

REPORT SUMMARY

REFERENCE NO - 21/00427/FULL

APPLICATION PROPOSAL

Construction of a Performing Arts Centre as an extension to an existing school building following the demolition of existing canopy and roof overhang attached to Kendon House, and associated landscaping works and infilling of the old swimming pool to provide additional car parking. Demolition of the existing Drama & Dance Studio and re-landscaping to provide an external amphitheatre and Headmasters Garden, relocation of the existing gazebo.

ADDRESS Bethany School Jarvis Lane Goudhurst Cranbrook TN17 1LB

RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation).

SUMMARY OF REASONS FOR RECOMMENDATION

- Paragraph 94 of the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools.
- The design, form and scale of the proposed development are considered to be appropriate and would create an acceptable development.
- The site is outside the Limits to Built Development however the proposal is for the extension of an existing building on previously developed land and the merits of the case weigh in favour of the proposal.
- The proposal would not harm the landscape and scenic beauty of the AONB.
- There would be ecological and biodiversity enhancements as a result of the proposed development.
- The traffic movements generated by the development can be accommodated without detriment to highway safety and the proposal includes adequate car parking provision.
- The development would not cause significant harm to the neighbouring residential amenity spaces.
- There would not be any significant adverse impact upon occupants of neighbouring properties.
- The proposal would result in the delivery of sustainable development in accordance with development plan policies.
- Other environmental impacts have been assessed and there are not any which are potentially significant and which cannot be controlled by conditions.

INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL

The following are considered to be material to the application:

Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A

Net increase in numbers of jobs: N/A

Estimated average annual workplace salary spend in Borough through net increase in

numbers of jobs: N/A			
The following are not considered to be material to the application:			
Estimated annual council tax benefit for Borough: N/A			
Estimated annual council tax benefit total: N/A			
Estimated annual business rates benefits for Borough: N/A			
REASON FOR REFERRAL TO COMMITTEE			
The application has been called in by then Councillor Noakes on the grounds of the scale and height of the proposal that will have impact on the locality and management issues during the execution of the works.			
WARD Goudhurst & Lamberhurst	PARISH/TOWN COUNCIL Goudhurst Parish Council	APPLICANT Bethany School AGENT Miss Danielle Ingleston	
DECISION DUE DATE Extension of time: 26/07/21	PUBLICITY EXPIRY DATE 21/04/21	OFFICER SITE VISIT DATE 24/03/21	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
Planning Application			
17/03135/FULL	Removal/Variation of Condition 9 of 14/01305/FULL (Single storey swimming pool enclosure with associated external works) to allow use of pool by local residents, primary schools and community groups	Permitted	12/06/18
15/504831/FULL	Minor material amendment to previously approved scheme 15/502607/FULL for erection of a new residential 6th Form building (changes to roof and window materials)	Permitted	05/08/15
15/502607/FULL	New residential 6th Form building	Permitted	29/05/15
15/502600/FULL	New fitness centre	Permitted	05/06/15
15/501006/FULL	Wooden covered walkway and 4 wooden hexagonal gazebo shelters	Permitted	15/05/15
14/01305/FULL	Single storey swimming pool enclosure with associated external works	Permitted	31/07/14
11/00577/FUL	Cladding and roofing of six temporary classrooms in 2-storey blocks and permanent retention of the buildings	Permitted	28/04/11
10/01204/FUL	Two storey 14 bed accommodation block	Permitted	11/05/10
09/03591/FUL	Rebuild first and second floor of part of boarding house (Kendon House)	Permitted	19/01/10
08/00046/FULMJ	Construction of two-storey science building	Permitted	13/03/08
06/01353/FUL	Construction of new tarmac car park with kerbs, white lining and drainage channels. Opening up of existing entrance to improve sight lines	Permitted	13/09/06
04/00425/FUL	Refurbishment of kitchen and dining room extension	Permitted	27/05/04
03/01831/FUL	Partial demolition of existing dining room and construction of dining hall extension	Permitted	27/08/03
02/02984/FUL	New two storey classroom building	Permitted	30/01/03
00/02528/FUL	Conversion of Kendon House to new school	Permitted	08/03/01

	library, new laundry, new girls toilet and alterations to elevations		
00/02529/OUT	Outline(means of access and siting not reserved) - Hall,drama wing,laboratory, 2 teaching blocks, swimming pool,girls residential wing,kitchen extension, alterations to access/parking	Permitted	03/12/01
97/01166/FUL	Proposed sixth form house	Permitted	05/01/98
92/00129/FUL	Construction of classroom and craft design and technology block in three phases	Permitted	06/08/92
86/00651/FUL	Alterations and extension to form music department for Bethany School	Permitted	23/06/86

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site forms part of Bethany School, an independent boarding and day school for girls and boys aged 11-18 (years 7-11 and sixth form). Bethany School is located within Curtisden Green, north of Goudhurst and is situated to the west of Jarvis Lane, which is a designated Rural Lane. The area including the main group of school buildings (including Kendon House) covers approximately 2.5ha and to the south of this are the school playing fields. The ground levels slope upwards from south to north.
- 1.02 The site of the proposal concerns Kendon House which is located at the south-east edge of the campus. Kendon House is a red brick, pitched roofed building with a contemporary barrel vaulted roof adjoining it.
- 1.03 The existing portacabin, which is currently used as a Drama & Dance Studio and is to be demolished as part of the proposal, is located to west of Kendon House.
- 1.04 There is an existing swimming pool located immediately to the south-west of Kendon House with the hardstanding area associated with parking located to the south of Kendon House.
- 1.05 The school uses two different access and exit points along Jarvis Lane with the southern access leading to a larger car park area.
- 1.06 The site is Outside of the Limits to Built Development (LBD) and is within the Area of Outstanding Natural Beauty (AONB). The majority of the application site falls within a designated area of Potential Archaeological Importance.
- 1.07 Public Rights of Way WC4/1 runs further to the south of the campus linking Jarvis Lane with Winchet Lane to the north-west.

2.0 PROPOSAL

- 2.01 The application seeks planning permission for the construction of a Performing Arts Centre in the form of an extension to existing Kendon House with associated landscaping works.
- 2.02 In addition, the old swimming pool immediately to the south-west of Kendon House would be infilled and the area used as additional car parking. The existing single

storey portacabin, which is used as a Drama & Dance Studio would be demolished and this area would be re-landscaped to provide an external amphitheatre garden. The existing timber gazebo structure would be relocated to the south end of the new garden.

- 2.03 The purpose of the development is to provide a higher standard of facilities available at the school. The number of pupils and staff are not proposed to be increased. The proposed Performing Arts Centre (PAC) through the purpose built extension to Kendon House, has been designed to serve a number of uses that include assemblies, lessons that require a large open space, performances, orchestra, etc. The development also includes internal alterations to the existing building in order to accommodate all performing arts under one roof.
- 2.04 The principal mass of the proposed extension is made up by the theatre providing a layout that serves a single occupant, up to a 214-person seated event with an orchestra. The incorporation of a double height workshop and storerooms will also ensure that the school's day to day activities and events can also be provided under one roof without the need for additional built form.
- 2.05 Other improvements as part of the scheme include the reconfiguration and refurbishment of the toilets to suit the needs of the theatre. The existing library will be redeveloped to provide music practice rooms and a classroom. At first floor level, the existing exam hall will be redeveloped to provide a dance studio at first floor level, a new classroom, and a kitchen area.
- 2.06 Although the majority of the building would be two storeys in height, the fly tower element of the theatre including the grid section would create a third storey element on the north-west end of the roof. The rooflight on this part of the roof does not exceed the height of Kendon House.
- 2.07 The proposed materials include red brickworks, Kent peg / Plain tiles and dark metal frames and flashings.
- 2.08 The applicant's transport consultant has confirmed that there will be no net change to the level of parking spaces provided for the development. The Performing Arts Centre will be used by the school for the pupils of the school, with evening events and external uses only happening rarely.
- 2.09 Of the c100 parking spaces on site in total, 95 will be available for evening performances or events outside term time. This is as per the current situation.
- 2.10 A section of the hedge to the north of the existing school main exit would be removed for a length of 15m and replaced with a low-level fence on top of grass to provide improved visibility from the access in a northerly direction and this would more than compensate for what will be only a minimal increase in use. In addition, where access is achieved to the northern car park, it is proposed that a 2m section of hard standing is provided and a section of hedge is to be removed and replaced with a low-level picket fence on amenity grass, which would be similar to the boundary to the south.
- 2.11 No trees would be removed as part of the proposal except one that is located to the south-west of the proposed extension and is assessed to be in poor condition. The scheme would also incorporate associated landscaping proposals and their management to enhance amenity and ecology/biodiversity more generally within the site.

3.0 SUMMARY INFORMATION

Kendon House

	Existing building	Proposed extension
Max height	12.4m	11.2m
Minimum height	9m	5.9m
Footprint	Circa 1300 sq m	586 sq m
Max length	Circa 45m	35.4m
Max width	Circa 47m	18.3m
Car parking	C100	C100

4.0 PLANNING CONSTRAINTS

- Area of Outstanding Natural Beauty
- Limits to built development OUTSIDE
- Jarvis Lane is a designated Rural Lane
- Potential Archaeological Importance – Majority of application site
- Potentially Contaminated Land + 50M Buffer -

5.0 POLICY AND OTHER CONSIDERATIONS

- **The National Planning Policy Framework (NPPF) 2019**
- **National Planning Practice Guidance (NPPG)**
- **Site Allocations Local Plan (2016):**
 - AL/STR1 – Limits to Built Development
- **Core Strategy Development Plan Document (2010):**
 - Core Policy 1: Delivery of Development
 - Core Policy 4: Environment
 - Core Policy 5: Sustainable Design and Construction
 - Core Policy 7: Employment development
 - Core Policy 8: Retail, Leisure and Community Facilities Provision
 - Core Policy 14: Development in the Villages and Rural Areas
- **Tunbridge Wells Borough Local Plan 2006:**
 - Policy LBD1: Development outside the Limits to Built Development
 - Policy EN1: Development Control Criteria
 - Policy EN10: Archaeological Sites
 - Policy EN13: Tree and Woodland Protection
 - Policy EN25: Development control criteria for all development proposals affecting the rural landscape
 - Policy TP1: Major development requiring Transport Assessments and a Travel Plan
 - Policy TP4: Access to the road network
 - Policy TP5: Vehicle parking standards
 - Policy TP9: Cycle Parking
- **Other Documents:**
 - Tunbridge Wells Borough Landscape Character Assessment (Goudhurst Fruit Belt Character Area)
 - High Weald AONB Management Plan
 - Rural Lanes Supplementary Planning Document (SPD)
- **Goudhurst Neighbourhood Plan:**

The neighbourhood plan is now subject to an independent examination. The Borough Council has appointed an independent examiner (with the agreement of the qualifying body).

- Draft Local Plan – only limited weight can be given to this as it has not been formally submitted for examination, following conclusion of the Regulation 19 consultation.

6.0 LOCAL REPRESENTATIONS

6.01 Four site notices were displayed around the site on 17th March 2021. The application has also been advertised in a local newspaper. No comments have been received from local residents.

7.0 CONSULTATIONS

Goudhurst Parish Council – 30 March 2021

7.01 GPC Recommendation: Approval subject to the observations below:

1. Concerns around the management of traffic associated with the development in the lanes around the school;
2. The environmental study, if necessary, should clarify further observations taken in the spring and summer to better understand the environmental impact;
3. Concern over the reduction of trees;
4. We would not expect permissions to be granted for full commercial use independent of the school.

KCC Highways and Transportation

Response, dated 1 July 2021

7.02 Subject to conditions, there are no outstanding concerns to raise. This is based on the following matters that have been agreed with the applicant:

- The school's intent to update and monitor their Travel Plan;
- Cycling promotion to be revisited in future as part of the Travel Plan;
- The school's agreement to the construction management plan as a condition;
- It is agreed that water will not drain into the highway;
- It has been confirmed that the hedgerow is within the applicant's land;
- Provision of no-entry signs at the exit point to be considered through the Travel Plan.

Response, dated 21 June 2021

7.03 The applicant was asked to consider and clarify the following matters:

- Provision of an updated Travel Plan through a planning condition;
- Clarification that water will not drain into the highway;
- Any works within the highway / changes to the crossover require separate approval;
- Clarification on electric vehicle charge points, disabled parking;
- Clarification on whether the hedgerow is within the applicant's land.

7.04 The following observations were made by KCC Highways and Transportation:

- It is agreed that there is no proposed net change in parking spaces. As the new facility will be used by the school, a request for a car park occupancy survey is no longer required;
- It's recommended that the School develops / updates their Travel Plan to assess car park demand management options for day-to-day use as well as events and encourage car sharing amongst pupils and staff;
- It is understood that non-boarding pupils would stay at school between the end of lessons and any evening performance. This 'rule' will help reduce the number of trips made and could feature in the travel plan;
- The proposed additional 2m of hard standing and 15m of grass and low-level fence to replace hedgerow will provide 'material benefit' compared to the existing access;
- The dimensions of 2.5x5.0m for parking spaces are suitable.

Response, dated 6 April 2021

7.05 The applicant was asked to consider the following points:

- Confirmation on the level of parking required as a result of the proposal and any external users;
- Increased use of a substandard access and visibility concerns for vehicles leaving the site onto Jarvis Lane from the northern or upper level of the car park;
- Consideration to be given to opportunities to provide a new access ramp to the upper level of the car park for a safer circulation route and improved visibility;
- Delivery vehicles associated with the proposed facility;
- Request for an updated Travel Plan;
- Confirmation on parking space dimensions, disabled parking provision and electric vehicle charging provision.

Environment Agency – 22 March 2021

7.06 Advise that a contaminated land condition is added.

Southern Water – 6 April 2021

7.07 Standard advice provided regarding connection to the public sewer and development in close proximity.

KCC Flood and Water Management – 7 April 2021

7.08 It is understood that the site is currently served by an existing drainage regime that appears to be a combination of infiltration (soakaways) and discharge into an on-site pond. As the site is split between to geology types of (Tunbridge Wells Sand and Wadhurst Clay), it has been proposed for the new building to be served by a new soakaway and the car park to drain into the existing system on site.

7.09 The LLFA would have no objections to these proposals but note that no ground investigations have been taken to date however, it is accepted that these would be undertaken as part of the detailed design stage. Furthermore, it is expected that a CCTV survey of the existing drainage is undertaken seeing as the car park will be discharging into this network. This is to ensure that any defects within the system are found and rectified. As further work is required, a pre-commencement detailed design condition would be required to allow for this work to be carried out. The wording of this condition can be found at the end of this response.

7.10 Please note: It is possible that the existing areas draining into the pond may have a

piped connection to the ditch on the Western boundary of the school and therefore we would expect the survey to confirm if this is also the case. If off-site discharges into this watercourse are found to be required, then discharge from the new development must be limited to the greenfield runoff rates, as per our Drainage and Planning Policy Statement (December 2019).

7.11 Conditions recommended.

Environmental Protection – 19 April 2021

7.12 The site is outside the Tunbridge Wells Air Quality Management Area, and do not consider the scale of this development and/or its site position warrants either an air quality assessment or an Air Quality Emissions Reduction condition applied to it. However, do consider that installation of publically accessible Electric Vehicle charging points would be a useful promotion of a sustainable travel option.

7.13 Based on information from the contaminated land & historic maps databases there is an indication of land contamination (unknown filled ground), and so it would be prudent to attach a contaminated land condition to any permission granted.

7.14 Any demolition or construction activities may have an impact on local residents and so the usual conditions/informatives should apply in this respect. The parts of the building being demolished/extended should be checked for the presence of asbestos and any found should only be removed by a licensed contractor.

7.15 RECOMMENDATIONS:

No objection, subject to comments above and conditions (EV charging points, hours of work, land contamination plus informatives (Mid Kent Environmental Code of Development Practice, asbestos).

TWBC Tree Officer

7.16 **10 June 2021** – following the submission of further and amended information by the agent, the details are acceptable including the proposed no-dig construction method. It is also noted that the proposed drainage has been moved and the position of the steps is not a problem. Scheme supported subject to conditions.

7.17 **5 May 2021** - following comments:

- Have not seen horse chestnut T1 in person but have no reason to dispute the arboriculturist's assessment of its condition, and therefore the justification of its loss.
- It is unclear how extensive level changes will be within the root protection area category A oak T2. The proposed path between the 'planted island' and the theatre passes up a substantial gradient but none of the drawings show any steps, and the proposed gradient north of the island imply this area will be significantly lowered. It is also unclear whether the slope immediately west of T2 will be filled. Proposed spot levels in this area would be helpful.
- The AIA has not taken into account proposed surface and foul water drainage to the north-east and north-west of oak T2 and well within its RPA. The drainage runs and manhole should be moved outside of the RPA.
- Am curious about the disappearance of the large copper beech from the footprint of the proposed theatre.

- 7.18 Based on the available information, would not support the present due to likely adverse impacts on oak T2.

TWBC Conservation Officer – 29 April 2021

- 7.19 Looking at the map regression the school was established in the late 19th century and so is a well established institution set within the countryside. We may consider the school building (extended) to be a non-designated heritage asset but extensions such as this are to be expected within this context, given the growth of the school over the years. As it is contained within the school boundary, CO does not believe it would have an impact on any of the heritage assets in Curtisden Green, which is a separate settlement from the school (and is not a conservation area). The main consideration will be impact on the wider landscape, rather than individual heritage assets.

TWBC Landscape & Biodiversity Officer – Verbal comments

- 7.20 Both Landscape Assessment and Preliminary Ecological Appraisal, prepared by a suitable professional, are acceptable. No objection to the scheme providing that biodiversity and landscape enhancements are achieved through suitable conditions attached to any planning permission.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The school is looking to provide new and improved performing arts facilities and provide a purpose-built facility for the creative arts which other subjects on campus benefit from. The delivery of a new Performance Arts Centre will significantly enhance the school's ability in providing for the educational needs of existing and future pupils.
- 8.02 The proposed extension of Kendon House would mean that the development is confined to the existing built form of the school campus and therefore better screened from the surrounding landscape. In addition to this, the proposed extension would mean that the proposal could share the existing services and amenities, requiring less floorspace and costs for the school.
- 8.03 Bethany School has a strong reputation for producing a number of outstanding musicians and performers and it is therefore fundamental that the school is able to continue to provide high quality facilities for existing and future pupils of the school. The provision of a new Performing Arts Centre and alterations to Kendon House to provide a dedicated facility for the creative arts will improve the educational environment which is wholly supported by paragraph 94 of the NPPF.

9.0 BACKGROUND PAPERS AND PLANS

Application Form
Site Location Plan – Drawing No. 001
Existing and Proposed Block Plans – Drawing No. 002
Existing Masterplan – Drawing No. 003
Existing Ground Floor Plan – Drawing No. 004
Existing Mezzanine and First Floor Plan – Drawing No. 005
Existing Roof Plan – Drawing No. 006
Existing Elevations – Drawing No. 007
Proposed Masterplan – Drawing No. 100 Rev. A
Proposed Ground Floor Plan - – Drawing No. 101
Proposed First Floor and Mezzanine – Drawing No. 102
Proposed Roof Plan – Drawing No. 103

Proposed Elevations – Drawing No. 104
Proposed Elevations – Drawing No. 105
Proposed Sections – Drawing No. 106
Proposed Sections with Dimensions - Drawing No. 106
Landscape Proposals – Rev. C
Landscape Proposals - Car Park – Drawing No. MHS230.20-003 Rev. B
Landscape Sections and Specification – Rev. B
Working Section – Footpath RPZ T2 – Drawing No. MHS230.20-SK02 Rev. A
Arboricultural Impact Assessment and Method Statement Revision B, June 2021
Landscape Assessment – Ref. MHS230.20-D01 Rev. B
Design and Access Statement
Planning Statement, February 2021
Preliminary Ecological Assessment, 18 March 2020
Surface Water Drainage Strategy
Drainage Strategy – Ref. 6101707 Rev. P04
Transport Technical Note, 1 February 2021, Further Response (dated 8th June 2021)
and Further Response (dated 1st July 2021)

10.0 APPRAISAL

- 10.01 The site is outside the LBD and within the AONB. The main issues to be considered are therefore the principle of development, including impact on AONB (landscape impact, design, ecology and landscaping), residential amenity, drainage, highways and parking and land contamination.

Principle of development

- 10.02 Bethany School is in established educational use with accompanying large group of buildings situated outside any defined settlement. It is also located within the High Weald Area of Outstanding Natural Beauty (AONB). In locational terms the whole school site is not in a sustainable location, however, the development is within the existing envelope of existing school buildings, is intended to be ancillary to the school and it falls within the definition of previously developed land (PDL).
- 10.03 Paragraph 94 of the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools. It does not differentiate between private or state-run schools..
- 10.04 Para 172 of the NPPF states that “*Great weight should be given to Conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty...*”. It further highlights that “*Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest*”. In this instance, whilst the proposed development is of a relatively large scale, it is well related to the rest of the school site and is within the previously developed land. Furthermore, there will be no increase in pupil numbers and the building would be restricted to school use. In view of this, the proposal is not considered as a ‘major’ development having regard to para 172 of the NPPF and footnote 55.
- 10.05 The application submission refers to the evidenced decline of formal performing arts education in schools and this decline presents a need for further investment in the creative arts subjects which Bethany School recognises. The school are now looking to provide new and improved performing arts facilities and provide a purpose-built facility for the creative arts.

- 10.06 Through the delivery of this facility in the form of an extension to Kendon House, the school will be able to enhance its ability significantly in providing for the educational needs of existing and future pupils. In addition, all the facilities relating to the provision of this specific education will come together under one roof and create better connectivity. This provision will achieve the objectives of the school's 10-year business plan to invest in music and drama facilities available at the school.
- 10.07 Whilst the proposal does not increase the number of pupils, the existing Music School building situated on the northern side of Curtisden Green Lane and the existing portacabin used as Drama & Dance studio are no longer fit for purpose. This is particularly relevant given the School's reputation and commitment in providing a dedicated facility for the creative arts which will effectively create a high quality educational environment.
- 10.08 The application submission represents robust justification for the proposal and the reasoning behind the proposed design to enable the School to continue its success attract pupils to be involved in music and drama activities. This, itself, would contribute to economic objectives to an extent that the school would maintain its competitiveness as well as pupil and staff numbers in the longer term. The short term economic benefits would be offered through employment opportunities arising with construction works and/or staffing at school for this department.

Impact on AONB and Visual and Landscape Character Impact

- 10.09 Paragraph 172 of the NPPF 2019 states, 'Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.'
- 10.10 Adopted Development Plan Policy (including Core Policies 4 and 14) requires the conservation and enhancement of the AONB and rural landscape. Policy EN25 states that proposals should have a minimal impact on the landscape character of a sites locality, nor have a detrimental impact on the landscape setting of settlements. Neither should a development proposal result in an unsympathetic change to the character of a rural lane.
- 10.11 The majority of the school to the west of Jarvis Lane is situated within the High Weald AONB. Further land on the east side of Jarvis Lane and hence outside the AONB is within the ownership of the School. However, these areas comprise playing fields, and the proposed development in this location would be more intrusive within the open landscape and would not be practical being at certain distance from the main campus. It is therefore acknowledged that the location of the proposal within the main campus area is more suitable and better relates to the existing buildings as well as being reasonably secluded from views.
- 10.12 The application submission clearly demonstrates that other options in terms of the position of the proposed Performing Arts Centre have been explored, including the potential location of the development where the existing swimming pool is and redevelopment of the existing Music School further to the north. However, both these options proved to be either impractical or to create undue impact in terms of AONB character and appearance, visual and residential amenities.
- 10.13 Having regard to the above, it is concluded that there is no realistic scope for the part re-development of the site outside the AONB and the impact is therefore neutral.

- 10.14 The High Weald AONB Management Plan details that the AONB as a whole is *“characterised by dispersed historic settlement, ancient routeways, an abundance of woodland, wooded heaths and shaws, and small irregularly shaped fields. These are draped over a deeply incised and ridged landform of clays and sandstones with numerous gill/ghyll streams, and are closely related to socio-economic characteristics that have roots extending deep into history”*.
- 10.15 The site forms part of the Goudhurst Fruit Belt Character Area which is summarised as *‘An intricate rural landscape of orchard and fields which are highly visible in views over the undulating slopes of this high ridge, which climbs up from the Teise Valley. The hilltop village of Goudhurst, with its church tower, is prominent on the skyline from much of the surrounding lower land. The open ridge top affords distant and expansive views out across the High Weald, whilst intervening valleys and wooded land cover create contrasting patterns of enclosure.’*
- 10.16 Curtisden Green is described as a medieval hamlet centred around a village green, overlooked by historic cottages and farmhouses. Local objectives for the Character Area are:
1. *Retention of the rural, working agricultural character of the area. Further development has the potential to erode this essential rural character.*
 2. *Protect the traditional form of Goudhurst as a hilltop village and restrict further spread, either down the slopes or along the ridge top. Ensure new development and alterations including boundary treatments, are in keeping with the local character.*
 3. *Protection of the landscape setting of Goudhurst, with its unimproved pastures and orchards. The proliferation of horse paddocks and incremental removal of hedgerows and wooded boundaries should be avoided.*
- 10.17 The development site entirely falls within the built up areas of the school site and therefore, the introduction of new development in this proposed location, within the built up area of the site, would not appear alien or out of context with the area. The local landscape objectives set out above are noted. However, it is also acknowledged that the proposed development would be confined to the existing built form of the school and whilst glimpses of the proposed extension would be seen, this would not be materially different than other school buildings within this part of the campus. The infilling of the swimming pool to provide an additional parking area would not be perceived differently as it will be sited next to the existing parking area and will be further away the street view with appropriate landscaping which includes additional planting and amenity grass around it.
- 10.18 Although it is proposed to remove the section of the existing hedge to the north of the existing school main exit and replace it with a low level fence on top of grass, this is not considered to significantly affect the rural character of Jarvis Lane. The new low level fence would replace a low height hedge along the hardstanding area and examples of similar fencing can already be seen along Jarvis Lane. The provision of the low level fence on top grass will help reduce any visual impact upon the rural lane and the overall impact is considered negligible given the open views of the existing car park that can already be perceived from Jarvis Lane with the existing hedge.
- 10.19 As demonstrated in the submitted Landscape Assessment, the original 1866 school buildings are in a relatively exposed position in the landscape to the south, but are also integral part of the landscape character. The Landscape Assessment also shows that significant distant views of the site are almost restricted with the near views being restricted to rooftop views of the original school building. The existing

development surrounding the proposed development screen majority of the extension and there would be no incursion upon hitherto undeveloped land in the countryside.

10.20 In addition to the provision of a landscaped area/garden where the existing Drama and Dance Studio will be removed, the proposed scheme will enhance visual amenity, ecology and biodiversity through:

- New tree planting;
- The introduction of circa 400 sqm of naturalistic species-rich wildflower/annuals on low informal shaped mounding;
- The provision of circa 100 sqm of new amenity planting around the new performing arts building entrance;
- The provision of new benching around one edge of the planting bed, in order to define and serve a new social space in front of the performing arts centre;
- Provision of new bird and bat boxes;
- Remodelling of the existing asphalt footways including a proposed north-west to south-east route across the new 'Headmasters Green' and aligned with the main entrance to the new performing arts building.

10.21 Overall, whilst the proposed development would comprise development outside of the LBD, it would be well related to the existing built development within the campus and its impact upon the surrounding rural setting would be minimal. The development is not considered to cause significant harm to the landscape character or appearance of the locality which would warrant refusal of permission, and overall would have a neutral impact on the landscape.

Design and Layout

10.22 The design of the development is a key aspect to this proposal and influences the resulting visual landscape impact. The NPPF discusses the importance of securing good design which is responsive to its setting and locality within section 12 (particularly paragraph 127) of The Framework. Paragraph 130 of the NPPF also 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.'*

10.23 The proposed scheme has also been reviewed by the Council's Conservation Officer who has not raised any objections and acknowledged that extensions such as this are to be expected within the context of the site and the growth of the school over the years. The inclusion of the proposed development within the school boundary would also have no impact upon the heritage assets in Curtisden Green, which is a separate settlement from the school and is not a Conservation Area.

10.24 There were also no objections from the Council's Landscape and Biodiversity Officer in terms of the design, layout or scale of the proposal, nor its impact upon the AONB and the character of the countryside.

10.25 The proposed design is considered to successfully deliver the focus to create a building that is modern, state of the art and fit for purpose, whilst enabling a more practical and workable solution in delivering the arts education in a manner that all

branches associated with it are arranged in one place. The bold contemporary design approach along with the materials that are suitable having regard to the context of the campus and the surrounding landscape and AONB, are considered to integrate well with Kendon House and the adjoining buildings.

- 10.26 The new development largely restricts itself to areas that are developed and in terms of height and scale is broadly consistent with other buildings on site and what one would expect of such a facility. The size and basic massing of the extension are determined by the proposed use. Whilst the new development creates a large new mass, it is not greatly more visible than the existing structures and remains in proportion to the site and other buildings. Overall the design is considered acceptable and therefore it is not considered to be harmful to the appearance of the site.

Archaeological Impact

- 10.27 No comments have been provided by the KCC Heritage to date on the proposed scheme. However, given the location of the site within an Area of Potential Archaeological Importance and the necessary operational development,, it is considered appropriate to impose a condition that would relate to evaluation works to ensure that archaeological implications of any development proposals are assessed fully.

Ecology, Landscaping and Arboriculture

- 10.28 The application has been accompanied by a Preliminary Ecological Appraisal (PEA), prepared by a suitable professional to a recognised methodology and as such the findings are broadly accepted. The appraisal concluded that due to the lack of suitable roosting features and absence of roosting bats, the buildings and trees within the development area were deemed to have negligible suitability to support roosting bats. However, the trees were deemed suitably to support nesting birds, on this basis, it was advised that any felling take place outside of the core nesting bird season.
- 10.29 No suitable habitat for Great Crested Newts (GCN) is present within the site due to the small and localised nature of the development.
- 10.30 The PEA recommends biodiversity enhancements throughout the site such as installation of bird boxes and bat boxes onto any buildings and trees within the site, which will be conditioned.
- 10.31 Overall, the proposed development is not considered to cause any significant harm to biodiversity, subject to a condition.
- 10.32 A tree report has been provided as part of the application which has been prepared by a suitable professional. The Council's Tree Officer is satisfied that it is possible to retain all the trees on the site except one given its poor condition. The specified construction methodologies and tree protection measures to minimise the impact of the proposed development on the retained trees are also found acceptable.
- 10.33 Subject to conditions the proposed development is not considered to raise any significant tree or ecology issues.

Residential Amenity

- 10.34 The nearest buildings around the proposed site are the school's Wellness Centre to the north, the school's reception building to the north-west and the science building to the south-west. There is sufficient distance between the nearby residential properties and the site. Therefore, it is not considered that the proposal would affect the amenities of the residential properties through loss of light, outlook or noise/disturbance over and above that generated by the existing school site. The submitted Design and Access Statement also confirms that the building has been designed with both internal and external noise levels in mind. Utilization of building form and mass, along with acoustic detailing (insulation, paneling, etc) is to ensure that the sound quality within the theatre will be exceptional, whilst noise ingress into the surroundings will be negligible.
- 10.35 Whilst it is acknowledged that the development may cause a slight increase in noise levels and traffic movements to and from the site outside of the nominal school hours these are not considered to be significant or have an unacceptable impact upon nearby properties, given the context of the existing school site.

Drainage

- 10.36 A detailed Surface Water Drainage Strategy has been submitted in support of the application and it confirms that all of the surface water from the new building and impermeable landscape would be discharged through infiltration via a new soakaway. Sufficient storage will be achieved through the use of cellular storage crates. If infiltration rates are not sufficient to enable surface water disposal directly into the ground, the drainage from the building extension will instead be piped into the existing drainage system.
- 10.37 The car park surface will be filtered, attenuated, and disposed of via controlled discharge into the existing pond or drainage system as appropriate. The existing foul drainage around the new building will be re-routed and connections into the existing foul sewer system will be re-used.
- 10.38 Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer. This has been added as an informative.
- 10.39 KCC Flood and Water Management has no objections to the drainage strategy subject to conditions relating to detailed design for ground investigations to be undertaken, and these conditions have been added to the recommendation below.

Highways and Parking

- 10.40 The application has been accompanied by a Transport Technical Note which has been updated subsequently to respond to and address the questions raised by KCC Highways and Transportation, which do not sustain any objections to the scheme subject to conditions which have been added within the Recommendation below.
- 10.41 The proposed scheme, through the infilling of the swimming pool, will provide additional parking to compensate for the loss of 20 parking spaces at the existing music school, which is located on the north side of Curtisden Green Lane and which is to be re-provided within the new facility. Therefore, the overall level of parking serving the school will not be altered as a result of the proposal.

- 10.42 It has been confirmed by the applicant that the Performing Arts Centre will be used by the school for the pupils of the school, with rare evening events and external uses, which could only occur a maximum of three times per year during the long breaks in late October / early November, Christmas and Easter. However at this stage there is insufficient clarity as to the frequency and extent of these external uses nor their corresponding impacts; therefore the use of the building has been conditioned so it is used on an ancillary basis only to the rest of the site.
- 10.43 Through the removal of the section of the hedge to the north of the existing school main exit and its replacement with a low level fence on top of grass, visibility will be improved further.
- 10.44 As secured by a suitable condition, the School will provide an updated Travel Plan to address all the measures relating to the management of parking during school drop-offs, pick-ups and evening performances, including the promotion and management of car sharing and pupil travel.
- 10.45 A request for a Construction Management Plan to be submitted to ensure the safety of the users of the road during the construction stage has also been added as a planning condition.
- 10.46 Overall, subject to conditions, it is considered that the proposed development would not have a detrimental impact upon highway safety and that the site would maintain adequate parking facilities.

Land Contamination

- 10.47 As raised by the Environment Agency and Environmental Protection and based on information from the contaminated land & historic maps databases which suggest potential land contamination within the site, a suitable condition has been attached to the planning consent to ensure that the development does not contribute to, and 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.

Conclusion

- 10.48 In conclusion, the proposal is considered to be acceptable in principle. The development is located on previously developed land where it would be seen in context with the built up areas of the school site and is not considered to be harmful to the AONB. The design overall is considered to be acceptable in its form and appearance and would respect the character of the locality. The development would not cause significant harm to neighbouring amenity, ecology or the surrounding landscape character. Overall, the proposed development is considered to be acceptable in the balance of issues discussed within this report and there are not considered to be any other material considerations which indicate that a refusal of planning permission would be appropriate.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory

Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and Proposed Block Plans – Drawing No. 002
Proposed Masterplan – Drawing No. 100 Rev. A
Proposed Ground Floor Plan - – Drawing No. 101
Proposed First Floor and Mezzanine – Drawing No. 102
Proposed Roof Plan – Drawing No. 103
Proposed Elevations – Drawing No. 104
Proposed Elevations – Drawing No. 105
Proposed Sections – Drawing No. 106
Proposed Sections with Dimensions - Drawing No. 106
Landscape Proposals – Rev. C
Landscape Proposals - Car Park – Drawing No. MHS230.20-003 Rev. B
Landscape Sections and Specification – Rev. B
Working Section – Footpath RPZ T2 – Drawing No. MHS230.20-SK02 Rev. A
Arboricultural Impact Assessment and Method Statement Revision B, June 2021
Landscape Assessment – Ref. MHS230.20-D01 Rev. B
Preliminary Ecological Assessment, 18 March 2020
Surface Water Drainage Strategy
Drainage Strategy – Ref. 6101707 Rev. P04
Transport Technical Note, 1 February 2021, and Further Response, dated 8th June 2021

Reason: To clarify which plans have been approved.

- (3) Written details and samples including source/ manufacturer, of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity

- (4) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

a) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
b) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.
The approved details shall be fully implemented.

Reason: These details are required pre-commencement to ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- (5) Prior to any above ground works commencing a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on and

immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and a 5 year management plan.

Reason: Insufficient details have been submitted and to ensure a satisfactory setting and external appearance to the development.

- (6) Prior to development commencing, a scheme for the mitigation and enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity.

Reason: This information is required pre-commencement in order to protect and enhance existing species and habitat on the site in the future.

- (7) Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon principles contained within the Surface Water Drainage Strategy report by MLM Group (04/02/2021, Revision 1). The submission shall also 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.

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. 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.

- (8) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall 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 Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. 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.

- (9) No demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: To protect the amenity of local residents.

- (10) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed.

Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason - To ensure that the development does not contribute to, and 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.

- (11) Prior to development commencing on site, a Construction Management Plan is submitted to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage.

In this setting the construction management plan should clearly demonstrate a separation between construction activities and continued student activities.

Reason: To protect the amenity of local residents and in the interests of highway safety.

- (12) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority prior to the first use of the hereby approved development. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2021 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.

Reason: These details are required prior to the first installation of external lighting as the current lighting details are unsatisfactory and in the interests of visual amenity of the area.

- (13) The hereby approved development shall be carried out in accordance with the details and provisions set out in the approved Arboricultural Impact Assessment and Arboricultural Method Statement (which includes the Tree Protection Plan) unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- (14) No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the Local Planning Authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

- (15) Prior to the first use of the development hereby approved, a new or updated version of the School's Travel Plan including monitoring and review arrangements to explore car park demand management options for day-to-day use as well as events and encourage car sharing amongst pupils and staff and accommodation of deliveries, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in accordance with an agreed programme.

Reason: To ensure the effectiveness of the Travel Plan in the interests of sustainable transport.

- (16) No works shall take place until a site specific Construction and Environmental Management Plan has been submitted to and been approved in writing by the local authority. The plan must demonstrate the adoption and use of the best practicable

means to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to:

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours as detailed in Condition 9.
- Mitigation measures as defined in BS 5228, Noise and Vibration Control on Construction and Open Sites shall be used to estimate LAeq levels and minimise noise disturbance from construction works.
- Measures to minimise the production of dust on the site(s). - Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s).
- Design and provision of site hoardings.
- Management of traffic visiting the site(s) including temporary parking or holding areas.
- Provision of off road parking for all site operatives.
- Measures to prevent the transfer of mud and extraneous material onto the public highway.
- Measures to manage the production of waste and to maximise the re-use of materials.
- Measures to minimise the potential for pollution of groundwater and surface water.
- The location and design of site office(s) and storage compounds.
- The arrangements for public consultation and liaison during the construction works.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers and highway safety. This is a pre-commencement condition as the necessary measures will need to be provided from the start of the construction phase.

- (17) The area shown on the approved plans as vehicle parking space and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the first occupation of the approved development.

Reason: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users.

- (18) Prior to the occupation of the development hereby approved, written and illustrative details of the number, type and location of charge points in accordance with the Tunbridge Wells Borough Council's guidance note on 'Electric Vehicle Charging Points for New Development' (confirming minimum 7Kw output) shall be provided to

and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and subsequently maintained as such.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations.

- (19) The development hereby approved shall be used by Bethany School only and shall not be used for any commercial or business use.

Reason: To enable the Local Planning Authority to regulate and control the development of the site in the interests of residential amenity and highway safety

INFORMATIVES

- (1) Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

To make an application visit: southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

- (2) Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development 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) Please note that any planning permission does not convey any approval for construction of the required dropped kerbs, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
- (4) As the development involves demolition and / or construction, broad compliance with the Mid Kent Environmental Code of Development Practice is expected.
- (5) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting

workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed.

Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

Case Officer: Canan Clatworthy

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.