

- a) **DOV/19/00259 Erection of new pre-school building (existing classroom to be demolished)Kingsdown & Ringwould C of E Primary School, Glen Road, Kingsdown**

Reason for reporting to committee: Number of contrary views (20).

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan (2002) and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

A summary of relevant planning policy is set out below:
Core Strategy Policies

- CP1-The location and scale of development in the District must comply with the Settlement Hierarchy. Kingsdown is identified as a village and a tertiary focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to essentially its home communities.
- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM13 – Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council Guidance SPG4, or any successor. Provision for residential development should be informed by the guidance in the Table for Residential Parking.

National Planning Policy Framework 2018 (NPPF)

- Paragraph 2 states that “planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.
- Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- Paragraph 8 achieving sustainable development via three overarching objectives-social, economic and environmental.
- Paragraph 11 determining applications for sustainable development.

- Paragraph 47 ‘Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing’.
- Paragraphs 92 and 94 aim to ensure that established facilities are able to develop and modernise and are retained for the benefit of the community. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. Great weight should be given to the need to create, expand or alter schools through decisions on applications.
- Paragraphs 102 and 103 identify that it is necessary to consider the potential impacts of development on transport and the environmental impacts of traffic.
- Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and landscaping, are sympathetic to local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

d) Relevant Planning History

DOV/08/767 Provision of 2 x 2 bay mobile classroom units-no objection.

DOV/11/675 retention of mobile classroom unit-no objection.

DOV/15/00587 renewal of existing temporary planning permission for two single classroom units. No objections.

DOV/18/01015 masonry cavity wall extension to provide extra classroom space. No objection.

e) Consultee and Third Party Responses

Parish Council

Support this application as long as parking provisions are discussed.

Southern Water

Requires a formal application for connection to the public foul sewer to be made by the applicant or developer and that this matter is covered by an Informative in the event that planning permission is granted.

There do not appear to be any public surface water sewers to serve this development. Alternative means of draining surface water from the development will be required and this should not involve disposal to a public foul sewer.

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition and potential means of access before any further works commence on site.

Tree Officer

Trees-the submitted Tree Report states that individually the trees at the site are of low value and can be replaced.

The Councils Tree Officer notes that the proposal shows the removal of a large number of trees, situated in a prominent position. Collectively they have moderate amenity value, although individually they are defined as low quality specimens. Whilst their loss will undoubtedly have a detrimental impact on the immediate area, it is understood that the pre-school cannot be sited anywhere else and on balance accept their loss. The planting of trees to compensate for this loss is imperative and details of the planting scheme must be submitted for approval by way of a condition.

Public Right of Way

Confirm they do not have any comments to make.

KCC Highways Engineer

The KCC Highways Engineer notes that:

"The pre-school will cater for a maximum of 30 children with 6 staff but cannot provide any car parking within the application site. The information submitted together with my own observations on site indicate that around half of both children and staff at the existing pre-school arrive by car. Around 30% of children at the pre-school also have siblings at the primary school.

The number of additional cars generated by the proposal is therefore unlikely to be more than around 18 (15 children and 3 staff), assuming that all pre-school pupils will attend all day every day. This makes no allowance for cars carrying both pre-school children and siblings at the primary school or that some children may not attend the pre-school every day or may attend at different times, so this is likely to be a worst case scenario.

The proposed nursery will be open from 8am to 6pm and the greatest impact in terms of trip generation and parking demand is likely to be between 8am and 9am when children are also being dropped off at the primary school. The peak time period for primary school drop off is around twenty minutes between 8.40am and 9.00am. The

likely drop off of pre-school pupils is likely to be spread across the hour, such that around 5 additional cars may be trying to park during the peak 20 minute period as a result of the new pre-school. Whilst the existing primary school generates a peak parking demand during this time, the survey information submitted and my own observations on the site indicate that parking is available in the streets around the site, to meet the short term demand as well as the similar long term demand for some staff who will drive and park all day.

At present during this short period the existing on-street parking situation means that two way traffic flow is not possible in some sections of the highway and drivers sometimes have to give way to each other, which is typical of the situation outside most primary schools during this time. However this does not appear to cause a significant problem and there are no recorded personal injury crashes in the ten years to the end of September 2018 in the vicinity of the school.

Whilst the primary school also generates traffic and an associated parking demand around the school closing time, the extended opening hours of the pre-school means that it is unlikely to generate much additional traffic or parking demand at all during this time and any collection of pre-school children is likely to be linked to the collection of siblings at the primary school.

The existing pre-school in the village hall has no parking available on site and is also not served by any footways, requiring parents to walk to/from the site in the carriageway. The relocation of the primary school would provide an improvement on this existing situation.

Taking all of the above into account and on balance the proposals are unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds.

I note the primary school has an active travel plan and encourages sustainable modes of travel, as well as encouraging parents to drive and park considerately. The plan should be updated to include the pre-school or a separate plan provided. The pre-school will presumably occasionally have deliveries and these should be coordinated so they are outside drop-off and pick-up times for both the pre and primary schools.

It is recommended that conditions are attached to secure a Construction Management Plan, a Travel Plan and implementation of a Delivery Plan.

It is appreciated that residents have concerns about on-street parking and there is the suggestion that some form of residents permit scheme could be introduced. This would be a matter for the District Council to consider although the introduction of such a scheme is likely to simply move parking by staff and parents to other streets in the vicinity.”

Environmental Health Officer

Notes that part of the land has a former use as a blacksmiths, sand quarry/gravel pit and as filled land and therefore there is the potential for the land to be contaminated.

No objections raised but has recommended conditions in the event that planning permission is granted including a desk top survey to identify potential pollutants and any necessary mitigation measures. In addition a Construction Management Plan shall be submitted to and approved in writing in relation to hours of operation, dust mitigation, the control of noise and vibration.

Third Party Representations

A total of 70 representations have been received. Of these 48 are in support and 21 raise objections. Some respondents state that whilst they have no objection to a new pre-school they do have reservations about the associated highways impacts.

Those in support make the following comments:

- Proposal will provide an essential local service and a purpose built unit would provide improved opportunities for children. Use of the village hall is restricted as not always available throughout the whole day due to other activities taking place, limited storage and lack of access for disabled.
- The current opening hours are limited by the location in the village hall which results in children having to attend all day nurseries elsewhere.
- A new pre-school would provide an important piece of rural infrastructure that would encourage families to settle locally and be of benefit to the community.
- Single drop off point for parents with children at both pre-school and primary school.
- Improved links between pre- and primary schools.
- Excellent design that would be an improvement in the street scene.
- The village hall would become available for other activities or events.
- Proposal would provide additional employment.
- Air pollution levels are low locally. Some vehicle activity is inevitable outside primary and pre-schools.

Those against the proposal make the following comments:

- No relocation should take place until arrangements are made for vehicle access from Ringwould Road, rather than Glen Road. School drop off point should be from field to rear.
- Increased number of children and staff will lead to increase in the requirement for parking.
- Parking facilities are inadequate. Parents should park further away from the school. There should be more enforcement of inappropriate parking.
- Consideration should be given to road safety measures such as traffic calming, traffic regulation orders, speed restriction signs and introduction of residents' only parking permits.
- A mini bus service should be introduced.
- Car engines are left running/inconsiderate parking takes place obstructing residents' drives and the bus stop.
- Abuse from parents
- Road safety problems for those walking to the site.
- Noise nuisance from outdoor play.

- Dangerous pollution levels from additional car activity. The situation is likely to become worse with new housing planned in the area.
- Increased vandalism.
- Traffic report inadequate and parking survey is not statistically valid.

f) **1. Site and Proposal**

- 1.1 Kingsdown & Ringwould C of E Primary School campus is situated on the south side of Glen Road close to its junction with The Rise to the east and Kings Close to the north. The school playing area lies to the south west. The site is adjoined on the south eastern side by a narrow wooded strip of land known as The Butts, a protected Open Space, through which leads a Public Footpath. The premises lie within the confines of the village in a predominantly residential area. The site falls outside of the AONB and Conservation Area and there are no TPOs on site.
- 1.2 The primary school buildings are single storey and of brick construction and date from the 1980s. They have been extended in the past and the school has had permission for two mobile classrooms on site, one of which is situated adjacent to the front boundary of the site. The condition of this structure has deteriorated over time. The site incorporates a number of mature and early mature trees ranging in height from 2m to 12m which provide some screening to the north, east and southern boundaries.
- 1.3 The application relates to the front north eastern corner of the Primary School grounds to the east of the main entrance. The location is currently occupied by a mobile classroom (dating from 1996) set within an area of medium sized trees. Immediately to the south of the mobile classroom is a brick classroom occupied by year 1 pupils. This is due to be linked to the main school buildings by a link addition that has been given planning permission.
- 1.4 The existing Pre-School currently operates from St Johns Village Hall in Upper Street, Kingsdown. As is to be expected this venue is used by other organisations apart from the pre-school which limits the days/times it is available for use. The site also suffers from limited parking.
- 1.5 In support of the proposed development it is stated that the shared nature of the village hall means that there are time and space restrictions on the number of pupils that can be accommodated and operational hours. A public consultation event was instigated by the pre-school in relation to a purpose designed pre-school building.

2 Main issues

The main issues to consider are:

1. The principle of siting a pre-school in this location
2. Design and location of the proposed building
3. Removal of trees and the impact on the character and appearance of the area.
4. Impact on highway safety.
5. Impact on residential amenities of neighbours.

ASSESSMENT

Principle of the development

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 2.2 The site falls within the confines of Kingsdown and the proposal is therefore compliant with policy DM1 of the DDC Core Strategy, subject to other material considerations. It is necessary to give careful consideration to the specific nature of the scheme including the associated parking matters and the impact on the character of the area.

Design and Location of the proposed building

- 2.3 In support of the application supporting information has been received, as summarised below:
- 2.4 *"The design has been developed through careful consideration and analysis of the Pre-Schools requirements, the context in which the building is located as well as the planning policies and constraints. The existing "temporary" portacabin does not address the street or add positively to the architectural character of the area. It is reached via raised steps which do not meet current accessibility standards. The trees that formed part of the scheme to screen the portacabin are of low value."*
- 2.5 *Operationally it is important that the Pre-School maintains a clear identity and one that is separate from the Primary School. The purpose built design would include a level access entrance with a "positive and welcoming street frontage". It is stated that the design will offer a significant architectural improvement compared to the portacabin and will resolve what is currently a neglected and undistinguished corner of the village. The surrounding buildings are mostly pre-war, of varying architectural styles and the site is not within a Conservation Area or adjacent to a Listed Building.*
- 2.6 *The size of the building is dictated by Ofsted requirements per child. The dormer feature is considered to be an important and integral feature of the design that provides a sense of welcome to the entrance space and would illuminate the interior space. The use of lettering as signage at first floor level is said to be part of a long standing tradition incorporated into school buildings and this element is considered to be consistent with the scale of the building. It will also add a lively addition to the street scene and avoids the need for any secondary signage.*
- 2.7 *With regard to the trees at the site it is noted that they are closely planted and that some lower branches have started to die off. The screening effect of the trees is likely to decline further in time. Whilst collectively the trees provide some screening value, individually they are of low value. Consideration will be given to any alternative planting that could take place in this location."*
- 2.8 The location of the Pre-School within the Primary School site is limited by the availability of space within the grounds and the need to retain a separate identity and entry point. Whilst restricted in size and irregular in shape, this location would appear to be the only option available at the site to accommodate the Pre-School building.
- 2.9 The proposed design shows a single storey pitched roof building that would be sited adjacent to the back edge of the pavement, behind green metal railings. The design incorporates a dormer style window to the front elevation which would provide light to the lobby area. The front elevation of the dormer would incorporate the words

“Kingsdown Pre School”. It is considered that the proposed wording would constitute a sign for which Advertisement Consent would be required.

- 2.10 It is appreciated that this proposal involves the introduction of a permanent building in a prominent location at the front of the site. The removal of the existing tree screen will result in the building being more visible in the street scene than the Portacabin which is currently screened by some trees at certain times of the year.
- 2.11 The proposed building is of a satisfactory design and the size and scale would be appropriate in this location. The location at the front of the site will clearly make drop off and pick up of young children easier for relatives/carers. Whilst the appearance of this part of Glen Road will be altered, the Pre- School building will not result in undue harm to the visual amenities of this part of the village.

2.12 Removal of trees and impact on the character of the area

- 2.13 As noted above the existing mobile classroom is now in poor condition and does not enhance the street scene. During the spring and summer months it is screened by the belt of trees along the site frontage but is more exposed during autumn and winter. There are no objections to the removal of this structure given its age and condition.
- 2.14 The Tree Officer has noted that individually the trees are of no particular merit although together they have some amenity value. The removal of the trees is regrettable but as has been indicated there are no other possible locations for the proposed Pre-School within the Primary School grounds.
- 2.15 The Tree Officer has recommended that some replacement tree planting should take place to enhance the site. Whilst space is restricted around the proposed building, it will be necessary for consideration to be given to replacement planting in alternative suitable locations in the school grounds.
- 2.16 The removal of the trees is unfortunate but unavoidable in this situation. New tree planting in front of the building would not be desirable or practical due to the limited space remaining. The proposal will result in a change to the character of the street scene but will not be so unduly harmful as to justify withholding consent.

2.17 Highway Impact

- 2.18 The Highways Engineer notes that whilst the Pre-School has longer opening hours than the Primary School, the peak drop off time is likely to be between 8 and 9am. It is estimated that around 5 additional cars may be trying to park during the peak 20 minute drop off time for the Primary School. The on site observations and survey results indicate that parking is available in the surrounding streets to meet the short term demands of parents and longer term needs of teachers.
- 2.19 Although on street parking congestion was seen to exist in the area, the Highways Engineer noted that there does not appear to be a significant problem in the vicinity of the school site.

- 2.20 It is noted that the existing Pre-School in the village hall has no on-site parking available for those dropping off children. In addition there are no pavements in the vicinity of the village hall, so that parents are required to walk in the carriageway. The proposal will provide an improvement in this regard given that there are pavements along Glen Road.
- 2.21 On balance it is concluded that the relocation of the Pre-School will provide an improvement and that the proposal is unlikely to have a severely detrimental impact such as to recommend refusal for highway reasons. The proposal will need to be subject to safeguarding conditions covering Construction Management and Travel Plans.
- 2.22 In response to the above the applicants have provided a revised Travel Plan for the site which includes details of the operational hours, staff/pupil numbers and parking facilities available for both the Primary School and the proposed Pre-School. The Travel Plan recognises that the site is set in a residential area where some roads are narrow and that not all dwellings have allocated off street parking facilities. There are School "clearway markings" outside the premises and a local speed limit of 20 mph. In addition the Head Teacher is present at the school gates to monitor parking and parental courtesy to other road users.
- 2.23 The Travel Plan acknowledges that Glen Road does become congested at drop off and pick up times and that parental parking reduces the width of the road to a single track. There are a limited number of parking places within the site and staff regularly double park in the grounds or are required to park in nearby roads. Walking, car sharing, cycling and scootering to the school are encouraged and targets are in place to increase the percentage of pupils and staff who travel in these ways.
- 2.24 It is clear the school is aware of the congestion issues associated with the site at peak times and the need for off-site parking due to limited spaces within the grounds. The Travel Plan confirms that the school is committed to working with parents and residents to reduce dangers for children and conflict with other road users, as well as improving the parking behaviours of parents. The School agrees to complete an annual review which will feed in to the KCC Travel Plan Management System.

2.25 **Impact on residential amenities of the Neighbours**

This is a largely residential part of the village with a number of road junctions in the vicinity of the site. The nearest dwellings to the application site lie on the opposite side of Glen Road, approximately 30m away. It is acknowledged that the proposed re-location of the Pre-School from elsewhere within the village will inevitably lead to intensification in the use of the existing Primary School site. It is also recognised that there will be peaks of activity at the beginning and end of the Pre-School day and associated activity in the form of cars drawing up and people chatting. There will therefore be a degree of activity and noise associated with the Pre-School that currently does not occur at the site.

- 2.26 The protected Open Space between the school and The Rise is largely wooded and as such the dwellings to the south west of the application site are well screened from the proposed development. It is necessary however to assess whether the proposed

use would have a detrimental impact on the residential amenities currently enjoyed by the existing residents on the opposite side of Glen Road.

- 2.27 The proposed development will result in an increase in the number of young children at the site and it is recognised that there will be some associated impact on the amenities of the occupants of the nearby residents. This is most likely to take the form of additional vehicle activity, the noise of car engines, car doors closing and general chatter. The impact of the proposal can be limited by parents taking a responsible approach and parking slightly further away to avoid the possibility of congestion and car engines being left running. Whilst the amount of noise may increase compared to the current use, it should be for a short lived period of time at the beginning and end of the working day, when some local residents may be out at work themselves.
- 2.28 With regard to noise associated with external play, it is again appreciated that the Pre-School will generate some additional external noise during break times or outdoor activities. Again any noise will be limited to certain parts of the day and should not create such high noise levels as to constitute a statutory nuisance.
- 2.29 The concerns of neighbours about increased vehicle activity outside the site have been acknowledged. Unfortunately there is not an option to provide additional parking spaces within the site, which will undoubtedly lead to some on street parking in the vicinity. A drop off point at the rear of the site with access from Ringwould or Glen Road would not be an option in this instance. The request for an updated Travel Plan has however been addressed by the applicants. As is the case near many schools the success of the Travel Plan will depend on considerate behaviour by those dropping off/picking up children.

3 Conclusion

- 3.1 The NPPF at paragraph 94 states that it is important that a sufficient choice of school places is available to meet the needs of existing communities. Local Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. The proposed development would be in line with the broad aims of the NPPF.
- 3.2 The proposed development will clearly be of benefit to those with young children in the village and local environment in that it will provide an essential, purpose built facility with improved opportunities for learning and growth. Unlike the current location in the village hall the Pre-School will be available throughout the working week and will be designed to incorporate storage and the needs of those with access disabilities. The proposal will provide an enhanced standard of accommodation, better facilities for supervising staff and opportunities for children. The siting close to the Primary School will also be a useful link and make the transition from Pre-School to Primary School easier for the young children. The Pre-School is therefore considered to be an important piece of rural infrastructure that should be supported in the interests of the youngest members of the local community.
- 3.3 The impacts of the relocation of the Pre-School have been recognised and understood and it has been acknowledged that the use will lead to an intensification

in the level of activity/noise in this part of Glen Road at certain points of the day. The comments of the neighbours have been given very careful consideration but the impact of the proposed Pre-School is not considered to be so unduly harmful to residential amenity or highway safety, such as to justify withholding planning permission.

- 3.4 The proposed building would not result in undue harm to the visual amenity of the street scene generally or to existing residential amenities. As such the proposal is considered to comply with the objectives of the NPPF and policies DM1 and DM13 of the Core Strategy.

g) Recommendation

- I Planning permission be GRANTED subject to the conditions covering: (i) Standard time period; (ii) list of submitted plans; (iii) slab level; (iv) materials to be used; (v) contamination investigation; (vi) construction management plan; (vii) landscaping scheme; (viii) travel plan; (vix) details of delivery times.
- II The applicant be advised that Advertisement Consent would be required for the proposed sign.
- III Powers be delegated to the Head of Planning, Regeneration and Development to settle any necessary wording in line with the recommendations and as resolved by the Planning Committee

Case Officer

Hilary Johnson