



Reference Code of  
Application: CA/19/2221

## KENT COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015  
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992 (as amended)

### NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: Kent County Council  
c/o GDM Architects  
The Masters House  
College Road  
Maidstone  
Kent  
ME15 6YF

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Water Meadows Primary School, Shaftesbury Road, Hersden, Canterbury, Kent CT3 4HS and being the proposed expansion to Water Meadows Primary School involving; a) the erection of a free standing 2 storey classroom block with associated hard standing and canopy, b) provision of 4no. additional car parking spaces, c) internal alterations to the existing school to increase hall provision, improve circulation and upgrade windows/doors, referred to within the application for permission for development dated 9 October 2019, received on 1 November 2019, as set out in the documents and shown on the drawing referred to in the attached schedule, SUBJECT TO THE FOLLOWING CONDITIONS:

**IMPORTANT – CONDITIONS NO 4 AND 11 MUST BE COMPILED WITH OR DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT. THE DEVELOPER MAY NOT LEGALLY COMMENCE OPERATIONS ON SITE UNTIL THESE OPERATIONS HAVE BEEN SATISFIED.**

#### Time Limit

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission was granted;

*Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended)*

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As part of the Council's commitment to equalities if you have any concerns or issues with regard to access to this information please contact us for assistance.

## **The development to be carried out in accordance with the permitted details**

2. The development hereby permitted shall be carried out only in accordance with the details, plans and specifications referred to within the attached 'Schedule 1' and/or as otherwise approved pursuant to this permission and there shall be no deviation from these without the prior written approval of the County Planning Authority;

*Reason: For the avoidance of doubt and to maintain planning control over the development.*

## **External Materials**

3. Within 3 months of the date of the decision, details of the external materials, including colour finishes, in accordance with those set out within the application shall be submitted for the approval of the County Planning Authority, and the development shall thereafter be carried out using the approved external materials;

*Reason: In the interests of visual amenity and in order to achieve high quality sustainable development.*

## **Approval of a Construction Management Plan**

4. Before the development hereby permitted is commenced, details of a Construction Management Plan shall be submitted for the approval of the County Planning Authority and thereafter shall be implemented as approved for the duration of construction operations, and shall include the following:
  - Details of site safety and security measures;
  - Details of the location of contractor's site compound;
  - Details of access, parking and circulation for contractor's and other vehicles engaged in the construction operations, including for vehicles loading/unloading;
  - Routing of construction and delivery vehicles to / from site
  - Timing of deliveries
  - Details of how site access would be managed to avoid peak travel times;
  - Measures to minimise the impact of noise from construction operations;
  - Measures to minimise dust nuisance arising from site excavations and construction operations;
  - Measures that will be taken on site to prevent the deposit of mud and other debris on the public highway including the provision of wheel washing facilities; and
  - The arrangements for consultation and liaison during the construction process with the residents adjoining the site; and
  - Details of highway condition surveys for highway access routes to be undertaken before and after construction of the development, and a commitment provided to fund the repair of any damage caused by vehicles related to the development in agreement with the Highway Authority;

*Reason: In order to protect the amenities of the locality.*

*Reason for being a pre-commencement condition: The Construction Management Plan relates to the construction activities so must be in place before development starts.*

## **Provision of Car Parking and Access**

5. Prior to the first use/occupation of the development hereby permitted, the areas shown on the submitted drawings, and as detailed within the application documents, for the parking

of cars, including the provision of at least one Electric Vehicle Parking Space, shall be completed and operational, and thereafter used for or kept available for those purposes at all times and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order amending or revoking and re-enacting this Order, shall be carried out on the land so shown, or in such a position as to preclude vehicular access thereto;

*Reason: The development, without the provision of adequate accommodation for the parking of private motor vehicles, could lead to parking inconvenient to other road users and detrimental to amenity.*

6. Within 3 months of the date of this decision, details of on-site secure and weatherproof cycle parking, in line with Travel Plan objectives, shall be submitted to and approved in writing by the County Planning Authority, and thereafter be implemented and retained as approved prior to occupation of the development;

*Reason: To encourage the safe use of sustainable modes of transport.*

### **School Travel Plan**

7. The approved School Travel Plan dated December 2019 shall be implemented as approved and subject to ongoing annual monitoring and review via the County Council's online Travel Plan Management system 'Jambusters';

*Reason: To ensure the development accords with the measures set out in the Travel Plan, and in order to encourage safer and more sustainable patterns of school travel.*

### **Construction**

8. The construction of the development hereby permitted, and associated operations including deliveries of plant or materials, shall take place only between the hours of 0800 and 1800 Monday to Fridays, and 0900 and 1300 on Saturdays, with no works on Sundays or Bank Holidays, unless otherwise approved in writing by the County Planning Authority;

*Reason: In order to protect the amenities of the locality*

### **Land Contamination**

9. If, during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy details how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy shall be implemented as approved;

*Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.*

10. No infiltration of surface water drainage into the ground is permitted other than with the written approval of the County Planning Authority. The development shall be carried out in accordance with the approved details;

*Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.*

## **Drainage/SuDs**

11. Development and construction for the entire scheme shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the County Planning Authority. The detailed drainage scheme shall be based upon the [FRA dated Oct 2019 by Considine] and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of without increase to flood risk on or off-site. Any enabling works and foundation works if carried out in advance of approval of drainage works should have no impact on final drainage works and any such works should not pose flood risk to the development and elsewhere.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details;

*Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.*

*Reason for being a pre-commencement condition: These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.*

12. The development hereby permitted shall not be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the County Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed;

*Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.*

## Landscaping

13. Within 6 months of the date of this decision, details of a scheme of landscaping and tree planting shall be submitted for the written approval of the County Planning Authority and such scheme shall include, amongst other matters, details of the following:
- the provision of native trees, together with the details of the species, size, source and location of plants and method of planting to be adopted;
  - the treatment proposed for all hardened surfaces, including the surfacing of the car parking area and playground;
  - a programme of maintenance for a period of not less than 5 years; and upon approval such scheme shall be implemented as approved within the first planting season following the completion of the development hereby permitted;

*Reason: In the interests of visual amenity and in order to achieve high quality sustainable development.*

14. In the event of any trees, shrubs and hedges included in the landscaping scheme, approved pursuant to condition (13) above, or any replacement trees, shrubs or hedges being removed, destroyed or dying or dead within 5 years of the planting, they shall be replaced within 12 months in the same places by large nursery stock of the same species;

*Reason: In the interests of visual amenity and in order to achieve high quality sustainable development.*

### Town and Country Planning (Development Management Procedure) (England) Order 2015

Where necessary the planning authority has engaged with the applicant to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

#### Summary of policies in the Development Plan relevant to the decision to grant planning permission:

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, including the National Planning Policy Framework (NPPF) and associated planning practice guidance, together with the relevant Development Plan policies, including the following:

The National Planning Policy Framework (February 2019)

Policy Statement – Planning for Schools Development (August 2011)

Canterbury City Council Local Plan (2017) Policies: SP1, T1, T9, T10, T17, CC2, CC4, CC11, DBE1, DBE2, DBE3, DBE5, DBE6, QL1, QL2 and QL5.


#### The summary of reasons for granting permission is as follows:

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition, please be advised of the following informatives:

1. The CL: AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.  
Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitted status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.  
The Environment Agency recommends that developers should refer to the position statement on the Definition of Waste: Development Industry Code of Practice and the Environmental Regulations page on GOV.UK.
2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.  
Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>  
The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
3. With regard to the requirement to undertake highway condition surveys before and after construction of the development, the applicant is advised to liaise with the District Highway Manager and agree the relevant details of the surveys to be undertaken.

Dated this Twenty fourth day of January 2020

(Signed)  .....  
Head of Planning Applications Group

KENT COUNTY COUNCIL  
PLANNING APPLICATIONS GROUP  
FIRST FLOOR  
INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT  
ME14 1XX

## Schedule 1

Schedule of Documents permitted under Planning Permission: CA/19/2221

<b>Document Title / Description / Reference</b>	<b>Date Received</b>
Application Form	1 November 2019
Education Statement	1 November 2019
Flood Risk Assessment and Drainage Strategy	1 November 2019
Premier Utility Report	1 November 2019
Utility Mapping Survey Site Report	1 November 2019
<b>Drawings / Number / Title:</b>	<b>Date Received</b>
Location Plan – drawing number P001	1 November 2019
Existing Site Plan – drawing number P002	1 November 2019
Proposed Site Plan – drawing number P003	1 November 2019
Proposed Floor Plans – New Build – drawing number P100	1 November 2019
Proposed Existing School Works – drawing number P101	1 November 2019
Existing School Elevations – drawing number P200	1 November 2019
New Build Proposed Elevations – drawing number P201	1 November 2019
Existing School and Proposed Elevations – drawing number P202	1 November 2019
Proposed Drainage Strategy – drawing number 3222-CON-00-XX-DR-C-SK100	1 November 2019
Topographical & Utility Mapping Survey – drawing number 1813_P	1 November 2019
<b>As amended and/or amplified by:</b>	<b>Date Received</b>
Design and Access Statement	11 November 2019
Energy Statement	25 November 2019
Transport Statement	11 December 2019

School Travel Plan	17 December 2019
Parking Survey Results	13 January 2020