

**PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 12th March, 2014**

**10.00 am**

**Council Chamber, Sessions House, County Hall,  
Maidstone**





## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Wednesday, 12th March, 2014, at 10.00 am**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Andrew Tait**  
Telephone: **01622 694342**

*Tea/Coffee will be available from 9:30 **outside the meeting room***

#### **Membership (19)**

- Conservative (10): Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman),  
Mr M J Angell, Mr M A C Balfour, Mr T Gates, Mr P J Homewood,  
Mr S C Manion, Mr R J Parry, Mr C Simkins and Mr J N Wedgbury
- UKIP (4) Mr M Baldock, Mr M Heale, Mr T L Shonk and Mr A Terry
- Labour (3) Mrs P Brivio, Mr T A Maddison and Mrs E D Rowbotham
- Liberal Democrat (1): Mr I S Chittenden
- Independents (1) Mr P M Harman

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **A. COMMITTEE BUSINESS**

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 12 February 2014 (Pages 5 - 8)
4. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

#### **C. MINERALS AND WASTE DISPOSAL APPLICATIONS**

1. Application SH/08/124/R7 and 34 - Details pursuant to Conditions 7 (weighbridge and office facilities) and 34 (landscaping) of Permission SH/08/124 at Otterpool Quarry, Ashford Road, Sellindge; Countrystyle Recycling Ltd (Pages 9 - 28)

#### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

1. Proposal SE/13/2981 (KCC/SE0296/2013) - Provision of floodlights to all weather ptch, approved under Permission SE/12/1163 and amended under reference SE/12/1163/R at Knole Academy, Bradbourne Vale Road, Sevenoaks; Governors of Knole Academy and KCC Property and Infrastructure Services (Pages 29 - 48)

2. Proposal MA/13/2085 (KCC/MA/0342/2013) - Erection of a wall mounted canopy adjacent to the school building at Platts Heath Primary School, Headcorn Road, Platts Heath; Governors of Platts Heath Primary School (Pages 49 - 56)

#### **E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS**

1. County matter applications (Pages 57 - 60)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011

#### **F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

##### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services  
(01622) 694002

*(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)*

Tuesday, 4 March 2014

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 12 February 2014.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mrs P Brivio, Mr I S Chittenden, Mr T Gates, Mr P M Harman, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr C Simkins and Mr A Terry

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr P Lulham (Transport Planner) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

#### **8. Minutes - 24 January 2014**

*(Item 4)*

- (1) In respect of Minute 3, the Chairman agreed that the votes of Mr Baldock, Mr Heale, Mr Shonk and Mr Terry against the recommendations of the Head of Planning Applications Group in respect of the Dungeness Borrow Pit application (SH/11/381) would be recorded.
- (2) RESOLVED that the Minutes of the meeting held on 24 January 2014 are correctly recorded and that they be signed by the Chairman.

#### **9. Site Meetings and Other Meetings**

*(Item A4)*

- (1) The Committee noted that there would be a training session on Biodiversity and Landscape after the meeting was over.
- (2) The Committee was reminded of the site visit to Tunstall on 25 March 2014 in respect of the proposed replacement school.

**10. Application CA/13/2209 (KCC/CA/0341/2013) - Variation of Conditions 8 and 9 of Permission CA/13/18 to allow the acceptance of commercial and industrial waste from sources in and external to Canterbury District and source segregated fractions from waste collections from domestic properties in the Canterbury District in addition to existing waste streams at Plots D and E, Lakesview Business Park, Hersden; Ling (UK) Holdings Ltd**

*(Item C1)*

- (1) The Head of Planning Applications Group reported correspondence from Chislet PC expressing concern about lorry numbers and asking the Committee to set

up a system to monitor them. The Head of Planning Applications Group advised that the applicant did not seek to amend the current restriction on HGV movements

(2) RESOLVED that permission be granted to the application subject to the conditions and informatives included in Permission CA/13/18 (dated 15 April 2013) being re-imposed with the following exceptions:-

(a) Conditions (8) and (9) being re-worded as follows:-

*“(Condition 8). Only the following waste materials shall enter the site:*

- (i) those wastes specified in section 8 “Description of the Development” of the Environmental Statement Non-Technical Summary dated 27 February 2009 (document reference: ES NTS Final 27.2.09) that accompanied planning application CA/09/607;*
- (ii) domestic (“black bag”) waste, source separated food waste, separately collected fractions (excluding green / garden waste) and bulky domestic waste collected from within Canterbury District; and*
- (iii) municipal wastes, arising only from commercial, industrial and institutional sources, including separately collected fractions from those sources (excluding green / garden type waste).*

*Reason: Waste materials outside these categories may raise environmental, pollution or other issues that would need to be considered afresh.*

*(Condition 9). No more than 82,000 tonnes of waste shall enter the site in any one year and of this no more than a combined total of 58,200 tonnes shall be:*

- a. domestic:*
  - i. “black bag” waste;*
  - ii. source separated food waste;*
  - iii. separately collected fractions; and*
  - iv. bulky domestic waste; and*
- b. municipal waste, arising only from commercial, industrial and institutional sources, including separately collected fractions from those sources.*

*Reason: To ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Plan Policies W18 and W22.”;*

(b) Conditions (5), (11), (21), (23) and (24) being re-worded to ensure that the controls applied to “black bag” and source separated food waste from domestic sources are applied to those similar wastes from municipal sources;

- (c) Condition (3) being re-worded to reflect the non-material amendment to Permission CA/13/18 approved on 27 November 2013 relating to (amongst other things) the size and orientation of a roll-over bund (which separates the car dismantling area from the rest of the site), the external design and internal layout of the non-ferrous building and main vehicular access gate and the installation of vehicle and engine storage pits; and
- (d) The Schedule attached to the Permission being amended to reflect (c) above and the explanatory notes being updated to reflect the latest adopted and emerging development plan policies and the reasons for granting planning permission outlined in the report.

**11. Proposal TM/13/3677 (KCC/TM/0386/2013) - Car park, access road and footpath at Tower View, Kings Hill, West Malling; KCC Property and Infrastructure Services**

*(Item D1)*

(1) The Head of Planning Applications Group informed the Committee of recent correspondence from KCC Highways and Transportation raising no objection to the proposal.

(2) Mrs Sarah Barker, Chairman of the Kings Hill PC Planning Committee addressed the Committee to set out her Authority's concerns over the proposal. Mr Matt Hyland, KCC Enterprise and Environment spoke in reply on behalf of the applicants.

(3) Mr M Baldock moved, seconded by Mr A Terry that consideration of this matter be deferred pending a Members' site visit.

*Lost 3 votes to 12*

(4) Mr M Baldock requested, pursuant to Committee Procedure Rule 2.26 (3) that his vote in favour of the motion be recorded.

(5) The Committee unanimously agreed to the inclusion of a condition requiring the submission of a Travel Plan within the recommendations.

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group (as amended in (5) above) were carried by 13 votes to 2.

(7) Mr M Baldock and Mr A Terry requested, pursuant to Committee Procedure Rule 2.26 (3) that their votes against the motion be recorded.

(8) RESOLVED that:-

- (a) permission be granted to the proposal subject to condition, including conditions covering the standard time limit for commencing the proposed development; the development being carried out in accordance with the permitted details; and the submission of a scheme of landscaping, including details of species, positioning of saplings and shrubs to be planted, as well as its implementation and maintenance; and

- (b) the applicants be advised by Informative of:-
  - (i) the need to ensure that the proposed lighting complies with the advice of the Bat Conservation Trust, in order to minimise the impact of external lighting on any bats; and
  - (ii) the suggestion of Tonbridge and Malling Borough Council of incorporating a cycle ramp by the pedestrian walkway steps.

**12. County matters dealt with under delegated powers**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).

SECTION C  
MINERALS AND WASTE DISPOSAL

Background Documents – the deposited documents, views and representations received as referred to in the reports and included in the development proposals dossier for each case and also as might be additionally indicated.

**Item C1**

**SH/08/124/R7 & 34 Otterpool Quarry, Ashford Road, Sellindge, Ashford**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 March 2014.

SH/08/124/R7 & 34 - Details pursuant to conditions (7) – weighbridge and office facilities and (34) – Landscaping at Otterpool Quarry, Ashford Road, Sellindge, Nr Ashford TN25 6DD (MR. 112 365).

Recommendation: Approval of details.

Local Member: Mrs S Carey

Unrestricted

**Site**

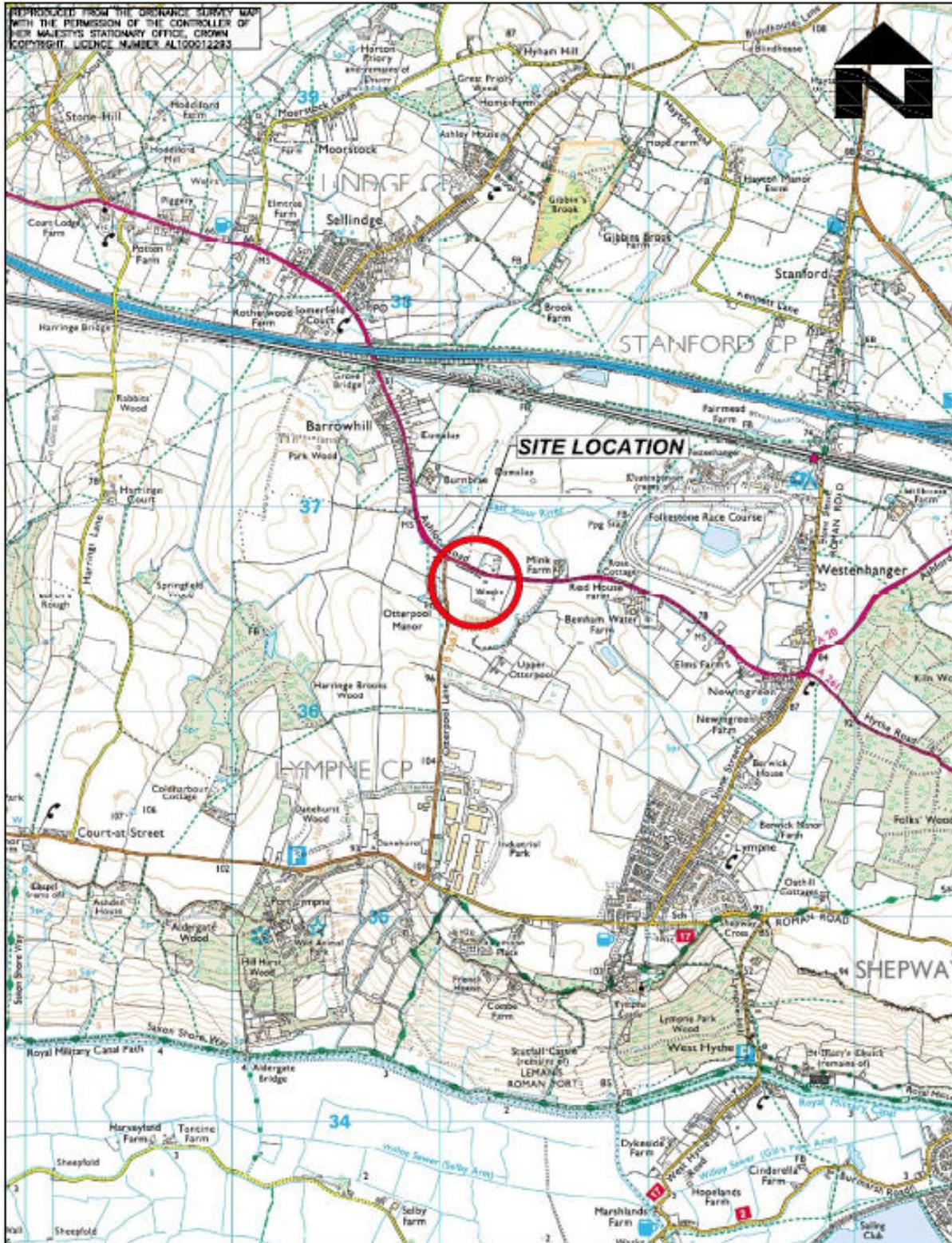
1. At the meeting of the Planning Applications Committee held in March 2011, Members resolved to grant planning permission (under reference SH/08/124) for the construction and operation of a Materials Recycling Facility, Anaerobic Digestion Plant and associated office and parking facilities at Otterpool Quarry, Ashford Road, Sellindge.
2. The site itself lies adjacent to the southern side of the A20 some 1 km distant midway between the villages of Sellindge to the north and Lympne to the south. It is bounded by aSSSI immediately to the east and west. The Kent Downs AONB is some 1.5km to the north east and south of the site and from which can be seen the M20, Channel Tunnel Rail Link (HS1), Westenhanger Castle (a Scheduled Ancient Monument), Folkestone Racecourse, the Junction Motorway 11 services and the A20.
3. The closest properties to the site are the Airport Café at some 30m immediately to the north on the northern side of the A20, Otterpool Manor (to the west) and Upper Otterpool (to the south) at 250m distant from the site. A location plan is included showing the site in its wider context.

**Planning History**

4. At the time of reporting the application to the Planning Applications Committee it attracted much local opposition, particularly from the residents of the nearby Sellindge village and the Sellindge and District Residents Association (SDRA) as well as the Sellindge and Lympne Parish Councils. The application was subject to two Members site visits and public meetings (in June 2008 and February 2010) prior to it being reported for determination.

C1.1

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

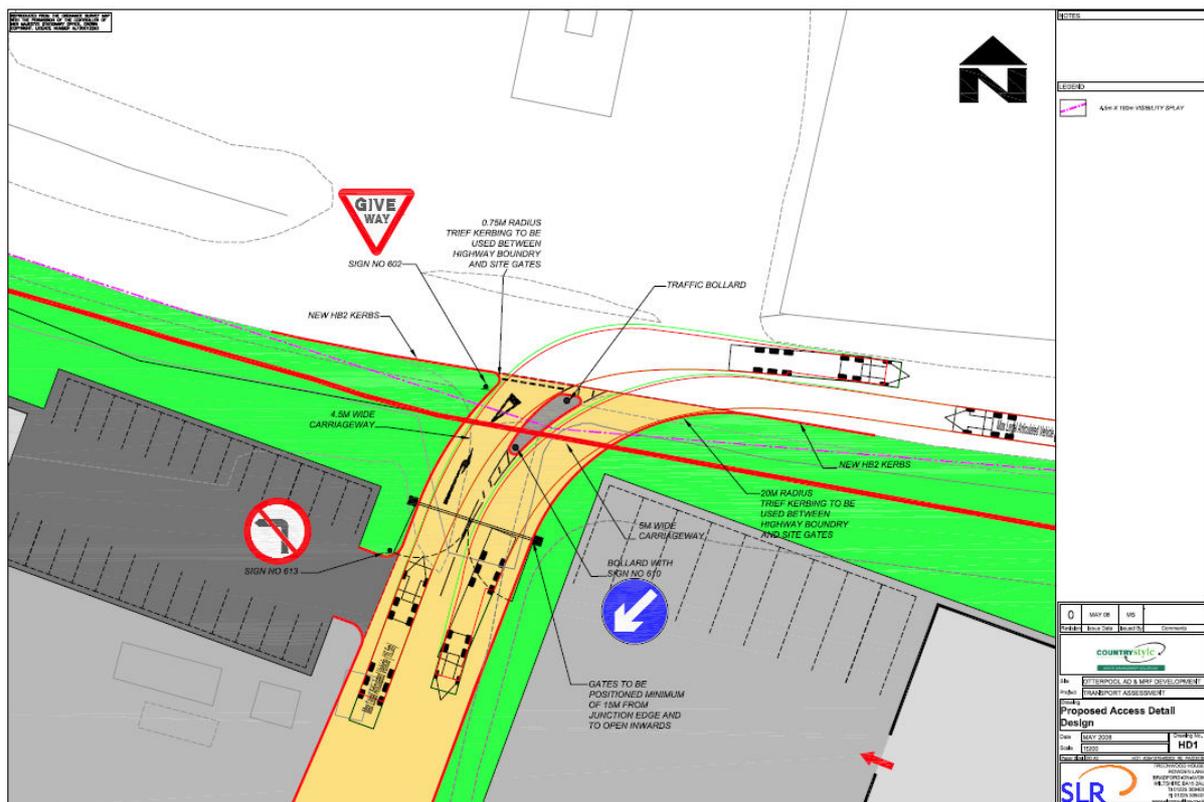


Site Location Plan



**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

5. Following the grant of planning permission, the SDRA met with the then Chairman of the Planning Applications Committee, officers of the County Council and the Local Member, Susan Carey, in order to gain an understanding as to how the conditions imposed on the permission would be monitored and enforced and also to gain assurance that the proposed development would be implemented as approved. At that meeting, which was held in May 2011, it was agreed by all parties present that the SDRA would be formally notified, along with relevant statutory consultees as and when details pursuant to conditions were submitted to the County Council for approval.
6. Condition (2) of the permission requires the development to commence not later than the expiration of 3 years from the date it was granted (i.e. by 27 March 2014), prior to which there are a number of pre-commencement conditions needing to be formally discharged.
7. Condition (5) of the permission requires that the approved Site Access Improvements as shown on Drawing (HD1) (below) be completed prior to the commencement of the development.



**Approved Drawing Number HD1**  
**'Proposed Access Detail Design'**

8. There are also a number of other conditions imposed on the planning permission, which require the applicants to submit details to the Waste Planning Authority for formal approval prior to the commencement of the development.

**Item C1**

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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In summary those conditions are as follows:

Condition	Summary	Discharged Yes/No
7	Details of weighbridge and facilities	No
8	Fencing and gate details	Yes
9	External lighting details	Yes
11	Strategy for electricity generation	Yes
12	Surface water drainage scheme	No
14 – 17	Contamination and remediation	No
18	Code of construction practice details	Yes
34	Landscaping details	No

9. Whilst conditions (8), (9) and (11) were approved during the latter months of 2013 condition (18) was formally approved on 13 February 2014 following the timescale for consultee responses having lapsed. In the absence of any objections being received within the formal consultation period all were approved under officer delegated authority.
10. At the time of finalising this report, issues arising over the conditions covering contamination and remediation issues (conditions 14-17), along with surface water drainage details (condition 12), remain unresolved whilst having regard to continued concerns from the parish council and the SDRA, details which have been submitted relating to conditions 7 – weighbridge/office facilities and 34 – landscaping these are covered below.

## 11. Consultations

**Shepway District Council:** No objection raised.

**Sellindge Parish Council:** Concerns remain in relation to whether a single operator of the weighbridge facilities could cope during busy periods and a suggestion is made that a policy is needed to ensure incoming lorries are given priority over outgoing lorries.

**Lympne Parish Council:** Concerns remain in relation to matters relating to the site entrance:

- Concerns whether there is sufficient provision in place to avoid the need for vehicles queuing on the A20 should vehicles arrive prior to the permitted opening hours.

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- Although there is space for three vehicles on the access road to the weighbridge, this access road is inside the fenced area. This could lead to HGVs waiting on the A20, which would clearly be unacceptable.
- In the event of a weighbridge malfunction, vehicle breakdown or other obstruction at the entrance to the site, there is no provision to bypass the weighbridge. With HGVs arriving every eight minutes, on average, there would soon be at least three vehicles in the access road. This would mean the subsequent arrivals are unable to enter the site and would lead to HGVs waiting on the A20, which would clearly be unacceptable. Blocked access to the site also presents a major traffic control problem. Vehicles in transit would continue to arrive at the Otterpool site but be unable to enter. There is no provision for such vehicles to turn round and return eastwards towards the Newingreen junction. They cannot turn left at Otterpool Road traffic lights, unless provision is made for a turning site within the Link Park industrial estate. They cannot (and should not) continue into Sellindge and return along Hythe Road to M20 junction 10.
- Access to and from the office parking uses the same route as HGVs arriving and leaving the site. At busy times, this could lead to cars waiting for access on the A20.

**Environment Agency:** No comments to make.

**Landscape Officer:** No objections raised.

**Sellindge and District Residents Association:** Concerns remain in relation to the weighbridge and office facilities and whether what is proposed would avoid the need for vehicles having to queue to gain access to the site, along the A20. Concerns also continue to be raised in relation to the landscape details submitted.

### **Local Member**

12. The Local County Member, Susan Carey was notified that details submitted in relation to conditions (7) and (34) had been received on 6 August 2013, 10 October 2013. No formal comments have been received to date.

### **Submission of Details for Approval**

13. In relation to those details referred to under paragraph 10 above, following formal consultation with the relevant statutory consultees and the SDRA, Sellindge Parish Council and SDRA continue to raise concerns in relation to those details as set out below. Taking each condition in turn:

#### Weighbridge and office details

14. Condition (7) of the permission states:

‘Prior to the commencement of the development hereby permitted, details of the weighbridge(s) and weighbridge office facilities shall be submitted to the Waste Planning Authority for approval and implemented as approved;’

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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15. At the time of determining the main planning application, the Highway Authority were satisfied that the location of the weighbridge facilities were of a suitable distance from the sites access to avoid the need for vehicles to queue along the A20 whilst awaiting access into the site. In response to issues raised by local residents at the time (who raised concerns that vehicles associated with the proposal would travel through the Sellindge village), the access arrangements were amended to ensure that all vehicles accessing or leaving the site could only do so via the A20 east-bound (See drawing HD1 above).
16. Details have been formally submitted by the Applicant which show a two-weighbridge facility, a weighbridge office and site office accommodation which are consistent with the locations indicated on the approved site layout plan OP/4 above. The applicants accept that the access must be constructed in accordance with drawing HD1.
17. However, notwithstanding the condition requires the submission of weighbridge/office details only (in accordance with the approved site layout plan), Sellindge and Lympne Parish Councils continue to raise concerns in relation to what in their view would be operational difficulties. They consider that in their view given the weighbridge appears to operate with a single operator, one person operating such a system may have some difficulty *'keeping up'* during busy periods which could result in vehicles queuing towards or along the A20. They further state that to avoid this situation, which in their view, could be dangerous, *'a policy needs to be put in place to ensure that all incoming vehicles have priority over outgoing lorries'*.
18. Highway matters were well rehearsed and considered in detail at the planning application stage. The Applicants have however, sought to assure the Parish Council that given the potential risk associated with this they intend to operate the weighbridge at all times in order to prevent delays of vehicles arriving on site. They further state that under no circumstances do they envisage vehicles causing risk to other users of the A20 and that it is standard practice in waste management and construction sectors to ensure that there is sufficient parking within the site to accommodate such an unlikely event. Having consulted on the site layout and highway details with Kent Highway Services on the original planning application, they were satisfied that the site layout details, access arrangement and weighbridge facilities were sufficiently placed to avoid queuing vehicles and subsequent impact on the A20. The access arrangements were designed to address the original concerns of local residents and the Highway Authority remains of the view that the highway position has not altered from that permitted by Members in 2011. They further advise that given there are separate weighbridges for entry and exit, in their view there continues to be more than enough capacity to deal with the anticipated vehicle numbers. On this basis I remain satisfied that the proposal remains acceptable in highway safety terms and that the details of the weighbridges and office facilities can be formally approved as satisfying condition (7) of the planning permission and thereafter be implemented as approved.

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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Landscaping

19. A condition was imposed on planning permission SH/08/124 which reads as follows:

## Condition 34

*“Prior to the commencement of the development hereby permitted, details of a landscaping scheme, including hard surfaced landscaping, based on the principles set out in drawing number OP/11 ‘Proposed Landscape Layout’, shall be submitted to the Waste Planning Authority for approval. Details shall include, amongst other matters, the following:*

- *The existing trees, shrubs and hedges to be retained and the measures to be taken to provide for the protection thereof during the works hereby permitted;*
- *All trees, shrubs and hedges proposed to be removed;*
- *The provision of new trees, shrubs, hedges and grassed areas, together with the details of the species and method of planting to be adopted;*
- *Details of ground preparation bunds of the bunds to be planted and the ongoing maintenance proposed;*
- *Additional planting details for the western boundary (as agreed in SLR email dated 2 March 2011);*
- *Proposed native tree and shrub planting, including foraging areas for badgers;*
- *Replacement planting, on the eastern boundary, in the event that any trees are lost;*
- *A programme of maintenance for a period of not less than 5 years*

*and upon approval of such scheme shall be implemented as approved by the Waste planning Authority within the first planting season following the completion of the development hereby permitted.”*

20. At the Planning Applications Committee meeting in March 2011, having regard to the officer report Members supported the imposition of a planning condition to secure additional planting and screening measures along with the inclusion of ground preparation works in respect of the bunds to be planted on site, ongoing maintenance and a requirement to replace any trees lost or damaged by the construction of the surface water attenuation pond on the eastern side of the site.
21. The existing site is surrounded by a belt of trees on its northern, southern and eastern boundaries. The applicants carried out a visual appraisal in support of the main planning application and Jacobs, the County Council’s Landscape Advisor was consulted. Whilst it was considered at the time, that some degree of mitigation against the potential visual impact from the development was included by way of site layout and building design (including heights, materials to be used, colour and finish) the applicants also proposed additional mitigation planting. At the time of reporting the main application it was proposed that this would take the form of some strengthening or additional planting by way of mitigation along with some native tree and shrub planting to the west of the site. Approved drawing number OP/11 below sets out in principle the proposed landscape layout.



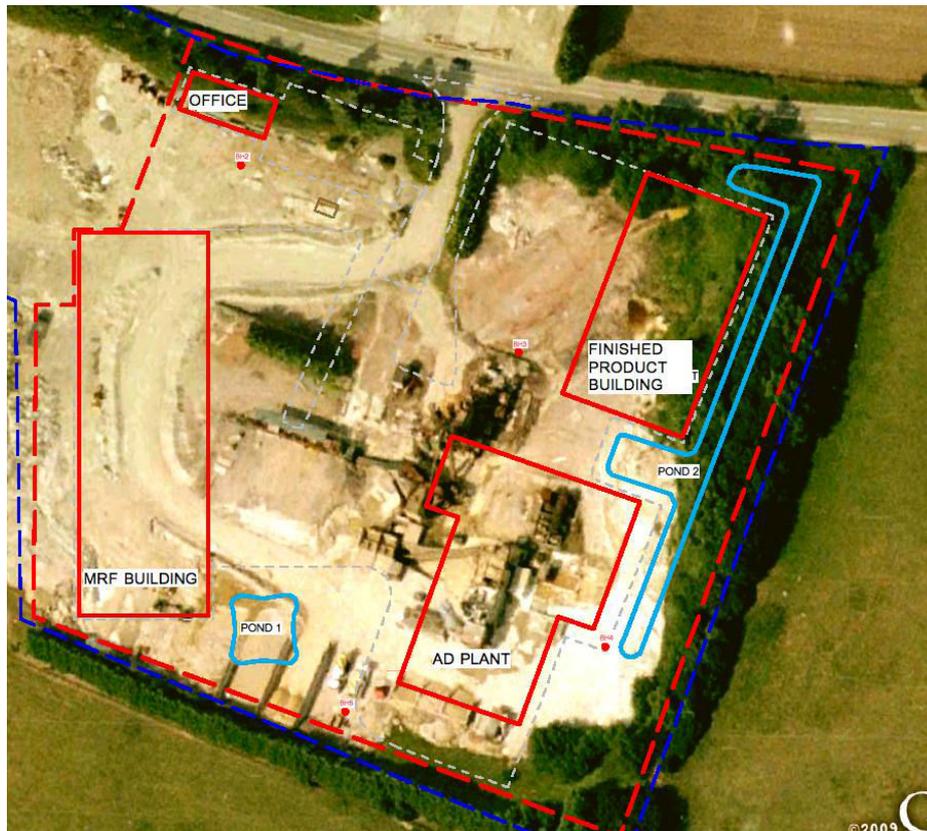
**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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eastern boundaries of the site there are few if any trees that would individually be accorded any significant status, The group value of the trees is immense and of considerable importance.

- Sellindge Parish Council has previously noted that there has been no tree survey carried out or published covering the existing perimeter planting. No adequate levels survey beyond the central portion of the site therefore it is impossible to properly evaluate the impact of the construction necessary in the outer zones of the landscape area, let alone the hard landscaped area across the central areas.
- We have no problem with the nature of plant selection proposed within the new and supplementary planting and welcome the concept of a biodiversity area apply to the western section. We assume in this area that the land will be level and presumably improved to support plant growth.
- Condition 34 in the approval notice sets out in eight bullet points the issues required to be addressed to satisfy as a minimum the administrative aspects of this part of the approval.
- The submission fails to detail the existing trees shrubs and hedges to be retained, and fails to identify trees shrubs and hedges proposed to be removed. The absence of a level survey or tree survey across the relevant areas along the boundary areas perimeter signifies this beyond any doubt.
- As a consequence we consider that it is not possible for this condition to be considered discharged at this point in time based on the information provided.
- Should this condition be discharged under the present circumstances the consequence would be the exposure of the proposed development to clear view from all compass directions.
- Just to clarify the area of concern this is an aerial photograph with the main components of the development overlaid. The impact on the boundary planting is all too clear from this. When you add into this the issue of levels and ground topography the significance is even greater.

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**



Photograph (and annotations) provided by the SDRA

24. Having consulted with the County Councils Landscape Officer on the submitted landscaping details, whilst it was accepted that the overall plan submitted was sufficient the following comments were received:

*“The overall plan is sufficient, however – we would expect to see any landscape management plan, landscaping plan or LVIA make use of/be informed by, the relevant landscape character assessment(s) (LCA). This would ensure the proposals, whilst offering appropriate screening, adding to the amenity of the site and providing ecological enhancement, would also contribute positively to the reinforcement or restoration of appropriate landscape character.*

*Fine tuning of the species mix to include more locally appropriate plants would strengthen the Management Plan and is strongly recommended – getting the species right supports character rather than detracting from it. Utilising evidence from the LCA will mean the planting could also reinforce landscape character which is much needed on this site.”*

25. Having had some further dialogue with the Applicants Landscape Architect, a Landscape Management Plan was submitted along with Drawing number KDP/13 rev F (below) which seeks to address the issues of concern and show trees to be removed and retained.

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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26. The applicants have clarified that although a detailed tree survey has not been carried out, all the existing planting that can be retained would be retained and would be reinforced with new native screen planting.
27. Trees to be removed along the northern boundary are Leylandii Conifers that are within the visibility splay and in the proposed car park, however they are not native and are considered inappropriate species in this setting. The maximum width of the screen to the north is 14m and the minimum width is 7m.
28. The Applicant's Landscape Architect further clarifies that much of the existing planting along the eastern boundary is also going to be retained which extends to over 7m in width. An additional 3m of new planting would be planted along the edge of the attenuation pond where existing planting would be removed when the pond is formed. The planting extends to over 28m width in the south eastern corner.
29. New planting is proposed around the whole perimeter of the site, which in the applicant's view, provides screening to the development and enhances the biodiversity of the area. They consider that the retained and proposed planting around the perimeter of the site would be sufficient to screen the new development and having consulted with the County Council's own Landscape Officer she is supportive of what is proposed in landscape terms.
30. The SDRA, along with our Landscape Officer were consulted further and whilst my Landscape advisor is satisfied that her comments have been observed and taken on board the SDRA remain concerned and consider that more work is required on this by the applicant if the interests of the community are to be properly protected.
31. The SDRA enclosed with their response the same comments as set out under paragraph 23 above, along with an identical photograph.



**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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32. The applicants have submitted landscape details which seek to address condition 34 of the planning permission and have sought to provide a scheme which is based on the principles of the landscape details approved and set out in drawing OP/11. Having regard to the comments of our own landscape advisor who is supportive of the details submitted I am satisfied that notwithstanding concerns raised by other parties over the adequacy of the scheme the applicant has provided the necessary details to demonstrate that the development would not result in any adverse impact on the landscape and I would therefore recommend formal approval of the landscaping details as submitted.

Other Matters

33. As referred to above, the applicants must discharge a number of conditions prior to commencing development on site, in the absence of which the planning permission lapses on 27 March 2014. Conditions covering matters relating to drainage and contamination/remediation works remain unresolved at this time. Whilst details have been submitted by the applicants, there continues to be ongoing dialogue with key consultees on both matters, particularly with the Environment Agency and the County Council's own SUDS (Sustainable Drainage Systems) team/Flood Risk Manager. Those outstanding details are as follows:

*Surface Water Drainage*

34. Condition 12 of planning permission SH/08/12 requires the applicants to submit, for approval, a surface water drainage scheme which should ensure that the surface water run-off from the site is limited to 5 litres per second to either a maintained sealed drainage system or to a watercourse that discharges unimpeded to the East Stour;

*Site Contamination, remediation and monitoring*

35. Conditions 14-17 of planning permission SH/08/124 requires the applicant to submit a scheme to deal with the risks associated with contamination of the site to the Waste Planning Authority for approval and which should cover, amongst other matters, a preliminary risk assessment, a site investigation scheme, verification report and any necessary remediation report.
36. Whilst the County Council are not yet in a position to formally discharge these conditions I would wish to avoid any unnecessary delay in issuing any formal approval in the event that the applicant is able to satisfactorily address those outstanding issues raised by the relevant statutory consultees and that no new material objections are received. Under such circumstances I would seek Members' approval that I be given authorisation to issue a decision under officer delegated powers without the need to first report back formally to this Committee.

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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**Recommendation**

37. I RECOMMEND that:

- A) APPROVAL BE GIVEN to the details submitted pursuant to conditions (7) and (34) of planning permission SH/08/124, and
- B) I BE GIVEN AUTHORISATION to formally determine any further details submitted pursuant to conditions imposed on planning permission reference SH/08/124 where they do not raise any additional material issues that were not considered during the determination of the original planning permission and subject to no objection being raised by the relevant statutory consultees.

Case Officer: Angela Watts
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Tel. no. 01622 221059
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Background Documents: see section heading.
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**APPENDIX 1**

RESIDENTS ASSOCIATION  
VIEWS

## SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford

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Sellindge and District Residents' Association.

21 February 2014

KCC/SE/0366/2013 (SH/08/124/R34)  
Otterpool Quarry, Ashford Road, Sellindge, Kent, TN25 6DD

### Details pursuant to condition 34 (Landscaping)

Additional notes and observations objecting to the discharge of this condition.

1. In our original response to the application to discharge of condition number 34 we set out our view that the tree survey and a levels survey around the perimeter of the site was an essential adjunct of the information pack for landscaping. Indeed we consider that such a level survey is an essential adjunct of all elements of the proposed development at Otterpool.
2. In reviewing other documents from the original submission we are reminded of the reasons that drew the conclusion that's a tree survey was unnecessary in the context of the application. We think that it is helpful here to remind you of the issues and to reflect on the different circumstances now extant which support our conclusion that the tree survey is in fact necessary and indeed essential. The issue is referenced in letters between SLR and KCC during 2008, the earliest being 14 March 2008. With that letter SLR provided a drawing and confirmed that "... The existing boundary vegetation will be retained.... and that a tree survey is not therefore required." They also confirmed that the existing earth bund would be retained. This stance was reiterated in their letter to you dated 2 May 2008 together with a further copy of their drawing OP/10. Drawing OP/10 is titled habitat plan and proposed site layout.
3. On the face of it with that information the decision to not insist upon a tree survey would seem reasonable. However, what is now of interest here is that drawing OP/10 does not show any attenuation ponds, particularly along the eastern boundary. In a separate letter from SLR to yourselves dated 1 May 2008, SLR positively confirmed that "... No surface water attenuation pond is our proposed....."
4. Examination of the proposed layout drawings submitted both now and at the time committee took its original decision to grant consent plainly shows that the scheme depends upon attenuation ponds. The environment agency will not permit the use of soak aways or dissipation into the substrates.
5. Because the larger attenuation pond runs along the eastern boundary the idea that the bund would be retained is no longer credible, as the raised ground must be excavated and taken away to form the pond. An obvious adjunct to this is that the trees currently sitting on the bund must also be removed. From this I think you must agree that the original conclusion that a tree survey is unnecessary is no longer supported by the underlying argument.
6. Even now the applicant's broader documentation continues to promote the idea that existing perimeter planting, trees and raised bunds will help to conceal the visual impact of this development. This factor was rated with some significance within correspondence, officers reports, and Councillors' impressions of the scheme and its location when site visits took place during the evaluation period. As I recall these aspects were debated during the committee meeting.
7. It is a little unfortunate that the decision was not revisited within the report to committee on 15 March 2011, but amongst the many issues that were in question at that time it is easy to see how something like this could slip through the net. There is time for this to be addressed now as it remains a very significant issue.

Bob Edden Co-Chairman, Sellindge and District Residents Association  
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**Item C1**

**SH/08/124/R7 & 34 – Otterpool Quarry, Ashford Road, Sellindge, Ashford**

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Sellindge & District Residents' Association

Re: Condition 34 landscaping

1. In the officers report to committee item 110 it states .....” The application site, as existing, is surrounded by a belt of trees on its northern, southern and eastern boundaries, of which the majority would be retained as part of the proposed development for screening purposes.”
2. The same report continues at several points to make considerable emphasis on the retention of existing planting as a mechanism for screening the proposed development and mitigating its impact on views from numerous directions. The report appears to accept there would be a small amount of damage from the construction of the attenuation pond, but continues to believe that supplementary planting would be sufficient to offset this loss.
3. There can be no doubt whatsoever that the scheme as proposed, with the construction of the finished product building and the A.D. plant building and the formation of the attenuation pond along the eastern side of the site must entail the near total removal of the existing band and the removal of existing tree belt. A very similar situation occurs along the northern boundary of the site, in part arising from the construction of the new highways access.
4. Despite this the landscape report continues to promote the notion that existing landscape elements will be retained. This is completely disingenuous and it is obvious to be the result of making a cursory inspection of the proposed layout and the physical aspects on the site. Whilst we would expect that along the northern and eastern boundaries of the site there are few if any trees that would individually be accorded any significant status, the group value of the trees is immense and of considerable importance.
5. Sellindge Parish Council has previously noted that there has been no tree survey carried out or published covering the existing perimeter planting. Sellindge & District Residents' Association has pointed out on numerous occasions that there is no adequate level survey beyond the central portion of the site and that as a result it is impossible for us, or you, to properly evaluate the impact of the construction necessary in the outer zones of the landscape area, let alone the hard landscaped area across the central areas.
6. We have no problem with the nature of plant selection proposed within the new and supplementary planting and welcome the concept of a biodiversity area apply to the western section of the site outside of the development boundary. We assume in this area that the land will be level and presumably improved to support plant growth.
7. Condition 34 in the approval notice sets out in eight bullet points the issues required to be addressed to satisfy as a minimum the administrative aspects of this part of the approval.
8. In this respect the submission fails to detail the existing trees shrubs and hedges to be retained, and it specifically fails to identify trees shrubs and hedges proposed to be removed. The absence of a level survey or tree survey across the relevant areas along the boundary areas perimeter signifies this beyond any doubt.
9. As a consequence we consider that it is not possible for this condition to be considered discharged at this point in time based on the information provided.
10. Should this condition be discharged under the present circumstances the consequence would be the exposure of the proposed development to clear view from all compass directions.
11. This does not accord with the basis on which the planning committee took its decision, nor does it accord with the assurances given to residents by council officers and members.

998oq 34 comments

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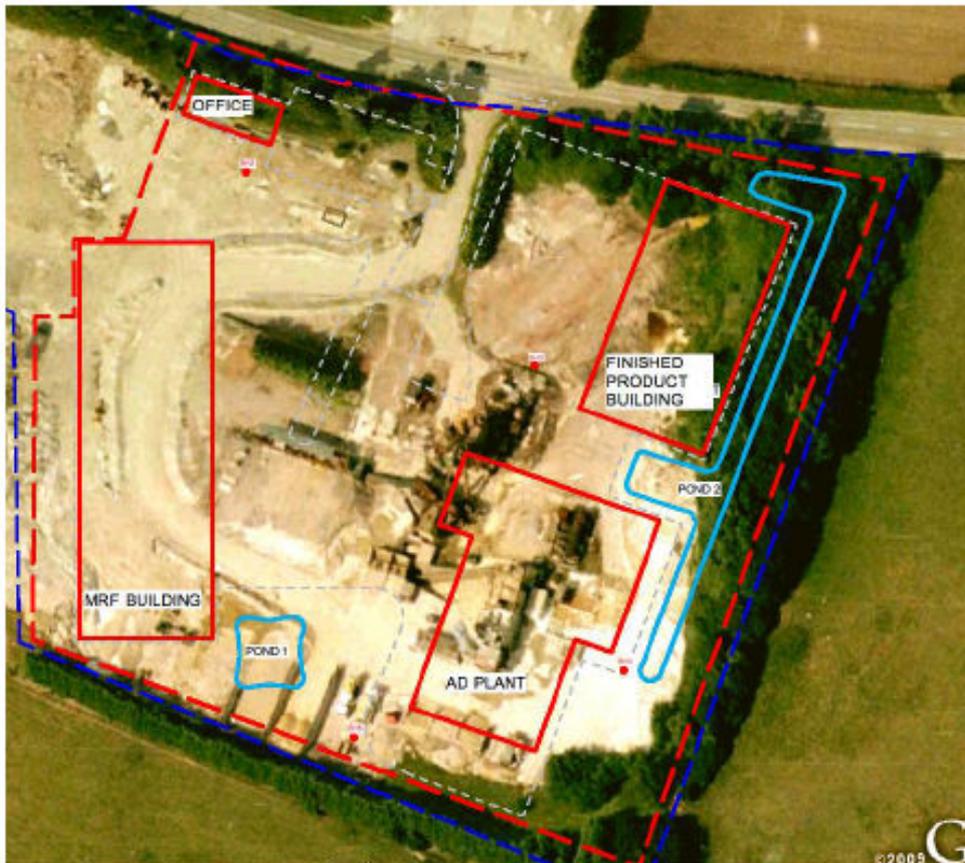
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Sellindge & District Residents' Association

12. Just to clarify the area of concern this is an aerial photograph with the main components of the development overlaid. The impact on the boundary planting is all too clear from this. When you add into this the issue of levels and ground topography the significance is even greater.



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SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

## **Item D1**

### **Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 March 2014.

Provision of floodlights to all weather pitch approved under application reference SE/12/1163 and amended under reference SE/12/1163/R, at Knole Academy, Bradbourne Vale Road, Sevenoaks - SE/13/2981 (KCC/SE/0296/2013)

Recommendation: planning permission be granted subject to conditions.

**Local Members:** Mr N Chard

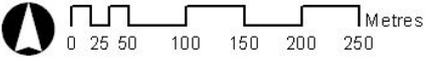
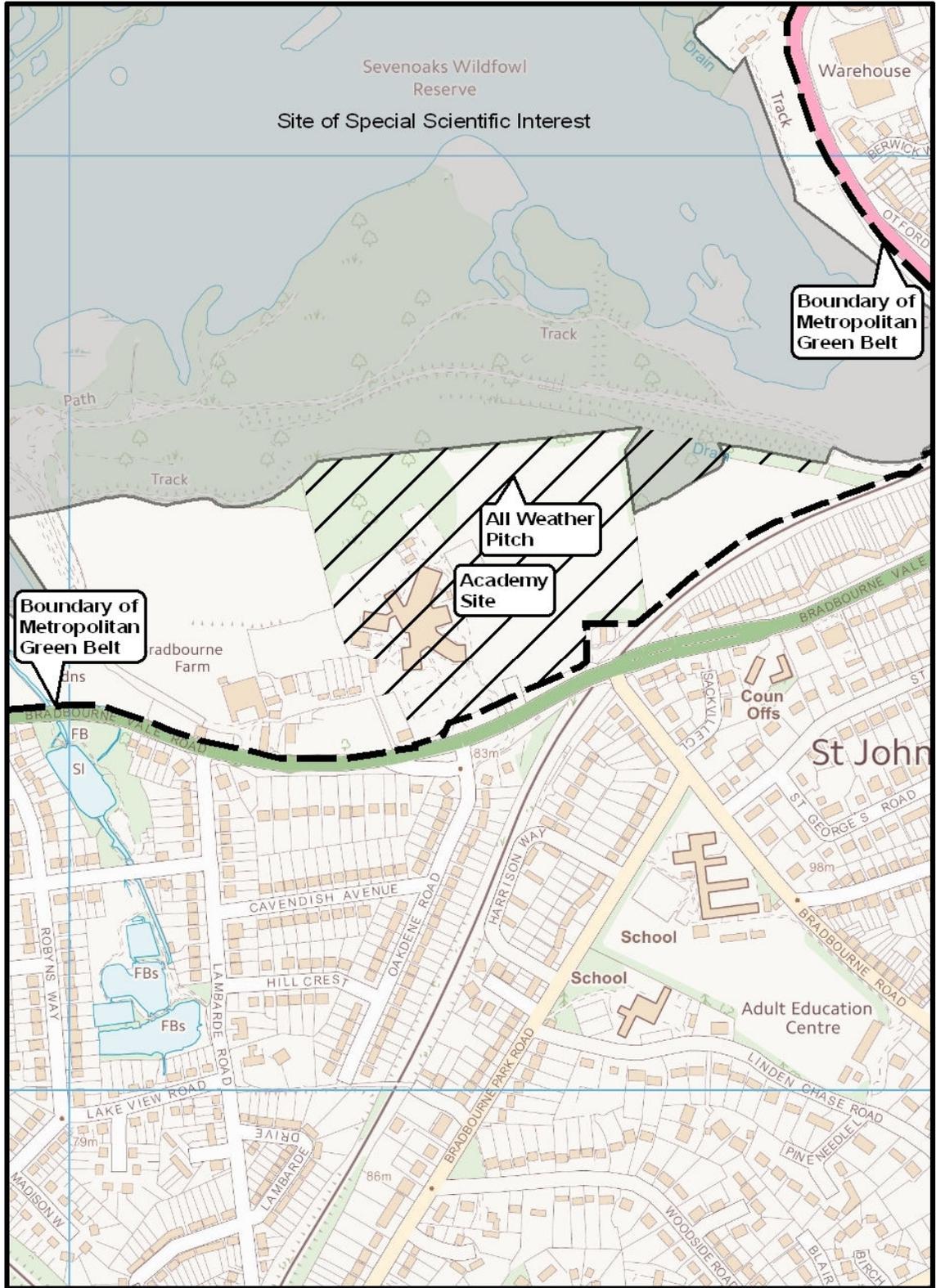
**Classification:** Unrestricted

#### **Site/Relevant Planning History**

1. Knole Academy is situated on the west side of Sevenoaks just over a mile from the town centre, on the site of the former Bradbourne School for Girls. The site lies on the northern side of the A25 Bradbourne Vale Road, which is a main arterial route into and out of Sevenoaks from the west. Planning permission was granted in November 2012 for the redevelopment of the existing school site, including the retention of existing school buildings, the erection of a new three storey academy building, the retention of an existing floodlit hard surfaced games court and existing sports playing fields, the creation of a new All Weather Pitch and hard and soft play/recreation areas, the provision of 195 on site car parking spaces, 12 motorcycle parking spaces, 2 mini-bus parking spaces, 1 mini-coach parking bay, 8 bus/coach pick up/drop off bays and 222 cycle spaces. That application, reference number SE/12/1163, was considered by Members of the Planning Applications Committee on the 9 October 2012, and subsequently referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds. Construction is nearing completion.
2. The Knole Academy site is 9.36ha, and comprises a mix of two and three storey buildings, with some single storey elements, largely built in the 1970/80s, but with a newer classroom block and reception area to the front of the site and the newly constructed three storey academy building located to the north of the existing. The Academy buildings are set back from the A25, behind an area of natural landscaping, and access/circulatory spaces and coach parking. The topography of the site slopes down steeply in a northerly direction, away from the site boundary with the A25. As a result, the academy buildings are set at a lower level than the road although the site remains fairly even in terms of gradient.
3. Access to the site for both vehicles and pedestrians is from the A25 Bradbourne Vale Road. From the eastbound carriageway there is a dual access which provides entrance and exit from this side of the road. From the westbound carriageway the site is accessed via a dedicated underpass which extends from Oakdene Road, under the A25 to the school. This underpass is two way and allows for both entrance and exit from the site. There are footways along the underpass, as well as at the eastbound access.

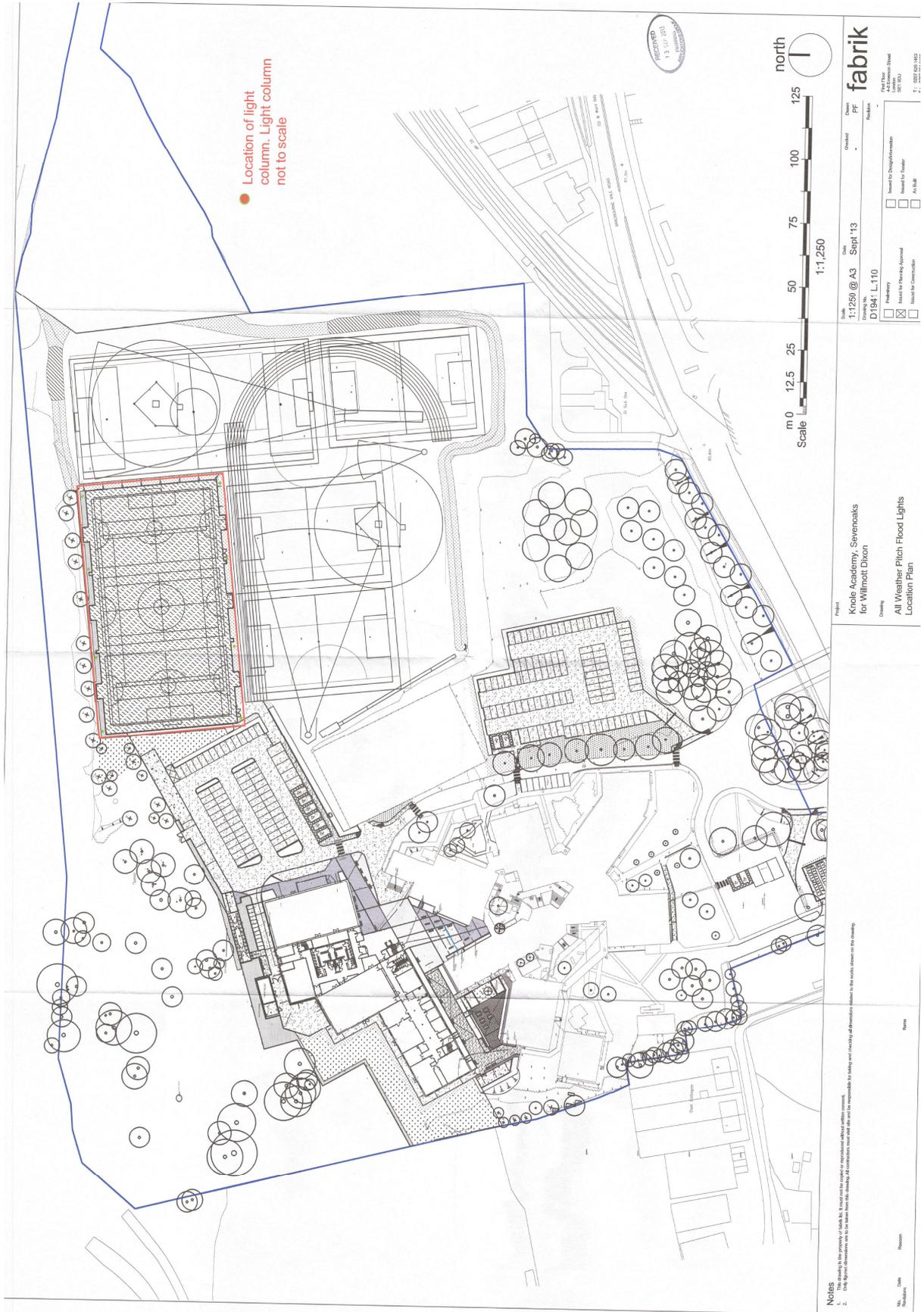
**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

SITE LOCATION PLAN



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**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**



### **Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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4. The whole of the academy site is located within the Metropolitan Green Belt, and outside of the settlement confines of Sevenoaks. Adjacent to the northern boundary of the academy site lies Sevenoaks Wildlife Reserve (a Kent Wildlife Trust Reserve), which is a designated Site of Special Scientific Interest (SSSI). The Academy site does not lie within any other statutory designations. There is little built development surrounding the academy site, but areas of residential development lie to the opposite side of Bradbourne Vale Road, to the south, and further east along the road. Two pairs of semi detached cottages lie to the south west of the site, with number 4 Oast Cottages lying immediately adjacent to the academy site of the south western boundary. A further detached dwelling lies to the west of the academy site frontage.
5. Planning application reference SE/12/1163 included the provision of an all weather pitch (AWP), located to the north of the site, to the east of the newly constructed three storey teaching block and car parking area. In April 2013, a Non-Material Amendment was submitted to vary the details of the approved AWP including the addition of goal recesses within the perimeter fencing, and the subsequent movement of the pitch by approximately 1.75 metres to the south. The Non-Material Amendment, reference number SE/12/1163/R, was approved in August 2013, and the pitch has subsequently been constructed in accordance with the approved details.
6. The AWP measures approximately 96 metres in length and 51.5 metres in width, and is orientated in an east/west direction, parallel to the academy sites northern boundary. The pitch is surfaced with a green astro-turf equivalent and secured with 3.6 metre high weldmesh sports rebound fencing, powder coated dark green. To the south and east of the AWP lie the academy's grass playing fields/sports pitches. To the north of the AWP a treed embankment rises in height away from the pitch, with the academy site boundary with the adjoining Nature Reserve being approximately 18 metres away from the AWP boundary fencing.
7. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan.

*A site location plan is attached.*

### **Background**

#### Academy Status

8. The Knole Academy was formed in 2010 as part of the Government's Academies Programme. The Academy has, until recently, operated from the sites and existing buildings of two predecessor schools, Bradbourne School for Girls (on the application site), and the Wildernesse School for Boys. The two schools have recently amalgamated onto one site, at the former Bradbourne School for Girls, leaving the Wildernesse site vacant. Planning application reference KCC/SE/0375/2013 has recently been submitted by Kent County Council Property and Infrastructure Support, which proposes the redevelopment of the Wildernesse School site to provide two new secondary schools (a 6 form of entry Sevenoaks Grammar Annex and a 4 form of entry Trinity Free School) and associated car parking and infrastructure.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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**Proposal**

9. This application has been submitted by Kent County Council Property and Infrastructure Support, and proposes the erection of 12 metal halide floodlights, mounted on eight 12 metre high galvanised steel columns. Four columns would be located on the northern pitch boundary (which would be fitted with baffles), and four on the southern boundary, and all would be capable of being retracted, on a pivot system, so that maintenance could be undertaken. The floodlights would be arranged so that there is a single floodlight on each of the four 'corner' columns, with the 'central' columns housing two floodlights each. The floodlights would provide an average of 321 lux level of light across the all weather pitch (AWP), providing suitable light levels for football, rugby and other recreational sports.
10. The AWP is used by Knole Academy throughout school term time, weekends and school holidays. However, when the existing pitch is not in use by the Academy it is offered to third parties, other schools and the wider community. The floodlighting hereby proposed would enable the existing AWP to be used as outlined above but over longer hours, with proposed hours of operation being 07.30 to 22.30 Monday to Friday, 07.30 to 21.30 on Saturdays, and 07.30 to 20.30 on Sundays and Bank Holidays. The applicant advises that during these hours, and only if light levels fall below an acceptable level, the floodlights would be switched on.
11. The design of the existing AWP is such that it can provide for a full size football pitch, three separate 5-a-side football pitches, or one game of 9-a-side football. The pitch also has markings for use in rugby training. In response to this, the floodlighting proposed would be fully flexible, in that it could illuminate the whole of the AWP, or individual 5-a-side pitches, depending on what is being used at the time. The lighting would also be timer controlled to ensure that the floodlights would not be in use beyond the proposed hours, and lighting would only be on when the AWP, in all or part, was in use.
12. Access and car parking would be as existing, with community use of many of the facilities on site approved as part of the Knole Academy redevelopment application (SE/12/1163), and access and car parking arrangements assessed at that time as being sufficient.

*The application is supported by a Planning, Design and Access Statement, and a Lighting Specification.*

**Planning Policy Context**

13. (i) **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (March 2012), which sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

The NPPF states that, in determining applications, local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools;
- the great importance the Government attaches to Green Belts, with the fundamental aim of Green Belt Policy being to prevent urban sprawl by keeping land permanently open;
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government's commitment to halt the overall decline in biodiversity.

**Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

**(ii) Development Plan Policies****Sevenoaks District Local Plan: Adopted 2000:**

**Policy EN1** - Proposals for all forms of development and land use must comply with the policies set out in this Plan, unless there are overriding material considerations. Scale, height, design, layout, retention of important features, residential and local amenity, access and parking are just some of the criteria which should be considered in the determination of a planning application.

**Policy EN31** - Where a lighting proposal requires planning permission low energy lighting is used, and the alignment of lamps and provision of shielding should minimise spillage and glow in order to safeguard the night sky. The lighting intensity should be no greater than that required to provide adequate illumination and proposals to floodlight sports fields will not be permitted if they would result in a significant loss of privacy or amenity for nearby residential properties.

**Policy NR10** – Proposals for all forms of development should minimise pollution of the environment through careful design and layout. Potentially polluting activities must consider the need to protect natural resources including sites of nature conservation importance, wildlife habitats and other sensitive environmental areas.

**Sevenoaks District Core Strategy: Adopted February 2011:**

**Policy LO8** – Seeks to maintain the extent of Green Belt, and conserve and enhance the countryside, including the distinctive features that contribute to the special character of its landscape and its biodiversity.

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**Policy SP1** – Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity.

**Policy SP10** – Promotes the provision of multifunctional green space by linking existing green space areas. The Policy also seeks the retention of open space, sports and recreational facilities, including outdoor sports facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.

**Policy SP11** - Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity. Sites designated for biodiversity value will be protected with the highest level of protection given to nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and sites of local importance for biodiversity. Designated sites will be managed with the primary objective of promoting biodiversity whilst also providing for appropriate levels of public access.

**Consultations**

14. **Sevenoaks District Council** raises no objection.

**Sevenoaks Town Council** welcomes the proposed new sports facility, and recommends approval subject to Planning and Environmental Health Officers being satisfied that there would be no loss of amenity to nearby properties. It is also requested that the timing restriction be consistent with other floodlit pitches in the Town.

**Kent County Council Highways and Transportation** raises no objection.

**The County Council's Biodiversity Officer** comments as follows:

"We have reviewed the information which has been submitted with the planning application and we are satisfied that sufficient consideration has been given to the impact the proposed lighting will have on the SSSI and commuting and foraging bats.

We are satisfied that the lighting has been designed to minimise the light spill on the woodland from the proposed development. As such we require no additional information to be submitted for comment prior to determination."

**Kent Wildlife Trust** objects to this proposal and requests that it be refused. A copy of Kent Wildlife Trusts letter of objection is appended to this report.

**Natural England** has not assessed the application for impacts on protected species as their 'standing advice' should be followed. With regard to statutory nature conservation sites (SSSI), Natural England raises no objection and comments as follows:

"The application is in close proximity to the Sevenoaks Gravel Pits Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development, being carried out in strict accordance with the details of the

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application, would not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.”

**The County Council’s Landscape Advisor** comments as follows:

“Overall the application is supported. The development would impact on the character of the site, but with careful choice of design and siting, this can be mitigated. The site is likely to be most sensitive in terms of impact upon wildlife given it’s proximity to the SSSI. This along with the edge of settlement location justifies a requirement on the applicant to complete the design and lighting of the site to the highest possible standard.”

**The County Council’s Lighting Consultant/Advisor** confirms that the proposals in relation to lighting are acceptable.

**Local Member**

15. The local County Member, Mr Nick Chard, was notified of the application on the 7 October 2013.

**Publicity**

16. The application was publicised by the posting of 2 site notices, advertisement in a local newspaper, and the individual notification of 38 neighbouring properties.

**Representations**

17. At the time of compiling this report, no letters of representation had been received.

**Discussion**

18. This application has been submitted by Kent County Council Property & Infrastructure Support, and proposes the provision of floodlights to an existing all weather pitch at Knole Academy in Sevenoaks. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 13 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include impact upon the Metropolitan Green Belt and impact upon the adjacent Sevenoaks Wildlife Reserve, which is a designated Site of Special Scientific Interest.

Green Belt Considerations

19. Policy EN1 of the Sevenoaks District Local Plan, and Core Strategy Policy SP1, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly relevant to this site which is identified within the Sevenoaks District Local Plan as being within the Metropolitan Green Belt. Policy LO8 of the Sevenoaks District Core Strategy seeks to resist inappropriate development

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within the Green Belt, unless justified by exceptional circumstances. Reference is made within Policy LO8 to PPG2 which has been replaced by the NPPF. The NPPF states “as with previous Green Belt Policy, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances”. The NPPF does not explain in any detail what ‘very special circumstances’ means, but does go on to state “very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and other harm, is clearly outweighed by other considerations”.

20. The NPPF, section 9, paragraph 80 states that the Green Belt serves five purposes:
- a. to check the unrestricted sprawl of large built up areas;
  - b. to prevent neighbouring towns merging into one another;
  - c. to assist in safeguarding the countryside from encroachment;
  - d. to preserve the setting and special character of historic towns; and
  - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The NPPF goes on to state (paragraph 89), that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt, but lists a number of exceptions to this assumption. One such exception is the provision of appropriate facilities for outdoor sport and/or outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, as listed above.

21. Although the site is currently in use for education and sporting facilities, and the all weather pitch (AWP) is in situ, it is acknowledged that the erection of floodlights within the Green Belt would constitute inappropriate development if the works are considered to impact unacceptably on the openness. The applicant is of the opinion that the lighting has been designed not to create a ‘halo’ and that the facility would be well screened. In addition, the applicant considers that the facility lies adjacent to a well lit road (A25), on the immediate edge of Sevenoaks, and that the lighting of the AWP would be seen in that context, against a backdrop of street lights on the A25. The applicant is strongly of the opinion that the floodlighting proposed would fall within the NPPF exception criteria, and should not be considered as inappropriate development within the Green Belt.
22. Whilst I do have some sympathy with the view of the applicant, I consider that the provision of floodlighting in the location proposed could have an urbanising effect and that this needs to be subject to further assessment. Although I do agree to a point with the applicants view, the AWP is located to the northern boundary of the academy site, separated from the A25 and the edge of the urban area of Sevenoaks by playing fields and tree planting, with the school buildings and associated built development predominately located to the western half of the site. The lighting could, therefore, have an urbanising effect and give an impression of further encroachment of built development into the Green Belt. The development is, therefore, to my mind inappropriate and needs to be considered accordingly. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to demonstrate why permission should be granted. Such development should not be approved, except in very special circumstances. It is, therefore, necessary to consider the impact of the development on the openness of the Green Belt and whether or not there are very special circumstances that would warrant setting aside the general presumption against inappropriate development.
23. Although the applicant is of the opinion that the development is appropriate, a case of very special circumstances has been provided by the applicant in support of the

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proposal. The following are the applicants three main points which they consider justify the proposed development and outweigh any Green Belt policy objection:

- the need for the new development to deliver the Academy's education model and to meet the needs of the 1500+ students;
- the significant policy and Central Government support for the delivery of state funded secondary schools and associated sporting facilities; &
- the benefits of the new academy development in providing facilities accessible to the wider community.

24. First, with regard to the need for the development to deliver the Academy's education model and to meet the needs of the existing students on site, the applicant advises that the school's own use of the AWP is currently limited due to a lack of sufficient lighting. I am advised that during the winter months use of the AWP during day light hours is also limited due to low light levels making use of the facility unsafe. The redevelopment of the academy site as a whole has involved a significant amount of investment, and the Academy is therefore seeking to maximise the use and availability of their external sports facilities. They have therefore considered, designed and budgeted for a scheme of floodlighting to the AWP which would overcome the existing limitations on use of the unlit facility. The Academy also has strong links with neighbouring schools, and the AWP has increased opportunities for inter school competition and sharing of the new facilities. The floodlighting proposed would further increase use by other local schools, and would encourage physical and sporting activity by providing students with a facility that could be used outside of school hours throughout the year. The Academy consider this to be vital to the future physical and mental health needs of pupils. Income realised from wider use of the floodlit AWP would also contribute to the life cycle replacement costs of playing surfaces and other associated facilities, ensuring provision of high quality facilities for years to come.
25. With regard to policy support for school development, at a national level the NPPF places significant importance on the provision of state funded schools, as further supported by the Policy Statement – Planning for Schools Development. There is a strong policy presumption in favour of supporting the development of state funded schools, which includes a presumption in favour of development 'necessary to the operational needs of the school'. In addition, the NPPF places significant importance on creating healthy communities, and recognises in paragraph 73 that access to opportunities for sport and recreation can make an important contribution to that objective. The applicant also advises that the Governments priority, following the Olympics, is to build on the legacy of the substantial investment made, and to prioritise school sports provision, including the opening of school facilities after hours to extend sporting opportunities and encourage links between schools and local sports clubs. In light of the above, it is considered that the proposed floodlighting of the existing AWP is directly in accordance with Central Governments objectives for sport, as well as the policy support for the provision of improved facilities and the development of state funded schools.
26. The applicant further advises that Knole Academy wish for the AWP to be used to provide an educational, recreational and learning environment, not only for its students, but for the wider community as well. The Academy aims to provide maximum accessibility to its facilities by the wider community, and this aim was supported in the consideration and determination of the application to redevelop the academy site (application reference SE/12/1163). A range of extended school facilities will be available on site following completion of the construction of the academy development, including the sports hall, fitness suite, climbing wall, performance studio, sports pitches, floodlit multi use games area and the AWP, all of which could be used by groups and

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individuals outside of the Academy. The provision of the Academy facilities will significantly improve the quality and range of services available in the Sevenoaks area, and the provision of the proposed floodlights would further add to the facilities available, and would enable use of the AWP in inclement weather, poor light, and later into the evenings.

27. In addition to the applicant's case of very special circumstances, it is important to consider the impact that the development would have on the openness of the Green Belt. The AWP is in situ, its location determined as part of the academy redevelopment. This application proposes the provision of floodlights to the AWP, and the impact of the lighting columns and the lighting itself on the openness of the Green Belt must be considered. With regard to the lighting columns themselves, eight 12 metre high columns are proposed, which would have a galvanised finish. Although it could be argued that a black or dark green finish would be preferable, galvanised finish columns are generally less visually intrusive and tend to be 'lost' against the sky and surrounding landscaping. The columns would also be viewed in the context of existing 3.6 metre high sports fencing, adjacent car parking with 6 metre high lighting columns, a new three storey building to the west, an existing floodlit Multi Use Games Area to the south west, and existing landscaping, including a treed embankment to the north. In considering the setting of the proposed lighting columns, I am of the opinion that the lighting columns would not have a harmful impact on the openness of the Green Belt.
28. With regard to the lighting itself, the visual influence of the floodlighting must be considered in the context of surrounding development. The floodlighting would be viewed in the context of adjacent car parking with 6 metre high lighting columns, a new three storey building to the west with external lighting, an existing floodlit multi use games area to the south west, and the A25 and the urban area of Sevenoaks to the south. It is also important to consider existing landscaping and tree planting, both to the immediate north of the AWP, and to the remaining site boundaries of the Academy, which combined with increases/changes in land levels, offer significant screening to the development. The lighting specification itself has been designed to give zero upward light, and would therefore be 'dark sky' compliant. In addition, the Lux levels would drop away sharply outside of the boundary of the AWP. The applicant also confirms that the lighting specification has been assessed against the Institution of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light', and that the proposed lighting would be compliant for Zone E2 (rural area such as villages or relatively dark suburban outer edge sites). I consider that assessing the acceptability of the lighting specification against Zone E2 levels is appropriate in this instance, given the AWP's location on the edge of the urban area of Sevenoaks. The County Council's Lighting Consultant/Advisor also agrees with this approach, and confirms that the proposals in relation to lighting are acceptable.
29. In considering the above, I am of the opinion that the lighting specification has been designed to minimise the visual impact of the development, and to comply with guidance on the reduction of obtrusive light. I am of the opinion, therefore, that the lighting scheme as proposed, when considered in its setting, would not have a significant impact on the openness of the Green Belt, or the functioning of it. In addition, although the impact of the development on the adjacent Site of Special Scientific Interest (also a Wildlife Reserve) and its biodiversity/ecological value will be discussed later in this report, I do not consider that the floodlighting as proposed would have an adverse impact on the landscape character of the SSSI when set against the existing development on the Academy site, the A25, and the urban area of Sevenoaks to the south.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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30. This strong policy support for delivering educational and sporting development may not in itself override the requirement to protect the Green Belt. However, in view of the lack of harm to the openness of the Green Belt, the substantial support for the provision of school and sporting facilities is considered to be of significant weight. The development is inappropriate development for the purposes of Green Belt consideration and is, therefore, by definition harmful. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute very special circumstances capable of outweighing harm, in this particular case. Furthermore, I accept that the particular siting and design of the floodlighting has been carefully considered to help mitigate and minimise the impact of the development on the functioning and openness of the Green Belt. Accordingly, I do not consider that an objection on Green Belt grounds would be warranted in this particular case.
31. The Town and County Planning (Consultation) (England) Direction 2009 states that inappropriate developments within the Green Belt should be referred to the Secretary of State for determination if the floor space to be created is 1000 square metres or more, or if the development, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. In considering this application, and taking into account the matters discussed and addressed above, I do not consider that the scale, nature or location of this development would have a significant impact on the openness of the Green Belt, and the development would not create any floorspace. For these reasons, I do not consider that this application needs to be referred to the Secretary of State for determination in this instance.

**Impact of the development on the adjacent Site of Special Scientific Interest (also a Wildlife Reserve)**

32. As outlined in paragraph 4 of this report, adjacent to the northern boundary of the Academy site lies Sevenoaks Wildlife Reserve, which is a Kent Wildlife Trust managed reserve. The Wildlife Reserve is also a designated Site of Special Scientific (SSSI). As can be seen from the summary of consultation responses in paragraph 14 of this report, both Natural England and the County Council's Biodiversity Officer raise no objection to this application for reasons to be discussed below. However, Kent Wildlife Trust raise objection and request that the application be refused, and a copy of their detailed letter of objection is appended to this report.
33. First, the impact of the proposal on the SSSI must be considered. Natural England confirm that the interest features of the Sevenoaks Gravel Pits SSSI are as follows:
- Assemblages of breeding birds (lowland open water and their margins); &
  - Nationally rare and scarce dragonfly species (*Cordulia aenea*, Downy Emerald)

The interest features listed above are essentially the reasons that the site was designated an SSSI, they are the site's 'special scientific interest'. Natural England, have confirmed that the issue of possible impacts on the SSSI has been adequately addressed by the applicant in their supporting documentation, and are of the opinion that well designed directional floodlighting (such as proposed) would not affect, destroy or damage the features for which the SSSI is designated. The County Council's Biodiversity Officer is also satisfied that sufficient consideration has been given to the impact of the proposed lighting on the adjacent SSSI, and raise no objection to the proposal on that basis. I therefore conclude that the floodlighting as proposed would not have a detrimental impact on the SSSI in terms of affecting the interest features of the site. However, wider ecological impacts and the impact of the proposal on the Wildlife Reserve and its function need to be given further consideration as the site has ecological value beyond those recognised by its SSSI designation.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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34. As detailed within the attached letter from Kent Wildlife Trust, Sevenoaks Wildlife reserve was established in the 1960's, when Dr Jeffery Harrison began to work with Kent Sand and Ballast to work the site with the intention of a post-industrial use as a nature reserve. Kent Wildlife Trust (KWT) took over the management of the site from the Harrison family in 2002, and is currently in negotiations with the landowner (Lafarge Tarmac) to extend the lease to 99 years, and to extend the area formally under the control of the Trust. KWT state that the site has been developed and monitored as a wildlife refuge on the edge of a growing urban area, and that a half-century of conservation effort has been rewarded with a 'diversity of interest far richer than that for which the site was designated a SSSI in the 1960's'. KWT go on to state that the reserve is a refuge for birds, animals, insects and plants, found in numbers and diversity on site that is not found elsewhere locally. As seen on page 2 of the Trusts letter, the Wildlife Reserve houses a number of important wildlife communities, and it is considered by KWT that many of these communities are likely to be sensitive to increased light levels. These 'wildlife communities' include ducks, lapwings, finches, bitterns, sandmartins, solitary bees and wasps, glow-worms and bats (see page 2 of the attached letter for further detail). The Trust go on to state that published research/information about the impact of artificial lighting on nature conservation interest offers no comfort, and many researchers in the field conclude that very low levels of artificial lighting can disturb nocturnal species.
35. In the preparation of this application, the applicant instructed an Ecology Consultant to undertake an assessment of the impact of floodlighting on surrounding ecology. The concluding comments from the Ecology Consultants were submitted within the application documentation, and confirm that the 'floodlights are unlikely to have any significant impact on wildlife in the area, especially as they would be timer controlled, not on all night, and would be hooded to minimise leakage outside of the pitch'. The Ecology Consultants, and the applicant, also confirm that lux levels at the Academy site boundary would drop to 5 lux, diminishing to 0.5 lux 10 metres into Wildlife Reserve. The impact of the floodlighting on the Wildlife Reserve will be discussed in detail below, but with regard to nocturnal species, such as bats, its is considered by the Ecology Consultants that the lux levels above would not affect the existing dark corridors in the woodland close to the boundary, thereby not affecting foraging/commuting bats. It should also be noted that the floodlighting would be used most in winter, and used for much briefer periods in the summer, the time of year that bats are most active.
36. The County Council's Biodiversity Officer is satisfied that sufficient consideration has been given to the impact of the proposed lighting on commuting and foraging bats. The applicants Ecologist has detailed that the existing landscaping, the raised levels of the site boundary, and the baffles proposed to be fitted to the lighting would minimise any impact on the local bat population, and the adjacent Wildlife Reserve. It should also be noted that the applicants are proposing to use metal halide lamps, which emit a reduced amount of UV light when compared to standard lighting. It is UV light which affects bat activity. Subject to conditions requiring the lighting to be installed strictly in accordance with the lighting specification provided, and thereafter maintained as such, it can be concluded that the development as proposed would not have a significantly detrimental impact on the local bat population. However, the wider impact on the Wildlife Reserve needs further consideration.
37. It should be noted that of the species listed above by KWT, only bats are a legally protected species. Although clearly we would wish to conserve and preserve all wildlife populations, it is clear from the above that legally protected species (bats) would not be adversely affected by the floodlighting as proposed. However, KWT are concerned that

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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other wildlife species within the Reserve would be affected by increased light levels. It is therefore important to consider the level of light spill that would extend into the Wildlife Reserve and beyond the boundary of the Academy site.

38. The existing AWP is approximately 18 metres from the boundary between the academy site and the adjacent Wildlife Reserve. Between the AWP and the site boundary, the land rises in height by approximately 2.5 metres, and existing landscaping and tree planting, which links with that within the adjacent Reserve, covers the embankment. The lux level diagrams first submitted with this application showed that lux levels would drop to 10 lux at the site boundary. However, that diagram did not take into account the changes in levels, existing landscaping and tree planting (to be retained), and the fact that baffles would be installed to the floodlights on the northern side of the pitch. Subsequently, amended diagrams have been produced, which demonstrate that lux levels would drop to 5 lux at the site boundary, diminishing to 0.5 lux 10 metres beyond the boundary, into the Wildlife Reserve (twilight is approximately 3.5 lux). It should be noted that this area of the reserve is wooded, and contains railway tracks associated with the sites industrial history. The lake, which attracts wildfowl to the reserve, is over 150 metres from the application site at the closest point.
39. As outlined in paragraph 11 of this report, the floodlighting has been designed to be fully flexible, in that it could illuminate the whole of the AWP, or individual 5-a-side pitches, depending on what is being used at the time. The lighting would also be timer controlled to ensure that the floodlights would not be in use beyond the proposed hours, and lighting would only be on when the AWP, in all or part, was in use. These controls would further mitigate any light spill, ensuring the lighting was on only as required, and would be extinguished when not in use, and/or upon reaching the end curfew time. For the avoidance of doubt the proposed hours of use are 07.30 to 22.30 Monday to Friday, 07.30 to 21.30 on Saturdays, and 07.30 to 20.30 on Sundays and Bank Holidays. The applicant further advises that the floodlighting would only be switched on during these hours, and only if light levels fall below an acceptable level. Both Natural England and the County Council's Biodiversity Officer are satisfied that the lighting has been designed to minimise light spill, and do not consider that the development would have a detrimental impact on the adjoining Wildlife Reserve/SSSI.
40. Although I can appreciate the concerns raised by KWT, given the low levels of light spill at the site boundary, the controls proposed by the applicant, the existing screening and level changes, and the views on Natural England and the County Council's Biodiversity Officer, I am of the opinion that the development would not increase light levels at the boundary of the Wildlife Reserve to an unacceptable level, or a level which would affect the wildlife species which the Reserve attracts. I have assessed the impact of the proposed floodlighting on the SSSI, the Wildlife Reserve, and protected species, and am of the opinion that the lighting as proposed would not have a significantly detrimental affect on the SSSI designation, the functioning and operation of the Wildlife Reserve and the species is attracts, or foraging/commuting bats. However, I consider that should permission be granted, conditions of consent should be imposed to ensure that the development is carried out in strict accordance with the submitted details and lighting specification, that the lighting be extinguished by 22.30 Monday to Friday, 21.30 on Saturdays and 20.30 on Sundays and Bank Holidays or within 15 minutes of the last use, that the lighting be installed in accordance with the submitted details and subject to ongoing maintenance, and that no other lighting be installed without the written consent of the County Planning Authority. Subject to the imposition of these conditions, I see no reason to refuse the application on the grounds of impact on the adjacent SSSI and Wildlife Reserve, and consider that the development would not have an unacceptable impact on protected species and wider ecological interests.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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Residential Amenity

41. Although I have not received any objections from local residents, it is important to consider the impact of the development on residential amenity. In assessing this application, I consider that, subject to the imposition of the conditions outlined in paragraph 40, the floodlighting as proposed would not have a detrimental impact on the amenity of properties neighbouring the academy site. Properties are a considerable distance from the proposed floodlighting, separated from it by existing tree planting and landscaping, the academy buildings and associated facilities, and in some cases a railway line and the A25. Sevenoaks Town Council requested that Planning Officers be satisfied that nearby properties would not experience 'a loss of amenity', and I can confirm that I do not consider that local residents would be adversely affected by the development. In addition, the proposed hours of use are not, in my opinion and in this case, excessive and accord in general with permitted hours of use of similar facilities across the county. However, I would suggest that hours of working for the lighting installation be controlled by condition to ensure that local residents do not experience undue disturbance. Therefore should permission be granted, I would suggest that the installation works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.

**Conclusion**

42. This proposal has given rise to a variety of issues, including the need for very special circumstances to justify inappropriate development in the Green Belt, the impact of the proposed development on the openness of the Green Belt, and the impact of the development on the adjacent Site of Special Scientific Interest (SSSI), a Kent Wildlife Trust Nature Reserve. I consider that very special circumstances have been demonstrated in this particular case for overriding Green Belt policy constraints. I also consider that the development has been designed to minimise the visual impact of the lighting on this part of the Green Belt, and its functioning. In addition, subject to the imposition of the conditions outlined throughout this report, I consider that the proposed development would not have a significantly detrimental impact on the adjacent SSSI, which is a Kent Wildlife Trust Wildlife Reserve, or protected species, and would accord with the principles of sustainable development as set out in the NPPF. Therefore, subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies and the guidance contained in the NPPF. Therefore, I recommend that permission be granted subject to appropriate conditions

**Recommendation**

43. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- 3 year time limit for implementation;
- the development to be carried out in accordance with the permitted details;
- hours of use restricted to 07.30 to 22.30 Monday to Friday, 07.30 to 21.30 on Saturdays, and 07.30 to 20.30 on Sundays and Bank Holidays.;
- extinguishing of lighting when pitch not in use;
- lighting to be installed in accordance with approved details, and checked on site;
- lighting levels not to exceed those specified within the application;
- no further lighting to be installed without planning permission;

## Item D1

### **Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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- hours of working during the lighting installation to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;

Case officer – Mary Green
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01622 221066
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Background documents - See section heading
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**Provision of floodlights to the All Weather Pitch at Knole Academy –  
SE/13/2981 (KCC/SE/0296/2013)**

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**Appendix 1**

Our ref: 524568/JB JB/016  
[john.bennett@kentwildlife.org.uk](mailto:john.bennett@kentwildlife.org.uk)  
01622 357801

Your ref: SE/0296/2013

22 January 2014

For the attention of M Green  
Planning Applications Unit  
Kent County Council  
Invicta House  
Maidstone  
ME14 1XX



**Kent Wildlife Trust**

Tyland Barn  
Sandling, Maidstone  
Kent ME14 3BD

Tel: (01622) 662012  
Fax: (01622) 671390

[info@kentwildlife.org.uk](mailto:info@kentwildlife.org.uk)  
[www.kentwildlifetrust.org.uk](http://www.kentwildlifetrust.org.uk)

Dear Mary

**Floodlighting all-weather pitch, Knole Academy, Sevenoaks**

Thank you for the opportunity to comment on the revised lighting scheme.

Kent Wildlife Trust actively supports the planning process across the county as a non-statutory consultee commenting on the likely wildlife impact of proposed development and possible mitigation. We consider that our views are actively sought by the planning authorities because our contribution is regarded as informed, objective and reasonable. On this occasion the Trust is also responding as the body with a direct institutional interest, responsible for the management of the Sevenoaks Wildlife Reserve, an SSSI and Nature Reserve, immediately adjacent to the proposed floodlit pitches.

**The original application**

The Trust responded to the original planning application for the redevelopment of what is now the Knole Academy and did not object to the final proposal. It is very unfortunate that the addition of floodlights to the development has been proposed so late in the process. Had the Trust had the opportunity to comment on floodlighting at an early stage we could have worked with the developers to possibly identify a less damaging location for these pitches.

**The current application**

We understand that the proposal is for a series of 12-meter high floodlight poles to be erected around the pitches. These will illuminate the three pitches and operate until 10.30 pm on week days and to 9.30 and 8.30 at weekends. The bases for some of the poles have already been installed. We recognise that current technology enables lighting of this kind to be more confined to the area of use than in the past; nevertheless, the developer's charts show

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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**Appendix 1**

“leakage” on to our site. It is clear that until we sought a meeting with the developer there was no attempt to minimise the impact of light on our property. Now, the developer is considering installing baffles on the back of some fittings and is costing the installation of a control that will limit the maximum level of light on the pitch when all three pitches are in use. This may reduce but not eliminate “leakage” as is demonstrated in the recently received revised projection of light levels which will reach the reserve.

**Sevenoaks Wildlife Reserve – its heritage**

The nature reserve is part of the natural and cultural heritage of the Sevenoaks area and Kent. It was established by Dr Jeffery Harrison in the ‘60s when he began to work with local firm, Mid-Kent Sand and Ballast, to work the site with the intention of a post-industrial use as a nature reserve. The process is now commonplace but this was a pioneering initiative that put Sevenoaks at the heart of conservation thinking in the UK.

Meanwhile Dr Harrison was active in international conservation diplomacy, leading in the development of several international agreements such as Ramsar. HRH the Duke of Edinburgh has visited the reserve on a number of occasions. Kent Wildlife Trust took over the management of the site from the Harrison family in 2002 and is currently negotiating with the owner, LafargeTarmac, to extend the lease to 99 years and extend the area under formal control of the Trust. The Trust hopes to celebrate the Reserve’s heritage, the role of several generations of the Harrison Family and the significance of Sevenoaks once it is in a position to improve the visitor facilities at the site.

In this context, it is unfortunate that the current application misleadingly refers to our site as “Sevenoaks Gravel Pits” rather than to the status it has had since the ‘60s of SSSI designated nature reserve.

**Sevenoaks Wildlife Reserve – its wildlife**

The nature reserve is a designated SSSI. It is important as an area which has been developed and monitored as a wildlife refuge on the edge of a growing urban area. The half-century of conservation effort has been rewarded with a diversity of interest far richer than that for which the site was designated SSSI in the 1960s. The reserve is clearly a refuge for wildlife; birds, animals, insects and plants will be found in numbers and diversity that do not occur elsewhere locally. It houses a number of important wildlife communities many of which are likely to be sensitive to increased light levels:

- The lakes support wintering flocks of duck and lapwing, finches and bittern occur in good numbers, and in summer a range of species use the lakes to breed including lapwing. Many birds on spring and autumn passage pass through the reserve.
- In 2013 sandmartins returned to breed on the reserve for the first time since the ‘70s following several years and significant investment in restoration. Their breeding cliff is within yards of the proposed floodlit pitches.
- The site contains large and scarce communities of solitary bees and wasps; the habitat that supports them is scarce elsewhere. These species include the increasingly threatened natural pollinators whose declining numbers are causing national concern. They are sensitive and the impact on these communities of a bright and sustained artificial light source is unknown.

**Provision of floodlights to the All Weather Pitch at Knole Academy – SE/13/2981 (KCC/SE/0296/2013)**

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**Appendix 1**

- The Reserve is also notable for its colonies of glow-worms, possibly the most studied colony in the UK.
- The reserve hosts large numbers of bats of diverse species. The numbers are sufficient for bat walks to be a popular public attraction.

**Sevenoaks Wildlife Reserve – public access**

The reserve has free public access and receives approximately 50,000 visits a year and schools and groups of young people visit the reserve on supervised, National Curriculum level, courses. It receives visits from local families and from wildlife enthusiasts from across the South East. We hope to extend and improve the quality of such visits.

**Wildlife and Lighting**

A review of published information about the impact of artificial lighting on nature conservation interests offers no comfort. The Royal Commission Study on Artificial Light in the Environment (Jan 2008) found that “we do not know enough about the biological impacts of light pollution on plants and wildlife”. Indeed, most research has focused on the impact of street lighting which, crucially, draws from a much less intensive source of light than sports ground floodlighting. Indeed, the conclusion drawn by Lyytimaki (Nature’s Nocturnal Services: Light Pollution ..., 2013) is shared by many researchers in the field: “It appears that no safe level of artificial light can be determined since very low levels of artificial light can disturb nocturnal species”.

**To conclude:**

- The Sevenoaks Wildlife Reserve is an important local resource and an iconic record of pioneering international conservation.
- The reserve is demonstrably an important site for a wide spectrum of wildlife and this stands to be compromised by the proposed a major (12m) floodlighting installation.
- The reserve and its wildlife is an increasingly valued public access resource for Sevenoaks.
- The Harrison vision and the Trust’s objectives for managing the reserve will be significantly compromised if we cannot demonstrate that wildlife will continue to prosper.
- The application has been pursued with little care for our interests as neighbours and can at best be described as an afterthought.

The original application was to provide high quality facilities to a local school and that aspiration has been achieved through the original application. This subsequent development is damaging to both the interests of the Trust and to the interest of Sevenoaks. At the very least, the precautionary principle should apply in this case. Kent Wildlife Trust objects to this proposal and requests that it be refused.

Yours sincerely,

John Bennett  
**Chief Executive**

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**Item D2**

**Wall mounted canopy at Platts Heath Primary School, Platts Heath, Maidstone –MA/13/2085 (KCC/MA/0342/2013)**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 March 2014.

Application by Platts Heath Primary School for the erection of a wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013).

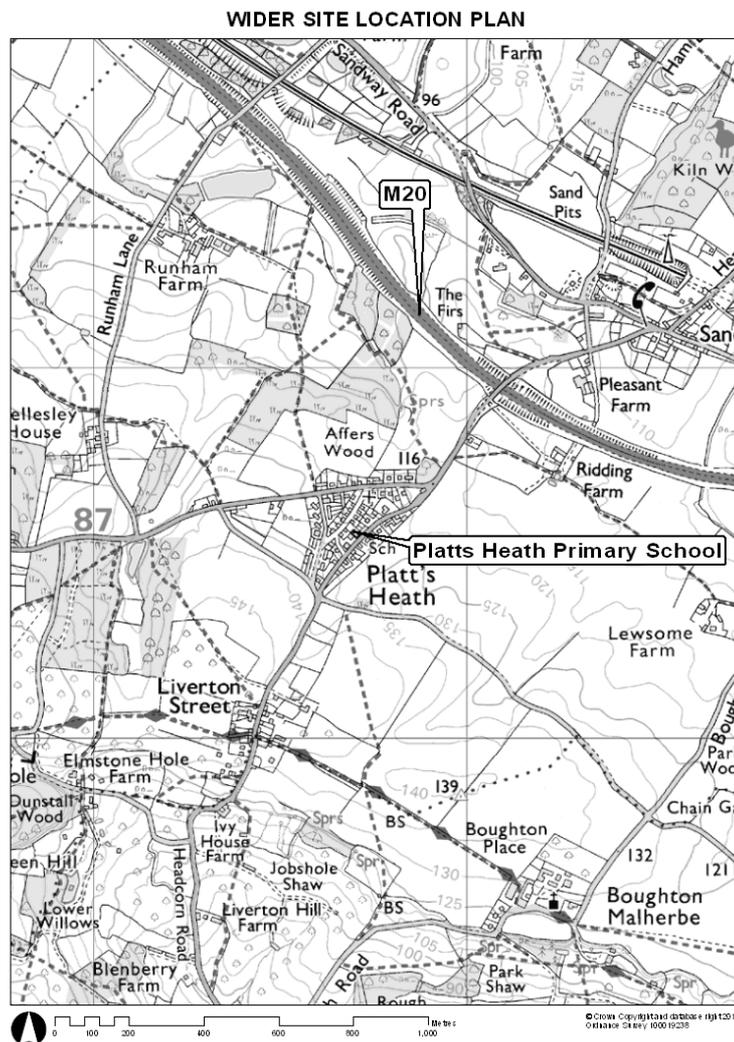
Recommendation: permission be granted subject to conditions.

**Local Member:** Mrs Jenny Whittle

**Classification:** Unrestricted

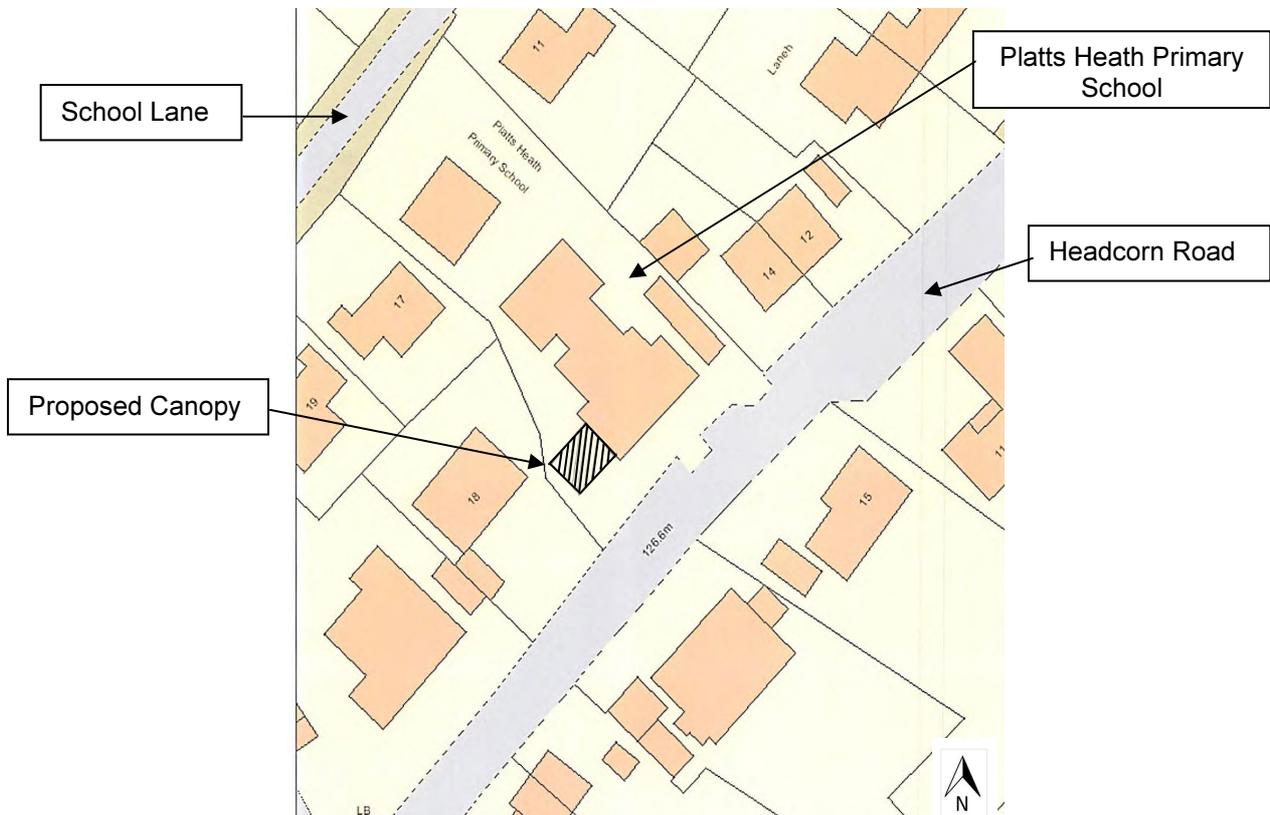
**Site and Relevant Planning History**

1. Platts Heath Primary School is located within the centre of the village of Platts Heath, on Headcorn Road. Platts Heath lies approximately 10 miles to the south east of Maidstone. The school buildings are single storey with a mixture of pitched and flat roofs. The main school playground is located to the rear of the school fronting School Lane. Early years pupils make use of the play area where the canopy would be located to the south west of the main school building. The school has a playing field which is located approximately 100m from the school.



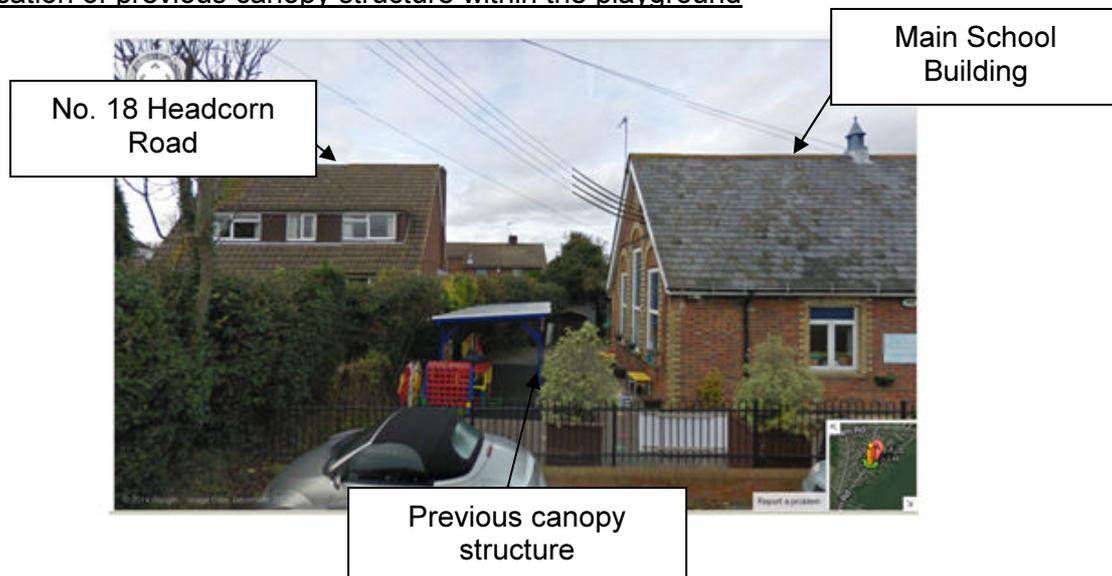
**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

Site Location Plan



2. Recent relevant planning history includes the installation of a smaller canopy/shelter located in the early years playground which had been in place for 5 years. Although not applied for at the time, it is likely that this shelter would have required planning permission as it appears to fall within 1m of the south western school boundary. Currently the structure of the canopy still stands in the playground although the roof has been removed.

Location of previous canopy structure within the playground

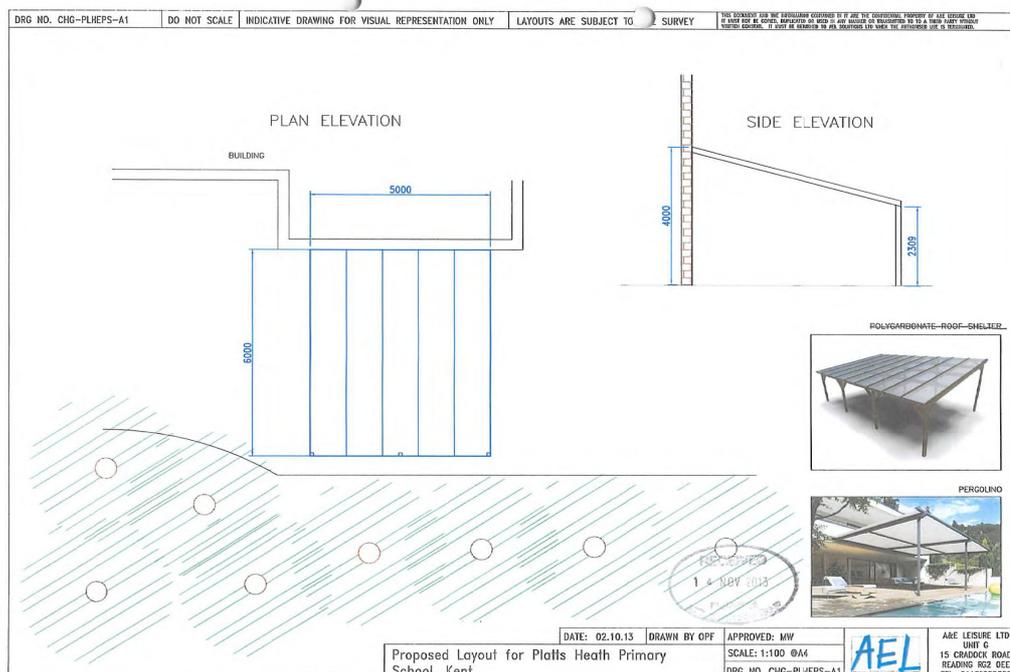


**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

**Proposal**

3. The application is for the erection of a wall mounted canopy adjacent to the main school building. The proposed canopy would be fixed to the south west side of the school, measuring 6m x 5m. The canopy would have a sloping retractable roof; measuring 4m in height from the south western elevation of the school building and 2.3m in height near the school boundary. The structure of the canopy would be blue powder coated aluminium with a white or clear acrylic canvas retractable roof.
4. The canopy would provide shelter for pupils using the early years playground and could be retracted during periods of inclement weather. To facilitate easier access to the early years playground, a new door is proposed to the south western side of the school. As the distance of the door is further than 5m from the school boundary, it falls within permitted development rights which (amongst other things) allow some alterations to school buildings without the need for planning permission.
5. The canopy would be located in the playground that is used by early years foundation stage pupils. The applicant has stated that the proposed canopy would enhance the pupils' learning and development experience. The proposal is being put forward in accordance with the Government's 2012 Statutory Framework for the Early Years Foundation Stage. This legislation supports the design of school buildings and outdoor areas, promoting ease of access between internal and external spaces. The canopy would provide effective use of the playground space during all weathers.
6. As part of the improved provision for the early years foundation stage pupils, the School is also proposing to erect a new fence to the south western boundary of the school adjoining No. 18 Headcorn Road. The applicant has stated that the fencing would be less than 2m in height and therefore it would not require planning permission and would replace the current hedging within the school boundary. The fencing would help to mitigate levels of noise experienced by neighbouring residents from the use of the playground. The applicant is investigating the possibility of installing acoustic fence panels however this is dependent on financial cost.

Floor & Elevation Plan



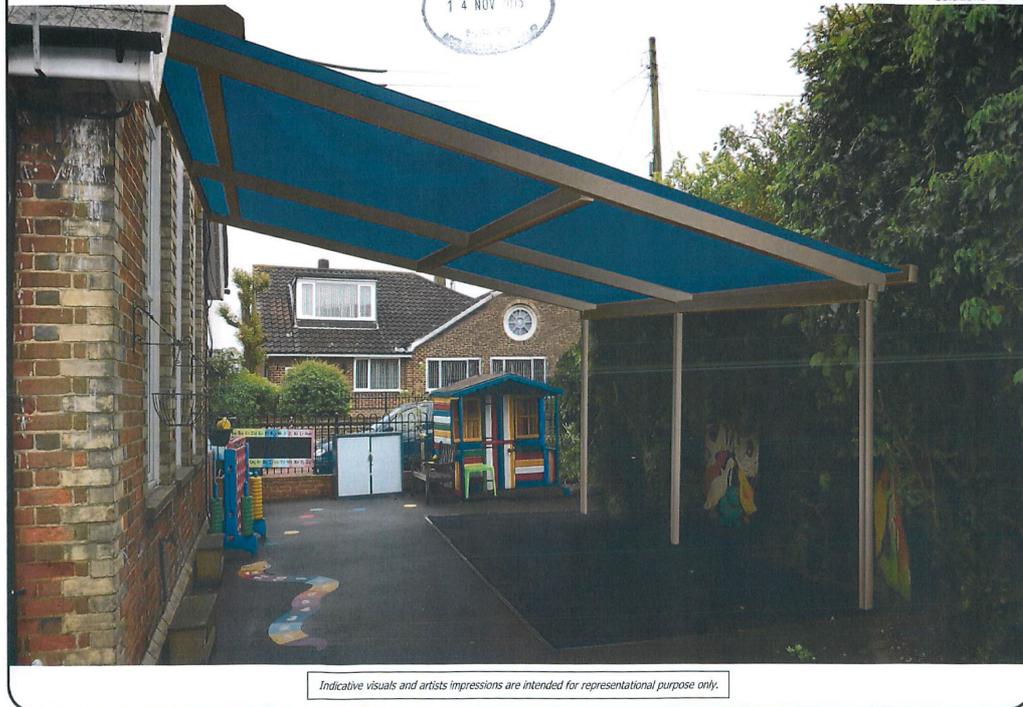
**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

Visual representation of proposed canopy

Proposed – Visual (Pergolino)  
For Platts Heath Primary School, Kent



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**Planning Policy**

7. The following National Planning Policy guidance and Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) **National Planning Policy Framework (NPPF)** March 2012, sets out the Government’s planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are also relevant:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the great importance that the Government attaches to ensuring that a sufficient

**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

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choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools.

(ii) **Policy Statement – Planning for Schools Development** (15 August 2011) which sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system.

(iii) **Maidstone Borough Local Plan (2000)** saved policy

**Policy ENV22**      Seeks to address visual impact of proposals when existing open areas are developed

(iv) **Maidstone Local Development Framework Core Strategy (2011) Public Participation Consultation Document**

**Policy CS6**      Seeks sustainable design and development that responds positively to and maintains local distinctiveness and townscape.

### **Consultations**

8. **Maidstone Borough Council:** Raises no objection

**Lenham Parish Council:** No comments received

### **Local Member**

9. The local County Member for Maidstone Rural East, Mrs Jenny Whittle, was notified of the application on the 29 November 2013.

### **Publicity**

10. The application was publicised by the posting of a site notice and the individual notification of 4 neighbouring residential properties.

### **Representations**

11. Neighbouring residents who live adjacent to the school made representations on this application. Their comments are summarised below:

- The canopy would be in close proximity to No. 18 Headcorn Road;
- Previous use of a shelter within the playground resulted in prolonged levels of noise;
- The canopy would increase the use of the playground thereby prolonging noise levels from the playground;
- A new access door from the main school building would enable easier access to the playground;
- Concerns regarding drainage of rain water from the canopy (which have now been clarified);
- Consider that relocating the school onto the separate school field should be investigated;
- Concern that the play area would be used to collect and drop-off pupils resulting in

**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

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- additional noise;
- The fencing that the applicant intends to erect to the school's south western boundary is not sufficient in height and concern that ball games played in the vicinity would generate additional noise.

**Discussion**

12. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 7 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
13. This application is being reported for determination by Members of the Planning Applications Committee following the objections of neighbouring residents in Headcorn Road. The closest property is immediately adjacent to the school and the area where the canopy would be located. In my view the key determining factors concern the need for the development and the impact upon residential amenity in terms of noise and visual impact.

Need

14. The applicant has stated that the canopy is being erected as part of enhancements to the provision for early years foundation stage pupils which is supported by a Statutory Framework issued by the Government. The Framework promotes access to outdoor play areas and the ability to use outdoor spaces for learning activities. Ease of access from indoor to outdoor spaces is also encouraged and the installation of a new access route from the main school building would assist in this provision.
15. The proposal would not result in an increase in pupil numbers and is aimed at providing an improved play area for pupils. In their letter of objection, local residents would appear to be under the impression that the school is expanding and should consider re-locating on to the school playing field. Note that some years ago there was an outline consent to relocate the school onto land off Park Road at Platts Heath, but after many years of failing to achieve funding priority that consent was allowed to lapse.

Noise

16. The play area covered by the canopy would be used by pupils under supervision by members of staff predominantly during set playtimes. However this area would potentially be used during different times in the school day by pupils. There are no current limitations on the use of the playground and the structure of the canopy itself would not create an increase in levels of noise by allowing a use and activity in the area that does not already exist at present. The canopy would however allow wider use of the playground, providing shelter during all weather conditions. The applicant has indicated that they intend to erect a fence, possibly constructed of acoustic fence panels, to the south western boundary adjacent to No. 18 Headcorn Road. That would have a greater acoustic benefit than the existing hedging along this section of the school boundary and provide some form of mitigation for noise generated from the use of the playground.
17. Local residents raised concerns that ball games would be played against the fencing that the School intends to install, creating further noise nuisance. The applicant has

**Wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013)**

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confirmed that ball games are predominantly played in the main school playground or school field. Whilst the Early Years playground may be used for some form of ball games, the applicant has stated that they would not be played against the fence. Additionally, neighbouring residents raised concerns over the possibility of increased noise levels being generated from the playground from pupils being collected and dropped-off by parents from this area. However the applicant has confirmed that the playground area is not currently used to collect pupils with the front gate area being used for this purpose at the beginning of the school year before moving to the back entrance once the children are settled. Nevertheless, as the playground forms part of the school premises, using the playground for this purpose cannot be restricted. I am therefore satisfied that the proposal would not give rise to unacceptable noise impacts such as to warrant refusal in this instance.

**Visual Impact**

18. The canopy would measure 6m x 5m (30 sq.m) and be constructed of white or clear acrylic canvas roofing with a blue powder coated aluminium frame. The canopy would be screened somewhat from the south western boundary of the neighbouring property by existing hedging along the school boundary and the neighbouring property. The applicant's intention to erect fencing to the south western boundary would also provide screening from this boundary. The canopy would be visible from the upstairs windows of the nearest property and the size of the canopy when viewed from this vantage point may therefore appear quite dominant. The sloping roof would however bring the height down nearest the boundary and help to reduce the scale of the canopy. Specific concerns regarding visual impact have not been raised by neighbouring residents. The canopy would be visible from properties directly opposite the playground although the location of the canopy would be set back from the frontage of the school, minimising its visual impact. Overall, I consider that it would not have a significant visual impact and that its design and appearance would be acceptable within its context.

**Conclusion**

19. In my view the proposed canopy would be acceptable and accords with development plan policy. The canopy would provide improved provision for early years pupils allowing supervised use of the playground during play times and periods of outdoor learning activity. Whilst the canopy would allow more frequent use of the early years playground, the noise levels generated from the installation of this canopy would not in my view be significantly above existing levels.

**Recommendation**

20. I RECOMMEND that permission BE GRANTED, SUBJECT TO the imposition of conditions, including;
- the standard time requirement for implementation
  - the development being carried out in accordance with the submitted plans.

Case Officer – Hardeep Hunjan
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Background documents – See section heading
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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

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Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** - The deposited documents.

CA/13/1987	S73 application to remove condition 1 (time limit) pursuant to approval of CA/12/145 – variation of conditions 4 & 5 of CA/92/478 – importation of industrial liquid waste (to allow a maximum volume of 735m <sup>3</sup> per week and no more than 41 tanker loads per week). Canterbury Wastewater Treatment Works, Sturry Road, Canterbury
DO/11/612/R5&R6	Discharge of conditions (5) and (6) – Noise Compliance Assessment. Waste Recycling Plant, Tilmanstone Salads, Millyard Way, Eythorne
SE/08/3170/R	Non material amendment to layout and design of gas generators under SE/08/3170. Greatness Quarry, Bat & Ball Road, Sevenoaks
SE/10/3111/R	Non material amendment to approved restoration plan, pre and post settlement contour plans, phasing and drainage details in order to update the approved site details to reflect; consented minor amendments (under SE/08/2141 and SE/10/3111), and operational progress Greatness Quarry, Bat & Ball Road, Sevenoaks
SW/12/1001/RVAR	Details pursuant to conditions (4) - parking during construction; (5) - scheme to guard against the deposit of mud; (7) - management and maintenance plan for the drainage system, and (8) - scheme for the provision of a Buffer Management Zone for the ditch of planning permission SW/12/1001. Land at Kemsley Paper Mill, Kemsley, Sittingbourne
SW/13/1257	Variation of condition 6 to provide the formation of improved access road and associated development to serve Kemsley sustainable Energy Plant (SW/12/1001). Kemsley Paper Mill, Kemsley, Sittingbourne.
TM/85/1436/R8 & TM/87/1851/R7	Revised landscaping scheme pursuant to condition (VIII) of TM/85/1436 and condition (VII) of TM/87/1851. Ightham Sandpit, Borough Green Road, Ightham.
TM/10/2029/R26	Request for prior approval of a vehicle repair building pursuant to condition (26) of Annex A2 (original quarry) of planning permission TM/10/2029. Hermitage Quarry, Hermitage Lane, Aylesford

TM/13/3657 An ancillary bio-gas to grid compound with associated plant and infrastructure and connection to the mains gas supply network.  
Blaise Farm Quarry, Kings Hill, West Malling

**E2 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS  
PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS  
MEMBERS' INFORMATION**

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Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** – The deposited documents.

- CA/13/1230/R3(part) Part discharge of condition 3 – Details of external materials (submission relates to the foundation block only).  
St Johns Primary School, St Johns Place, Canterbury
- DA/13/1544 Planning renewal for three existing mobile classroom units.  
Temple Hill Community Primary & Nursery School, St Edmunds Road, Dartford.
- DA/13/1676 Planning renewal for existing modular building at Oakfield Primary School.  
Oakfield Lane Community Primary School, Oakfield Lane, Dartford
- GR/13/1098 Renewal of planning permission for a mobile classroom unit.  
Riverview Junior School, Cimba Wood, Gravesend
- MA/13/582/R3 Submission of details of construction site access arrangements (condition 3) for provision of floodlights to existing MUGA (MA/13/582).  
Madginford Park Junior School, Egremont Road, Bearsted, Maidstone
- SW/13/991/R Non material amendment to reposition the proposed cabin adjacent to the existing field gates which are to be retained so that the cabin can be screened by existing mature native species hedging.  
Rodmersham Primary School, Rodmersham Green, Rodmersham
- SW/13/1502 Consolidation and renewal of the two temporary planning permissions relating to the installation of 2 No. Mobile classroom units and stand alone toilet facility at Halfway Houses Primary School. Previous application references SW/08/314 & SW/09/333.  
Halfway Houses Primary School, Southdown Road, Minster on Sea, Sheerness.
- TH/13/218/R4 Details of all materials to be used externally pursuant to condition (4) of planning permission TH/13/218.  
St Gregorys RC Primary School, Nash Road, Margate.

TH/13/959	Erection of gazebo to be used as outdoor teaching area. St Gregorys Catholic Primary School, Nash Road, Margate.
TH/13/999	Construction of a covered external teaching area and installation of external doors into existing window opening. Holy Trinity C of E (Aided) Primary School, 99 Dumpton Park Drive, Broadstairs.
TM/13/3861	Increase the size of the existing playground located to the rear of the school. The Discovery School, Discovery Drive, Kings Hill, West Malling.

**E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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**Background Documents –**

- *The deposited documents.*
  - *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
  - *DETR Circular 02/99 – Environmental Impact Assessment.*
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-
- KCC/AS/0034/2014 - Motor Control Centre Kiosk within High Halden Wastewater Treatment Works at High Halden WTW, Off Wrens Nest Road, High Halden, Ashford, Kent, TN26 3NH.
- KCC/AS/0379/2013 - Planning application for the demolition of one and two storey care home with pitched roof and the construction of an extra care building of 1, 2 and 3 storeys containing 41 flats and associated communal and community facilities.  
Land at Little Hill, Wayside, St Michaels, Tenterden, Kent, TN30 6DF
- KCC/SW/0025/2014 - Construction of a two form entry primary school with associated external play areas and parking facilities at Land at Tunstall Road, Tunstall, Sittingbourne
- KCC/TM/0017/2014 - Section 73 application to vary condition 2 of planning permission TM/13/1299 to align the operational timeframe of the established enclosed composting facility granted under planning permission TM/13/1299 to that of the consented anaerobic digestion facility granted under planning permission TM/12/2549 at New Earth Solutions Composting Facility, Blaise Farm Quarry, Kings Hill, West Malling, Kent, ME19 4PN.

KCC/TW/0002/2014 - Revised application for the proposed erection of a new teaching building and revised parking layout including an additional 9 car parking spaces and other external alterations.

Southborough C of E Primary School, Broomhill Park Road, Tunbridge Wells, Kent, TN4 0JY

KCC/TW/0018/2014 - Proposed extension and internal reconfiguration of existing school buildings providing two classrooms, provision of a stand-alone teaching accommodation block providing four classrooms & associated toilets, removal of existing modular classroom, and car park and access improvements including car parking provision within the village hall car park.

Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells, Kent, TN3 0JG

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

KCC/SCR/SW/0006/2014 - Request for a screening and scoping opinion for the proposed importation and disposal of hazardous incinerator bottom ash (IBA) from Allington Energy from Waste (EFW) Facility.

Norwood Quarry and Landfill Site, Lower Road, Minster, Isle of Sheppey

#### **E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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- (b) Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

#### **Background Documents -**

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

KCC/SCR/SW/0006/2014 - Request for a screening and scoping opinion for the proposed importation and disposal of hazardous incinerator bottom ash (IBA) from Allington Energy from Waste (EFW) Facility.

Norwood Quarry and Landfill Site, Lower Road, Minster, Isle of Sheppey