

REFERENCE NO - 14/503957/FULL

APPLICATION PROPOSAL

Application for permanent change of use to a free school (Class D1)

ADDRESS Gatland House Gatland Lane Maidstone Kent ME16 8PF

RECOMMENDATION Approval

SUMMARY OF REASONS FOR RECOMMENDATION

- The proposal will increase the choice of schools to meet the needs of the community.
- The provision of new free school buildings is supported by the NPPF.
- Pre-application discussions have helped to ensure that the key planning issues have been resolved.
- Development supports the provision of new and expanded schools and the NPPF advises local authorities to use their planning powers to support schools applications.
- The proposal will not result in negative local impacts which substantially outweigh the desirability of establishing a new school as outlined in this assessment of the planning proposal.
- The Development Plan supports the provision of new and expanded schools.
- There are no significant arboricultural or ecological issues with this case. There are no significant highways issues and the development is too far removed from neighbouring residential property to significantly affect neighbours' amenity.

REASON FOR REFERRAL TO COMMITTEE

Councillor Paul Harper has requested this application be referred to planning committee for the reasons stated in the body of the report.

WARD Fant Ward

PARISH/TOWN COUNCIL

APPLICANT Education Funding Agency
AGENT Emily Cochrane

DECISION DUE DATE

07/11/14

PUBLICITY EXPIRY DATE

07/11/14

OFFICER SITE VISIT DATE

RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):

The site has been vacant since July 2012 and has an existing planning consent for 14 residential units which has not been implemented. Previous to this the site was used as clinical and administrative offices and clinical treatment facilities for child and adolescent mental health services.

A restrictive condition also limits the use of the building within Class D1 under Planning Permission 1996/0987.

MAIN REPORT

- 1.01 The application site is currently dominated by Gatland House which is a large two storey building that takes on a general L' shape. The building fronts onto Gatland Lane with a large area of hardstanding and a separate single storey building to the immediate rear of the site; and beyond this there is a grassed area that leads up to the rear boundary of the site. There are two existing vehicle access points into the site from Gatland Lane (either side of the buildings frontage); and there is a grass verge and low level wall for boundary treatment to the front of the site, with an area of hardstanding behind. Boundary treatment to the north (rear) and west largely consists of well established conifer trees; and to the east it is of close boarded fencing and some level of planting. To the east and south there are residential properties, with the rear gardens of properties in Sherbourne Drive backing onto the site: to the north a substation and then a playing field beyond; and to the west an access road and then a sports field.
- 1.02 The site covers an area of some 0.48 hectares and is within the defined urban area as identified by the Maidstone Borough-Wide Local Plan 2000 (MBWLP)

2.0 PROPOSAL

- 2.01 This application seeks permission to allow for the permanent change of the use of the site for educational purposes. The school was opened in September 2014 as the Jubilee Free School.
- 2.02 The school currently operates as a 2FE primary school admitting 60 pupils into two reception year classes each comprising no more than 30 pupils. It is proposed that the school will expand by 60 pupils per year until reaching full capacity of 420 pupils in September 2020.
- 2.03 Approximately 2.5 full time equivalent (FTE) members of staff are used for each classroom. Therefore it is estimated that at full capacity the school will employ up to 35 FTE members of staff in 2020.
- 2.04 A breakfast club is also proposed with operating hours beginning at 07.40 hours with after school activities concluding at 18.00 hours
- 2.05 The current use of the site has not resulted in its reconfiguration however a new 2.4m high fence is proposed to secure the exterior of the site and a 1.0m high picket fence to segregate outdoor play areas for the early years and the rest of the school.
- 2.06 Pedestrian and vehicular access to the site will be maintained through the existing access points at the eastern and western extents of the site on Gatland Lane.

- 2.07 The western entrance will be used for those parents and pupils arriving on foot to the front of the main building whereas the eastern entrance which currently allows access to 40 car parking spaces at the rear of the site will be restricted to vehicular access for visitors and staff.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.48 hectares	0.48 Hectares	0
No. of Storeys	2	2	0
Net Floor Area			
Parking Spaces	40	40	0

4.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

5.0 POLICY AND OTHER CONSIDERATIONS

National Planning Policy framework (NPPF)
 Planning Policy Guidance (PPG)
 Maidstone Borough-Wide Local Plan, Policies CF2 and CF3
 Maidstone Borough Local Plan Regulation 18 Consultation 2014

6.0 LOCAL REPRESENTATIONS

Site notice: Expiry date 10/11/2014

- 6.01 Total of 80 letters of representations has been received from local residents objecting to the proposals.

- 6.02 The key objections are:-
- The building and site are unsuitable for the proposed use and cannot accommodate 420 pupils in the long term.
 - Impact on the road due to generation of additional traffic (including construction vehicles) and on street parking by visitors.
 - Lack of public consultation over the proposals.
 - The creation of the school will limit the choices for local parents who do not want a religious education for their children.
 - The site is too small to accommodate a Primary school, a 6th form would be more appropriate.
 - The proposed 40 car parking spaces is inaccurate, the submitted plans indicate that some of the early years play area include some parking spaces, however this is not reflected within the submitted Transport Report.
 - Insufficient outside play areas for the proposed pupils.

- The development would cause significant vehicle trips along a narrow residential road to the detriment of pedestrian and highway safety.
- The applicant has failed to demonstrate that there is real educational need for the proposed school within the local area.
- The application indicates that only internal reconfiguring of the school however the plans show a large extension is proposed at the rear of the school.
- The proposed school is an inefficient use of public funds.
- The school site will only cause further harm along the road and fails to provide suitable drop-off points for parents and pupils.
- The road is not suitable for large vehicles and vans, particularly when cars are parked on the road.
- The proposal will place further pressure on the local Gatland Park if the school are permitted to use it for recreational purposes.
- A petition with 130 signatures has also been submitted to the council with the following wording *"We Object to the Proposal to grant change of use of Gatland House to school. We consider this to be an inappropriate use of the building and site as no remediation in terms of the usage of the site is proposed"*

6.03 Councillor Paul Harper has requested that the application be heard at committee for the following reasons;

- 1) There is great opposition to the plan and little or no evidence of local support, at a public meeting on the 27th October over 90% of an audience of over 150 people were passionately against this proposal for the negative impact it will have.
- 2) No evidence has been presented to demonstrate that there is any support for Free School provided by the Jubilee Church based at Gatland House That is a fundamental requirement for the establishment of a Free School at a consultation stage.
- 3) The applicant states that there is light traffic in the area, during school opening and closing times this is simply not the case, Bower Grove School is just around the corner and is a Special Educational Needs (SEN) School which pupils from the whole of Kent travel to. Due to being an SEN school they require additional staff who will also have to travel to/from the site. This alone has a significant highways impact during school opening and closing times. This also reduces the number of safe parking spaces on the local roads as the site doesn't have enough parking to contain all the vehicles.
- 4) Great consideration should also be given to the high volume of cars that use Glebe Lane and then Gatland Lane to avoid the Fountain Lane junction which is currently running well over capacity especially in peak times. The applicant's only mitigation proposal is a breakfast club which is extremely weak in my view and does not address the issue for a school of over 400 pupils.
- 5) The highways and noise impact generated from this site will be significantly greater than that of its previous use as a child and Adolescent Mental Health service. It's important to note that as its previous use appointments were spread across the whole day not

putting a significant strain on the highways at any one time. The school will greatly increase traffic in two peak periods of the day which are already busy due to Bower Grove School and rat running vehicles. The applicant mentions public transport to the site, the first bus along Gatland Lane does not start until 9.30am. It should also be noted this is a primary school so its highly unlikely pupils will travel to and from the site via any means of public transport. This is also reflected in the figures given by the applicant of people who travel to school via public transport at other schools in the area. Therefore this will provide very limited mitigation at best.

- 6) 420 students on a site of this size is over development of the site, other schools in the area with similar numbers of pupils have much larger sites, such as Westborough School. I therefore question the quality of education they will be able to provide due to lack of amenity space.
- 7) Using the applicants own figures there will be a need for 137 temporary parking spaces in the area in addition to the need for a mixture of temporary and permanent parking spaces for Bower Grove School

6.04 A total of 58 letters in support of the application has been received.

6.05 A pre-application consultation was held at the council offices and the applicant organised a community consultation event on the 27 October 2014.

7.0 CONSULTATIONS

7.01 **MBC Heritage, Landscape and Design:** Heritage Officer states; "The trees do not appear to fulfill the criteria for the making of a TPO. I therefore, raise no arboricultural objection to the proposal subject to pre commencement conditions requiring a detailed tree protection measures in accordance with BS5837:2012".

7.02 **KCC Highway Services:**

"I note that this school has already opened and started education for some children. Under the County Councils car parking standards for new schools there is a recommendation that car parking is provided for primary and secondary schools at a rate of 1 space per staff + 10%. From reading the transport statement and studying the site it appears that there is scope for this to be satisfactorily accommodated by the current car park to the rear of the site (albeit that this appears to be currently, temporarily partitioned).

There is also a requirement however for new schools to provide for the settling down and picking up of children in a manner that does not unduly interfere with the operation of the public highway. This normally requires new schools to include an appropriately sized and designed car park which allows picking up and dropping off to be efficiently undertaken off road/ on-site.

The use of an existing building, the need for schools to have recreational space, the commencement of this school and the special government drive for free schools to be established does however leave me to question whether this requirement can be insisted upon by the Local Highway Authority.

It is considered however that there are a variety of traffic management measures for the locality that need to be addressed and implemented here for this school. This is for mitigation, road safety and sustainable transport reasons. It is considered that the applicant will need to enter into a section 278 agreement with the highway authority in order to establish the following:-

Corner protection car parking restrictions in a variety of places to enhance and enforce guidance to not park on corners already given in The Highway code (paragraph 243).

A school clearway marking it is considered that this should be established between the two entrances onto Gatland Lane.

Dropped kerbs not least between nos. 23 and 25 Gatland Lane and opposite to combine with the school clearway marking described above. There are a number of other locations where dropped kerbs at the corners of junctions would be beneficial and this would tie in with the corner protection markings also described above.

Should this schools enrolment continue to grow, the school should consider the employment of a school crossing patrol. This would not be part of a section 278 agreement with the Highway Authority but again would tie in with the dropped kerbs and school clearway marking described.

The establishment of school warning signs from each approach in accordance with the statutory instrument the Traffic Signs regulations and General directions 2002. It's considered that this should include signs which incorporate school flashing beacons to operate at school start and finish times.

Other measures that are considered necessary but not part of a S278 agreement are:-

A school crossing patrol as described above.

Provision of cycle parking in accordance with the County's parking standards for this use.

The issuing of an updated and progressive School Travel Plan for approval by the Local planning Authority with each academic year.

For reasons of integration with the surrounds and encouragement of sustainable travel to/from school, a pedestrian access at the north western area of the site. This is recommended both for walking to school from this quadrant and for picking up and dropping off from this area (Gatland Recreation Ground).

As a final measure to be included as part of the section S278 agreement, I note from my site visit that overrunning onto the footway at the eastern corner

of the entrance to Gatland recreation ground occurs, and that physical improvements with minor widening to this access junction would be beneficial for pedestrians and motorists.

Subject to the above, I write to confirm on behalf of the Highway Authority that I have no objection to this application”.

7.03 Environmental Services:

The proposed development is sited to the south of the Maidstone town in a residential area. Although the proposed development lies within the Air Quality Management Area, I do not consider that residents will be adversely affected by poor air quality, and therefore no further action is required. Historic contaminated land maps show that contamination is not likely in this location.

There are no sources of transportation noise (road or rail) which are likely to affect the residential amenity of the residents of the proposed development.

There are no other Environmental Health concerns in relation to this development.

8.0 BACKGROUND PAPERS AND PLANS

8.01 Application form, Site Plan; Ground Floor Plan MD-H041G-REVA, First Floor Plan MD-H0411 REV A, Proposed Ground Floor Plan, A200 REV A, Transport Statement, Noise Assessment, received 15/09/2014.

8.02 Restrictive condition limiting the D1 use (Class) of the building under planning permission 1996/0987.

9.0 APPRAISAL

9.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan comprises: The Maidstone Borough-Wide Local Plan (MBWLP) 2000, Saved Policies of the MBWLP and the Maidstone Borough Local Plan Regulation 18 Consultation (2014).

9.02 Consideration is also given to relevant national planning policy which includes the National Planning Policy Framework (2012).

9.03 National Planning Policy

9.04 Free Schools are non-profit-making, independent, state-funded schools. They are set up in response to what local people say they want and need in order to improve education for children in their community.

Groups running free schools cannot make a profit and the schools are subject to the same Ofsted inspections as all maintained schools.

The admissions arrangements of all free schools must be fair and transparent. Free schools are expected to be open to pupils of all abilities from the area and cannot be academically selective.

To set up a Free School, founding groups submit applications to the Department of Education. Ongoing funding is on an equivalent basis with other locally controlled state maintained schools, although additional start-up grants to establish the schools are also paid.

The National Planning Policy Framework (March 2012) sets out the Government's planning policies for England and how these are expected to be applied. The core purpose of the planning system is to contribute to the achievement of sustainable development [para 6] by creating high-quality built environments, with accessible local services, reflecting the community's needs and supporting its health, social and cultural well-being [para 7].

- 9.05 Great importance is placed on ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities [para 72]. 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 give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted.
- 9.06 Good design is seen as a key aspect of sustainable development and should contribute positively to making places better for people [para 56]. Para 58 goes on to state that planning policies should ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
 - are visually attractive as a result of good architecture and appropriate landscaping

This echoes the earlier Policy Statement 'Planning for Schools Development' (August 2011) which states that;

'There should be a presumption in favour of the development of state funded schools as expressed in the National Planning Policy framework. Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state funded schools when determining applications and appeals that come before him for decision'.

'Local authorities should make full use of their planning powers to support state funded schools'.

Development Plan Policy

Maidstone Borough-Wide Local Plan policies CF2 and CF3 are relevant to this application.

Policy CF2 states;

'In considering proposals for development of publicly owned land or for the change of use of existing redundant community facilities, the borough council will need to be satisfied that an identified need for community facilities that could be met on the site, does not exist'.

Policy CF3 states;

'Proposals which would lead to a significant loss of community facilities will not be permitted unless a replacement facility acceptable to the borough council is provided'.

Jubilee School

- 9.07 Jubilee Primary is proposed as a 2FE Primary School and at full capacity will accommodate 420 pupils. The school opened in September 2014 with the first intake of reception pupils. There will be an intake each academic year in September; the maximum intake can be up to 60 pupils. In September 2014 there was an intake of 30 pupils. There will be a further intake in September 2015, which could be up to 60 reception pupils, thus potentially increasing the number of pupils on site to 90 pupils in reception and year one classes.

As explained above the school will continue to expand by 60 pupils each academic year and is due to reach full capacity in September 2020, thus demonstrating the phasing of pupil intake at Gatland House.

As previously advised, the existing building is 1,330 sqm and this is sufficient to accommodate 240 pupils (2 classes of 30 pupils for each year group from reception through to year 3). To accommodate the remaining 3 year groups (years 4, 5 and 6) an extension of 742 sqm is required. The required extension will form a separate application and is planned to be in place by September 2018.

Principle of Development

- 9.08 With regards to Policies CF2 and CF3, It is considered that the crux of the issues revolve around greater choice to access education and the suitability of the site for the proposed use, as opposed to whether a need has been met by the proposals.

The National Planning Policy Framework strongly supports school development: *“The Government attaches great importance to ensuring 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:

give great weight to the need to create, expand or alter schools; and

‘work with schools promoters to identify and resolve key planning issues before applications are submitted.’ [Para 72].

- 9.09 The Jubilee Free School (JFS) will provide a traditional, school style of education for 420, 4 to 11 year old students from the local area. It will have a curriculum based upon academically focused subjects such as humanities and science as well as specialising in the Creative and Performing Arts, preparing its students for their secondary education.
- 9.10 The school will have a faith ethos however it will be open to anyone and is non-selective.
- 9.11 The JFS school hours inclusive of both a breakfast club and after school activities will be 7.40am -18.00pm from Monday to Friday.

Pre-application discussions have helped to ensure that the key planning issues have been resolved. Furthermore the proposed development is supported by national planning policy which advises local authorities to use their planning powers to support schools applications.

It is also worth noting that the building currently benefits from (Class) D1 use as such therefore the principle has already been established for a high generating activity on the site. This being said, were the condition not imposed on the 96/987 application, then a change of use could have occurred without the need for planning permission. The condition stated the following:

‘the premises/land may be used for clinical centre for child and adolescent services only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning Use Classes Order,

1987,) or any provision equivalent to the Class in any Order revoking and re-enacting that order’.

I consider the impact of a 240 pupil school is substantially less than a 420 pupil school. Clearly without an extension to the building the higher number of pupils cannot be accommodated.

The applicant states that an application would be submitted in 2018 for the extension to allow the school to operate to full capacity. The acceptability of the extension and potential loss of parking/play space cannot be pre-judged and I therefore propose a condition limiting the number of pupils to 240.

In conclusion it is considered that the proposals would not result in negative local impacts with pupil numbers limited to 240, the NPPF supports the provision of new and expanded school places and requires local authorities to take a proactive, positive and collaborate approach to meeting this requirement, the Maidstone Borough Wide Local Plan supports the provision of new and expanded schools, as such the principle of development is considered to have been met.

Visual Impact

9.12 The NPPF states that:

“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” [Para 56]

9.13 The proposal seeks to maintain most of the external façade of the building but proposes internal reconfiguration to accommodate the required classrooms. The proposal further includes an external play area to the rear which includes a separate early year’s play area.

The former use of the site as clinical and administrative offices for child and adolescent mental health services included a car park with 40 parking spaces.

Much of the proposed development is considered likely to have limited visual impact on the area and the overall building. As such the proposal is considered acceptable in terms of design and visual impact. This being said a landscaping and boundary treatment scheme should be submitted to enhance the visual impact of the site.

Residential Amenity

9.14 As mentioned above the site adjoins residential properties to the east, Gatland recreational ground to the west and an electrical sub station to the north. There would be no adverse impact from the development on residential property. The change of use would not cause significant loss of light, outlook or privacy.

Highways

- 9.15 The application is supported by a Transport Assessment prepared by Transport Consultants Robert West.
- 9.16 40 car parking spaces are proposed and the school has a no onsite drop-off policy, the existing 40 spaces to the rear of the building and two disabled parking spaces to the front of the main building will be retained for use by staff and visitors. There are no proposed changes to access or egress for pedestrians or vehicles and parking arrangements will remain the same.
- 9.17 Concern has been expressed from local residents that the use of Gatland Lane by parents dropping of children would cause congestion, however KCC Highways raise no objections to the development on highway safety grounds or impact on the local road network subject to a S 278 condition mentioned in paragraph 7.02 above. They also conclude that the level of car parking provision is acceptable. The proposed car parking spaces are deemed wide enough for use by disabled persons and the site is on a public transport route to Maidstone Town Centre and other local services
- 9.18 Further correspondence from Consultants Robert West on the 17th December 2014 details mitigating measures that would need to be introduced in order to deal with additional traffic generation and car parking demand. The report recommends the followings:
- Production of a School Travel Plan (STP) to encourage car sharing and reduce single car driver/lone passenger trips.
 - Monitoring of transport impact assessment through the STP as the school expands
 - Use of School warning signage to alert drivers.
 - Use of clear markings outside the school accesses to reduce congestions and maintain safe visibility for crossing pedestrians.
 - Use of double yellow line waiting restrictions at the junction of Gatland Lane with Ridgeway and Chamberlain Ave. to ensure parked cars do not reduce visibility to traffic on Gatland Lane.
- 9.19 It is considered that the mitigation measures proposed are in line with the KCC Highway services requests and these can be secured by planning conditions.
- 9.20 It is also considered that the site currently has limited capacity for on site car parking and as such any increase in the number of pupils beyond 240 could adversely impact on the highway safety and amenities of the local residents. For this reason it is recommended that a condition be imposed limiting the number of the pupils to 240.
- 9.21 It is appreciated that the school has the aspiration to increase the numbers of pupils to 420 by 2020 and this would involve the erection of over 740sqm of additional new building to enable the school to increase its capacity. The issue of impact of the future building and associated highway and increase in

the number of pupils to 420 can be considered when the application for the new building is submitted.

- 9.22 On balance therefore it is considered that the school in its present form can accommodate up to 240 pupils subject to the introduction of the mitigating measures proposed by the Robert West report and a section 278 condition proposed by KCC Highway Services without causing detrimental impact on the highway safety and amenities of the local residents.

Landscaping

- 9.23 No trees or hedgerows would need to be removed to facilitate the development. No new planting is proposed, however I consider that it would be appropriate to request a landscape scheme be submitted to enhance the site.

Other Matters

- 9.24 The application is supported by a Noise Assessment Report prepared by Hepworth Acoustics. The report concludes that it is predicted that the use of the external playground areas and student drop off/collection will not result in any unacceptable noise impact to residents at Gatland Lane and Sherbourne Drive. The environmental officer has stated that the development is unlikely to cause significant harm to local residential amenity.
- 9.25 The question has been raised regarding Sport England's views and whether there is adequate amenity/play space. Sport England are a consultee when there is to be a reduction in playing field space and not when a new school is proposed.
- 9.26 I note from the application documents that the school has an agreement with the Bower Grove School to share their playing fields. It is also likely to use Gatland Park on an informal basis. This again leads me to conclude that whilst the impact of a 240 pupil school can be accommodated, whether or not the higher pupil number could be is for a later assessment.

10.0 CONCLUSION

- 10.01 The proposed development involving the permanent change of use of the building to a free school, and the upgrading of the facilities to meet current standards is considered acceptable. The site has sufficient land at the rear of the site to facilitate expansion and the proposal to utilise the facilities at nearby Gatland Park will support the growth and development of the school. The proposed D1 use is entirely consistent with national, regional and local policy. In addition no dwellings are likely to be significantly affected by this scheme in terms of loss of privacy, loss of light or loss of outlook.

I consider the access road capable of accommodating any additional traffic generated by the change of use and there is, in my view, parking and turning space available around the buildings.

10.02 All other technical impacts in terms of transport, noise, daylight and sunlight, flood risk, archaeological impact, contamination and construction are all well within appropriate levels for this urban location.

11.0 RECOMMENDATION – GRANT Subject to the following conditions

CONDITIONS to include;

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

Annotated site location plan, Ground Floor Plan MD-H041G-REVA, First Floor Plan MD-H0411 REV A, Proposed Ground Floor Plan, A200 REV A, all received 15/09/2014.

2. The school shall not enrol more than 240 pupils at any time.

Reason: In the interests of highway safety and amenity of the area.

3. The applicant shall enter into a section 278 agreement with the highway authority within 3 months of the issuing of this decision in order to establish the following:-

a) Corner protection car parking restrictions in a variety of places to enhance and enforce guidance to not park on corners already given in The Highway code (paragraph 243).

b) Dropped kerbs not least between nos. 23 and 25 Gatland Lane and opposite to combine with the school clearway marking described above. There are a number of other locations where dropped kerbs at the corners of junctions would be beneficial and this would tie in with the corner protection markings also described above.

c) A school clearway marking shall be established between the two entrances onto Gatland Lane.

d) The establishment of school warning signs from each approach in accordance with the statutory instrument the Traffic Signs regulations and General directions 2002. It's considered that this should include signs which incorporate school flashing beacons to operate at school start and finish times.

The development shall be carried out in strict accordance with the agreed details.

Reason: In the interests of highway safety and amenities.

4). Within 3 months from the date of this decision a School Travel Plan shall be submitted for approval of the Local Planning Authority. The travel plan shall introduce mitigation measures proposed in Robert West Transport Statement dated September 2014.

Reason: In the interests of highway safety and amenities of the area.

5) Within 3 months from the date of this permission details of a cycle parking plan shall be submitted for approval by the Local Planning Authority. The approved plan shall be implemented within 6 months from the date of the approval of the plan and maintained as such.

Reason: In the interests of highway safety and amenity.

6) Within 3 months from the date of this permission details of a new pedestrian access along the northwest corner of the school ground shall be provided for approval by the Local Planning Authority. The approved plan shall be implemented within 6 months from the date of the approval of the plan and maintained as such.

Reason: In the interests of highway safety and amenity.

7) Within 3 months from the date of this permission details of a lighting scheme shall be submitted for approval by the Local Planning Authority. The approved lighting scheme shall be implemented within 6 months from the date of the approval of lighting scheme and maintained as such.

Reason: In the interest of safety and amenity

8) Within 3 months from the date of this permission details of a landscaping scheme shall be submitted for approval by the Local Planning Authority. The approved landscaping scheme shall be implemented in the first planting season from the date of the approved scheme and any trees or plants which within a period of five years from the implementation of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory setting and visual appearance of the school grounds.

9) Within 3 months from the date of this permission details of boundary treatment of the school grounds shall be submitted for approval by the Local Planning Authority. The approved boundary treatment shall be implemented within 6 months from the date of the approval details and maintained as such.

Reason: In the interests of safety and amenity

Case Officer: Ray Deans

NB For full details of all papers submitted with this application please refer to the relevant. Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Item 17

Jubilee Free School

14/503957/FULL

Gatland House Gatland Lane

Maidstone ME16 8PF

Amendment to highways condition reported in the Urgent Update

The Highways condition should be amended to read as follows:-

- 3) The applicant shall enter into a section 278 agreement with the highway authority within 3 months of the issuing of this decision in order to establish the following:-
 - a) Corner protection car parking restrictions in a variety of places to enhance and enforce guidance to not park on corners already given in The Highway code (paragraph 243).
 - b) Dropped kerbs not least between nos. 23 and 25 Gatland Lane and opposite to combine with the school clearway marking described above. There are a number of other locations where dropped kerbs at the corners of junctions would be beneficial and this would tie in with the corner protection markings also described above.
 - c) A school clearway marking shall be established between the two entrances onto Gatland Lane.
 - d) The establishment of school warning signs from each approach in accordance with the statutory instrument the Traffic Signs regulations and General directions 2002. It's considered that this should include signs which incorporate school flashing beacons to operate at school start and finish times.
 - f) The entrance to the Gatland Recreational Park shall be improved and widened to prevent overrunning onto the footway at the eastern corner of the entrance.

The works shall be carried out within 6 months following approval of the agreement in strict accordance with the agreed details or unless otherwise agreed in writing by the Local Planning Authority.

Reason In the interests of highway safety and amenities

- Condition 10 on the Urgent Update to be amended as follows:

Condition 10)

A school crossing patrol shall be employed prior to the next year's intake of pupils in September 2015 and shall be retained to ensure the safe crossing of pupils thereafter. The details of the operation of the crossing patrol shall be submitted to and agreed by in writing the Local Planning Authority and such details as approved

shall be implemented prior to September 2015 and retained as such thereafter unless otherwise agreed in writing

Reason: In the interests of highway safety and amenities.

Condition 4 on the main paper to be amended as follows;

Condition 4

Within 3 months from the date of this decision a School Travel Plan shall be submitted to the Local Planning Authority for approval. The Travel Plan shall be updated with each academic year and shall introduce mitigation measures which shall be submitted to and agreed by in writing by the Local Planning Authority. The Travel Plan shall be implemented in strict accordance with the agreed details.

Reason: In the interests of highway safety and amenities of the area

Recommendation

The recommendation remains unchanged