risks to receptors must be dealt with fully.

KCC SUDs - Kent County Council as Lead Local Flood Authority have reviewed the revised Flood Risk Assessment (14th September 2016) for the proposed development and confirm we are able to remove our holding objection. The use of soakaways, either existing or replacement, combined with any extra necessary attenuation ensures compliance with the sustainable drainage hierarchy of discharge. Should your Authority be minded to grant permission to this development, we would recommend that safeguarding conditions are attached.

#### Initial comment

The Flood Risk Assessment for the proposals indicates the existing site discharges to soakaway and these systems appear to be indicated within the drainage strategy schematic. We therefore consider that the majority of surface water for the existing site is disposed of to ground within the site boundary. The FRA proposes to discharge surface water to the public combined sewer due to the potential for Made Ground to exist beneath the site, the location of the site within a groundwater source protection zone (Zone III) and the risk of dissolution of the Chalk noted in the Phase 2 site investigation. Whilst the report does not refer to any specific ground investigation results, it comments that only a limited thickness of Made Ground was encountered (except for the area of the former petrol filling station where deeper Made Ground is present) and that Head Deposits were encountered over the Chalk. There is no reference to any deeper drift deposits being encountered which could indicate the present of dissolution features. It is acknowledged that there is potential for contamination to be present from historical site uses (e.g. petrol filling station), however we feel that it would be reasonably practicable to mitigate these risks through appropriate design detailing. The majority of impermeable area for the development comprises roof or pedestrian / play areas where there is unlikely to be sources of significant contamination. Risks of pollution from parking and access roads can be minimised by the use of source control and pollution control features and therefore minimise risk of pollution to controlled waters. Additionally there is a large unsaturated zone beneath the site. The flat nature of the site would allow flexibility for systems to be sited away from areas of deeper Made Ground, contamination or other deposits unsuitable for infiltration (if present). The development also benefits from a large amount of open space compared to the previous layout and we consider this beneficial for the siting of any new infiltration features in the most appropriate locations. Kent County Council therefore objects the current proposal as we consider the FRA does not adequately demonstrate that the drainage hierarchy has been followed in the interests of sustainable drainage principles. This is particularly prudent where the existing site demonstrates drainage to soakaway is feasible and presumably has been operating satisfactorily for some time. In order to remove our objection, we recommend that the drainage strategy is revised to promote the use of infiltration drainage as per the existing

site. Given the reduction in impermeable area of the site, consideration could be given to re-using existing soakaways where their structural and operational condition is assessed as suitable via inspections, cleansing and testing. This could be combined with any new or additional attenuation storage or soakaways. It should be noted that we will only recommend approval for a strategy utilising a connection to public sewer where site specific information expressly demonstrates that disposal of surface water via infiltration presents significant risks of failure or a risk of pollution to controlled waters that cannot be minimised through reasonably practicable design detailing.

Southern Water - The results of an initial desk top study indicates that Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the NPPF.

Alternatively the developer can discharge foul flow no greater than existing levels if proven to be connected, and it is ensured that there is no overall increase in flows into the sewer system. You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed foul flow will be no greater than the existing contributing flows.

Should the Local Planning Authority be minded to approve the application, Southern Water would like a safeguarding condition attached to any permission.

Our initial investigations indicate that there are no dedicated public surface water sewers in this area to serve this development. Alternative means of draining surface water from this development are required. The public sewer is a combined system, receiving both foul and surface water flows, and no flows greater than currently received can be accommodated in this system.

The Flood Risk Assessment submitted in support of the application states an existing connection to the public combined system. The drainage arrangement should also be such that there will be no net increase in the flows currently received by the sewer.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Contaminated Land Officer - Based on the information submitted in the Phase 2 investigation (Blue Sky Design, Ref. 7008/G/02, February 2016) regarding planned works to remove USTs identified at the site I note the consultants recommend a watching brief be maintained. However, given the sensitive end use I would be grateful if you could attach an additional remediation condition to safeguard the development and ensure that these works are documented and reported to the LPA, should planning permission be granted.

Environmental Health (air quality) - Thanks for the emission mitigation assessment which calculated £7,641.81 to put in place offsetting measures that yield AQ improvements. An emissions statement is now required to show how this has been achieved (reference to sections of the Energy Statement and Sustainability Statement is acceptable).

Initial comment

The additional trips generated by the development i.e. 148 per day (632-484 pg 12) should be factored into the Emissions Mitigation Calculation (ref Thanet's Air Quality And Planning Guidance) and the costs offset within mitigation measures applied to the development e.g. travel plans, low NOx boilers, EV charging points if on site mitigation is not possible I would suggest wider air quality mitigation measures are sought through a section 106 agreement to offset any worsening of air quality at St Lawrence.

Environmental Health (noise impact) - Thank you for consulting me on the acoustic reports. I have reviewed and concur with the methodology and conclusions in T03 in relation to noise impact from children at play time and the criteria in the Acoustic Design Report - however the latter design criteria will require conditioning to demonstrate compliance.

Initial comment

I have had the opportunity to review the noise assessment undertaken by SRL. The assessment of noise both impacting on residents and on classrooms has been sufficiently addressed through recommended noise limits for external plant and sound insulation measures, including mechanical ventilation so that windows to classrooms are kept closed - these will require conditioning. However, noise associated with children using the play fields at break times has not be considered, I understand that there is no guidance in this regard and if only used for a small proportion of the day is unlikely to unreasonably impact on neighbours in terms of WHO noise criteria however as this development will introduce a new/different noise climate I would ask that more information is submitted in relation to the noise reduction achieved by close board perimeter fencing.

KCC Biodiversity - We have reviewed the submitted documents in support of this application and advise that no further information is required prior to determination of any planning application. A bat survey has been carried out to determine if any of the on-site buildings have roosting bats; the buildings were originally scoped at having low bat potential. The report details that no bats were recorded emerging or re-entering the buildings and therefore concluded that there are no bat roosts on site. In the unlikely event that a bat is found during the site works, all works in that area must halt and a suitably qualified ecologist should be consulted. The statement advises that the survey data is valid for 12 months from the survey date and if demolition/development is proposed after this timeframe then new updated information will need to be provided. We advise that this should be secured as a condition of any planning application.

## COMMENTS

This application is brought before members as a departure to Thanet Local Plan Policy EC12.

### **Principle**

#### **- Loss of Employment Site**

The site is located within an area designated as an employment site. Policy EC12 of the Thanet Local Plan states that employment sites, as identified on the proposals map, should be retained for employment uses falling within use classes B1 and B8 in locations close to residential areas, with an additional B2 use away from residential areas. The aim of the policy is to ensure that there is a range of premises available to meet the needs of small and medium-sized local businesses. The Council considers that it is essential that premises of this type in appropriate locations are retained in this use in the longer term, in order to encourage economic diversity.

The proposal is for the erection of a new primary school on the site, following the demolition of the existing industrial buildings. The proposal would therefore result in a loss of an existing employment land identified within the Adopted Local Plan for retention, and as such the proposed development would be contrary to Policy EC12 of the Thanet Local Plan.

Paragraph 22 of the NPPF states that 'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'. The applicant has advised that the site was previously used by Piper Windows, who manufactured, supplied and installed double-glazed windows, doors and conservatories, with approximately 105 employees. The company went into administration in September 2014, following which the site was actively marketed by estate agents for an industrial user, but none were forthcoming. The applicant has advised that the potential reasons for the lack of interest were the extent of work required to adapt the existing buildings, which had been designed to the needs of the former business, and the parking area to the front of the site, which was considered to be poorly laid out, presented and maintained.

Whilst the Adopted Local Plan identifies the land to be retained for employment use, there is an oversupply of employment land within Thanet, as concluded within the Employment Land Review 2010; and as such, as part of the emerging Draft Local Plan, the employment sites that are no longer considered to be suited to an employment use have been allocated for alternative uses. The application site is one of those sites that have been reallocated for an alternative residential use as part of the emerging Draft Local Plan. Whilst this proposal is not for a residential use in this instance, it is important to note that evidence suggests this site is no longer considered suitable for an employment use. The Local Plans team has advised that the reason for this reallocation is that the site had lorry routing issues and was considered to be incompatible with neighbouring uses. The loss of the employment use is therefore considered to be acceptable subject to its replacement with an alternative land use for which there is a justified need.

#### - Educational Facility

The proposal is for a new primary school development to accommodate the additional need for school places within Thanet. Given the urgent need for the school places, Ramsgate Free School has already opened, and is currently teaching 70 pupils within temporarily accommodation in the grounds of Chiltern Primary School, until a more permanent solution is found. This proposal has been formulated as the permanent solution to accommodate the additional school places required for both existing and future pupils.

An Education Planning Statement has been supplied by KCC in support of the application, which advises that the district has been experiencing a rise in the number of children seeking primary school places, with the school roll expecting to rise from a capacity of 11,332 in 2015/2016 to 12,552 in 2020/2021. Over the past three years KCC have advised that many children have been offered school places outside of their immediate locality, resulting in children having to travel across the district. Schools in Ramsgate do not have sufficient capacity to accommodate local children, and therefore if Viking (Ramsgate) Free School was not built as a two form entry school, Ramsgate children would have to continue to attend a school outside of their immediate locality.

Policy CF1 of the Thanet Local Plan supports the provision of new community facilities where the proposal is not contrary to other local plan policies and where the community use and location are demonstrated as being appropriate. Policy CF3 of the Thanet Local Plan states that subject to the environmental, transport and other policies of this plan, proposals for new educational and training facilities will be permitted.

The National Planning Policy Framework requires that Local planning authorities take a proactive, positive and collaborative approach to meeting the needs of existing and new communities by ensuring that a sufficient choice of school places are available. As such, the NPPF requires that great weight is given to the need to create, expand or alter schools. KCC have confirmed that there is a need for new primary school provision within the area, and the application site is within walking distance of residential properties, and in front of an existing bus stop. The proposed educational use on the site is considered to be acceptable given the local need for the proposed development; and as such is considered to outweigh the current employment policy designation and potential residential allocation as set out within the Emerging Draft Local Plan. The principle of the educational use is therefore considered to be acceptable, subject to other material considerations such as the impact upon highway safety and impact upon neighbouring living conditions.

### **Character and Appearance**

The site currently occupies three large buildings, which vary in height between 2-3 storeys, and which are staggered across the site. The proposal is for the demolition of these buildings and the erection of a 2-storey school building almost the full width of the site, which is setback from the road by a minimum of 10m. A development of this height and setback is considered to be in keeping with the general appearance and pattern of surrounding development, which is pre-dominantly 2-storey in height with spacious frontage.

Whilst the building is wide, a variety of materials have been used to break up the development, including white render, timber cladding, grey aluminium windows and doors, and feature fins. There is a minimum gap of 8m between the proposed school building and the southern boundary of the site, and the proposed school building and the nearest residential property to the north. As such it is considered that adequate spacing is provided around the building to the front, sides and rear, to provide a suitable setting to the building. Overall, the school is of a similar design to other recent school developments in the area, is of a size, height and location in keeping with the character and appearance of the area, and provides an overall enhancement to the appearance of the site when compared with the existing industrial buildings.

To the front of the site a vehicular access and large drop off area is proposed. Whilst this part of the site will be tarmacked, the entrance plaza beyond will be block paved, and a large area of grass is proposed to the front of the drop off area. To the north of the site a further playground and grassed area to serve the nursery is proposed, with some hedge planting along the front boundary, which will help to soften the appearance of the development. A 2.4m high black weldmesh fence is proposed around the front boundary of the site for security reasons. Whilst high its design would enable views into the site and allow for the open appearance toward the front of the site to be retained.

Whilst not publicly visible, an open appearance to the rear of the site will be also be maintained through the provision of a grass play area, games court and parking area.

The impact upon the character and appearance of the area is considered to be acceptable.

### **Living Conditions**

The main issues regarding neighbouring living conditions are the potential noise and disturbance from the school, playground and side access road, and the potential loss of privacy/light/outlook for the nearest neighbouring properties.

No. 148 Newington Road is the nearest neighbouring property to the proposed development. There is a distance of 8.5m between the proposed development and the existing side elevation of no. 148, and therefore whilst a side window is present in no.148, the distance means that there will be no significant impact upon their light or outlook.

With regards to overlooking, no first floor windows are proposed within the southern side elevation of the building, and the 3no. first floor windows within the northern side elevation serve a staff working room, and the windows look onto the roof of the neighbouring bungalow. As such, the impact upon neighbouring privacy is considered to be acceptable.

The side access road is existing, however, the use is likely to be intensified given the presence of a drop off and parking area to the rear of the site, and also at weekends, when the school building is intended for community use. Concerns have also been raised by neighbouring residents in relation to noise and disturbance, particularly from the playground.

In order to assess the impact upon neighbouring amenity from the school, a noise assessment has been submitted. It is recommended through the report that noise limits be placed on external plant equipment and sound insulation measures be introduced, including mechanical ventilation so that windows to classrooms are kept closed. Environmental Health have commented that in their opinion the report sufficiently addresses the impact upon residents from the school building, but does not fully consider the impact on residents from children playing in the fields at break times. A revised noise assessment and supporting document was submitted, which concluded that based on the information provided it was unlikely that the noise levels from typical play in the external play areas of the school would result in noise levels that exceed noise limits given in the WHO 'guidance for community noise' and the British Standard 8233:2014: 'Guidance on sound insulation and noise reduction for buildings', subject to the boundary treatment remaining free from gaps. Environmental Health has raised no objections to the proposed development on the basis of the information submitted, and subject to safeguarding conditions regarding noise limits and boundary treatment.

With regards to the community use of the school, the hours of use can be controlled through a community involvement plan, which is to be submitted and approved by the Council.

The intensified use of the vehicular access will increase noise and disturbance for neighbouring occupiers, with the worst times being between 8.30am and 9am, and between 3.30pm and 4.30pm Monday to Friday when pupils are dropped off and picked up. Whilst during these hours the impact may be worse than that from the previous industrial use, the vehicles using the access are smaller and the impact is during only a short period of the day. Outside of school drop off and pick up hours, the impact from the proposed school use is considered to be no worse than the previous industrial use, and may even be an improvement depending upon the number of daytime deliveries the employment use previously had. In addition, the boundary treatment along the southern boundary of the site is to be uplifted and made good where required in order to achieve adequate screening between the proposed development and neighbouring occupiers. The boundary treatment is to be maintained.

Taking the above factors into account, the impact upon neighbouring living conditions is therefore considered to be acceptable.

## **Transportation**

The proposal involves the erection of new primary school with 25no. car parking spaces and 30no. drop off spaces. The site is served by Newington Road, which is a busy through route within Ramsgate, and other primary schools to both the north and south of the site are also

served by Newington Road. Concern has been raised by residents regarding increased traffic congestion.

As part of the application a transport assessment, interim travel plan and construction management plan have been submitted. With regards to the transport assessment KCC Highways and Transportation are satisfied that the existing highway network has been adequately assessed as part of the application, including the Newington Road/Stirling Way signal junction and the Manston Road and High Street St. Lawrence roundabout junctions. The survey data and modelling shows that the level of impact from the proposed development traffic is approximately 4% in the AM peak and 5% in the PM peak, which is less than the daily variation in traffic flows of approximately 10%. As such the assessment concludes that this level of impact is not likely to be perceived by existing road users and therefore it is reasonable to conclude that the proposed development would not have a severe impact at this junction. KCC accept that there will not be a severe impact on junction capacity, especially given the sustainable location of the site. However, this view is on the basis of particular measures that require enforcement (via condition), and which will assist in reducing the number and impact of additional vehicle movements:

- Provision of breakfast and after school clubs, thus reducing additional vehicle movements during the traditional peak school periods. The breakfast club would start at 7.30 am and after school club finish at 6 pm,
- Staggering of school start and finish times both for Key Stages 1 and 2 within the school and with other schools in the area. Key Stage 2 would start at 8.30 am and finish at 4.15 pm, with Key Stage 1 starting at 8.50 am and finishing at 3.15 pm, again reducing additional vehicle movements during the traditional peak school periods,
- Provision of walking buses to facilitate and encourage pupils to walk to and from school; a minibus service to collect/drop off pupils who live further afield and so reduce additional vehicle movements to/from the site; provision of a free breakfast to those pupils who walk, cycle or use public transport to attend the breakfast club; and encouragement of car sharing by pupils and staff. These measures can be secured through the School Travel Plan.
- Some prospective parents are likely to already be driving on the local highway network taking children to other schools and/or going to/from work, so these would not be additional trips on the network.

The proposed site layout plan shows a main vehicular access towards the south of the site, which utilises an existing access into the site. The access leads to a drop off area to the front of the site for 14no. vehicles and a drop off area to the rear of the site for 16no. vehicles. The drop-off/pick-up areas will help to provide a safe place for children to be dropped off and collected at school, whilst also limiting the amount of on-street parking in the surrounding area and preventing queues onto the highway. Pupils will be able to access the school building from both the front and rear, allowing for different year groups to be assigned to these different areas across the different start/finish times. Parents will have a window of up to 15 minutes before school start time and after school finish time within which to drop-off/pick up children, and this will help to reduce the peak parking demand during those times. The school have agreed to manage the drop-off/pick-up areas to ensure they are used correctly and to minimise the delays in parents vacating the parking spaces. Details of the management of the drop off and pick up areas are to be submitted as part of a parking management plan.

The proposed site access arrangements include a separate entry and exit point for cars, with parking and drop-off/pick-up areas located away from the entry point. This will allow vehicles to enter the site without being delayed by vehicles manoeuvring in/out of the parking spaces



and prevent queuing back onto Northdown Road. School zig-zag markings are proposed to the north and south of the exit point to prevent on-street parking and maintain visibility at the exit. Separate pedestrian access points are proposed in three locations along the frontage so that pupils do not have to cross the vehicular entry/exit points in Newington Road. There is an existing zebra crossing in Newington Road at the south west corner of the site. The existing redundant vehicle accesses in Newington Road will be removed and the footway reinstated. These footway works and the provision of the school zig-zag markings are to be carried out by the applicant through an agreement with the highway authority. The access arrangements are considered to be acceptable in highway terms.

A car park is proposed to the rear of the site for 27no. vehicles for both staff and visitors, which KCC Highways and Transportation have advised is sufficient; and service vehicles can be suitably accommodated in the rear parking area outside the pupil drop-off/pick-up periods.

The parking arrangements are therefore considered acceptable and unlikely to lead to unacceptable additional parking on the highway.

The construction management plan proposes that on-site parking for site personnel and delivery vehicles will be provided during demolition/construction, along with restrictions on delivery times to avoid the highway network peak hours. This plan is considered acceptable.

On balance, and taking into account the information submitted, which provides adequate off-street parking, drop off/pick up areas and access arrangements, along with measures to reduce travel by car, there is unlikely to be a severe impact on the highway network as a result of the proposals that would warrant a recommendation for refusal on highway capacity/safety grounds. The impact upon highway safety is therefore considered to be acceptable.

### Ecology

A bat survey has been submitted with the application which details that no bats were recorded emerging or re-entering the buildings and therefore concludes that there are no bat roosts on site. KCC Biodiversity have confirmed their agreement with the report, but recommend a condition be added requiring a further bat survey to be carried out should construction works not commence within the next 12 months. In the Council's view it is not considered to be reasonable to request further bat surveys within the three year time period in which the applicant can commence works. In any event, the applicant has a duty to protect endangered species under the Wildlife and Countryside Act if found during the course of construction.

The impact upon ecology is considered to be acceptable.

### Contamination

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water have advised that they will rely on consultations with the Environment Agency to ensure the protection of the public water supply source.

As part of the submitted application a Phase 2 Geo-Environmental Investigation and Assessment has been submitted. The Environment Agency have commented that planning permission could be granted for the proposed development subject to strict planning conditions, without which the proposed development poses an unacceptable risk to the

environment. This is because the site's previous uses as industrial units and a petrol filling station, could have led to contamination, and now the site needs to be comprehensively investigated, with any contamination appropriately addressed. This is especially important given the location of the site within a Source Protection Zone (SPZ).

In response to the EA's comments and recommended conditions, further information on the programme of works intended to address contamination across the site was submitted. The EA have advised that in general they agree with the proposed works, however in addition to the programme of works stated they require an assessment on the risks to groundwater from historic uses of the site as well as future uses, which should help to establish remedial targets across the site to ensure protection of the groundwater in the underlying chalk aquifer and at the nearby public water supply borehole. If infiltration is proposed as part of the development, it must be proven that these locations are free from contamination.

Subject to these safeguarding conditions the contamination impact is considered acceptable.

### Flood Risk and Drainage

Southern Water have advised that their initial investigations indicate that there are no dedicated public surface water sewers in this area to serve this development, and that the public sewer is a combined system, receiving both foul and surface water flows. As such, no flows greater than currently received can be accommodated in this system.

Southern Water have further advised that the results of an initial desk top study indicate that they currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the NPPF.

As part of the submitted application, a Flood Risk Assessment (FRA) has been submitted. The original flood risk assessment for the proposal was on the basis that discharge surface water would be to the public combined sewer, however the assessment also indicated that the existing site discharged to a soakaway. KCC SUDs initially raised objections to the proposed scheme on the basis that the majority of surface water should be disposed of (to ground) within the site boundary, and that adequate investigations had not been carried out to prove that the risks to the groundwater protection zone could not be mitigated through appropriate design detailing.

A revised flood risk assessment has been submitted, which considers the use of soakaways, either existing or replacement, (depending upon further investigation) combined with any extra necessary attenuation. On the basis of the revised flood risk assessment, KCC SUDs raise no objections to the proposed scheme subject to safeguarding conditions.

Southern Water have confirmed that if the developer can prove they are connected to the sewer system, they would allow discharge foul flow no greater than existing levels, and would therefore raise no objections to the proposed development subject to safeguarding conditions. A safeguarding condition will require the submission of a strategy detailing the connection, and if the flows exceed existing levels, the applicant will be required to provide drainage infrastructure in agreement with Southern Water.

### Air Quality

The site falls within the Urban Air Quality Management Area, and given that it exceeds 1000m<sup>2</sup> and has a large number of parking spaces and drop off area, is likely to lead to an increase in traffic on the local roads. Environmental Health have therefore advised that an

Emissions Mitigation Assessment is required in order to determine the appropriate level of mitigation required from the development.

An air quality mitigation statement has been submitted as part of the application, however the initial advice received from Environmental Health was that the additional trips generated by the development had not been factored into the Emissions Mitigation Calculation. A Technical Addendum was submitted by the applicant, which considered a damage cost calculation in order to provide a monetary value for the emissions associated with the proposed development, with the intention being that this cost would then be offset through both on-site and off-site mitigation measures. The total contribution required to offset emissions is calculated at £7,641.81, which could be used towards mitigation measures such as the installation of electric charging points, implementation of a green travel plan, walking/cycling initiatives etc. Subject to a condition requiring details of an Emissions Statement showing how these mitigation measures will be achieved, Environmental Health raise no objections to the proposed development on air quality grounds.

### Impact on Trees

There are no trees within the boundary of the site, but there are a few trees within adjoining sites that overhang the boundary. An Arboricultural Survey has been submitted, which assesses the 2no. trees and 3no. groups of trees adjoining the site as Category C trees, and are therefore of low quality and value. Whilst their retention is supported as they will help to screen the development from the neighbouring properties, special protection of the trees during construction is not considered to be essential. Whilst the access road will be located within the root protection zone of the trees, the area is currently hard surfaced, and so the resurfacing of this space will result in only minimal impact.

### Conclusion

There is a local need for the proposed primary school, the provision of which is strongly supported by the NPPF. As such, the need for the primary school is considered to outweigh the loss of the designated employment site, which is also allocated for residential use within the Emerging Draft Local Plan.

Whilst the site is located within an area where there are already a high number of traffic movements, the proposal involves the provision of drop off/pick up areas, off-street parking for 27no. vehicles, and staggered start/finishing times for the school, along with other sustainable transport proposals. On this basis it is not considered that the proposed development would result in a severe impact on the highway network, especially when compared to the existing employment use.

Whilst the proposed development will result in some additional noise and disturbance for neighbouring occupiers during school drop off/pick up times, and from the playground during break times, the vehicle movements will be during a short period of time and the impact from the playground is considered to be acceptable subject to conditions enforcing adequate boundary treatment, as well as noise limitations on equipment on the building.

Overall the development is considered to be sustainable development in accordance with the Thanet Local Plan and the NPPF. It is therefore recommended that members approve the application.

**Case Officer**  
Emma Fibbens

