

- a) **22/00818 - Erection of temporary modular classroom building, alterations to parking layout and ancillary hard and soft landscaping (existing cabin and polytunnel to be demolished) - Ripplevale School, Chapel Lane, Ripple**

Reason for report – Number of contrary views (8)

b) **Summary of Recommendation**

Planning permission be granted.

c) **Planning Policy and Guidance**

Core Strategy Policies (2010): CP1, DM1, DM13, DM15

Regulation 19 Submission Dover District Local Plan (2022):

The Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. The Regulation 19 draft local plan is currently out at public consultation. The policies considered relevant to this proposal are: SP1, SP3, PM1, PM2, T13 and NE3. The policies are not considered to materially affect the assessment of this application.

National Planning Policy Framework (NPPF) (2021): Paragraphs 7, 8, 11, 130, 199-202

National Design Guide & National Model Design Code (2021)

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Section 66(1) "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

d) **Relevant Planning History** (most relevant)

05/00507 Formation of vehicular access (and brick walls and piers at entrance) REF

05/01138 Formation of opening and alterations/extensions to existing wall associated with formation of new access GTD

10/00195 Retrospective application for the siting of two mobile buildings GTD

16/00475 Temporary permission for the erection of a two storey building to be used as a classroom (existing buildings to be demolished) GTD

20/01035 Retention of a two storey building and a four bay block to be used as classrooms GTD

21/01243 Erection of 1no. timber structure in playing-field and 5no. linked timber structures in playground (retrospective) GTD

e) **Consultee and Third-Party Representations**

Representations can be found in full in the online planning file. A summary has been provided below:

Ripple Parish Council – Ripple Parish Council have no objections to this planning application but have the following questions and comments to make.

1. The external finish of the proposed temporary building has a considerable visual impact; additional mitigation planting and/or the use of less conspicuous external materials would reduce this;

2. The Transport Statement is for Phase 1 works which will enable the school to take on a small number of additional pupils (total number of pupils 160) and states that no changes to the site access are proposed as part of this planning application. What are the plans for dealing with the increase in traffic which may be brought about by the next phase of the development?; and

3. It would be useful for Ripple Parish Council to understand the schools plans for future pupil/staff numbers and co-education and whether these can be used as planning conditions for future applications.

4. We noted that the application states that the works cannot be seen from a public footpath, however they can.

DDC Heritage: Confirmed that there was no concern in relation to the impact the development could have on the setting of the listed building on site.

DDC Arboriculturalist: No objections but seeks a 5 year planting and management plan.

Southern Water: observes that there are no public foul and surface water sewers in the area to serve this development and therefore an alternative means of provision will need to be investigated.

KCC PRoW: no comments to make

KCC Archaeology: The submitted report provided results of some limited archaeological trenching that was undertaken which did not reveal any significant archaeology. KCC therefore do not suggest any further archaeological measures in this instance.

Sport England: Initially objected to the proposed landscape buffer and muga on part of the playing field where a running track has been delineated in the past. Whilst this issue can be resolved through a replacement running track, Sports England have confirmed they have no objection as both the MUGA and landscape buffer have been removed from the scheme.

Third party Representations: 8no. letters of objection have been received and 3 letters of support, these are summarised below:

Objections:

- Overwhelming impact on PRoW
- Potential drainage issues
- Alterations to access
- Increase in traffic, blind bend, exacerbate existing problems with driving
- Retrospective application
- Views of neighbours not taken into account
- Drawings misleading
- Support should be for mainstream education where students can be accommodated in a SEN unit and not fee paying

- Parking should include some EVC's

Support:

- Much needed expansion due to an increase in children with special needs
- Fantastic resource is provided by the school

f) 1. The Site and Proposal

1.1 Ripplevale School is an independent day special school for boys aged from 6 to 18 who have an EHCP (Education Health Care Plan). The school is located approximately 1.3km south-west of Walmer/Deal. The site is accessed off the northern side of Chapel Lane which is a single width rural road. From the existing pillared access there is an internal road which leads north to the main parking area; there is also a further parking area to the east of the access. The school has a main building, the grade II listed Ripplevale House, which is located within the Chapel Lane Conservation Area, but outside the settlement confines. The school is set within 4.9 hectares of land.

1.2 The application site is located to the north west of the Listed Building, adjacent to the school playing field/grounds and a staff parking area.

1.3 Approximately 2.2 metres west of the site is a public right of way EE439, which runs adjacent to the school playing fields on their western boundary. Adjacent to the northern boundary of the school field is footpath EE438, at a distance of approximately 190 metres. Beyond the school field to the north the land rises and comprises an arable field.

1.4 Approximately 76 metres south west of the site is another listed building, The Cottage, which is grade II listed. Between the site and the listed building is a tree belt, which helps mitigate views between the two sites.

1.5 Planning permission is sought for the first phase of works in relation to improved facilities and capacity required at Ripplevale School. The increase would cater for an additional 25 students and 10 staff. The application comprises the following:

- i) Construction of a temporary single storey school building (to provide 4 classrooms 18m long x 12m wide)
- ii) Expansion of the rear hardstanding area to provide a new taxi rank and reconfigured Car Park B
- iii) Felling of two trees together with mitigation planting
- iv) Demolition of the existing polytunnel and additional classroom cabin

1.6 A proposed MUGA has been deleted from the proposals and will be considered under a separate planning application.

Background Information

1.7 Some of the key points made within the application documents advise that 'Kent County Council have produced figures and data that show that there is a continual increase in need of SEN provisions.

- 1.8 Ripplevale School has made an application to the Department for Education to increase numbers from the existing cap of 135 pupils to 160 to offer more places to deserving students.
- 1.9 As part of the application class sizes will remain the same at a maximum of 8 but there will be another class in Years 7 – 10.’ To accommodate the four extra classes the school requires a modular block of 4 classes. The classrooms / block will be used for the extra lessons to be delivered and the 4 extra tutor groups.
- 1.10 Due to the urgency of need works regrettably did start on site, including the placement of the mobile classroom, however works have ceased until the determination of this planning application. Some of the students have been temporarily accommodated at the schools’ other site in Broadstairs.

2. Main Issues

The main issues for consideration are:

- The principle of the development
- Impact on the character and appearance of the area including heritage impact
- Impact on residential amenity
- Impact on highway safety
- Other matters

The following supporting documents have been submitted in support of the planning application:

- Headteachers letter of need
- Planning and Heritage Statement
- Design and Access Statement
- Transport Statement
- Tree Report
- Archaeological Evaluation

Assessment

Principle of 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. The application site lies outside Ripple settlement confines but is ancillary to the existing use of the site, the proposal would comply with policy DM1 of the Core Strategy (2010).
- 2.2 Paragraph 95 of the NPPF states ‘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. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Consequently, the principle of the development is considered to be positively supported by the NPPF

Impact on Character and Appearance of the Area including Heritage Impact

- 2.3 Policy DM15, relating to the protection of the countryside specifies that development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted on certain circumstances.
- 2.4 The new classroom building and extended car park are afforded screening from Chapel Lane by virtue of the existing school built form. There will be views of the building from the PRow along the western boundary, however a landscaping scheme is proposed to partially screen the building. Whilst the planting may take a while to establish it will be beneficial even after the building has been relocated.
- 2.5 The new modular building will be positioned close to other school buildings and within an area where an existing mobile building will be taken down, as such the development will be seen within the context of the school which mitigates harm to the character of the countryside. Whilst modular buildings are never an ideal solution in design terms, the building is proposed as temporary in this location until such time that the wider school plans can be progressed. It is considered the proposed building would not result in the loss of, or adversely affect the character or appearance of the open countryside to such a harmful level as to justify withholding consent.
- 2.6 The Cottage is a grade II listed building as is the main school building. A design and heritage assessment has been submitted. It has previously been noted that The Cottage is a residential building, the setting of which is confined to its curtilage and frontage onto Chapel Lane. Full details of the listings are set out in the report. The siting of the proposed classroom is a significant distance from both these listed properties and with a combination of built form and vegetation it is considered that no harm will be caused to these heritage assets.
- 2.7 As stated above, from a Heritage point of view the classroom block is quite some distance away from the Listed buildings and shielded with vegetation and other built form. It is considered that there would be no impact on the setting of either of the Listed Buildings or the Conservation Area. As such, the proposal would comply with paragraphs 199-202 of the National Planning Policy Framework (2021).
- 2.8 Giving consideration to the NPPF paragraph 134, it is considered that the proposal has a significant public benefit. Accordingly, in heritage terms, having had special regard to the desirability of preserving the listed building or its setting, and having paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the impact of the proposed building is considered to be neutral.

Impact on Residential Amenity

- 2.9 Given the position within the application site of the modular building and its single storey nature, there are no concerns regarding impact on the closest dwelling The Cottage at some 76 metres away (50metres to the curtilage). The expanded car parking is further away from the existing to The Cottage and it is not perceived that there will be a greater impact on the amenity enjoyed by this property. The vehicular movements will be in association with the school day and not therefore later into the evening where residential amenity can be of greater sensitivity to noise and/or light pollution.

Highway Considerations

- 2.10 The main issues for consideration in relation to highways are whether the increase in pupil numbers and associated staffing would give rise to highway safety concerns; whether the proposed car parking arrangements are adequate and the site access suitable for purpose.
- 2.11 It is noted that concerns have been raised with regard to adequacy of the rural network of roads and their ability to support both existing and potential increased vehicle movements. It is also noted that there have been no recorded accidents outside the site within the last 5 years.
- 2.12 Due to the majority of students travelling across the County to access the school, most journeys are undertaken by private taxi. Depending on sharing arrangements the taxi may carry between one and 16 students as mini-buses are used in some situations. The taxis arrive at school and once students have been collected by staff, they depart and return at the end of the school day. The Transport Statement provides a detailed breakdown of pupil and staff numbers with associated travel patterns and vehicle movements
- 2.13 The key conclusions of the Transport Statement are as follows:
- a) No changes to the site access, which currently operates safely, are proposed as part of this planning application;
 - b) Additional car parking is proposed to provide an improved parking arrangement and provide additional spaces to accommodate the increase in staff numbers and provide for the parking of a number of taxis.
 - c) Provision of 10 cycle parking spaces is proposed as part of the planning application.
 - d) The increase of 25 pupils at the site is forecast to result in an additional four taxis and three private vehicles at the site at drop-off and pick-up times. The number of taxis at the site has decreased since February 2022 such that there would be no net increase in the number of taxis when compared with February 2022.
 - e) There would be an additional nine vehicle trips generated at the site as a result of the increase in staff.
 - f) The forecast vehicle movements would have no adverse impact on the operation of the local highway network.
- 2.14 In light of the findings of the transport statement it is not considered that this proposal would result in a severe impact on the highway network.

- 2.15 The proposed extended car park will allow for additional parking, a relocation of the parking that takes place down the side of the listed building and an efficient vehicle/taxi flow through the site at arrival and departure.
- 2.16 Comments have been received in relation to the access off Chapel Lane. This proposal does not comprise any alterations to the current access. It is concluded that this proposal is acceptable and would not cause severe harm to the highway network.

Other Issues

- 2.17 The site is in an area of archaeological protection. An archaeological evaluation report has been submitted and was produced in conjunction with discussions with KCC Archaeology after some works had commenced on site without the benefit of the archaeologists' input. Having observed the works that were undertaken, no concerns were raised and it was confirmed by the KCC officer that the trenches could be backfilled and landscaping undertaken without compromising archaeological interests.
- 2.18 Concern has been raised that due to the lack of mains drainage in Ripple that there is insufficient capacity in the septic tanks for the additional waste arising from the new building. However, the current maximum that the tank can deal with is 250 pupils/staff on the Ripplevale site. Should numbers exceed this then the EA permit would be exceeded. At present there are 216 people on site (students and staff) and therefore the limits for the septic tank have not been exceeded. The school are well aware that if that number is approached in the future (for example, if further expansion is proposed beyond that proposed by this application) then the drainage will need to be updated.

3. Conclusion

- 3.1 The school provides a valuable social function in accommodating and educating pupils with particular needs and has been in operation since 1970. Due to an increasing demand for facilities for such students there is pressure for established schools to expand. The proposal is a temporary solution to give more time to develop a more comprehensive overview of the capacity of the school. The new modular building will not only to serve as a means to accommodate students in the short term, but ultimately be able to be relocated and replace an older teaching block at the appropriate time.
- 3.2 In accordance with the NPPF it is necessary to take a positive approach to the need to provide adequate school facilities. Whilst a flat roofed building may not represent the ideal solution in visual terms, practically it is recognised that it is necessary to meet the educational requirements of the school. It is recommended that a temporary permission for the modular building is justified in this instance.

g) **Recommendation**

- I Planning permission be GRANTED, subject to the imposition of the following conditions:
1. Time limit (temporary permission)
 2. Plans
 3. Landscaping

- II Powers to be delegated to the Head of Planning and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Amanda Marks