

Our Ref: PRE16/00041
Case Officer: Brendan Boyle
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Your ref:
Date: 11 April 2016

GPM Partnership
5-7 Ozengell Place
Eurokent Business Park
Ramsgate
CT12 6PB

Dear Mr Chambers

Reference No: PRE16/00041
Proposal: School development and residential development.
Location: Chaucer Technology School, Spring Lane, Canterbury, CT1 1SU

I write with reference to your request for planning guidance received 25th January 2016.

Any application for planning permission will be considered against policies in the Canterbury District Local Plan First Review 2006, Canterbury District Local Plan Publication Draft 2014, relevant Supplementary Planning Documents/Guidance and the aims of the National Planning Policy Framework.

The following policies are considered to be of particular relevance to your enquiry, but please be aware these are provided for guidance only and may not be exhaustive:

National Planning Policy Framework (NPPF)

The NPPF has at its heart a presumption in favour of sustainable development. Paragraph 17 sets out a set of core land-use planning principles that should underpin decision-taking. These include the need to always seek a high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. In addition, the following Sections are considered to be particularly relevant:

- 4 – Promoting sustainable transport*
- 6 – Delivering a wide choice of high quality homes.*
- 7 – Requiring good design.*
- 11 – Conserving and enhancing the natural environment.*
- 12 – Conserving and enhancing the historic environment.*

Canterbury District Local Plan, First Review 2006

H1 - Residential development on sites allocated for housing or mixed use. BE1 - High quality designs, sustainable developments and specific design, amenity and landscape criteria to which the Council will have regard: cross-refers to SPGs.

H4 - Council will seek the provision of affordable housing and mixed housing types and sizes on all appropriate sites.

BE3 - Design statements/development briefs to be submitted with applications.

BE7 - Conservation Areas and their settings to be preserved or enhanced: specific criteria for consideration.

BE15 - Archaeological evaluation of sites of archaeological interest.

C1 - 2004 Canterbury District Transport Action Plan principles to be considered.

C4 - Transport Assessment and Travel Plan for developments with significant transport implications.

C9 - KCC Vehicle & Cycle Parking Standards with local variations.

C11 - New social infrastructure buildings or uses for local communities.

C24 - Safeguarding of protected existing open space unless specific criteria met.

C28 - New housing development shall make provision for outdoor playing space.

C39 - Development that could directly or indirectly result in additional air pollutants and worsening levels of air quality.

NE1 - Site surveys where protected species known or suspected.

NE5 - Retention of trees, hedgerows and woodland or other landscape features.

IMP2 - Contributions from developers that are necessary and directly relate in scale and kind to the development granted planning permission.

R7 – Areas of High Landscape Value.

Canterbury District Local Plan, Publication Draft 2014

SP1 - Presumption in favour of sustainable development unless material considerations indicate otherwise.

SP4 - Urban areas of Canterbury, Herne Bay and Whitstable to be principal focus for new Development.

HD1 – Land safeguarded for residential development on allocated sites.

HD2 - Requirement for affordable housing for residential developments of two units or more.

DBE3 - Development proposals to be of high quality, to be assessed against specific amenity, visual, landscape, accessibility and highways criteria.

DBE6 - Sustainability statements to be submitted for major developments.

DBE7 - All new housing proposals should have an acceptable standard of accommodation in terms of internal layout, room sizes and amenity space

DBE9 - Residential Intensification only acceptable in existing residential areas and on allocated housing sites.

DBE13 - Outdoor lighting only acceptable where light pollution/spillage is minimised and it would not adversely impact on amenity, nature conservation, heritage assets, protected landscapes and long distance views.

EMP9 - Provision for education needs arising from new development.

HE1 - Proposals which protect, conserve and/or enhance the historic environment will be supported. Heritage Statements to accompany applications affecting heritage assets.

HE6 - Conservation areas and their settings to be preserved and enhanced.

HE11 - Scheduled Ancient Monuments and other important archaeological sites to be protected and archaeological evaluation required where potential for impact to archaeology.

LB2 - Development to protect the local landscape character and enhance appearance and nature conservation interests of Areas of High Landscape Value.

LB6 - Development that would materially harm scientific or nature conservation interest of an SSSI or NNR not to be permitted.

LB9 - All development to avoid a net loss of biodiversity and pursue opportunities to achieve a net gain.

LB10 - Development to be designed to retain important trees, hedgerows and woodland.

OS9 - Protected Open Space to be safeguarded unless specific criteria met.

OS11 - New housing development to make provision for outdoor space.

T1 - Location of new developments to be considered against Canterbury Draft Transport Strategy.

T9 - Parking and cycle provision to be applied in accordance with KCC standards.

T17 - Transport Assessment and Travel Plans required for developments which would have

significant transport implications.

CC11 –Sustainable Drainage Systems (SuDS).

QL11 - Development resulting in worsening air quality to be appropriately mitigated.

Supplementary Planning Documents/Guidance (SPD/SPG)

Heritage, Archaeology and Conservation SPD, adopted October 2007

Sustainable Construction SPD, adopted April 2007

Outdoor Lighting SPD adopted, January 2006

Development Contributions SPD, adopted 2007

Trees & Development SPG, adopted September 2003

Residential Intensification Design Guidance, adopted April 2008

Draft Canterbury City Council Open Space Strategy 2014-2019

The following links may be of interest/assistance to you:

National Planning Policy Framework:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Canterbury District Local Plan:

<http://www.cartogold.co.uk/canterbury>

Supplementary Planning Document/Guidance:

<https://www.canterbury.gov.uk/planning/planning-policy/other-planning-documents/>

Officer assessment

Principle of Development

The Government has stated that the creation and development of schools is strongly in the national interest and that planning decision makers can, and should, support that objective. Great importance is attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The National Planning Policy Framework advises that Local planning authorities (LPA) should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Indeed, LPA's are instructed to give great weight to the need to create, expand or alter schools.

It is understood the proposed development seeks to demolish a number of the existing (and now closed) Chaucer Technology school buildings and to re-develop the site with new school buildings and a new residential development. It has been stated the age and condition of some of the existing school buildings are not presently fit for purpose and that the re-development of the western part of the site for a residential land use would provide additional funding for the educational element of the overall proposal. Accordingly, within any future application, it should be fully demonstrated the existing school buildings and accommodation are not of an adequate standard and not suitable for use.

Policy C11 of the adopted Local Plan 2006 states that new buildings or uses for local communities to provide social infrastructure will be encouraged. Further, Paragraph 7.66 of the adopted Local Plan states that educational institutions play a key part in the community. Educational facilities provide for learning and play a wider role as catalysts for economic projects, supporting community projects, providing and enabling dual use of facilities (including sports provision and meeting rooms), providing access to information

communications technology and acting as a key focus for community activity.

Paragraph 49 of the NPPF states that, "*Housing applications should be considered in the context of the presumption in favour of sustainable development*". In principle, a new residential development is acceptable given the site is located within Canterbury in accordance with Policy SP4 of the Canterbury District Local Plan Draft 2014 which advises the urban areas of Canterbury, Herne Bay and Whitstable to be the principal focus for new development.

Given the above comments, the principle of developing the site for both educational and residential uses is accepted subject to detailed requirements.

Impact on character and appearance of the locality

The NPPF attaches great importance to the design of the built environment and advises that good design is indivisible from good planning (paragraph 56) and states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. (Paragraph 64).

Policy BE1 of the Canterbury District Local Plan 2006 states that the City Council will expect proposals to be of high quality design and which respond to the objectives of sustainable development and provide a series of criteria which new development will be expected to address. This policy is reinforced by policy DBE3 of the Draft Local Plan which states that the distinctive character, diversity and quality of the Canterbury District will be promoted, protected and enhanced through high quality, inclusive, design which reinforces and positively contributes to its local context creating attractive, inspiring and safe places.

In respect of conservation areas paragraphs 128, 129, 131, 132, 133, 134 and 137 of the NPPF provide guidance on heritage assets, in this case the conservation area, and should be taken into account when submitting a future planning application. Policy BE7 states, '*Development within, affecting the setting, or views into and out of a conservation area, as shown on the Proposals Map and all Insets, should preserve or enhance all features that contribute positively to the area's character or appearance.*' Draft Local Plan policy HE1 states, '*Development must conserve and where appropriate enhance, or reveal, the significance of heritage assets and their settings. Development will not be permitted where it is likely to cause harm to the significance of heritage assets or their setting*'.

The development site is located within a primarily residential and suburban locality to the east of the city centre of Canterbury. Indeed, the eastern boundary of the school playing fields straddles the boundary of the urban area of Canterbury. However, further to the west of the site are a number of educational institutions such as Barton Court Grammar School, Canterbury College and University College for the Creative Arts. Little Barton Farm and St. Martin's Hospital conservation areas are situated within the wider locality however given the main focus of development is proposed to the central/western portions of the site, it is considered the re-development of the site would not have a detrimental impact upon the setting of the aforementioned conservation areas.

Adjacent, south and east of the existing playing fields is an Area of High Landscape Value which is designated within both adopted and draft local plans. Given the proximity of the site to this landscape designation, it would be advisable to undertake a landscape and visual impact assessment in order to determine its impact upon the landscape in this location.

(i) Residential Development

The development of the site would result in approximately half the site area for educational

uses with the remaining half for residential use. The residential development would be located at the Pilgrims Road/Spring Lane part of the site to the west. The Chaucer Technology School site occupies a position sandwiched between existing residential areas to the north and south at present, so therefore it is considered the partial development of the site for a residential use would not have a detrimental impact upon the character and appearance of the locality in general, subject to a full consideration of the proposed detailed design.

The indicative site layout plan illustrates a mix of house types and tenure including an apartment building at the junction of Pilgrims Road and Spring Lane with a proposed unit total of 78. Opposite the site at its north-west corner is a three storey apartment building at present, so the proposed siting of an apartment building of a similar scale at this corner of the site would not be unreasonable in principle. The proposed apartment building and proposed dwellings positioned along Pilgrims Road and Spring Lane would provide an active frontage addressing the public highway and this would be considered to be a positive design element within the scheme. Within the wider locality, dwellings have a general two storey scale and therefore it would be expected the scale of the proposed dwellings would accord with local conditions and reflect this scale. It is considered the proposed number of units may lean towards a higher density for this suburban locality, however, any future planning application would be expected to justify the proposed residential density.

The residential development would be accessed via both Pilgrims Road and Spring Lane and in terms of access arrangements, it is advised the applicant seeks comments from KCC Highways and Transportation regarding this issue.

Policy C28 of the adopted Local Plan 2006 and draft Policy OS11 of the emerging Local Plan 2014 states new housing development shall make provision for outdoor playing space proportionate to the likely number of people who will live there. Paragraph 7.106 of the adopted plan further advises the Council considers that good urban design is required that relates space to buildings and that the overall objective is for residential development to be well designed, with open space integrated and seen to be essential to the layout and design of the development. Open space should be functional and accessible for all residents.

The proposed site layout submitted does not illustrate any areas of formal open space and I would advise further consideration of this issue and with reference to the aforementioned local plan policies. The Council has published a Draft Open Spaces Strategy 2014-2019, which can be viewed at: <https://www.canterbury.gov.uk/your-council/policy-and-plans/leisure-and-countryside/open-spaces-strategy/> and I would draw your attention to Appendix 13 that relates to public open space in new housing developments which may be beneficial.

(ii) Educational Development

The proposed educational buildings would be sited adjacent and east of the residential development as referred to above. The proposed development would demolish most of the existing buildings although a number of buildings would be retained. The proposed school buildings would cover a much smaller area of the site than existing. The proposed main school building would be c.4,830 sqm and would comprise a new 4 FE school. A future 2 FE extension measuring c.1,900 sqm is also proposed to a southern portion of the site. The car parking arrangements for the new school would generally consist of the existing parking areas on site so therefore the proposal is not expected to result in any new large areas of parking. The locality is well served by public transportation so there would be an expectation the majority of trips to and from the school would be undertaken via sustainable transportation methods – this information would be contained within a transport assessment. Provision for cycle parking would also be expected to be incorporated within the educational development.

The proposed development, both residential and educational, would not result in any detrimental impact upon the existing playing fields. Given the site already has an educational use and the site is also located within a residential area, Officers consider the re-development of the site for the aforementioned uses would not have a detrimental impact upon the character of the locality.

Impact on Residential amenity

Policy BE1 of the adopted Local Plan states in part (i) that the Council will have regard to the privacy and amenity of the existing environment. Part (f) of Policy DBE3 of the Draft Local Plan states that the Council will consider the privacy and amenity of neighbouring buildings and future occupiers (including overshadowing, outlook and sunlight).

With regard to the residential element of the proposal, it is noted there are railway tracks located in close proximity to the southern site boundary. It is considered the potential for noise and disturbance from the tracks would necessitate the submission of a noise impact assessment in order to determine the impact upon the amenity of future occupiers of the dwellings with mitigation measures also provided, if required.

Generally, the new educational buildings are not considered to result in any significant impact upon the amenity of both existing and proposed dwellings in terms of overlooking, daylight/sunlight or enclosure. However, I would advise the northern section of the main school building (at Spring Lane) would be c.20 metres at its closest point to the adjacent proposed residential development and it is considered this would be the minimum separation distance permitted between buildings. Within any future application, it should be fully demonstrated that neighbouring properties are not unduly impacted.

Other matters that would require consideration is the impact from any lighting – for example, car park lighting, lighting for playground areas etc and how this lighting may impact upon residential. Also, any odour and noise generated by the kitchen extract systems should be considered. Adequate assessment on these matters should be submitted in any planning application.

Furthermore any application would be subject to public consultation with any comments received taken into consideration when a decision is made.

Highways, Access and Parking

Policy C9 of the adopted Local Plan states that the City Council will apply Kent County Council's adopted Vehicle Parking Standards to development proposals subject to local variations; I draw your attention to the Kent Design Guide Interim Guidance Note 3 which relates to residential parking and Cycle Parking Standards included in Appendix 2 to the Local Plan. Cycle parking should be convenient, secure and complemented by showering and changing facilities for cyclists. Regarding any future application, a fully robust Transport Assessment (and Travel Plan) would be required to fully assess the potential impact of the development on the existing road network and highway junctions.

Kent Highway Services will be consulted formally on any future application and will assess the application in terms of access, parking, visibility splays and highway safety. Any future scheme should provide adequate parking and cycle parking facilities for the proposed development in accordance with the above policy. Any application should also demonstrate that sufficient turning space is provided within the site.

Kent Highways and Transportation does not offer comments on pre-application enquires

submitted to the local planning authority but does provide its own pre-application enquiry service. I would recommend advice is sought from Kent Highways and Transportation with regards to highway matters prior to the preparation of a planning application. The following link to their pre-application service may be of use to you:

<http://www.kent.gov.uk/waste-planning-and-land/planning-applications/planning-advice/highway-pre-application-advice>

Ecology

Protected species surveys are required where a development is likely to affect habitats that have the potential to accommodate species protected by national and international legislation. Such habitats include grassland, hedgerow, scrub, woodland, ponds, rivers and streams and buildings.

In view of the nature of the site, it is considered that the proposal has potential to impact on protected species. Accordingly appropriate ecological surveys should be carried out and submitted with the application. A scoping assessment of likely impact should be undertaken in the first instance, which may point to a need for more detailed surveys to be carried out. All surveys must be compliant with British Standard BS42020 (Biodiversity – Code of Practice for Planning and Development) published in August 2013.

Mitigation must be provided wherever adverse effects are identified and enhancement measures should also be provided to enhance provision for biodiversity in accordance with the National Environment and Rural Communities Act 2006. Mitigation and enhancement measures may be secured by condition to any planning permission granted.

Impact on protected sites

Under the Conservation of Habitats and Species Regulations 2010 (the Habitat Regulations) the requirement for an appropriate assessment is triggered where the development, either alone or in combination with other plans or projects, would be likely to have a significant effect on any of the populations of importance for which a European site has been notified.

The application site itself does not contain any national sites of nature conservation importance, however the site is within 1-1.5km of a Site of Special Scientific Interest (at Canterbury Golf Club) which is a national designation. Given the scale of the proposed residential development, there would be an expectation for an increased amenity use of the SSSI by future occupiers and therefore an increased pressure upon this resource.

It would be advisable to contact Natural England, the statutory body responsible for ensuring that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, with regard to the development proposed and to seek their views thereon.

Trees

It appears that there are trees on the site that could potentially be affected by the submitted proposal. Development should be designed to retain trees, hedgerow and woodland that make an important contribution to the amenity of the site and the surrounding area in accordance with policy NE5 of the adopted local plan and policy LB10 of the publication draft.

A tree survey and method statement should be provided with any future planning application which explains which trees are to be removed and which are to be retained and shows trees in

relation to the proposed development. The tree survey should be in accordance with British Standard BS5837.

Trees that would be affected by the development should be safeguarded during construction and details outlining suitable protection measures should be contained within the application. The protection will be required to be in accordance with BS5937. Suitable replacement planting should also be provided for any trees or soft landscaping which are to be removed.

Any application should demonstrate that the existing branch spread and future growth of trees have been taken into account in the design of the proposed development, for example if a tree shades or otherwise impinges the use of a building, there may be pressure to cut back or remove trees that were not directly affected at the time the development was built.

Housing mix, affordable housing and future living standards

The recommended mix of new market and affordable housing as adopted in the Canterbury District Housing Strategy 2012-2016, based on data from the East Kent Strategic Housing Market Assessment, is as follows:

<i>Household</i>	<i>Property type</i>	<i>New Market Proportion</i>	<i>Affordable Housing Annual Need/Proportion</i>
Singles	1 bedroom flats	15%	23%
Singles (couples no children, people needing support)	2 bedroom flats	15%	0%
Couples (with or without children)	2 bedroom houses	30%	20%
Couples (with children)	3 bedroom houses	30%	46%
	4 bedroom houses	10%	11%

Within the Canterbury District, the greatest need is therefore for two and three bed new market and affordable housing and there would be an expectation in line with Policy H4 of the

CDLP that 35% of the housing on the site would be affordable. The tenure mix for the affordable housing is currently 70% for rent, 30% for shared ownership. You should seek a partnership with a suitable housing association at the earliest opportunity which can offer appropriate advice on the various space and design standards required by the Homes and Communities Agency (HCA).

The affordable housing provision would be expected to be secured through a Section 106 Agreement and you should consider submitting a draft S106 at the registration stage of any formal application. This would need to be checked and agreed by the Council's Legal Services team and there would be a fee payable for them to carry out this work.

Ground Conditions

Although the site is located outside of the designated area of archaeological importance, it is still advised that an archaeological assessment of the site would be undertaken in order to identify if archaeological remains are present on site in accordance with Policy BE15 of the adopted Local Plan 2006 and draft Policy HE11 of the emerging Local Plan 2014. It may also be advantageous to carry out a preliminary land contamination assessment of the site.

Air Quality

Policy C39 of the adopted Local Plan 2006 and QL11 of the Draft Local Plan 2014 relate to air quality. In this case, given the expected increase in vehicular movements for the proposed development, the impact upon air quality would need to be assessed and also the effect of the air quality in the location on future occupiers. The assessment should be submitted with the planning application so that the data and any mitigation measures can be fully considered at the time.

Environmental Impact Assessment

The proposed development, being located on a site where the area of development would exceed 0.5 hectares, would be classified as an urban development project (Part 10 – Infrastructure projects) under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Given the scale of the proposal, along with the development area, it is considered any future planning application for this proposal would need to be screened by the local planning authority to determine whether significant effects are likely and hence whether an environmental assessment is required.

Development Contributions

You should be aware that the Council seeks financial contributions from developers in respect of development proposals such as yours, in order to secure the provision of transport, educational, social, recreational and community infrastructure where appropriate. This accords with policy IMP2 of the Canterbury District local Plan, First Review and the aims of the National Planning Policy Framework. Details of the requirements are set out in the council's adopted 'Development Contributions Supplementary Planning Document, a copy of which can be found on the Council's website.

Should you wish to pursue an application for the development of the site it is recommended you contact the local planning authority for clarification on the current contributions sought in this area. These would need to be secured through a Section 106 legal agreement. The contributions will need to be secured either through a legal agreement with the council, or by a Unilateral Undertaking, made under the provisions of S106 of the Town and Country planning Act 1990 (as amended). For most straight forward cases a unilateral obligation will be the preferred option. A template for a draft unilateral obligation can be found on the Council's

website together with a guidance note to assist with its completion at:

<https://www.canterbury.gov.uk/planning/planning-obligations/>

In considering your options please be aware that contributions paid pursuant to a Unilateral Undertaking will not be refunded if not spent within a given timescale; only a full S106 legal agreement between the developer and the council can secure the return of unspent development contributions.

If you consider there are exceptional reasons why some or all of the contributions should not be paid, then a detailed justification for non-payment of contributions should be provided with the application submission.

Documents required to be submitted with the application

Planning application forms and guidance notes are available to view and download from the Council's website. It is strongly recommended that you submit your application online through the planning portal:

<http://www.planningportal.gov.uk/planning/applications/>

I draw attention to the Council's adopted local requirements as any application submitted to the local planning authority must be accompanied by the appropriate drawings and other necessary documents for it to be considered valid. Full details of the local requirements are available to view/download from the council's website:

<https://www.canterbury.gov.uk/media/615216/Validation-requirements-2-Guidance-notes-and-thresholds.pdf>

It is the responsibility of the applicant/agent to ensure that all relevant national and local requirements are met. Any application that does not incorporate the appropriate drawings and associated information may be returned to you.

It is considered that the following list of documents will be required to be submitted as part of any application that is submitted.

- Application form
- Fee
- Site location plan, with the application site edged clearly with a red line.
- Full set of scaled existing and proposed floor plans, roof plans and elevations. A scale bar, north point and dimensions should be added
- Existing and proposed site sections, finished floor and site levels.
- Design and Access Statement
- Heritage Statement
- Planning Statement
- Arboricultural report
- Drainage Impact Assessment
- Noise impact assessment
- Air Quality Assessment
- Landscape and Visual Impact Assessment
- Archaeological Assessment
- Land Contamination Assessment
- Details of refuse and cycle storage
- Transport Assessment & Travel Plan

- Sustainability Assessment
- Information regarding the need for the school building(s) and student capacity analysis
- Draft planning obligation/unilateral undertaking

Conclusion

In principle, it is considered the development of the site for both residential and educational uses is acceptable and that the Council could support such a proposal. However, whilst the principle of an education facility is accepted in policy, the Council will require evidence the proposal meets the current and predicted future educational need at this location. In terms of a future application, an analysis of capacity to identify a shortfall in places in this area would be required to illustrate the proposal demonstrably meets the identified need now and in the future. Additional information setting out the overall numbers of pupils proposed would also be required.

You should be advised that any future application will require a robust Transport Assessment and Travel Plan. Also, you should consider servicing and construction management plans. These should provide full assessment to the impacts of the scheme and reasonable measures for controlling and/or mitigating the impact. Additional assessments/reports are outlined above.

I trust this advice is of assistance to you. I remind you that it is an informal officer opinion based on the information available at this time and is for guidance only. The advice does not prejudice any subsequent decision made or action taken by the Council and it relates solely to planning permission. Any application would be subject to public consultation.

Yours sincerely,

Brendan Boyle MRTPI
Principal Planning Officer

Planning & Regeneration