

PLANNING APPLICATIONS COMMITTEE

Wednesday, 9th March, 2016

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 9th March, 2016, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Telephone: **03000 416749**
Hall, Maidstone

*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 N J D Chard, Mr T Gates, Mr S C Manion,
Mr R J Parry, Mr C Simkins, Mrs P A V Stockell and
Mr J N Wedgbury

UKIP (4) Mr M Baldock, Mr L Burgess, 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 - 10 February 2016 (Pages 5 - 8)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal DO/15/01080 (KCC/DO/0328/2015) - Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Buckland, Dover; KCC Property and Infrastructure Support (Pages 9 - 26)

2. Proposal TM/15/3954 (KCC/TM/0390/2015) - New two-storey Special Educational Needs School with associated car parking and landscaping at Land at Upper Haysden Lane, Tonbridge; KCC Property and Infrastructure Support. (Pages 27 - 68)
3. Proposal TM/15/3918 (KCC/TM/0385/2015) - Provision of playing fields including a floodlit synthetic pitch and pavilion building at Land off Lower Haysden Lane, Tonbridge; KCC Property and Infrastructure Support (Pages 69 - 102)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 103 - 106)
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 (None)

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
03000 416647

Tuesday, 1 March 2016

(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 section D, are available to Members in the Members' Lounge.)

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 10 February 2016.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr R H Bird (Substitute for Mr I S Chittenden), Mr D L Brazier (Substitute for Mr N J D Chard), Mrs P Brivio, Mr A D Crowther (Substitute for Mr M Baldock), Mr T Gates, Mr P M Harman, Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell, Mr A Terry and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group) Mr J Crossley (Principal Planning Officer - County Council Development), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

8. Minutes - 20 January 2016
(Item A3)

RESOLVED that the Minutes of the meeting held on 20 January 2016 are correctly recorded and that they be signed by the Chairman.

9. Site Meetings and Other Meetings
(Item A4)

(1) The Committee noted three possible dates for its training tour of permitted development sites. Members would be individually asked to set out their availability.

10. Proposal DO/15/01079 (KCC/DO/0348/2015) - Refurbishment of original Portal House building and the construction of a new three storey teaching block and gymnasium at Portal House School, Sea Street, St Margaret's at Cliffe; KCC Property and Infrastructure Support
(Item D1)

(1) Mr S C Manion informed the Committee that he was the Local Member for this application but that he had not pre-determined whether he would support or oppose it.

(2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried unanimously.

(3) RESOLVED that:-

- (a) permission be granted to the Proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission for written approval of details of all construction materials to be used externally; the submission for written approval of details of materials, replacement windows and alterations involved in the refurbishment of Portal House to ensure it retains its special character and appearance; the submission of a School Travel Plan within 6 months of occupation of the new school and its ongoing review; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of a Construction Management Plan, to include amongst other things the details of routing of delivery/construction vehicles between the site and the A258, and, within the site, the timing of deliveries to avoid school peak times, details of off-site temporary staff parking and associated transfer arrangements, details of pupil drop off/pick-up arrangements, parking and turning areas for delivery vehicles; the completion of the proposed access improvements prior to the occupation of the school; the provision of the on-site parking areas prior to occupation of the school and their retention thereafter; the provision of cycle parking prior to the occupation of the school, and its retention thereafter; the provision and permanent retention of the vehicle loading/unloading and turning facilities prior to occupation; use of the on-site parking facilities for any future community use outside of school hours; the submission of a detailed external lighting design strategy for approved in writing prior to occupation of the school; no floodlighting being erected at the site without the written consent of the County Planning Authority; the submission of a scheme for approval in writing covering a preliminary risk assessment of the nature and extent of any contamination and whether it originates from the site together with an assessment of the potential risk to human health, property, adjoining land, ground water, surface water, ecological systems and an appraisal of the remedial option; any remediation deemed necessary and the submission of a verification report; if contamination that was not previously identified is found on the site, the development being stopped until a remediation strategy is agreed and implemented; no infiltration of surface water drainage into the ground being permitted other than with the express written permission of the County Planning Authority; the submission for written approval of a fully detailed sustainable surface water drainage scheme for the site, and its ongoing maintenance; the implementation of archaeological field evaluation work in accordance with a specification and written timetable to be approved by the County Planning Authority, and the preservation in situ of important archaeological remains; the implementation of a

programme of building recording in accordance with a specification and written timetable to be approved by the County Planning Authority; the recommendations for ecological enhancements detailed in chapter 8 of the Extended Phase 1 Ecological Habitat Survey report being implemented; the submission of a native species landscape scheme, including tree planting (species and location) and details of a maintenance scheme; the replacement with plants and species of a similar size of any retained or new planting which has died within 5 years of planting; and the development being carried out to avoid damage to those existing trees to be retained, and their protection in accordance with the measures set out in the Arboricultural Method Statement; and

- (b) the applicants be advised by Informative that:-
- (i) the registering with Kent County Council of the School Travel Plan should be through the “Jambusters” website;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained;
 - (iii) separate approval is required for any works in the highway;
 - (iv) works to trees should be carried out outside of the breeding bird season and, if this is not possible, that an ecologist should examine the site prior to works commencing;
 - (v) they should adhere to the Bat Conservation Trust’s *Bats and Lighting in the UK* guidance; and
 - (vi) it would be preferable for the existing fence along Sea Street to be painted to enhance its appearance.

11. Proposal MA/15/510092 (KCC/MA/0386/2015) - Multi-Use Games Area on the existing sports field at Greenfields Community Primary School, Oxford Road, Maidstone; KCC Property and Infrastructure Support (Item D2)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of details of a landscaping scheme and tree protection measures; and no lighting or floodlighting being erected around the MUGA without the recourse to a further planning application.

12. 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 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

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

A report by Head of Planning Applications Group to Planning Applications Committee on 9th March 2016.

Application by KCC Property and Infrastructure Support for the erection of three single storey classroom extensions and associated external work to include ramps, access, retaining walls, paths, alterations to playground and extending the existing parking provision at Green Park Primary School, The Linces, Dover – DOV/15/01080 (KCC/DO/0328/2015)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Gordon Cowan and Mrs Pam Brivio

Classification: Unrestricted

Site

1. Green Park Primary School is located to the south-east of Whitfield Hill and the north-east of Crabble Hill in Dover, on the edge of the Buckland Estate. It is just over 2km (1.2 miles) to the north-west of Dover Town Centre, and is located in a predominantly residential area. The school lies on the north-western side of The Linces, on land which rises away from the road. Residential development along The Linces is two storey housing, and The Linces itself acts as a minor distributor road permitting access to a number of smaller residential streets and closes. To the rear of the houses on the south-eastern side of The Linces (opposite the school) is an area of open space, and to the south of this is the Buckland Community Centre.
2. Access to the school is from The Linces, and there are zig-zag keep clear markings in front of this. Vehicular access is for staff only, and the on-site car park is located in front of the school building. The school itself is predominantly single storey, of brick construction with flat roofs. Pedestrian access is via a single gate to the south of the vehicular entrance, and metal railings run along the school boundary along this road frontage. To the east of the school is an independent nursery, which has its own access and is not part of the school. The playgrounds lie to the west of the school buildings and the playing fields run round the rear of the school, backing onto the newly built housing site off Old Park Hill.

Background

3. The school was formed in 2008 when Melbourne Primary School and the Powell School amalgamated, and is currently a 1.5 Form Entry with a school roll of 315 pupils and 55 existing members of staff. The need for additional school places is set out in the Kent Education Commissioning Plan 2015-2019. For Dover District the pressure points are for primary school places in Dover Town, Whitfield and St Margaret's at Cliffe wards. Dover District's birth rate mirrors the Kent and National levels, and even with the recent drop in birth rates, the impact of 10-12 years of rising birth rates will continue to provide

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

pressure for places. Within Dover District up to 8,000 new homes may be built by 2021, and sites in and around Dover, Deal, Sandwich and Aylesham will also impact on existing primary school places. More housing is proposed in Whitfield – 1,050 new homes by 2021 and a further 5,040 in the following two decades, generating the need for at least three new 2 form entry primary schools to serve this new community.

4. As a result of this need it is proposed to increase Green Park Primary School from a 1.5 form entry to a 2 form entry with a school roll of 420 pupils and an increase in staffing numbers to 61 (105 additional pupils and 6 new staff).

Recent Site History

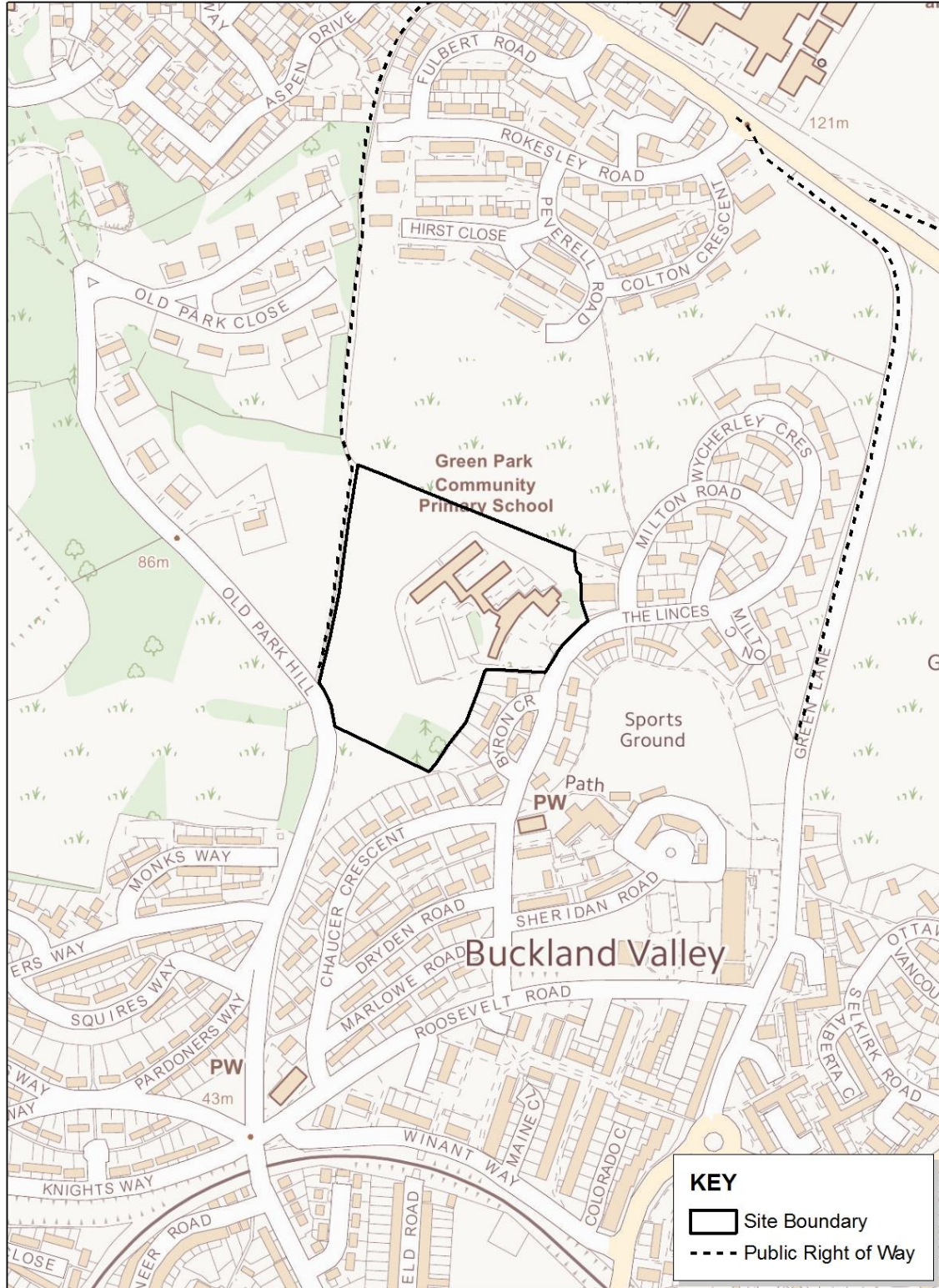
5. The most recent planning history for the school dates back to 2010 for an application for a new perimeter fence and prior to that in 2008 there were applications approved for a 2 bay mobile classroom, a new classroom extension and access improvements to the main entrance onto The Linces.

Proposal

6. The application seeks permission for the construction of three single storey extensions to provide three new classrooms (one retrospectively), an increase in the on-site parking area and the creation of a second pedestrian access onto The Linces. The second pedestrian access would be located to the north of the vehicular access, meeting The Linces at the nursery side of the site, and allowing access for pedestrians coming from both directions to the school without having to cross the school access. A new pathway within the site would run up this side of the school site and link directly to the existing school area and the two new classrooms proposed in this area.
7. At present 33 parking spaces are provided on site. One of these is proposed to be removed to allow access to an area which would be surfaced with tarmac and laid out for 8 spaces, giving a net increase of 7 spaces on site, and bringing the total to 40. One tree is required to be removed from this area to accommodate the additional parking. Vehicular access into the site remains unchanged.
8. The three extensions would be achieved by extending the existing corridor layout of the school and extending the length of these 'arms'. The extensions would follow the design of the existing building, with brickwork to match and glazing to make the most of the south facing aspect. The extensions would be defined by the inclusion of parapet walls, which would provide a break between the existing and new development.
9. The construction of classroom extension '3' was started when the applicants thought the extension was allowed under permitted development. When the size of the extension was clarified at the point when the School applied for the extra two classrooms it was established that in fact its size (combined with an existing storage container located in the car park) exceeded the permitted development rights, and hence this third classroom was included in the current application.
10. The application has been supported by the submission of a Design and Access Statement, Transport Statement, an Addendum to the Transport Statement and a revised School Travel Plan.

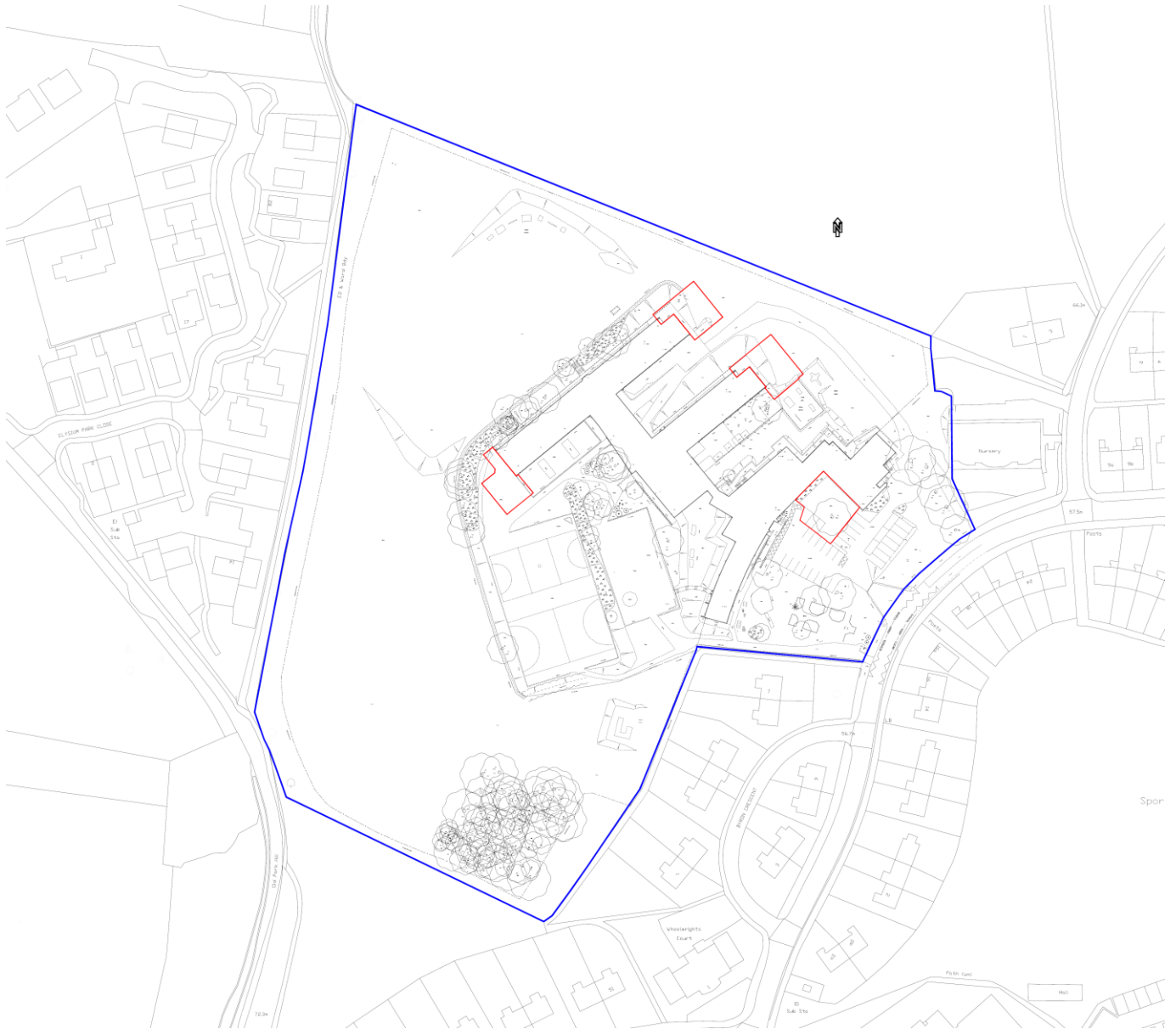
Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

General Location Plan



Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Site Location Plan



Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

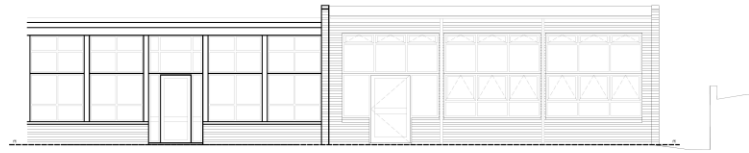
Site Layout Plan



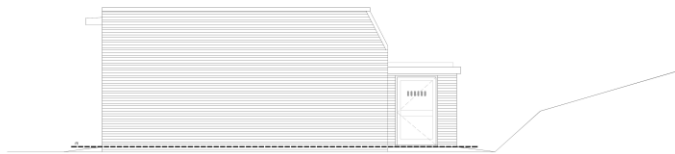
Site Layout Plan as Proposed
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**Item D1
Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)**

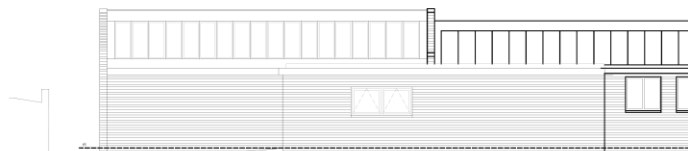
Proposed Elevations and Floorplans - Extension 1



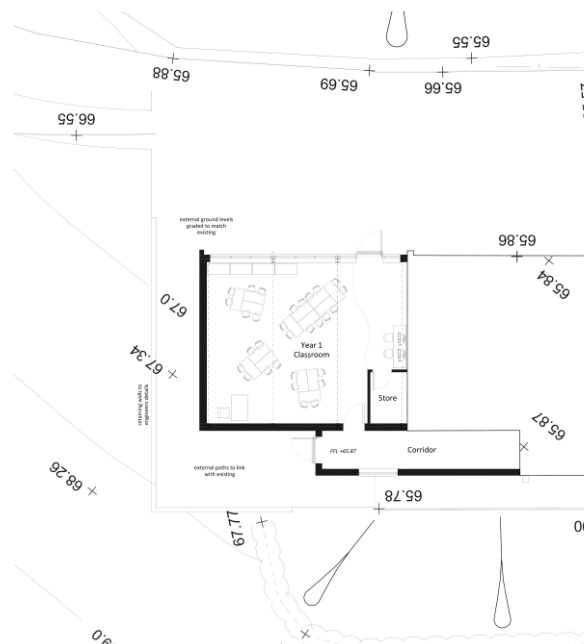
Front (South-East) Elevation
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Side (North-East) Elevation
1:100



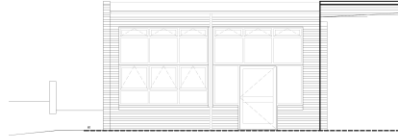
Rear (North-West) Elevation
1:100



Ground Floor Plan
1:100

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

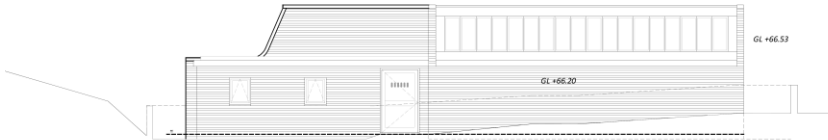
Proposed Elevations and Floorplans - Extension 2



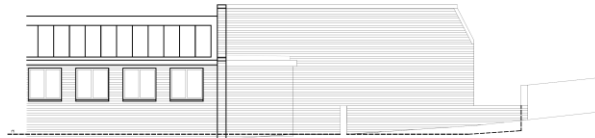
Side (North-East) Elevation
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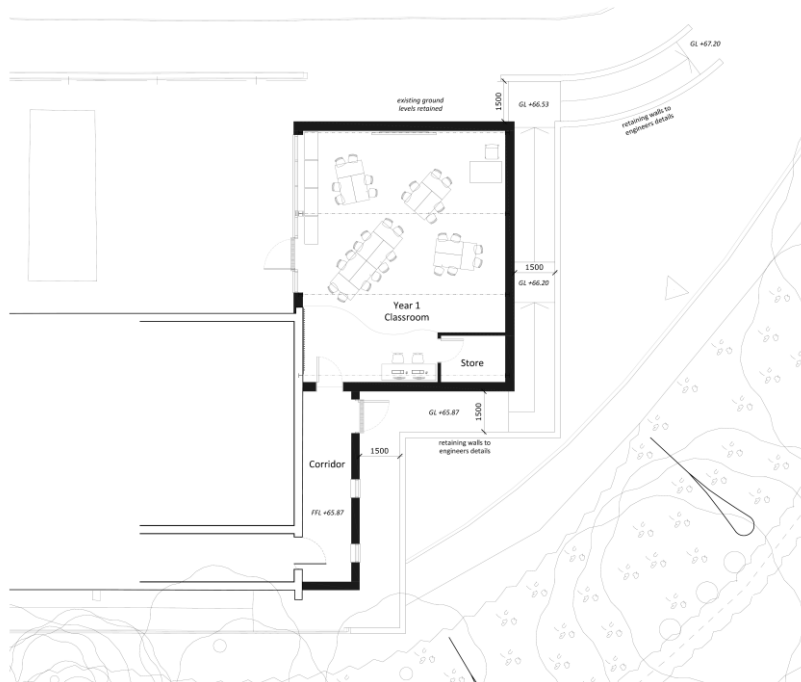
Front (South-East) Elevation
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Side (South-West) Elevation
1:100



Rear (North-West) Elevation
1:100

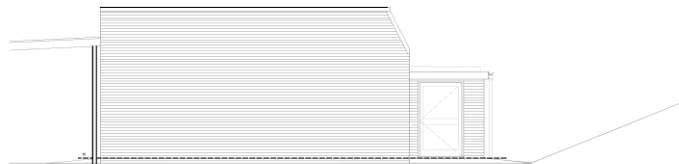


Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

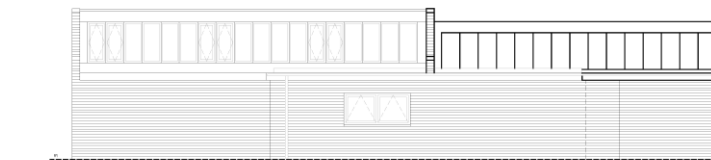
Proposed Elevations and Floorplans - Extension 3



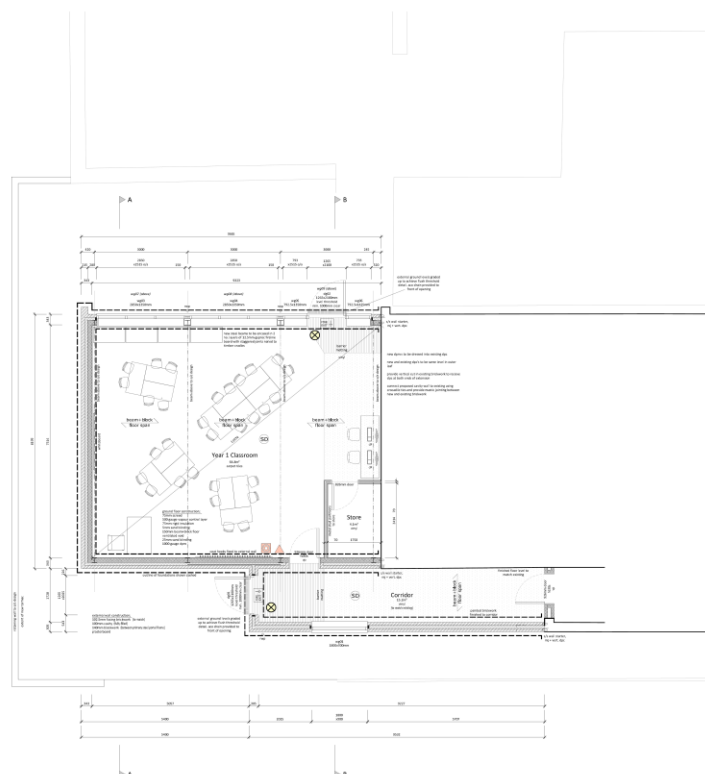
Front (South-East) Elevation
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Side (North-East) Elevation
1:100



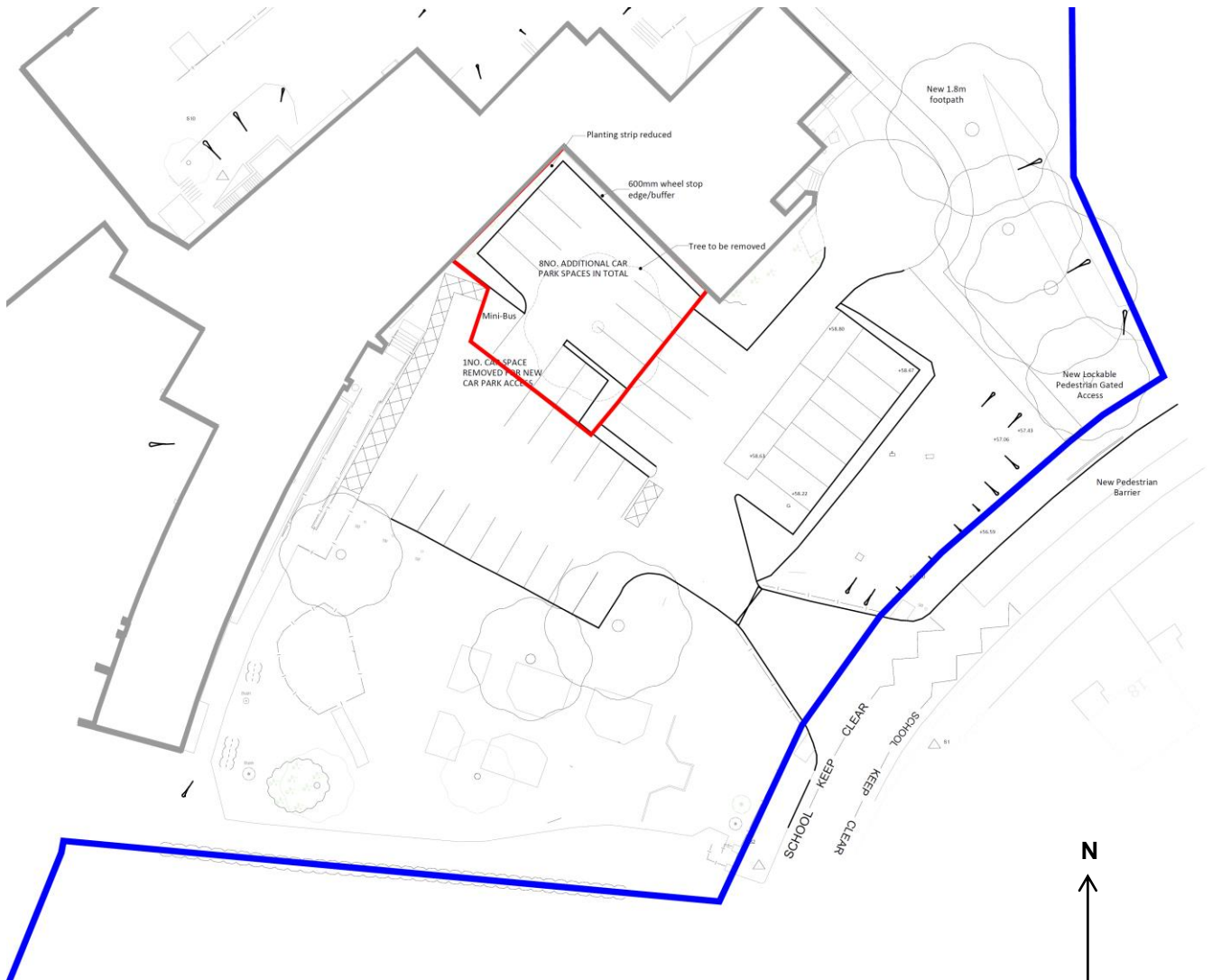
Rear (North-West) Elevation
1:100



Item D1

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Proposed Parking and New Pedestrian Access Layout



Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Planning Policy

11. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:

- (i) **National Planning Policy Framework (NPPF)** March 2012 and the **National Planning Policy Guidance** (March 2014), 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).

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 of particular relevance:

- Consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;
- 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.
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.

- (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.

- (ii) **Dover District Council Core Strategy (2010)**

Policy CP1 Settlement Hierarchy: The location and scale of development in the District must comply with the settlement hierarchy. The hierarchy should also be used by infrastructure providers to inform decisions about the provision of their services. *(The site lies within the Secondary Regional Centre of Dover – the major focus for development).*

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Policy DM11 Location of Development and Managing Travel Demand: Planning applications for development that would increase travel demand should be supported by a systematic assessment to quantify the amount and type of travel likely to be generated and include measures that satisfy demand to maximize walking, cycling and the use of public transport.

Policy DM13 Parking Provision: Provision for parking should be a design-led process based upon characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for non-residential development should be informed by Kent County Council Guidance SPG4 (Kent Vehicle Parking Standards, July 2006 which allows for a maximum provision of 1 space per member of staff plus 10%), or any successor.

Policy DM17 Groundwater Source Protection: Within Groundwater Source Protection Zones the policy sets out what would and would not be allowed in order to safeguard against possible contamination.

Consultations

12. **Dover District Council** raises no objection to the application.

Dover Town Council raises no objection to the application.

Environment Agency (Kent Area) states that they consider the application as having a low environmental risk, therefore no comments to make.

Highways and Transportation Officer raises no objection subject to the imposition of conditions relating to the retention of on site parking, submission of construction details, and School Travel Plan measures.

School Travel Planner raises no objection.

Local Member

13. The local County Members, Gordon Cowan and Pam Brivio, were notified of the application on 26th October 2015.

Publicity

14. The application was publicised by the posting of a site notice, and the individual notification of 56 residential properties.

Representations

15. In response to the publicity, two letters of representation have been received. The key points raised can be summarised as follows:

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

- Raise the point that work had started on site before the application was made, therefore no point consulting neighbours at this stage (*Officer responded to advise that the proposed floor space had exceeded what was initially thought to be permitted development, therefore the application was submitted retrospectively to comply with the altered consent scenario, seeking approval for the classroom already built and permission for the other two*)
- The Linces cannot cope with the volume of school traffic
- Need to make improvements to the road and parking provision
- Parents double park along the road
- Traffic mounts pavements to get around gridlock
- Gridlock impacts on emergency services on the Linces and branch roads
- Road surface not up to this volume of traffic and needs resurfacing.

Following receipt of the Transport Statement Addendum proposing the walking bus from Roosevelt Road and the staggered school finish times, neighbouring properties were re-consulted, and one further letter was received:

- Grave concerns regarding traffic in the school vicinity – appalling at both ends of the school day even without the proposed expansion
- Teaching staff seem to park all day – is there not enough parking?
- Solution of the walking bus is welcome but think the uptake would be poor
- Option of parking on Roosevelt Road just shifts the problem
- Roosevelt Road and The Linces are bus routes and should be kept clear
- Would impact on emergency vehicle access
- The School should provide adequate parking and drop off points so that the highway is kept clear.

Discussion

16. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 11 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 the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case are the design and siting of the proposed extensions and the traffic, parking and highway implications of the increase in the school roll.

Design of Extensions

17. The three extensions are all proposed as single storey additions, constructed from brickwork, with a parapet wall and flat roof. The design of the extensions would be in keeping with the style of the existing school, and from this perspective the additions would be appropriate. The school is sited away from the surrounding residential properties, set back within the school grounds, and therefore the classroom extensions would have a negligible impact on the residential amenity of the occupants of neighbouring houses. There would be no loss of useable outdoor play space as a result of the proposals, and it is therefore considered that the siting of the extensions would be acceptable, and in accordance with the guidance contained in the NPPF.

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Transport Related Issues

18. The application is for new classrooms to facilitate an increase in the school roll from a 1.5 form entry to a 2 form entry school. As set out above this will allow the pupil numbers to increase from 315 to 420 and staff numbers from 55 to 61. To assess the implications of such an increase the applicants submitted a Transport Statement, and in response to comments from the Highways and Transportation Officer also submitted an addendum, which will be discussed below.
19. The School only provides parking on site for staff – there is no provision for parent parking or any drop off zone. Under the proposed expansion, there would be 6 new members of staff and the Kent and Medway parking standards allow for 1 space per member of staff plus 10% as a maximum. In this instance that would equate to 7 new parking spaces. A car park extension is proposed on site to provide an additional 8 parking spaces for staff but one existing space would be lost in order to provide access to this area. There would therefore be a net gain of 7 spaces. Given that on-site parking is constrained for existing members of staff it is considered appropriate to permit the maximum number of parking spaces to benefit local parking amenity and reduce the existing impact the school creates.
20. Access into the site would remain as it is, but an additional pedestrian access is proposed onto The Linces, from the northern side of the access. This would allow pupils and their parents to enter the school from this direction without the need to cross the school access road, and would reduce congestion along the existing footway.
21. The Transport Statement (using a set out methodology which takes into account factors such as sibling effect, before and after school clubs, pupil absences, etc.) has established the trip attraction of the school based on the current staff and pupil numbers, and then used this data and methodology to calculate the likely trip attraction of the school at its full capacity (420 pupils and 61 staff).
22. At present the school attracts a total of 81 vehicle trips (including arrivals and departures) in the morning peak hour, and 100 total vehicle trips (arrival and departure) in the afternoon peak hour. With the school at full capacity it is forecast that there would be a total of 113 vehicle trips (including arrivals and departures) in the morning peak hour and 140 total vehicle trips (arrival and departure) in the afternoon peak hour. This would be an additional 32 one-way vehicle trips across the morning peak hour and 40 additional one-way trips across the afternoon peak hour.
23. Due to the School's location within the residential area it serves, a high proportion of the children travel to school by sustainable means, with only one fifth being driven to school, and this is lower than the vast majority of primary schools across the County. However, concern was raised by the Highways and Transportation Officer that the additional traffic forecast above would create an additional burden on The Linces, which is already congested as a result of both school traffic and existing residents on street parking.
24. In order to find a solution, discussions were held between the applicants, the Highways and Transportation Officer and the School, and a formal addendum to the Transport Statement was submitted. The first initiative proposed in the addendum is to introduce a new walking bus between the school and Roosevelt Road, adjacent to the Buckland

Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Dover, Kent – DO/15/01080 (KCC/DO/0328/2015)

Community Centre, both before and after the school day. The exact timings of the walking bus would be determined upon consultation with parents to ensure the greatest uptake of the service. The use of the community centre as a meeting point would, the applicants state, be an ideal meeting point as it provides a convenient, well known place for parents and staff to meet that is within close walking distance of the school and avoids parents using The Linces in the first instance. Given that the community centre is in close proximity to the play park, it is suggested that this would make it attractive for pupils and would therefore influence parents decision to use the walking bus.

25. The community centre is a 450m walk-distance to the school pedestrian entrance, equating to a 6 minute walk time. The addendum to the Transport Statement shows three alternative walking routes from the community centre to the school, all taking approximately 6 minutes and all of a suitable and safe standard. Roosevelt Road is of sufficient width to accommodate parked vehicles without detriment to the movement of traffic, and it is considered that limited parent parking would not obstruct the movement of buses along the road. The statement further illustrates that there would be a distance of 93m where parents could park on the northern side of the road, without impeding others, which could accommodate 15-16 vehicles simultaneously.
26. The potential use of the Memorial Hall car park cannot be confirmed at this time as this would need a signed agreement with its management trust. However, the applicants are hopeful that if the walking bus route is popular amongst the pupils and parents there are potential opportunities for the use of this car park in the future.
27. Whilst it is unclear at this stage what the level of uptake for the new walking bus would be, it should be noted that the school has one of the highest numbers of pupils walking and travelling by means other than the car almost anywhere else in the County, and already successfully run an existing walking bus from Rokesley Road (to the north of the school). It is therefore considered that the school would be well placed to achieve uptake for this new route.
28. In order to ensure that the bus route in Roosevelt Road is not affected by the potential parking of parents cars here in association with the walking bus once its established, the applicants are proposing to provide a Unilateral Undertaking to provide a sum of money (£3000) to install bus stop clearway markings or parking restrictions on Roosevelt Road should the need arise. Whilst it is hoped that this will not be necessary, by having this agreement in place it does provide a level of comfort that such problems can be addressed if necessary.
29. It is considered that this walking bus proposal would be preferable to the provision of additional on-site parking for parents or the provision of a drop off zone as both of these measures would encourage more traffic to drive along The Linces in the first place. By promoting a walking bus route from Roosevelt Road traffic is directed away from The Linces thus seeking to improve the situation.
30. The second initiative the School are proposing is to introduce staggered finishing times for Key Stage 1 and Key Stage 2 at the end of the school day. Whilst there may be only limited benefit to this as there will be a number of pupils with siblings across the two Key Stages, it will seek to lessen the greatest accumulation of parked vehicles at the end of the day and therefore allow traffic to move easier along The Linces.

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31. These types of initiative cannot be secured through the use of a planning condition, and as such the only way to ensure they are undertaken is to include them within the School Travel Plan. Given that these measures are the means to address the potential parking issues associated with the increase in school roll, the School have updated their School Travel Plan prior to the determination of the planning application, and registered it with Kent County Council's 'Jambusters' website. Both the County's School Travel Plan Officer and the Highways and Transportation Officer have considered the Travel Plan addendum and the revised School Travel Plan.
32. The Highways and Transportation Officer has commented that with the above measures in place the proposed school expansion is unlikely to have a severe impact on the highway network. He states that he would like to see the School pursuing an agreement for parents to use the community centre car park in association with the walking bus from Roosevelt Road and an informative advising the applicants of this could be included if the application is approved. The County's School Travel Plan Officer has confirmed that the revised Travel Plan and the comments from the Headteacher, in response to her queries, provide a clear picture of the proposals, and she is happy that the Plan meets the criteria required.
33. Whilst the concerns raised by local residents regarding the existing traffic problems experienced in The Linces are acknowledged, it is clear that the School are seeking to address the problem with alternative solutions which will either stop cars entering The Linces in the first place, or stagger their arrival and departure times to lessen the peak impact. Sufficient parking would be provided on site for the additional members of staff associated with this proposal, plus one additional space for existing staff. Congestion on streets surrounding schools located in the middle of urban areas is common place, but not in itself a reason to resist any future development at such schools. In particular, the congestion tends to be short lived, and only on days when the school is open, and is often more of an irritation than a serious road safety issue. It also needs to be borne in mind that the public highway is there to be used by the public, whether they are residents, employees or school parents, and it cannot be reserved for the sole use of any one sector of the public. Nevertheless, instead of wholly relying on the use of the public highway, ways of reducing the impact of the school on the local highway network, as is the case here with the proposals in the School's Travel Plan, are the best way of offsetting the congestion nuisance and any road safety risk.
34. It is therefore considered that subject to the adoption of the School's Travel Plan prior to the occupation of the extensions, its annual review for a period of 5 years to ensure the measures proposed are promoted by the School and taken up by the parents, plus having in place the Unilateral Undertaking to address any future congestion problems experienced in Roosevelt Road, the application is acceptable from a traffic and transport related view, and would be in accordance with Policies DM11 and DM13 of the Dover District Core Strategy and the guidance contained in the NPPF.

Other Matters

Construction Management

35. Given that there are neighbouring residential properties, if planning permission is granted it is considered appropriate to impose a condition restricting hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800;

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Saturday 0900 to 1300; and no operations on Sundays or public holidays).

36. Should permission be granted a condition requiring the submission of a full Construction Management Strategy prior to commencement of development is also considered appropriate. That should include details of how the site access would be managed to avoid peak school times, details of the methods and hours of working, location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities (to ensure mud and dust are not deposited on the highway) and details of any construction access.

Conclusion

37. There is strong Government support in the NPPF for the development of new schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards; subject to being satisfied on local amenity and all other material considerations, such as highway matters and design. In my view the proposed development would not give rise to any significant and demonstrable harm in any of these respects, as far as planning, environmental and amenity aspects are concerned. It is argued that the impact of additional traffic associated with the increase in the school roll could be appropriately off-set through the measures set out in the School Travel Plan, to avoid any further impact on neighbouring residents.
38. It is considered that subject to the imposition of appropriate planning conditions (set out below), and having in place a Unilateral Undertaking which would be able to address future problems on Roosevelt Road should they occur, the proposal would not have a significantly detrimental effect on the local highway network, local amenity or the environment. In my view the development is sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise.

Recommendation

39. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- The standard 5 year time limit;
 - the development to be carried out in accordance with the permitted details;
 - the submission and approval of details of all construction materials to be used externally;
 - the approval of the School Travel Plan prior to occupation of the extensions hereby approved and its ongoing review for a period of 5 years;
 - hours of working during construction to be restricted to 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 or Bank Holidays;
 - the submission of a Construction Management Plan, providing details of how the site access would be managed to avoid peak school times, details of the methods and hours of working, location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities (to ensure mud and dust are not deposited on the highway), details of any construction access and details of any temporary traffic management measures required on the highway during construction;

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- the provision of the additional on-site parking areas prior to occupation of the school extensions and their retention thereafter;
- the provision and permanent retention of a minimum of 2 additional secure, covered cycle parking spaces prior to occupation of the extensions;
- the Unilateral Undertaking to provide the sum of £3000 to be used for bus stop clearway markings or parking restrictions in Roosevelt Road should the need arise in association with the proposed 'walking bus', be signed prior to the occupation of the extensions hereby approved.

40. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The registering with Kent County Council of the School Travel Plan through the "Jambusters" website following the link <http://www.jambusterstpms.co.uk>;
- That the applicant ensures that all necessary highway approvals and consents are obtained;
- That the applicant be advised to discuss any temporary traffic management measures required with the Road Works Coordination Team.

Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

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New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

A report by Head of Planning Applications Group to Planning Applications Committee on 9 March 2016.

Application by Kent County Council Property & Infrastructure Support for a proposed new two storey Special Educational Needs School (relocation of Ridge View School) with associated car parking and landscaping (change of use from D2 Assembly and Leisure to D1 Non-Residential Institution) at land at Upper Haysden Lane, Tonbridge – TW/15/3954 (KCC/TM/0390/2015).

Recommendation: that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, planning permission be granted subject to conditions.

Local Member: Mr C. Smith and Mr R. Long

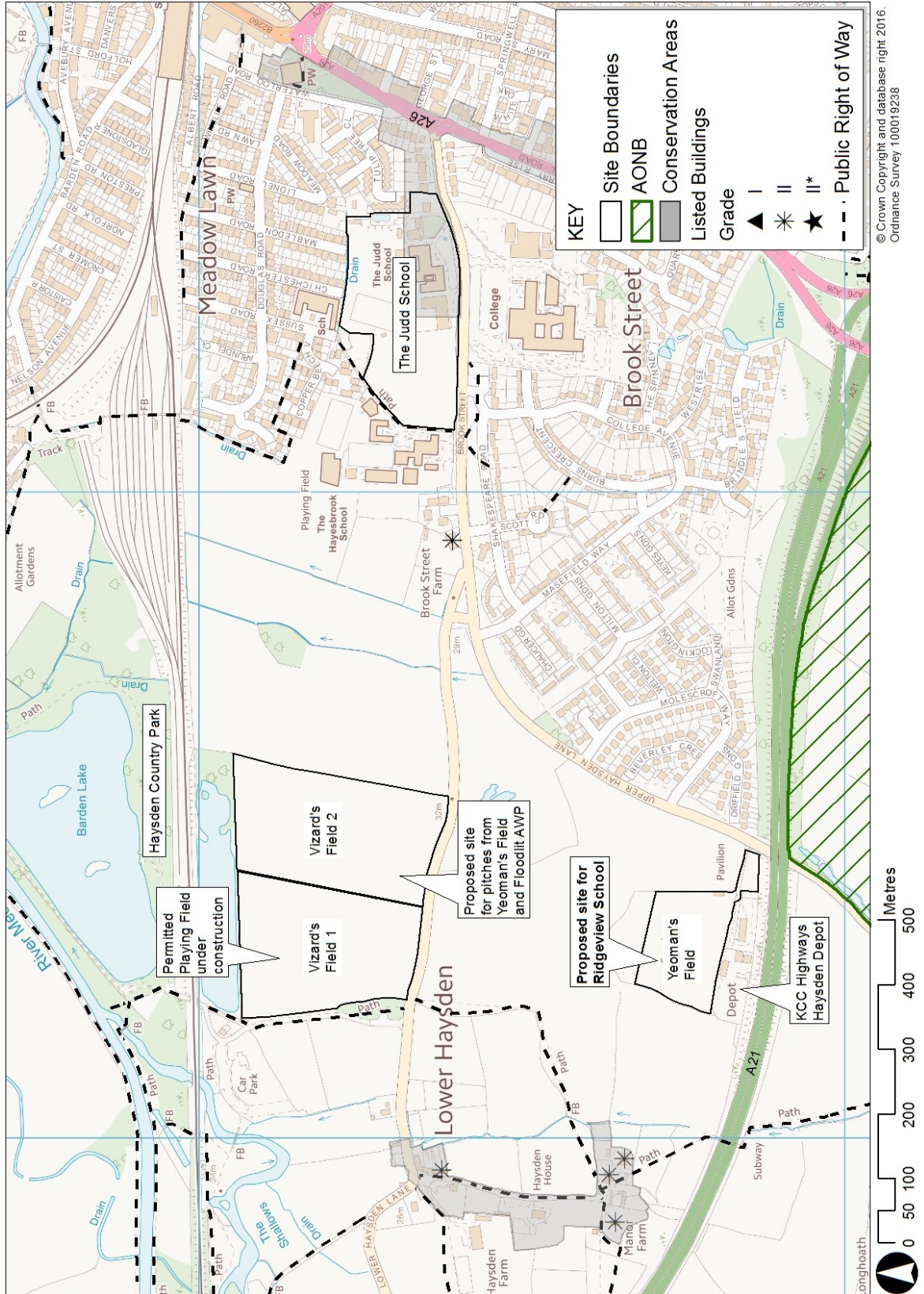
Classification: Unrestricted

Site

1. The application site is located to the west of Upper Haysden Lane and to the north of the A21 on the south western outskirts of Tonbridge Town Centre. The 2.36 hectare (5.8 acre) site is owned by Kent County Council and has been used by Judd School since the 1930's to provide additional outdoor recreation space/playing field. The site, which is known as Yeomans, is located approximately 900 metres to the south west of the Judd School and comprises mown playing fields and a small pavilion building in the south eastern corner of the site with changing rooms, toilets, kitchen and a store. The playing field (application site) currently provides Judd School with two senior rugby pitches, two artificial cricket wickets with overlapping boundaries and a hammer circle.
2. The application site boundaries are formed of mature hedgerows and tree planting, with further open agricultural land to the north, east and west. The hamlet of Lower Haysden lies to the north west/west of the application site, with the closest residential property in Lower Haysden being approximately 250 metres away from the western site boundary. An earth bund also lies to the west of the southern half of the western site boundary. The closest properties to the east of the application site are approximately 100 metres from the eastern site boundary and are located in residential cul-de-sacs (Driffled Gardens and Beverly Crescent) accessed via Brook Street/Upper Haysden Lane and Molescroft Way. Properties in these roads are oriented north south in the main, with side elevations facing the application site in the most part. The County Council's Haysden Highway Depot lies to the immediate south of the application site, beyond which lies the elevated A21 dual carriageway. The Highway Depot and the application site share an access from Upper Haysden lane. Lower Haysden Lane is located approximately 300 metres north of the site, beyond which lies Haysden Country Park.
3. The application site is within the Metropolitan Green Belt and outside of the settlements confines of Tonbridge. The site is also designated as protected open space (as Judd School Playing Fields) within Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010. The application site is not subject to any other landscape/planning designations, but the hamlet of Lower Haysden (circa 250 metres to the west of the application site) is a Conservation Area which contains a small number of Listed Buildings. In addition, the High Weald Area of Outstanding Natural Beauty lies to the far south of the application site, beyond the A21.

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

Site Location Plan



New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

Proposed Site Layout



New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

Landscaping Plan



Item D2
New two storey Special Educational Needs School with associated car
parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954
(KCC/TM/0390/2015)

Visual Image



Item D2
New two storey Special Educational Needs School with associated car
parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954
(KCC/TM/0390/2015)

Ground Floor Plan



BRICE & WAIN SCHOOL
GROUND FLOOR PLAN
15.061

guy hollaway
15.061 20

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

First Floor Plan



New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

Roof Plan



New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

4. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan. The site is not within any other landscape or planning designations.

A site location plan is attached.

Background and Relevant Planning History

Ridge View School Relocation

5. Kent County Council as the Strategic Commissioner of Education Provision in the County is responsible for ensuring that there are sufficient school places of high quality for all learners. Kent County Council's strategy for children and young people with Special Educational Needs and who are disabled (SEN) identifies the need to provide 275 additional SEND places in Kent for pupils with Autism and Behavioural needs, 175 of which should be in special schools. Furthermore, the 'Kent Commissioning Plan for Education Provision' (2015-2019) sets out that such additional provision would be achieved by increasing the number of Kent designated places in special schools from 3326 to 3576.
6. Further, the applicant confirms that the demand for placement of children with an Education, Health and Care Plan in the Borough of Tonbridge and Malling significantly exceeds the provision available within the Borough. Data shows that Tonbridge and Malling has a high proportion of pupils (357) placed outside of the Borough or with no current placement. Less than half (approximately 41%) of the stated pupils resident in Tonbridge and Malling are currently being educated within the Borough. A key factor in this situation is the inability of Ridge View School, an existing SEN School in Tonbridge, to admit the required number of pupils in line with its designated number (the existing school has 112 pupils on roll but a designated number of 180) due to the complexity of the needs of its pupils and existing capacity constraints due to insufficient and substandard accommodation.
7. Ridge View School is located approximately 2.4 miles (3.9 kilometres) to the north east of the application site, and shares a site with Cage Green Primary School (Hugh Christie Technology College is also to the immediate north). The existing school is accessed via Cage Green Road, which joins with Shipbourne Road. Ridge View School provides for pupils with Profound and Severe Needs, many of whom have mobility issues and/or are wheelchair bound. The applicant advises that the existing school buildings are no longer fit for purpose and that the school is at maximum capacity for its location. Site constraints, including the shared campus, prevent expansion and/or redevelopment of the school on the existing site. Combined with the increased demand for places at SEN schools, as outlined above, relocation to a new purpose built facility is required. This requirement has been recognised by Central Government, who have allocated £2.2 million of Targeted Basic Needs Funding to enable the expansion and relocation of the school.
8. An application was submitted in June 2014 proposing the relocation of Ridge View School to land off of Higham Lane, Tonbridge (KCC/TM/0223/2014). That application proposed the same level of accommodation as that currently proposed. The 2.23 hectare (5.5 acre) site was largely identified as grade 3a agricultural land, and formed part of the wider fields associated with Greentrees Farm, which are classified as grade 2 land. That site was located to the immediate north of the defined urban area of Tonbridge, and although within the Metropolitan Green Belt, was directly adjacent to a

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

number of residential properties. Members of the Planning Applications Committee visited the Higham Lane site on the 22 September 2014. That application met with a significant amount of local objection on the grounds of impact on local residential amenity, exacerbation of existing drainage/flooding issues, impacts on ecological interests, loss of Green Belt and loss of best and most versatile agricultural land, amongst other matters. That application was subsequently withdrawn, primarily due to the prohibitive cost of Southern Water's required drainage improvements. Following withdrawal of that application, the applicant has undertaken a detailed assessment of alternative sites within the Borough, with the site as currently proposed considered to be the only available and suitable site.

Judd School Playing Field

9. As outlined in paragraph 1 of this report, the application site is currently used by Judd School as additional playing field (over and above that available on the School site). However, Members of the Planning Applications Committee considered an application for 'change of use from agricultural land to playing field to serve the Judd School, together with associated ancillary development including access, parking and hard landscaping works' at land off Lower Haysden Lane, Tonbridge, on the 8 April 2015. That application (KCC/TM/0435/2014) was subsequently granted planning permission, and the development is currently under construction. That application covered a 10.5 hectare (26 acre) area of land so change of use to playing field is established for the whole site. However, the site was split into two, known as Vizard 1 and Vizard 2, and that application (KCC/TM/0435/2014) only proposed the physical development of Vizard 1 (the western half) to provide the following:
 - 2 grass senior rugby pitches;
 - 2 grass junior rugby pitches;
 - 1 cricket pitch (capacity for up to 8 wickets); &
 - Cricket nets.

10. As part of the mitigation for the loss of playing field that would occur should this current application (the subject of this paper) be permitted, an application has been submitted to develop the eastern half of the Lower Haysden Lane site (Vizard 2) to provide additional sporting facilities for The Judd School. That application (KCC/TM/0385/2015) is considered at Item D3 on these papers and proposes to provide the following:
 - 1 grass senior rugby pitch;
 - 1 grass junior rugby pitch;
 - 1 grass training pitch;
 - 1 floodlit synthetic pitch (with restricted non-school use);
 - 1 hammer cage;
 - 1 cricket square plus all weather wicket; &
 - a single storey changing room block.

Planning History

11. Previous relevant planning decisions at the application site are limited to the following, which were determined by Tonbridge and Malling Borough Council:

TM/78/11342/OUT – outline application for a football stadium (for Tonbridge Angels Football Club) with spectator's accommodation, club house, parking etc. which was REFUSED primarily on Green Belt grounds. Subsequent appeals by the applicant were dismissed.

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

TM/90/10745/FUL – erection of floodlights to allow outside training during winter months whilst maintaining existing usage (Monday to Friday 4-5pm by the Judd School and Tuesday and Thursday 7 – 9pm by the Old Juddian Rugby Club) which was PERMITTED subject to conditions. *It should be noted that there is only one lighting column on the site at the moment, which is located in the south east corner of the site adjacent to the pavilion building.*

Proposal

12. This application has been submitted by Kent County Council Property & Infrastructure Support and proposes the erection of a new purpose built school to provide for the pupils currently at Ridge View School and additional capacity to accommodate the required increase in pupil numbers (68 additional places). The applicant advises that the proposed school would offer up to 180 places for pupils aged between 2 and 19, and would include facilities currently unavailable/difficult to access such as therapy room and sensory rooms. The proposal's essentially split the application site into two distinct elements, with car parking and the school building to the south of the site, and open recreational facilities and playing field to the north. A stand-alone life skills building is also proposed to the south east of the main school building. The following is a summary of the proposals;

Site Layout

13. The applicant is proposing to provide a new purpose built school which would accommodate 180 students and 185 staff (including specialist staff such as nurses and therapists). The new building would have a gross internal floor area of 5489m² (59,083sqft) spread over 2 floors, providing a total of 33 general teaching rooms, a main hall, group rooms, gym and soft play facilities, staff, meeting and administration areas, medical and specialist therapy rooms, a pool, a kitchen and general storage, circulation space, WC and changing areas. A 91m² (980sqft) 5 room stand-alone life skills building is also proposed. The school building and the life skills building are proposed in the south west area of the site, adjacent to the Highway Depot buildings to the south, and an existing earth bund to the west.
14. The applicant advises that each cluster of classrooms would share a number of small groups rooms and a quiet multi-purpose central zone. All of the students with more prominent education and/or care needs would be located on the ground floor and have direct access to an allocated external learning area. The first floor would provide all of the accommodation required for KS2-5 which is considered by the applicant to give the older pupils an increased sense of responsibility. The applicant further advises that flexibility is fundamental to the design philosophy and that the integration of community use is key. As such, the school hall, training, consulting and some specialist areas have been located in such a way that secure access could be gained out of school hours.
15. Externally, two MUGA courts, an area for 'learning through landscape', a sensory garden, allotments and soft play areas are proposed to the north of the school building. A woodland learning area is proposed to the west of the main school building, and general outdoor teaching and amenity areas surround the building on all sides. Access and car parking is proposed to the east of the school building, beyond which a swale would separate the car parking area from the eastern site boundary.

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Design/Massing

16. The applicant advises that the design of the proposals stems from a need to create a school that is as compact as possible, whilst maximising external space. A need to keep the footprint to a minimum has resulted in the applicant proposing a two storey building. The school hall, the largest element of the building, is proposed within the centre of the plan, with classroom accommodation wrapped around it creating a rectangular shaped building. The flat roofed building would be finished in Rockpanel Wood cladding to the first floor, and facing brickwork walls to the ground floor, with powder coated aluminium windows and doors. The two storey life skills building is proposed to the south east of the main school building, and deliberately kept as a separate entity to allow its use as a 'real' house. The pitched roofed building would be finished in timber cladding to match the main school.

Access/Car Parking

17. The proposed school would be accessed via the existing site entrance which currently serves Haysden Highway Depot and access to the application site. The access road would be improved and upgraded to allow two-way traffic flow into and out of the site. The upgraded access road would be 6.6metres in width throughout its length, in addition to a 1.8metre wide footway proposed to the northern side of the road. That footway would link to a new 1.8metre wide footway proposed to be constructed along the western side of Upper Haysden Lane on the existing grass verge. The footway would measure approximately 45metres in length, extending to the north from the upgraded site access road. A dropped kerb and tactile paving pedestrian crossing would then be provided to link the footway with the wider footpath network located to the east of Upper Haysden Lane/Brook Street. The applicant advises that, in considering the nature of the proposed development and the resulting limited number of people that would access the site on foot, the provision of a central crossing island (which would also require road widening) would not be required or be a reasonable/proportional enhancement.
18. Vehicular access and drop-off are proposed via the upgraded site access road, with a total of 155 parking spaces to be provided on site, and an additional 5 mini bus spaces. A 42 space staff car park is proposed to the south of the access road, with the remaining 108 spaces (including 15 disabled spaces) proposed in the main car park located to the front of the school building, to the south east of the application site. That main car park would be for staff and visitor use, and is designed to also form a one way loop arrangement, requiring all vehicles to take the longest path around the car park. That 'loop' would enable approximately 40 vehicles to wait in line on site to use the pupil drop-off and pick-up area which would be located along the frontage of the school building. Due to the nature of the development, being a Special Educational Needs School, a significant number of pupils (approximately 94%) would be transported to the school site by Local Education Authority Transport or by parents/carers. The applicant advises that the design and layout of the car parking area would provide sufficient space on site to accommodate vehicles associated with the school at peak school times.
19. The Transport Statement submitted with this application calculates that the proposed development would generate a total of 205 vehicle movements during the morning peak (144 in and 61 out) and 175 movements across the afternoon peak (66 in and 109 out). Following a detailed assessment of the local highway network, including local junctions,

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

the submitted Transport Statement concludes that the proposed school would not detrimentally impact on the existing morning and afternoon highway peak periods.

20. A Memorandum of Understanding was submitted with this application to confirm that the applicant would pay all reasonable costs to fund the relocation/extension of the existing 40mph speed limit. The 40mph limit currently extends along Brook Street/Upper Haysden Lane and ends to the immediate south of the existing access road into the application site, beyond which the speed limit becomes national. The applicant is proposing to fund an extension of the 40mph limit to the south of the A21 overpass, to an exact location to be agreed as part of a separate Traffic Regulation Order (TRO) process.
21. Whilst it is recognised that pupils are very unlikely to cycle to school, 78 cycle parking spaces are proposed, in accordance with Kent County Council Standards. The applicant advises that that provision would encourage an increase in staff cycle travel, given that it would provide somewhere safe and secure to leave a bicycle, making it a more attractive and feasible option.

Landscaping

22. The application site is bound by a mature hedgerow and tree planting on all sides. Being an existing playing field, tree planting and hedgerows are contained to the boundaries of the site. The submitted Tree Survey records 38 trees/groups, of which two were classified as 'A' category (highest quality), 14 as 'B' category and 19 as 'C' category. Three trees are recommended for removal due to safety reasons. The inspected trees range from relatively young Oaks and Maples (less than 20 years of age) through to large mature oaks in excess of 150 years of age. It is proposed to retain the existing boundary hedging and tree planting, apart from a small section adjacent to the site access in the south east corner of the site. A small field maple and a section of the hedge would be removed to provide a suitable access with appropriate sight lines. However, further planting is proposed across the site, including supplementary planting to the site boundaries. 2 metre high green weld mesh fencing is proposed to secure the site, which would be erected on the inside of the hedgerow, leaving a gap of 1.2 metres between the hedgerow and the fencing for pruning/maintenance purposes.

Drainage

23. Foul and surface water would be drained via separate systems within the curtilage of the site, and in both cases, would need to be pumped to the existing Southern Water sewer networks in Upper Haysden Lane. The Pumping stations would be situated within the application site and require access via the playground for a tanker vehicle in an emergency to empty the storage tanks and for the access of maintenance vehicles. The near surface geology of the site precludes the use of soakways, therefore below-ground attenuation tanks are proposed to store surface water prior to it entering the surface water pumping station. The discharge to the public sewer would be controlled at a minimal rate to reflect green field run off. In addition, the surface water drainage design includes the consideration of swales, porous pavings and land drains within the development. The applicant has agreed to provide or fund, as appropriate, the necessary off site foul and surface water infrastructure to connect the new site to the existing drainage networks, including any required capacity improvements.

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Lighting

24. External lighting would be limited to vehicle and pedestrian access lighting, security lighting, facility illumination and general feature lighting. The proposed strategy is to provide a balance between adequate external lighting for safe and secure operation of the school without unnecessary illumination or power consumption. Any lighting would also be carefully considered with heights of columns and fittings selected to prevent upward and side glare, and to avoid intrusion within the wider landscape. All lighting would also need to comply with ecological requirements.

Sustainability

25. The applicant advises that sustainable design has been integrated into the building concept with low carbon emissions being a key aim. Although the development would not be formally assessed specifically under BREEAM, the proposed scheme has been designed to meet the equivalent of a BREEAM rating of 'Very Good'. In addition, an array of photo-voltaic's (PVs) is proposed on the roof on the main school building, and the applicant has incorporated passive ventilation and cooling into the design of the building, and electrical and water systems would be designed to limit wastage. All timber used in the building would also be sustainably sourced. In addition, Sustainable Drainage principles are proposed with the inclusion of a swale and filter drain.

The planning application is accompanied by a Design and Access Statement, Planning Statement, Green Belt Report, Landscape Visual Impact Assessment, Report on Inspection of Trees, Travel Plan, Transport Statement, Memorandum of Understanding, Preliminary Ecological Appraisal, Bat Survey, Archaeological Desk Based Assessment, Energy and Sustainability Statement, Utilities Statement, Noise Statement, Stage 2 Acoustic Report, Phase 1 Environmental Risk Assessment, Phase 2 Site Investigation Report, Statement of Community Involvement and Construction Logistics Plans.

Planning Policy Context

- 26.(i) **National Planning Policies** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set 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.

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;

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- 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;
- promoting sustainable transport;
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.

In addition, Paragraph 72 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted*

- (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) **Tonbridge and Malling Borough Core Strategy September 2007:**

Policy CP1 Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural, historic and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all.

Policy CP2 Sustainable Transport: New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local

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services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.

Policy CP3 Metropolitan Green Belt: National Green Belt policy will be applied generally to the west of the A228 and the settlements of Snodland, Leybourne, West Malling and Kings Hill, and to the south of Kings Hill and east of Wateringbury.

Policy CP6 Separate Identity of Settlements: 1) Development will not be permitted within the countryside or on the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside or from adjoining settlements; 2) Any development that is considered acceptable in terms of this policy should maintain or enhance the setting and identity of the settlement, and in the countryside, be consistent with Policy CP14.

Policy CP11 Urban Areas: States that development should be concentrated within the confines of the urban areas which include Tonbridge. Development adjoining these urban areas will only be permitted where there is an identified need and there are no suitable sites within the urban areas/ Priority will be given to the use of previously developed land.

Policy CP14 Development in the Countryside: In the countryside development will be restricted to (a) extension to existing settlements in accordance with Policies CP11 or CP12; or (b) appropriate replacement or extension to an existing dwelling; (c) necessary development for the purposes of agriculture or forestry; (d) limited expansion of an existing employment use; (e) development that secures the viability of a farm; (f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability; (g) affordable housing which is justified as an exception under Policy CP19; (h) open recreation uses together with associated built infrastructure; or (i) any other development for which a rural location is essential.

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

Policy CP24 Achieving a High Quality Environment: 1) All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance, be designed to respect the site and

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its surroundings; 2) All development should accord with the advice contained in Kent Design, By Design and Secured by Design, and other supplementary Planning Documents and, wherever possible, should make a positive contribution towards the enhancement of the appearance and the safety of the area; 3) Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted; 4) The Council will seek to protect and enhance existing open spaces; 5) The environment within river corridors will be conserved and enhanced.

Policy CP25 Mitigation of Development Impacts: Development will not be permitted unless the service, transport and community infrastructure necessary to serve it is either available, or will be made available by the time it is needed. Development proposals must therefore either incorporate the infrastructure required as a result of the scheme, or make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed, by means of conditions or a planning obligation.

(iv) **Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010:**

Policy CC1 Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate passive design measures to reduce energy demand.

Policy CC3 Sustainable Drainage: Requires the provision of sustainable drainage systems (SUDS) appropriate to the local ground water and soil conditions and drainage regimes. Where SUDS are not practical the proposal should incorporate alternative means of surface water drainage to ground watercourses or surface water sewers.

Policy NE2 Biodiversity: The biodiversity of the Borough, and in particular priority habitats, species and features, will be protected, conserved and enhanced.

Policy NE3 Impact of Development on Biodiversity: 1) Development that would adversely affect biodiversity or the value of wildlife habitats will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement; 2) Proposals for development must make provision for the retention of habitat and protection of its wildlife links; 3) Where development is permitted the Council will impose conditions, where necessary and appropriate, to minimise disturbance, protect and enhance ecological conservation, contribute towards the objectives of Kent Biodiversity Action Plan, ensure appropriate management and monitoring, and the creation of new or replacement habitats.

Policy NE4 Trees, Hedgerows and Woodland: The extent of tree cover and the hedgerow network should be maintained and enhanced.

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- Policy SQ1 Landscape and Townscape Protection and Enhancement:** Proposals for development are required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD. All new development should protect, conserve and where possible enhance (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity; (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.
- Policy SQ5 Drainage:** 1) All development will be expected to ensure that adequate water and sewerage infrastructure is present or can be provided in order to meet future needs without compromising the quality and supply of services for existing users; 2) Planning permission will only be granted for developments which increase the demand for off-site water and sewerage where (a) sufficient capacity already exists, or (b) extra capacity can be provided in time to service the development; 3) When there is a water or sewerage capacity problem and there are no programmed off-site infrastructure improvements, planning permission will only be granted if the developer funds appropriate infrastructure improvements which should be completed prior to occupation.
- Policy SQ6 Noise:** Proposals for noise sensitive development (including schools) will be required to demonstrate that noise levels are appropriate for the proposed use. Proposals for built development should incorporate design measures such that internal noise levels are demonstrated to meet criteria levels in relevant guidance, including BS 8233:1999 and Building Bulletin 93.
- Policy SQ8 Road Safety:** 1) Before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure is in place or is certain to be provided; 2) Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network; 3) Development proposals should comply with parking standards; 4) appropriate mitigation measures shall be provided where required before a development is occupied.
- Policy DC6 Rural Lanes:** In the consideration of development proposals which are in the vicinity of, or served by, rural lanes, permission will only be granted where: (a) the development conserves and enhances the value of the lane in terms of its landscape, amenity, biodiversity, historic or archaeological importance; and (b) any proposed alterations to the lane are the minimum necessary to serve the proposal in terms of highway safety.
- Policy OS1 Open Space:** Development which would result in the loss of, or reduce the recreational, nature conservation, biodiversity, carbon

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sink, landscape, amenity and/or historic value of, existing open spaces listed in Policy Annexes OS1A & OS1B and identified on the Proposals Map, and any other open spaces that are provided during the lifetime of the LDF, will not be permitted unless a replacement site is provided which is equivalent or better in terms of quantity, quality and accessibility.

Consultations

27. **Tonbridge and Malling Borough Council** raise no objection subject to the following considerations:

- “1. TMBC recognises that the replacement and reinforcement of the beneficial educational facilities at the existing school merits support;
2. Kent County Council must be satisfied that the proposed development accords with the requirements of the NPPF and that, for the application to be approved, very special circumstances clearly exist which outweigh the degree of harm caused to the open nature and function of the Metropolitan Green Belt by virtue of the inappropriate nature of the development proposed. If this cannot be satisfied, the application should be refused;
3. Kent County Council must be satisfied that there is a strategic need for the proposed development in this location and on this particular site (as opposed to other potential development sites both inside and outside of the Metropolitan Green Belt) if the application is to be approved, and that any resulting impacts by way of the loss of protected open space, traffic generation and potential environmental issues are adequately addressed;
4. In the event that Kent County Council considers that very special circumstances do exist to outweigh the degree of harm to the Metropolitan Green Belt in this locality and on this site and the scheme is found to be acceptable in all other respects, the County Council should:
 - Be satisfied that the traffic impacts on the local highway network would not be assessed as severe and thus are able to meet the tests set out in the NPPF;
 - Include a mechanism to secure the replacement of protected open space with new sporting facilities which offer equivalent or better playing field provisions in a suitable location or alternative sporting provisions, the need for which clearly outweighs the loss of Yeoman's Field. The use of development phasing restriction, to be agreed with Sport England, should ensure that the replacement open space is delivered by a key milestone;
 - Consider the potential, in conjunction with Highways England, for an acoustic fence to be installed along the northern boundary of the A21 to assist in the minimisation of road traffic noise levels in the local area.;
 - Require the mitigation measures set out in the Transport Statement, including extending the 40mph speed limit to include the new school entrance and a requirement for an ongoing School Travel Plan;
 - Seek the retention and protection of trees and hedgerow at the site, together with a robust site landscaping scheme;
 - Consider the control of external lighting operational hours to minimise impact on Green Belt and residential amenity;

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- Consider the community use of the school facilities and require a community use agreement to set out the times and management regimes of such use, being mindful of nearby surrounding residents.”

Kent County Council Highways and Transportation raises no objection to the proposal subject to the following measures;

- Engagement with the Highway Authority to extend the 40mph speed limit, including implementation of an interactive speed limit sign and a side road ahead sign as advised in the Stage 1 Road Safety Audit. This work should be undertaken in accordance with the County's adopted 3rd party Traffic Regulation Order procedure and carried out in parallel to construction of the development, should it be approved;
- Implementation of the footway and bollards adjacent to Upper Haysden Lane as proposed;
- Give way markings should be included at the junction to the main car park to give priority to traffic on the shared access road from beyond this point.

Highways England raises no objection to the proposal.

The County Council's School Travel Plan Advisor suggests that the School complete a Travel Plan (via the County Council's Jambusters System) for submission 6 months from the date of occupation.

Environment Agency considers that there was no need to consult them on the application as they do not believe that the proposal would have any environmental impact as far as their interests are concerned.

Sport England raise no objection to this application subject to the following condition:

“The two storey Special Educational Needs School with associated car parking and landscaping on land owned by Kent County Council, Lower Haysden Lane hereby permitted shall not be occupied until Phase 1 of permission KCC/TM/0385/2015 has been built and made operational for use; and development has commenced on Phase 2 of permission KCC/TM/0385/2015”

Kent Wildlife Trust no comments received to date.

The County Council's Biodiversity Officer raises no objection to the application subject to conditions requiring the development to be undertaken in strict accordance with the submitted protected species surveys and the precautionary mitigation methods contained therein, and the submission of details of ecological enhancements and the planting and management of the swale.

The County Council's Landscape Advisor (Amey) considers that it is not likely that there would be any adverse impacts on the land, or to the wider countryside and surrounding fields and farm land, as a result of the development. The landscape advisor further considers that existing and proposed planting and screening would further limit the visual impact of the development, and that the building has been designed to minimise impacts on the surrounding area, including the Green Belt. The submitted Landscape Visual Impact Assessment is considered to be robust and accurate.

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The County Council's Archaeologist has no comments to make and no requirements for any further archaeological work.

The Council's Conservation Officer comments as follows:

"The site for the school is currently used as playing fields by Judd. Although the site is not situated within a Conservation Area, it is visible from, and therefore may have an effect on the setting of, the Haysden Conservation Area. Although part of the site can be seen from the Haysden Conservation Area the actual site for the school on the land is obscured from view by an existing earth bund. The extra planting proposed and the existing trees and boundary hedgerows mean the proposal will have little impact on the setting of the Haysden Conservation Area, and I have no adverse comments to make on this application."

The County Council's Flood Risk Team/SuDs Officer raises no objection to the application subject to confirmation from Southern Water that they are happy to accept the proposed discharge rates and that the detailed design is verified by the submission of additional details pursuant to condition. Conditions would require the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Sustainable Surface Water Drainage Scheme. In addition, a further condition would ensure that there was no infiltration of surface water drainage into the ground other than with the express written consent of the County Planning Authority.

Southern Water raises no objection to the application and confirms that they can provide surface water disposal at the pumped flow rate proposed. However, with regard to sewerage, Southern Water cannot accommodate the needs of this application without the development providing additional local infrastructure. Southern Water require the submission of a drainage strategy detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable to be submitted prior to the commencement of the development. Further informatives regarding agreements and applications between the applicant and Southern Water are also required, and advice for the applicant is provided.

Local Member

28. The local County Members, Mr Chris Smith and Mr Richard Long, were notified of the application on the 10 December 2015.

Publicity

29. The application was publicised by the posting of 5 site notices, advertisement in a local newspaper, and the individual notification of 76 neighbouring properties. The operators of the adjacent Haysden Highway Depot (Amey on behalf of the County Council) were included within the list of neighbouring properties consulted.

Representations

30. To date, I have received 20 individual letters of objection and 2 letters of support from local residents. A summary of the main issues raised/points of objection is set out below:

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Highways/Access

- Object to an increase in traffic flow as an additional school would increase the amount of traffic that uses Brook Street and the surrounding road network;
- Local roads are already at maximum capacity and cannot cope with anymore traffic;
- Brook Street already has K College, The Judd School, and Hayesbrook School accessed from it. To add another school will add to traffic at the busiest times of the day;
- The development is located away from public transport links meaning that there is no alternative but to travel to the site by car;
- Parents/staff will park in local roads blocking driveways/access, as is already the case;
- Increased traffic would put existing pupils at local schools and proposed students at risk;
- The development would only cause more accidents;
- Provision for a right turn lane into the site should be made;
- The junction into the site is dangerous, with vehicles from the south approaching from a national speed limit, with a bend and the A21 bridge;
- Heavy plant use the access road, adding to the danger;

Landscape

- Upper Haysden Lane is currently a boundary between the built development of Tonbridge and the open countryside – it should remain that way;
- This is Green Belt land/a green field site and should remain so;
- Alternative brownfield sites should be considered;
- Development of this site would set a precedent for further development of this area of Tonbridge;

Amenity Concerns/General Matters

- Additional traffic would add to vehicle emissions within the countryside;
- The development would detract from views from local properties, ruining views of the open countryside;
- The development would affect local wildlife, including that at Haysden Country Park;
- The development would generate light pollution;
- The development would generate noise pollution during school hours;
- Pollution and noise from the A21 would affect pupils of the proposed school;
- The area is already overdeveloped;
- Can local services (drainage/sewerage etc) accommodate the additional development?
- Construction of the school would cause disruption and nuisance to local residents.

Support

- It is about time that the pupils of Ridge View School had a purpose built school of a quality appropriate for their needs
- There is an ever increasing need for additional SEN places in Tonbridge and Malling;
- The proposed location for the school is a good choice as it is surrounded by other educational facilities;
- The proposal would provide employment opportunities;
- The development would only add very slightly to the congestion at the Brook Street roundabout;

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In addition, Highways, Transportation and Waste (operations) whose service contractor (Amey) operate out of the adjacent highways depot make the following observations:

“The highway depot being an operational depot requires continual access to the highway and the size of the vehicles being used pose a safety issue to other road users accessing the school. Discussions have been positive to try and mitigate these issues as far as practicable by:

- a. Maximising the radii of kerb line to 8m between the access road and Upper Haysden Lane which is vital to the safety of all road users due to the HGV's that use the highway depot;
- b. The minimum width of the access road at 6.6m is necessary to facilitate the safe use of both the depot and the school;
- c. Introduction of hatching in the turning area between the school premises and the access road to prevent any parking or stopping of vehicles;
- d. Removal of any hedges that may interfere with sight lines;
- e. Extending the speed limit past the entrance to the site.

The construction of the school would of course necessitate increased movements of heavier traffic and to minimise any impact on the depot:

- f. Efforts would be made wherever possible to deposit any excavated material within the area of the site.
- g. The car park located at the entrance by Upper Haysden Lane would be used to provide a diversion route if works are carried out on the existing access road.
- h. Some advance works would be carried out to improve the entrance such as the new kerb lines, cutting back of hedges that may interfere with sight lines”

Discussion

31. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 26 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, including the National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon the Metropolitan Green Belt, siting, massing & design, highway implications and access, loss of playing field and securing of replacement facilities, and whether the development is sustainable in light of the NPPF.
32. Tonbridge and Malling Borough Core Strategy Policy CP1 seeks to conserve and enhance the environment and requires developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Local Plan as being within the Metropolitan Green Belt. Core Policy 3 of the Tonbridge and Malling Core Strategy seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances. Core Policy 14 also states that development within the countryside should be restricted to certain acceptable uses only.
33. 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;

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- 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 further states that “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 say “very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”. Any built development within the Metropolitan Green Belt could affect the openness of it and would be contrary to planning policies. On this basis the development proposed must be considered as a departure from the Development Plan. Therefore, if Members were minded to grant planning permission, the application would need to be referred to the Secretary of State for his consideration.

Green Belt Considerations

34. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, the County Planning Authority is of the view that the proposals would not meet these exceptions and that the development is, therefore, inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to demonstrate why permission should be granted with regard to planning policies and other material considerations. 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.
35. A ‘Planning Statement’ and ‘Green Belt Report’ was submitted in support of this application, which sets out what the applicant considers to be the very special circumstances that warrant setting aside the general presumption against what would be inappropriate development in the Green Belt. The applicant considers the following ‘very special circumstances’ are sufficient to collectively outweigh a Green Belt policy objection:
- i) The identified need for additional SEN provision on the Tonbridge Area;
 - ii) National Policy and Central Government Support for the delivery of State Funded Schools;
 - iii) A lack of suitable alternative development options; and
 - iv) The benefits arising from the availability of new and additional facilities for community use.

Each of these ‘very special circumstances’ as put forward by the applicant will be considered and discussed in the following section of this report. I will take each point in turn, first considering the case of need for additional SEN school places in the Borough of Tonbridge and Malling.

Case of Need and National Policy and Central Government Support for the delivery of State Funded Schools

36. As outlined in paragraph 26 of this report, great emphasis is placed within planning policy generally, specifically paragraph 72 of the NPPF, on the need to ensure that a

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sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF states that Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. The NPPF further states that Planning Authorities should give great weight to the need to create, expand or alter schools. The Policy Statement – Planning for Schools Development (15 August 2011) further sets out the Government's commitment to support the development of state funded schools and their delivery through the planning system.

37. As outlined in paragraphs 5 & 6 of this report, Kent County Council, as the Strategic Commissioner of Education Provision in the County, is responsible for ensuring that there are sufficient school places of high quality for all learners. Kent County Council's strategy for children and young people with Special Educational Needs and who are disabled (SEN) identifies the need to provide 275 additional SEND places in Kent for pupils with Autism and Behavioural needs, 175 of which should be in special schools. Furthermore, the 'Kent Commissioning Plan for Education Provision' (2015-2019) sets out that such additional provision would be achieved by increasing the number of Kent designated places in special schools from 3326 to 3576. It is further noted within the Commissioning Plan that *'it is recognised that our current SEN capacity has not kept pace with changing needs and that we continue to commit a significant level of resources to transporting children to schools away from their local communities'*. This is neither sustainable nor beneficial to the pupils due to long commutes and being educated away from their local community, families and support networks.
38. Further, the applicant confirms that the demand for placement of children with an Education, Health and Care Plan in the Borough of Tonbridge and Malling significantly exceeds the provision available within the Borough. Data shows that Tonbridge and Malling has a high proportion of pupils (357) placed outside of the Borough or with no current placement. Less than half (approximately 41%) of the stated pupils resident in Tonbridge and Malling are currently being educated within the Borough. A key factor in this situation is the inability of Ridge View School to admit the required number of pupils in line with its designated number (the existing school has 112 pupils on roll but a designated number of 180) due to the complexity of the needs of its pupils and existing capacity constraints due to insufficient and substandard accommodation. The need for additional SEN places is further recognised by Central Government, who allocated £2.2 million of Targeted Basic Need Funding to enable to relocation and expansion of Ridge View School.
39. The provision of additional SEN places within Tonbridge and Malling is essential to ensure that pupils with Profound, Severe or Complex needs can be educated within the Borough in which they live. Continued inability to meet this demand will result in Tonbridge and Malling SEN pupils travelling long distances to be educated outside of their communities, away from their support networks. It is clear that Ridge View School, in its existing facilities, cannot admit the number of pupils that it is expected to, and that expansion of the School would significantly improve the current situation with regard to the shortfall of SEN places.
40. Based on the above, in my view, it is evident that a clear case of need for additional SEN places within Tonbridge and Malling exists. Much of the Borough is within the Metropolitan Green Belt and it needs to be borne in mind that the Green Belt covers a wide area where people live and that these people need local school facilities just as much as those outside of the Green Belt. The applicant has demonstrated that there is an existing shortfall of places within the Tonbridge and Malling area, and a future need

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which will be further outstripped by demand unless additional places are provided. Support for the provision of school places is heavily embedded in the NPPF and local Planning Policy, and I consider that the need for the development should be given significant weight in this instance. Having accepted a need for additional SEN places with the Tonbridge and Malling Borough, which can be provided by the expansion of Ridge View School, it is now important to consider development options.

Alternative Development Options

41. As part of the applicant's case of very special circumstances, alternative development options have been assessed and the applicant has concluded that there are three options - option 1 being to 'do nothing', option 2 being an extension or redevelopment on the existing site and option 3 being to relocate to a non-Green Belt or Green Belt location.
42. Option 1 would involve no expansion to Ridge View School and would see the existing school being maintained at its current level. The existing school accommodation is, however, undersized and not fit for purpose. Temporary classrooms have been on site for over 10 years, and such teaching spaces are highly inappropriate for use at a school for children with special educational needs as these children in particular require highly legible and well-designed open spaces. The existing school was also not purpose built as a SEN school, so is built over split levels and without the specialist teaching accommodation and care facilities that are required for modern needs. The existing site is at full capacity and cannot accommodate the additional places for which a case of need has been accepted.
43. Failure to expand or relocate the school would result in children with profound, severe and complex learning difficulties who live within the vicinity of the school having to be distributed elsewhere amongst the specialist schools in the County. This is considered not to be a reasonable option as it is likely to result in the travel distances of children increasing to unacceptable levels. At present travel times for children over 8 are set at a maximum of 1hr 15 minutes by Kent County Council, which refers to DfE guidance. For younger children it is 45 minutes. Ridge View School teaches children aged 5 to 19 years, so the 45 minute travel distance is a factor in alternative school selection (due to a lack of places available at Ridge View), meaning that only limited alternatives are available. Paragraph 72 of the NPPF considers that there should be 'sufficient choice of school places available to meet the needs of existing and new communities'. The 'do nothing' option would not meet current need, nor the predicted need, and so would not be in conformity with this significant government policy.
44. Option 2 would be to redevelop and/or extend Ridge View School on its existing site, located on Cage Green Road in north east Tonbridge. The site is shared with Cage Green Primary School, and High Christie Technology College is located to its immediate north. The shared campus is a key constraint in preventing expansion and/or redevelopment of the existing school as space is at a premium and shared between the schools.
45. The applicant further advises that the size of the existing site is not capable of accommodating any possible expansion. The approximate area of the existing Ridge View SEN School site is 1.6 hectares. This size is below the 2.7 hectares identified through Building Bulletins 98 and 99 as a suitable size for a SEN school, which includes the provision of a school building and adequate outdoor play facilities. It is also below the absolute minimum of 2 hectares used in the alternative site search submitted in

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support of this application. In addition, the site is already using temporary buildings due to a lack of space within the main building. Decanting of pupils to enable redevelopment would not therefore be practical (there is no space for further temporary buildings) as it would result in temporarily taking pupils off site and re-housing them at another location whilst extension work is undertaken. This would be highly disruptive for the pupils and not recommended for a school with such specialist requirements.

46. Having accepted that the existing site is not big enough to accommodate an extended or redeveloped school which could accommodate the needs of the existing Ridge View pupils and the additional SEN places required, relocation to an alternative site (option 3) is considered to be the only viable option. The applicant advises that an extensive site search was undertaken prior to submitting this application, which initially sought 2-3 hectare (minimum) sites within a 5 mile radius of the existing school site. A total of 47 sites were identified, 14 of which were located outside of the Green Belt.
47. Given that a non-Green Belt site would be a preferable development option, the 14 sites outside of the Green Belt were assessed for suitability first. However, all 14 of the sites were allocated as safeguarded land within Tonbridge and Malling's Development Plan, and were therefore unavailable. The remaining 33 sites were then assessed in terms of suitability. A further 20 sites were discounted due to being of insufficient size, incompatible land allocations or significant environmental constraints. This left 13 sites (all within the Green Belt) to be considered as part of the stage 3 alternative sites assessment.
48. The applicant advises that as all of the 13 remaining sites were within the Green Belt, it was important to assess the potential Green Belt impact so that they could be further shortlisted. The primary focus of planning policy is to create sustainable development and sites for development should therefore be located within or on the edge of urban areas to reduce the need to travel. In terms of Green Belt policy also, one of the main aims of including land within the designation is to prevent urban sprawl and protect openness. The 13 shortlisted sites were therefore assessed according to their proximity to the urban area, the potential impact that their development could have upon the openness of the Green Belt and any other obvious transport or access constraints. This further assessment reduced the 13 potential sites down to 5. These remaining 5 sites were further analysed on a qualitative basis and ranked in their order of preference. After analysis, the Yeomans site at Upper Haysden Lane was considered to be significantly preferable over the other 4 sites. The remaining 4 sites were ranked lower due to constraints such as proximity to heritage assets, topography and an elevated position within the wider landscape, openness, screening, and flooding risk.
49. The Yeoman's Field is therefore the applicant's preferred site for development for the following reasons:
 - Whilst the site is within the Green Belt it is in very close proximity to the urban confines of south-west Tonbridge;
 - The site is characterised by sports fields for use by the Judd School (educational use established);
 - The site is well screened in the local and wider landscape by enclosing hedgerows and mature trees;
 - Any development of the site would be viewed against the backdrop of the existing commercial uses (Haysden Highway Depot) and major A21 embankment to the immediate south; and
 - The site has an existing access and good access to the wider highway network.

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In addition, an agreement was been reached between the applicant and The Judd School for the re-provision of the sports pitches closer to the Judd School main site which made the Yeoman's site available for development. As previously stated (see paragraph 10) the proposed development is linked to a separate planning application that has been prepared by The Judd School for replacement and additional sports facilities at Lower Haysden Lane (Item D3 on these papers – application reference KCC/TM/0385/2015)).

50. In summary therefore, and having considered the above, I am satisfied that the applicant has taken all reasonable endeavours to locate to a less sensitive alternative site. The 'do nothing' approach is unacceptable given the case of need, redevelopment of the existing site is not feasible and/or practicable, and a lack of suitable alternative sites leads me to conclude that development of the Yeomans site is the only viable option in this instance. The site is available (subject to the provision of replacement sports facilities), suitable, deliverable and in the correct location to address the need for additional SEN places in the Tonbridge and Malling Borough. Moreover, the site has an established educational use, albeit as The Judd School playing fields. In light of the above, I consider the redevelopment of the application site to be the most appropriate solution in this instance. Having accepted the need for the development, and the suitability of the proposed application site, the following sections of this report will concentrate on the very special circumstances put forward by the applicant with regard to the redevelopment of the application site itself.

Wider Community and Sustainability Benefits

51. The applicant considers that the proposed development would lead to several demonstrable community benefits. A range of extended school facilities would be available including the playing fields, hydro therapy pool and school hall for use by groups and individuals outside of the school. Access would also be available to some of the classrooms for organised learning based courses which would be available for groups to use outside of school hours. The applicant further advises that the specialist sports and learning facilities to be provided as part of the new school would significantly improve the quality and range of services available in the local area which would be of benefit to the community around the new school site. Without the redevelopment of the Ridge View School these facilities would not be provided and could not be provided within the existing buildings and infrastructure on the existing site. Those elements of new development also form a critical part of the school redevelopment, upon which the success of the new school in delivering its educational model and accommodating the expansion in pupil numbers required rests. The two elements are, therefore, inextricably linked with the facilities available to the public only being delivered as part of the wider programme of school development which must include the elements of new build within the Green Belt.
52. With regard to the sustainability benefits, as previously discussed within this report, a large proportion of SEN pupils with the Tonbridge and Malling Borough currently have to travel some considerable distance to attend schools out of the Borough. That is unsustainable from an environmental perspective, as well as poor in terms of the social aspects of sustainability. The applicant considers that the reduced need to travel, in conjunction with the implementation of the School Travel Plan (to be discussed later in this report), would secure a highly sustainable development at both strategic and local levels.

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53. Although both of the above are positive attributes of the scheme as proposed, and do go some way to support the redevelopment of this Green Belt site, I do not consider that these benefits on their own would outweigh the presumption against inappropriate development within the Green Belt. I therefore consider that the impact of the development as proposed on the openness of the Green Belt needs to be addressed, which, in conjunction with the above, may collectively outweigh the harm to the Green Belt.

Impact on the Openness of the Green Belt

54. First, it is important to note that the site is well screened from public views by a mature hedgerow, mature trees and other forms of soft landscaping along all of the site boundaries, and the boundary planting of adjoining fields. The development proposals intend to enhance the boundary treatment, maintaining and improving this level of screening. However, openness of the Green Belt is described as an 'absence of development' irrespective of the degree of visibility of the land in question from public vantage points. Therefore, any physical development within the Green Belt, whether visible or not, would have some impact on the openness. Whether that impact is either acceptable or unacceptable is a matter of fact or degree based on the specifics of each case.
55. The application site is currently open playing field, with a small pavilion building and a single floodlight. The proposed development would, without question, introduce a new built form into the Green Belt. However, I consider that the proposed layout of the site has been carefully designed to maintain the openness of the Green Belt as far as practicably possible. The school building and the life skills building are proposed in the south west area of the site, adjacent to the Highway Depot buildings to the south, and an existing earth bund to the west. Not only would both offer a degree of screening, the siting of the school building adjacent to the depot buildings would minimise encroachment into the open areas of the site and, therefore, minimise encroachment into the Green Belt. Built development has also been kept to a minimum, with a two storey building proposed which reduces the footprint, and hard surfacing limited to the minimum required and all proposed within the southern section of the site, adjacent to existing built infrastructure. The northern half of the application site would be retained as green space/outdoor sports facilities, visually linking with the wider landscape and Green Belt beyond.
56. It needs to be borne in mind that protection of the Green Belt and the protection of landscape per se are two separate matters, although landscape impact can become a very special circumstance is assessing Green Belt openness. The County Council's Landscape Advisor has assessed the proposal and the accompanying Landscape Visual Impact Assessment, and concludes that the development has been designed to minimise impacts on the surrounding landscape, including the Green Belt. Whilst the development proposals would inevitably have some impact on the openness of the Green Belt, I consider that the new buildings, and associated car parking and sports/outdoor facilities, would be well contained within the immediate context of the application site, and that the impact of the proposals on the openness and functioning of the Green Belt would therefore be limited. It is also of note that the northern section of the site would remain undeveloped and open in nature, reducing the overall visual impact of the development on the character of the site and its surroundings. The contribution made by the site to the Green Belt would, in my view, be largely maintained by the proposed development, with the open area of the site retained to the north, and built development to the south where it adjoins the built development of Tonbridge.

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Summary – Very Special Circumstances/Green Belt Considerations

57. Overall, I accept the applicant's assessment and application of Green Belt Policy as set out in the submitted documentation, and I have considered this in the context of the Development Plan Policy and the NPPF. The development is inappropriate development for the purposes of Green Belt Policy consideration and is, therefore, by definition potentially 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 proposals has been carefully considered to help mitigate 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. However, if Members were minded to grant permission, the application would need to be referred to the Secretary of State for Communities and Local Government for his consideration before permission could be granted.

Siting, Massing and Design – Conservation Area, Wider Landscape and General Matters including Residential Amenity

58. Having accepted the siting and massing of the proposed facilities in Green Belt terms, the siting, massing and design must also be considered in terms of impact on the Lower Haysden Conservation Area, the wider landscape, and residential and local amenity. First, it is important to note that the school building would not only be well screened, but it would be well over 200 metres from local properties. I am more than satisfied that this degree of separation would ensure that the building itself would not have any negative impacts on the amenity of local residents. Concern is expressed over a loss/change of view, but that is not a material consideration in the determination of planning applications. Nevertheless the degree of existing screening, which is to be supplemented, would mean that views of the development would be limited in any instance.
59. Views of the development from the hamlet of Lower Haysden, which is a Conservation Area, do however need some consideration to assess the impact of the development on the character and appearance of the Conservation Area. The hamlet of Lower Haysden lies to the north west/west of the application site, with the closest residential property in Lower Haysden being approximately 250 metres away from the western site boundary. An earth bund also lies to the west of the southern half of the western site boundary which offers a significant degree of screening, in addition to the existing mature boundary planting.
60. The County Council's Conservation Officer considers that, although part of the application site can be seen from the Conservation Area, the proposed school building would be obscured from view by the existing earth bund. It is concluded that the proposal would have little impact on the setting of the Haysden Conservation Area, especially in considering existing and proposed planting/landscaping. I am therefore satisfied that the development would not have a negative impact on the character and appearance of the Conservation Area, nor would it adversely affect the setting of the Listed Buildings within the hamlet of Lower Haysden. In addition, I am satisfied that the proposal would have no impact on the High Weald Area of Outstanding Natural Beauty which lies to the south of the A21, and am further satisfied that wider landscape impacts would be minimal given the degree of screening and the proposed layout of the site.

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61. In my view, the school building would respect the character of the site, and would not detract from the overall quality of the surrounding area. The development is therefore, in my view, in accordance with the principles of Development Plan Policy and respects the character and appearance of the surrounding development in terms of scale, massing, design and appearance. The applicant has provided indicative details of external materials, as outlined in paragraph 16. However, in my view, it would be appropriate to seek further and final details of all materials to be used externally pursuant to condition, should permission be granted. Subject to the imposition of that condition, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the appearance or amenity of the locality and, therefore, would be acceptable.
62. Local residents have expressed concern that the development would set a precedent for the development of the adjoining fields but this is not a reason to refuse this application. Further, any development of adjoining land would be subject to planning permission, and any proposal would need to be considered on its own merits. However, I note that land adjoining the application site is not allocated/safeguarded within the Local Development Plan for future development, and any proposals for housing would be expected to consider allocated sites first.
63. Local residents have also expressed concern regarding potential light and noise pollution arising as a result of the development. First, with regard to lighting, as outlined in paragraph 24 of this report, external lighting would be limited to vehicle and access lighting, facility illumination and general feature lighting. The applicant advises that the proposed lighting strategy is to provide a balance between adequate external lighting for safe and secure operation of the school without unnecessary illumination or power consumption. However, no specific details have been provided regarding external lighting for the development. If permission is granted it would, therefore, be appropriate to require details by condition so that the type and position of any external lighting, including lighting of the building for security and wayfinding, and lighting of the car parking and access areas, could be controlled to ensure any potential nuisance from light pollution would be minimised. Subject to that condition, and in considering the degree of separation between local properties and the development and bearing in mind the existing street lighting, I am satisfied that the proposal would not have an adverse impact on local amenity with regard to lighting.
64. With regard to noise pollution, it is suggested that the development would generate noise pollution during school hours. First, it should be noted that any noise from the development would be set against existing background noise from the A21 and the operations at the adjacent Highway Depot. Secondly, the application site is a significant distance from local properties (over 200metres), and separated by fields, tree planting and hedgerows, and Upper Haysden Lane/Brook Street. Lastly, a SEN school would typically not generate as much noise as a mainstream school due to a lower school role and the supervised nature of outdoor play and activities. However, any noise would be limited to break times throughout the school day in term time only, and would not be a constant source. I am more than satisfied that the development would not generate noise at a level that would be detrimental to the amenity of local residents.
65. Lastly, concern is raised that the A21 and the Highway Depot could affect pupils at the proposed school. Tonbridge and Malling Borough Council also request that the County Council considers the potential for an acoustic barrier to be installed along the northern boundary of the A21 to assist in minimising road traffic noise in the local area. First, the applicant has submitted Acoustic Reports which assess the impact of the A21 and the

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Highway Depot on the internal and external school environments. Both are found to be acceptable, and there is no requirement for further mitigation over and above the measures already included within the school design. There is, therefore, no justification or requirement for an acoustic barrier to be provided by the applicant along the northern section of the A21.

Parking, Access and Highway issues

66. Local residents express concern over the ability of the local highway network to accommodate the additional traffic associated with the proposal. As listed in paragraph 30 of this report, local residents state that the local roads are already at capacity, with K College, The Judd School and Hayesbrook School already accessed via Brook Street. It is further stated that parents/staff would park in local roads, blocking access for residents, and that the development would put existing road users at risk and increase the risk of accidents. Tonbridge and Malling Borough Council also require the County Planning Authority to be satisfied that the traffic impacts would not be assessed as severe and thus would meet the tests set out in the NPPF.
67. First, the ability of the local road network to accommodate the school must be considered and assessed. The purpose built school would accommodate 180 pupils and 185 staff, and as a SEN school would not operate in the same way as a mainstream school would in terms of pick up and drop off arrangements. A significant number of the pupils (approximately 94%) would be transported into the school site by Local Education Authority Transport or by parents/carers, unlike mainstream schools where a higher percentage of pupils walk/cycle or use shared/public transport to travel to School. It should also be noted that pupil numbers are considerably lower than that that would be expected even at a typical primary school. The Transport Statement submitted with this application calculates that the proposed development would generate a total of 205 vehicle movements during the morning peak (144 in and 61 out) and 175 movements across the afternoon peak (66 in and 109 out). Following a detailed assessment of the local highway network, including local junctions, the submitted Transport Statement concludes that the proposed school would not detrimentally impact on the existing morning and afternoon highway peak periods.
68. Kent County Council Highways and Transportation raise no objection to this application and are satisfied that the local highway network can accommodate the traffic movements associated with the school. Although I appreciate that local roads are well used, especially in considering the presence of other educational establishments in the immediate locality, the applicant has successfully demonstrated that the highway network can accommodate the additional movements that the proposed development would generate, and the Highway Authority has accepted this. I therefore am satisfied that the development would not have a significantly detrimental impact upon the capacity of local roads and/or local junctions. Having accepted this, the specific access arrangements need to be considered and assessed.
69. As outlined in paragraphs 17 and 18 of this report, the proposed school would be accessed via the existing site entrance which currently serves Haysden Highway Depot and access to the application site. The access road would be improved and upgraded to allow two-way traffic flow into and out of the site. The upgraded access road would be 6.6 metres in width throughout its length, in addition to a 1.8 metre wide footway proposed to the northern side of the road, which would link to a footway to be constructed along the western side of Upper Haysden Lane on the existing grass verge. A dropped kerb and tactile paving pedestrian crossing would then be provided to link

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the footway with the wider footpath network located to the east of Upper Haysden Lane/Brook Street.

70. Vehicular access and drop-off are proposed via the upgraded site access road, with a total of 155 parking spaces to be provided on site, and an additional 5 mini bus spaces. A 42 space staff car park is proposed to the south of the access road, with the remaining 108 spaces (including 15 disabled spaces) proposed in the main car park located to the front of the school building, to the south east of the application site. That main car park would be for staff and visitor use, and is designed to also form a one way loop arrangement, requiring all vehicles to take the longest path around the car park. That 'loop' would enable approximately 40 vehicles to wait in line on site to use the pupil drop-off and pick-up area which would be located along the frontage of the school building. Due to the nature of the school, pupils would be dropped off on-site, and not in local roads as is often the case with mainstream schools. The applicant is proposing sufficient space on site to accommodate vehicles associated with the school, and it is not expected that on street parking would occur as a result of the school. Subject to the imposition of a condition requiring the pedestrian and vehicular access, car parking, pick up/drop off and circulation spaces to be provided prior to occupation of the school, and thereafter be retained, I do not consider that the development would lead to undue on street car parking or have an unacceptable impact on the local highway network.
71. With regard to the site access, concern is expressed by local residents that the access is dangerous, with vehicles from the south approaching at the national speed limit, with a bend in the road and the A21 underpass. Residents are also concerned about the danger of a shared access with the adjacent highway depot. First, the operators of Haysden Highway Depot (Amey on behalf of Kent County Council Highways Transportation and Waste) were consulted on this application and have liaised with the applicant to ensure that the site access is safe and would work operationally for both the depot and the school. The width of the access road, the radii of the kerb line, hatching within the access road to prevent parking/blocking of the road, provision of adequate sightlines and the extension of the speed limit (to be discussed below) are all considered acceptable by the depot operators in ensuring that depot and school traffic would not conflict. Further negotiations with the depot operators would be required throughout construction, should permission be granted, and this would be included within a Construction Management Strategy (required pursuant to condition and discussed later in this report). Highways and Transportation are also satisfied that the shared access arrangements are satisfactory, subject to the provision of 'Give Way' markings at the junction of the main car park to give priority to vehicles on the shared access road. Should permission be granted, I consider it appropriate to require the provision of the 'Give Way' markings pursuant to condition. Given that both the applicant and the depot operators are satisfied that safe access could be provided to both the depot and school in the event that permission is granted, and that Highways and Transportation have no objections subject to the provision of 'Give Way' markings, I consider the shared access arrangements to be acceptable in this instance.
72. Lastly, the safety of the access point needs to be considered. Currently, a 40mph speed limit extends along Brook Street/Upper Haysden Lane and ends to the immediate south of the existing access road into the application site, beyond which the speed limit becomes national. However, a Memorandum of Understanding was submitted with this application to confirm that the applicant would pay all reasonable costs to fund the relocation/extension of the existing 40mph speed limit. The applicant is proposing to fund an extension of the 40mph limit to the south of the A21 overpass, to an exact location to be agreed as part of a separate Traffic Regulation Order (TRO) process.

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Such a speed limit extension would improve the safety of the access considerably, and is supported by Highways and Transportation. In addition, a dedicated right turn lane, as requested by a local resident, would not be required or appropriate in this instance due to the limited width of the road to accommodate such infrastructure, and the reduced speed limit making right turns into the site both easier and safer.

73. Highways and Transportation raise no objection to this application subject to the applicant's further engagement with the Highway Authority to extend the 40mph speed limit, including implementation of an interactive speed limit sign and a side road ahead sign as advised in the Stage 1 Road Safety Audit. This work should be undertaken in accordance with the County's adopted 3rd party Traffic Regulation Order (TRO) procedure and carried out in parallel to construction of the development, should it be approved. I consider that, should permission be granted, a condition of consent should require the applicant to further engage with Highways and Transportation to ensure that their requirements are met. An informative would also advise the applicant on the TRO procedure.
74. The County Council's School Travel Plan Advisor suggests that the School complete a Travel Plan (via the County Councils Jambusters System) for submission 6 months from the date of occupation. Should permission be granted, this matter would be covered by planning condition. Tonbridge and Malling Borough Council consider that the County Council should require the extension of the 40mph speed limit and the submission of a School Travel Plan. The conditions outlined above would therefore also satisfy the requirements of the Borough Council.
75. In light of the above, and in considering the views of Highways and Transportation, I am of the opinion that the proposed development would not have a significantly detrimental impact on the local highway network. However, access (vehicular and pedestrian), car parking, pick-up and drop-off, vehicle loading/unloading, circulation and turning facilities on site should be provided prior to occupation of the building and thereafter be retained. In addition, should permission be granted, I also consider that a School Travel Plan should be submitted within 6 months of the date of occupation of the development, and that 'Give Way' markings should be provided and the 40mph Speed Limit extended. Subject to the imposition of conditions covering these matters, I am satisfied that the development would not have an unacceptable impact on the surrounding highway network.

Loss of playing field/ Open Space Policy

76. As outlined in paragraphs 1 and 3 of this report, the application site is currently used by The Judd School as playing field and, as a result, the site is designated as protected open space (Policy OS1) within Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010. Policy OS1 states that development which would result in the loss of designated open spaces would not be permitted unless a replacement site is provided which is equivalent or better in terms of quantity, quality and accessibility. The Borough Council, in commenting on this application, consider that the County Council should secure the replacement of protected open space with new sporting facilities which offer equivalent or better playing field provisions in a suitable location or alternative sporting provisions, the need for which clearly outweighs the loss of Yeoman's Field. The use of a development phasing restriction, to be agreed with Sport England, should ensure that the replacement open space is delivered by a key milestone. First, the need for this development, and the lack

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of suitable alternative sites, has been considered and accepted within the Green Belt section of this report, so we must now address the securing of replacement facilities.

77. As outlined in paragraphs 9 and 10 of this report, Members of the Planning Applications Committee considered an application for 'change of use from agricultural land to playing field to serve the Judd School, together with associated ancillary development including access, parking and hard landscaping works' at land off Lower Haysden Lane, Tonbridge, on the 8 April 2015. That application (KCC/TM/0435/2014) was subsequently granted planning permission, and the development is currently underway. That application covered a 10.5 hectare (26 acre) area of land so change of use to playing field is established for the whole site. However, the site was split into two, known as Vizard 1 and Vizard 2, and that application only proposed the physical development of Vizard 1. As part of the mitigation for the loss of playing field that would occur should this application (the subject of this paper) be permitted, an application has been submitted to develop the eastern half of the Lower Haysden Lane site (Vizard 2). That application (KCC/TM/0385/2015) is Item D3 on these papers and proposes to provide the following:
- 1 grass senior rugby pitch;
 - 1 grass junior rugby pitch;
 - 1 grass training pitch;
 - 1 floodlit synthetic pitch (with restricted non-school use);
 - 1 hammer cage;
 - 1 cricket square plus all weather wicket; &
 - a single storey changing room block.
78. Sport England have been consulted on both this application and application reference KCC/TM/0385/2015 (replacement and improved facilities at Lower Haysden Lane). Sport England support application reference KCC/TM/0385/2015 subject to conditions, as detailed within the report for Item D3 on these papers. The replacement and improved facilities proposed at Lower Haysden Lane would not only mitigate for the loss of the facilities available at Yeoman's (should permission be granted for the replacement Ridge View School), but would provide improved facilities including a floodlit all weather pitch and a changing room building. I am therefore more than satisfied that, subject to the approval of application reference KCC/TM/0385/2015, the requirements of Policy OS1 of Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010 would be met in that replacement facilities would be better in terms of quality, quantity and accessibility.
79. Further, Sport England are satisfied that the replacement sporting facilities to be provided at Lower Haysden Lane (subject to planning permission) would sufficiently mitigate for the loss of the pitches available at the Yeomans site and, therefore, raise no objection to this application. I am advised by the applicant that should permission be granted to relocate Ridge View School to the Yeomans site, works would commence in July 2016, at the end of the Summer school term. Upon the start of the Autumn term replacement sports facilities would need to be available for The Judd School. I therefore consider that, should permission be granted, a condition of consent should be imposed ensuring that this development (the development of the Yeomans site for the relocated Ridge View School) does not commence until the replacement sports facilities at Lower Haysden Lane have planning permission and funding is secured to start works. Should those facilities receive planning permission, a condition on consent reference KCC/TM/0385/2015 would require Phase 1 of the development (the floodlit pitch) to be completed by 1 September 2016 (with the remainder of the development (Phase 2) to be completed by 1 September 2018). The floodlit pitch is considered to more than

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compensate for the loss of the existing facilities at Yeomans, and I am further advised that the grass pitches at Vizard 1 would be available for use by September 2016 also. Subject to the imposition of this condition, namely that development at Yeoman's does not commence until such time as planning permission is granted for replacement sports facilities and funding secured, and in considering the conditioned phased provision of the replacement facilities, I am more than satisfied that this development would not result in a loss of sports facilities. Such a condition would also satisfy the terms of Sport England's required condition, in that Phase 1 of consent reference KCC/TM/0385/2015 would be complete and works on Phase 2 commenced prior to occupation of the replacement Ridge View School facilities.

Landscaping and Biodiversity

80. In addition to the wider landscape implications of the proposals, as discussed above, the localised impact of the proposals on existing trees and hedging needs to be considered. A Tree and Hedgerow Survey was submitted with this application, which confirms that one tree and a small section of the hedgerow adjacent to the site access is proposed to be removed to provide appropriate and acceptable access arrangements, including sight lines. The remainder of the site boundary planting would be retained and protected throughout the works, and should permission be granted such protection would be covered by a condition of consent. In addition, the hedgerows surrounding the site would be supplemented, and additional planting is proposed across the application site to soften the appearance of the development and for educational/amenity purposes. Should permission be granted, I consider that details of a landscaping scheme should be submitted for approval and, subject to that condition and appropriate tree protection of the retained boundary hedgerow and trees, am satisfied that the development would not have an unacceptable impact on existing hedgerows and trees. In addition, the 2 metre high green weld mesh boundary fencing proposed is considered acceptable, and a condition would require the fencing to be erected in accordance with the submitted details.
81. The County Council's Biodiversity Officer has been consulted on this application and has no objection, subject to the imposition of conditions. The submitted Ecological Scoping Surveys conclude that no further survey work is required, but make a number of recommendations which should be followed prior to and during construction works. Subject to the imposition of a condition requiring that the recommendations and precautionary mitigation methods detailed within the Scoping Survey be followed prior to and throughout the construction period, I do not consider that the development would have an adverse impact upon protected species. In addition, details of ecological enhancement measures, including the planting and management of the swale, would be required as part of the landscaping scheme which would be submitted pursuant to condition, should permission be granted. Subject to the imposition of these conditions, I see no reason to refuse the application on the grounds of ecology.

Drainage

82. With regard to drainage, the applicant advises that foul and surface water would be drained via separate systems within the curtilage of the site, and in both cases, would need to be pumped to the existing Southern Water sewer networks in Upper Haysden Lane. The applicant further advises that Southern Water records have indicated there are existing separate public foul and surface water sewer networks in Upper Haysden Lane which are available for the discharge of foul and surface water from the proposed

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development and that separate applications would be required for each connection from the development.

83. Southern Water raises no objection to this application, and confirm that they are happy to provide surface water disposal at the pumped flow rate proposed. The County Council's Flood Risk Team/SuDs Officer also raises no objection to the application subject to confirmation from Southern Water that they are happy to accept the proposed discharge rates and that the detailed design is verified by the submission of additional details pursuant to condition. Therefore, should permission be granted, conditions would require the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Sustainable Surface Water Drainage Scheme. In addition, a further condition would ensure that there was no infiltration of surface water drainage into the ground other than with the express written consent of the County Planning Authority. Subject to the imposition of these conditions, I am satisfied that surface water drainage matters would be adequately addressed.
84. However, Southern Water confirm that with regard to sewerage additional local infrastructure would need to be provided by the applicant as the existing Southern Water network could not accommodate the needs of the application. The applicant has agreed to provide or fund, as appropriate, the necessary off-site foul and surface water infrastructure to connect the new site to the existing drainage networks, including any required capacity improvements. Southern Water require the submission of a drainage strategy detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable to be submitted prior to the commencement of the development. Further informatives regarding agreements and applications between the applicant and Southern Water are also required. Subject to the imposition of the required condition, and subsequent agreement with Southern Water regarding the works to be provided, I am satisfied that the development would have acceptable sewerage disposal.

Community use

85. The applicant is proposing that a range of extended school facilities would be available for use by groups and individuals outside of the school including the playing fields, hydro therapy pool and school hall. Access would also be available to some of the classrooms for organised learning based courses which would also be available for groups to use outside of school hours. However, community use would not be extensive, and would be more associated with the wider use of the specialist facilities on site, such as the hydro pool. Tonbridge and Malling Borough Council considers that the County Council should require the submission of a community use agreement to set out the times and management regimes of such use, being mindful of local amenity. I also consider that further details of community use should be provided, but would not wish to impose the onerous requirement of a formal community use agreement (legal agreement between various parties) on the School, considering the limited levels of community use proposed. I therefore consider it appropriate that the school submit further details of community use pursuant to condition, setting out hours of use and levels of use expected (indoor and outdoor), but that a formal agreement is not necessary in this instance.

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

Sustainability

86. As outlined in paragraph 25 of this report, sustainable design has been integrated into the building concept with low carbon emissions being a key aim. Although the development would not be formally assessed specifically under BREEAM, the proposed scheme has been designed to meet the equivalent of a BREEAM rating of 'Very Good'. An area on the roof plan has been identified for an array of photo-voltaics (PVs), and the applicant has incorporated passive ventilation and cooling into the design of the building, and electrical and water systems would be designed to limit wastage. All timber used in the building would also be sustainably sourced and Sustainable Drainage principles are proposed with the inclusion of a swale and filter drain. In considering the sustainable design credentials of the proposed building, including the provision of an array of PVs, I am of the opinion that the building design is sustainable and require no further details in that regard.

Construction matters

87. Local residents have expressed concern regarding disruption and noise resulting from the construction of the development. Unfortunately, construction activities can be disruptive, and there is a potential for some noise and other issues during the construction of the development. However, this is not a reason to refuse a development. Instead, controls should be applied to minimise the disruption and to protect as far as practicably possible the amenity of local residents.

88. Given that there are nearby residential properties and the adjacent Highway Depot, I consider it appropriate that details of a full Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid conflict with the Highway Depot activities, and details of any construction accesses. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter need to be undertaken in accordance with the approved strategy.

89. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

90. 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, the provision of replacement playing field and sports facilities, and the impact of the development on the highway network, heritage assets and local amenity. 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 impact of the development on this part of the Green Belt, and its functioning. Further, the applicant has proposed replacement playing field provision (item D3 on these papers KCC/TM/0390/2015), and this development would not proceed until such time as the provision of those playing fields is secured and funds in place to enable that

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

development commence. 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 local highway network or the amenity of local residents, and would accord with the principles of sustainable development as set out in the NPPF and Development Plan Policies. In addition, support for the provision of school places is heavily embedded within the NPPF and local planning policy, and this development would satisfy a required need for replacement and additional SEN places in the Tonbridge and Malling area. 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 and the Policy Statement - Planning for Schools Development. Therefore, I recommend that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, permission be granted subject to appropriate conditions

Recommendation

91. I RECOMMEND that the application BE REFERRED to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- the standard 5 year time limit for implementation;
- the development to be carried out in accordance with the permitted details;
- development not to commence until such time as replacement playing field provision is secured and funds in place to enable that development commence;
- development shall not be occupied until Phase 1 of permission KCC/TM/0385/2015 has been built and made operational for use; and development has commenced on Phase 2 of permission KCC/TM/0385/2015;
- the submission and approval of details of all materials to be used externally;
- the submission and approval of details of all external lighting, including hours of operation;
- Boundary fencing to be provided in accordance with the submitted details (2m high green weld mesh);
- the submission and approval of a scheme of landscaping, including details of additional tree planting, soft landscaping, hard surfacing, ecological enhancements, and planting and maintenance of the swale, and its implementation & maintenance;
- tree protection methods to be adopted to protect boundary hedgerows and trees to be retained;
- development to accord with the recommendations and precautionary mitigation methods detailed within the submitted ecological surveys/reports;
- the submission and approval of further details of community use relating to use of the indoor and outdoor facilities, including hours of use;
- the submission and approval of a Travel Plan within six months of occupation, and thereafter ongoing monitoring and review;
- provision and retention of car parking, access (vehicular and pedestrian), pick up/drop off, circulatory routes and turning areas;
- provision of 'Give Way' markings at the junction of the main car park and the shared access road;
- extension of the 40mph speed limit and ongoing engagement with the Highway Authority to provide the required signage etc;

New two storey Special Educational Needs School with associated car parking & landscaping at Upper Haysden Lane, Tonbridge - TM/15/3954 (KCC/TM/0390/2015)

- the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Scheme;
- no infiltration of surface water drainage into the ground other than with the express written consent of the County Planning Authority;
- submission of a drainage strategy detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable;
- the submission and approval of a construction management strategy, including details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid conflict with the Highway Depot activities, and details of any construction accesses;
- measures to prevent mud and debris being taken onto the public highway.

92. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:

- The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained, including a Traffic Regulation Order.
- The applicant's attention is drawn to the letter from Southern Water in which details are provided with regard to the relevant approvals required by the applicant, in addition to general advice and guidance.

Case officer – Mary Green	03000 413379
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Background documents - See section heading
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Provision of playing fields, including a floodlit synthetic pitch and pavilion building at Lower Haysden Lane for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

A report by Head of Planning Applications Group to Planning Applications Committee on 9 March 2016.

Application by Kent County Council as Education Authority and The Judd School for the relocation of The Judd School's outdoor playing pitches at Yeomans - comprising 1 x grass senior rugby pitch, 1 x grass junior rugby pitch, 1 x grass training pitch, 1 x floodlit synthetic pitch (with restricted non-school use), 1 x hammer cage, 1 x cricket square plus all weather wicket and a single storey changing room block and associated landscaping works at land off Lower Haysden Lane, Tonbridge – TW/15/3918 (KCC/TM/0385/2015)

Recommendation: that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, planning permission be granted subject to conditions

Local Member: Mr C. Smith and Mr R. Long

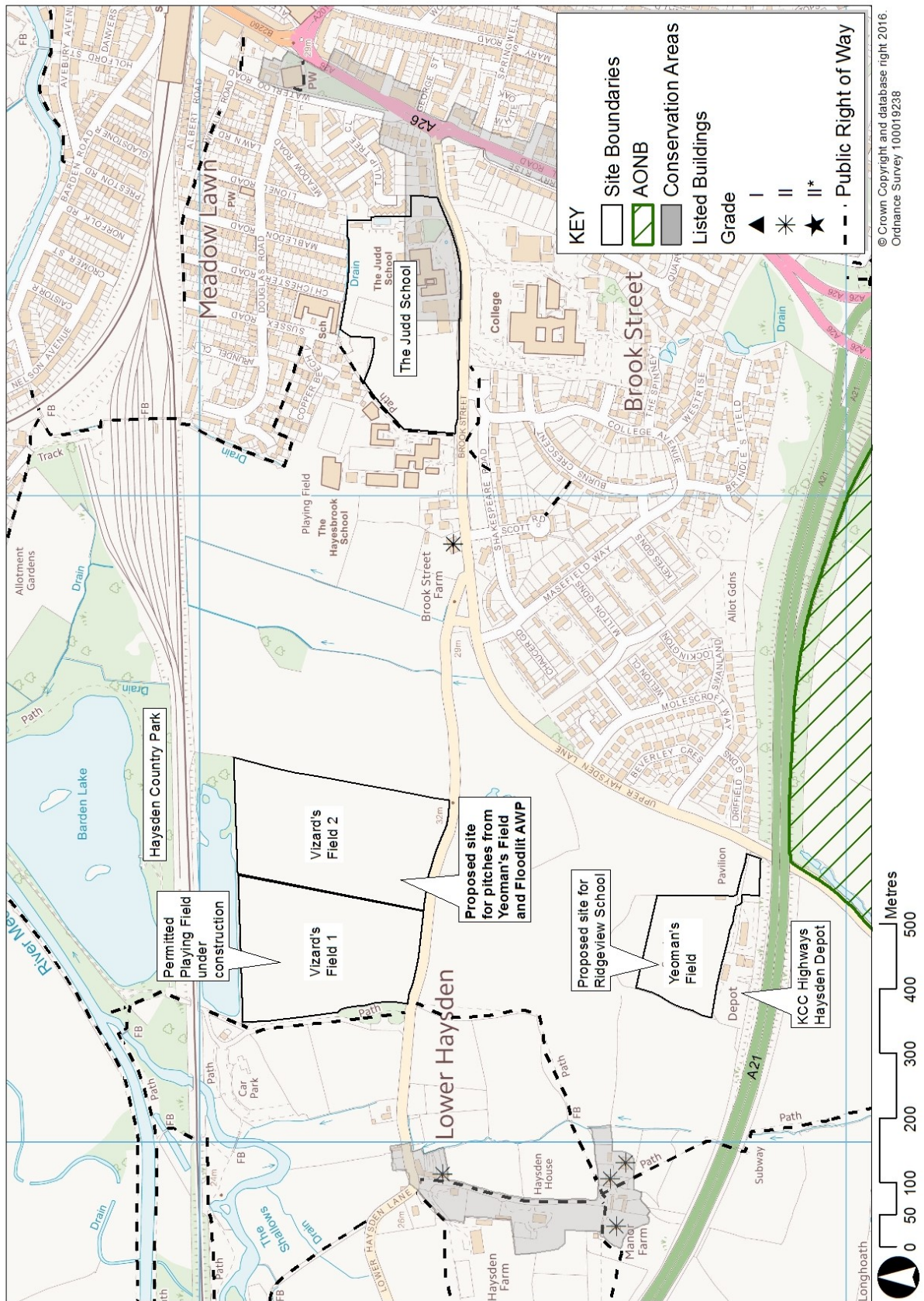
Classification: Unrestricted

Site

1. The Judd School is located to the north of Brook Street, to the south west of Tonbridge town centre. The school is a voluntary aided Boys Grammar School, with 1038 students at the current time. The application site is located approximately 850 metres to the west of Judd School, accessed via Lower Haysden Lane, and measures approximately 5 hectares in area (12.3 acres). The application site, which is rectangular shaped and relatively flat, comprises agricultural land (pasture) entirely within Judd School's freehold ownership for which change of use to playing field was established under application reference KCC/TM/0435/2014 (see paragraph 6 for further background information). The site boundaries are formed of mature hedgerows, with further open agricultural land to the east, Lower Haysden Lane and further agricultural land to the south, land currently being drained and levelled for playing field (approved under consent reference KCC/TM/0435/2014) and the access road to Haysden Country Park to the west. To the immediate north of the application site lies Haysden Country Park, a designated Local Nature Reserve, which incorporates fishing lakes and parkland. The hamlet of Lower Haysden, which is a designated Conservation Area which contains a small number of Listed Buildings, lies to the south west/west of the application site with the closest residential property being approximately 350metres (0.2 miles) away from the western site boundary. The closest properties to the east of the application site are approximately 400metres (0.25 miles) from the eastern site boundary.
2. The application site is within the Metropolitan Green Belt. In addition, the entire site (excluding the south east corner) falls within Flood Zone 2, and a very small area of the north west of the site falls within Flood Zone 3. The River Medway lies approximately 280 metres to the north west of the application site at its closest point, and sites within Flood Zone 2 and 3 represent locations where there is a 'medium' and 'high' risk of flooding respectively. It should be noted that a large proportion of the fields to the east of the application site, between the site boundary and the boundary the urban area of Tonbridge, are designated as 'Safeguarded Land' under Policy CP4 of the adopted Core Strategy. 'Safeguarded Land' is excluded from the Green Belt so that they could remain available to meet the long term development needs of the area. In this case, the sites will not be released before 2021, and only then if there is a shortfall in housing land relative to housing targets.

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Site Location Plan



Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Proposed Site Layout



P1	First Issue	AP	ZM	05.11.15	
rev	description		drawn	checked	date

PRELIMINARY

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The Judd School
 Tonbridge
 Changing Room Block

Kent County Council

Site Plan

bba internal project reference scale(s) @A3
 15-176 1:1250

drawing / document name :
 project - originator - zone level type code number

JSP - BBA - Z0 - ZZ - DR - A - 01001

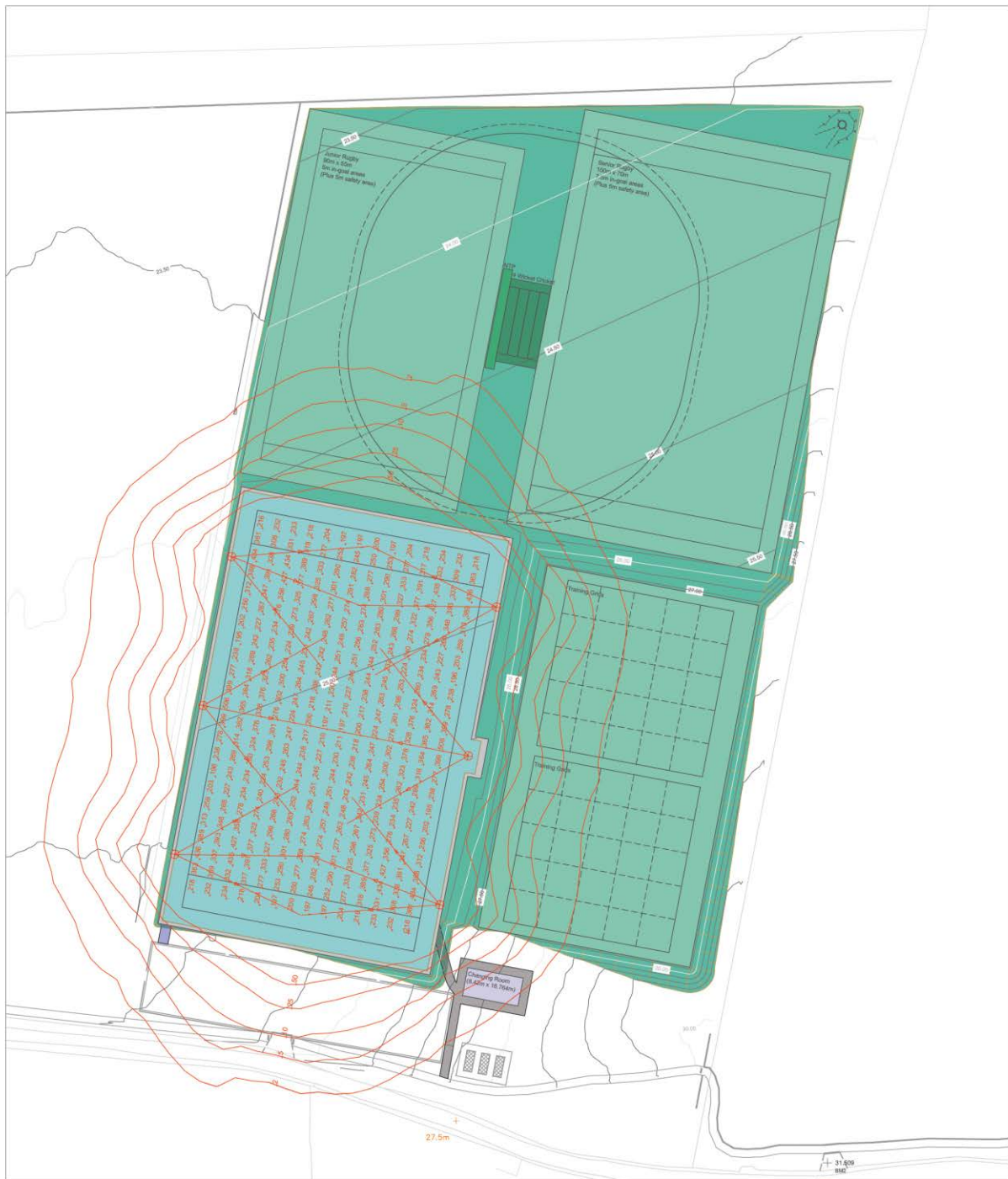
stability : code description
D5 ISSUED FOR PLANNING APPROVAL

revision : code description
P1 PRELIMINARY

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Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Proposed Site Layout



LEGEND
 Major Contours - 2m Intervals
 Minor Contours - 50cm Intervals
 Isolines

Revisions			
Rev	Date	Description	Drawn By

Notes:
 1) OS Mastermap background mapping data.
 2) Luminance plan from Abacus Lighting Ltd - UKS11527 Judd School - External Floodlighting drawing

Drawing Title
Luminance Drawing

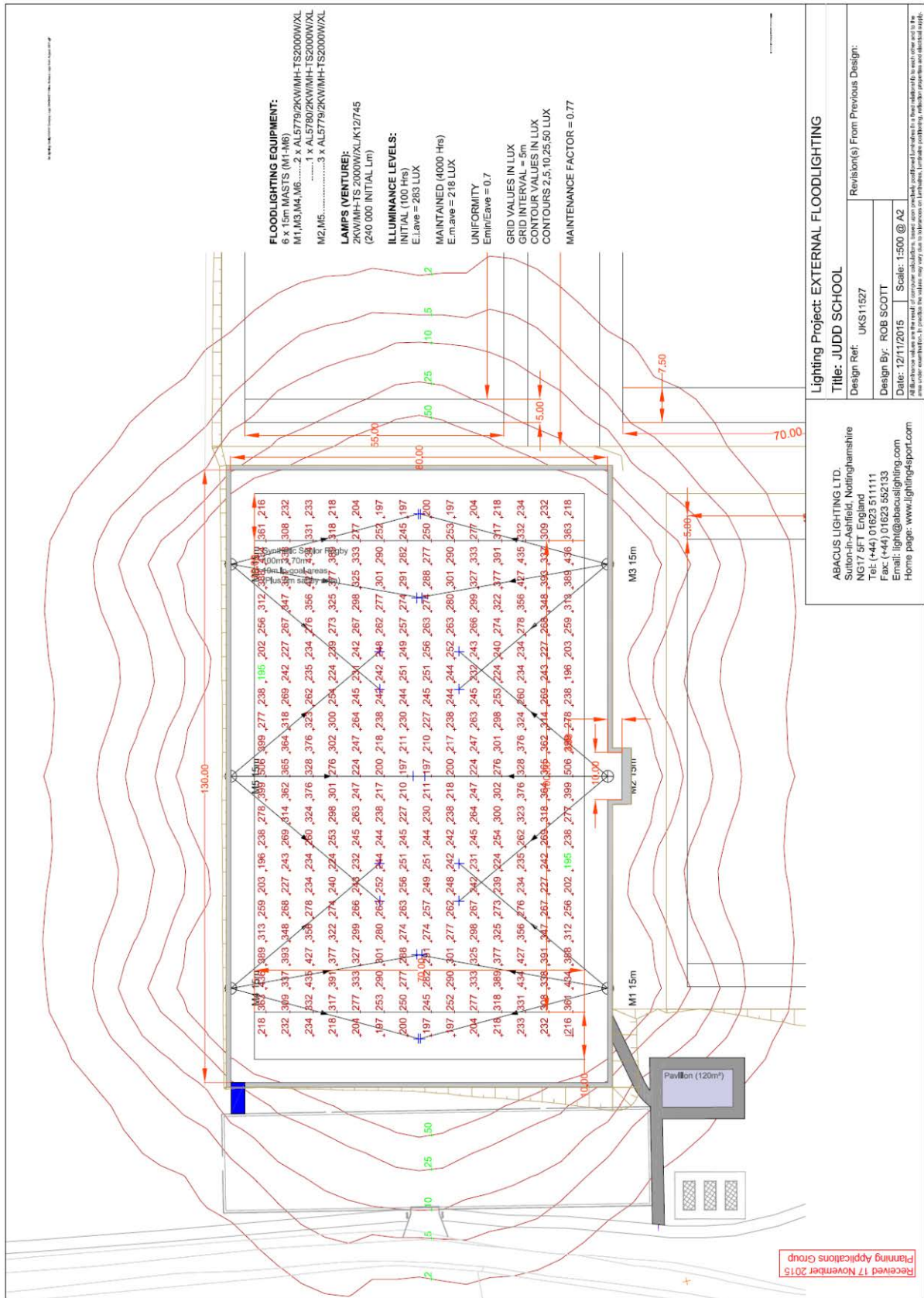
Project : The Judd School - Vizards 2
 Client : The Judd School
 Consultant : Andy McLeod

Date : 12/11/2015
 Drawing Status : Design
 Scale : 1:750
 Paper Size : A2
 Drawn by : MP
 Checked by : AM
 Approved by : AM

Drawing Number : TGMS-0866.8-12
 Revision : 0

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Lighting Levels



Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)


Changing Room Building Elevations

P1	First issue	AP	ZM	05.11.15
rw	description	drawn checked date		

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PRELIMINARY




The Judd School
Tonbridge
Changing Room Block
Kent County Council


bba internal project reference		scale(s) @ A3	
15-176		1:2,61, 1:4,44	
drawing / document name :			
project	originator	zone level type role number	
JSP	BBA	Z0 - ZZ - DR - A	00003

revision	code	description
D5		ISSUED FOR PLANNING APPROVAL
P1		PRELIMINARY


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3 East Facade



4 Aerial North East Corner



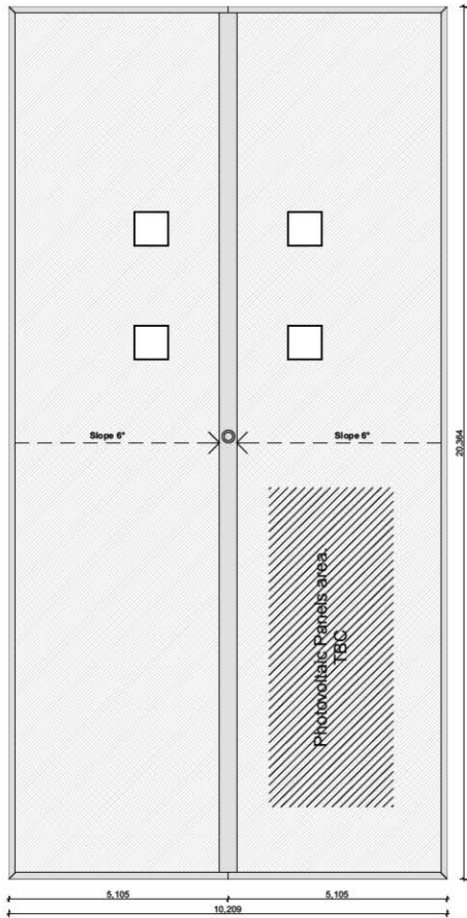
1 South West Corner



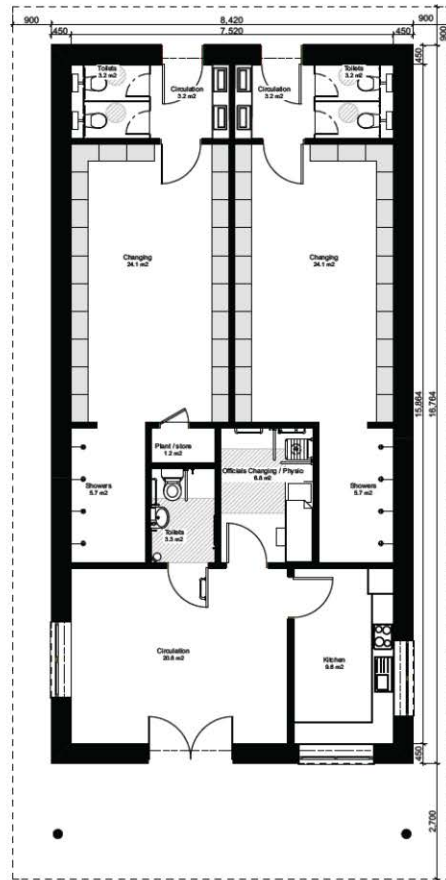
2 Aerial South West Corner

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Changing Room Building Floor Plan



Roof Plan



Ground Floor Plan

P1	First Issue	AP	ZM	05.11.15	drawn	checked	date
<p>PRELIMINARY</p> <p>Bond Bryan Architects versa's house 95 high street westsaham TN16 1RE t: +44(0)1959 567300 w: www.bondbryan.com f: n/a b: @bondbryan e: thejuddschool@bondbryan.co.uk</p> <p>The Judd School Tonbridge Changing Room Block</p> <p>Kent County Council</p> <p>Floor Plans</p> <p>bbs internal project reference: scale(s) @ A3 15-176 drawing / document name: project: originator zone level type role number JSP - BBA - Z0 - ZZ - DR - A - 02001 suitability: code description</p> <p>D5 ISSUED FOR PLANNING APPROVAL revision: code description P1 PRELIMINARY</p> <p><small>The document is © Bond Bryan Architects Ltd. If in doubt, ASK. Drawing measurements are for information only and should not be used for construction. The document shall be read in conjunction with associated models, specifications and related consultant's documents.</small></p>							

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

3. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan. The site is not within any other landscape or planning designations.
A site location plan is attached.

Background and Relevant Planning History

4. Judd School currently make use of its on-site playing field, as well as an off-site playing field known as Yeomans located approximately 900metres (0.6 miles) to the south west of the school. The Yeomans playing field belongs to Kent County Council and has been used by Judd School since the 1930's to provide additional outdoor recreation space over and above that available on the main school site. The Yeomans playing field currently provides Judd School with two senior rugby pitches, two artificial cricket wickets with overlapping boundaries and a hammer circle. A small pavilion building is also located in the south east corner of the site with changing rooms, toilets, kitchen and store. A single floodlighting column is also located in this corner of the site.
5. Item D2 on these papers considers an application to provide a new purpose built Special Educational Needs (SEN) school on the Yeomans site, to provide replacement accommodation for Ridge View School (KCC/TM/0390/2015). As part of the mitigation for the loss of playing field that would occur should that application be permitted, this application has been submitted which proposes replacement and additional sporting facilities.
6. Members of the Planning Applications Committee considered an application for 'change of use from agricultural land to playing field to serve the Judd School, together with associated ancillary development including access, parking and hard landscaping works' at land off Lower Haysden Lane, Tonbridge, on the 8 April 2015. That application (KCC/TM/0435/2014 (TM/15/121)) was subsequently granted planning permission, and the development is currently underway with an expected completion in autumn 2016. That application covered a 10.5 hectare (26 acre) area of land so change of use to playing field is established for the whole site. However, the site was split into two, known as Vizard 1 and Vizard 2, and that application only proposed the physical development of Vizard 1 (the western half) to provide the following:
- 2 grass senior rugby pitches;
 - 2 grass junior rugby pitches;
 - 1 cricket pitch (capacity for up to 8 wickets);
 - Cricket nets;
 - Access and car parking.
7. This current application (KCC/TM/0385/2015) proposes to develop the eastern half of the site (Vizard 2) to provide the following:
- 1 grass senior rugby pitch;
 - 1 grass junior rugby pitch;
 - 1 grass training pitch;
 - 1 floodlit synthetic pitch (with restricted non-school use);
 - 1 hammer cage;
 - 1 cricket square plus all weather wicket;
 - a single storey changing room building.
8. Recent planning applications at the Judd School include the following:

TM/15/554 – Expansion from 4 to 5 FE, including the erection of a new classroom block.
TM/12/629 – Construction of a new car park and refuse/recycling enclosure.

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

- TM/09/1913 – Widening of western vehicle access and replacement gates.
- TM/07/3622 – Two mobile classrooms at the back of the Sports Hall.
- TM/06/3847 – Two metal storage units at one office unit.
- TM/06/3682 – New mathematics and geography building containing 12 classrooms.
- TM/06/1325 – Synthetic surfaced multi use games area.
- TM/05/3315 – Widening of existing driveway and repositioning of existing car parking.

Proposal

9. This application proposes the development of an area of land for which change of use from agricultural land (currently pasture) to recreational playing field to serve the Judd School has already been permitted (see paragraph 6). As outlined above, the application site is located approximately 850 metres/929 yards to the west of Judd School, accessed via Lower Haysden Lane, and measures approximately 5 hectares in area (12.3 acres). Adjoining land to the west (Vizard 1) is already being developed as playing field, and the approved access and car parking to serve that facility is located to the direct south of the application site. This application is proposing the provision of the following on Vizard 2:
 - 1 grass senior rugby pitch;
 - 1 grass junior rugby pitch;
 - 1 grass training pitch;
 - 1 floodlit synthetic pitch (with restricted non-school use);
 - 1 hammer cage;
 - 1 cricket square plus all weather wicket;
 - a single storey changing room building.

Access and car parking, including pedestrian access

10. Access and car parking would remain as approved under consent reference (KCC/TM/0435/2014 (TM/15/121)), with no additional access points or car parking proposed within this application. For ease of reference, the following access and parking provisions have planning permission and are currently under construction:
 - a new vehicular access off Lower Haysden Lane with a visibility splay of 2.4 metres by 59 metres (7.8ft by 193.5ft).
 - a gravel surfaced car park to accommodate approximately 60 cars and 3 minibuses which runs along the southern site boundary of Vizard 2, and measures 20 metres (65.6ft) in width and 90 metres (295 ft) in length.
 - a dedicated footpath link running from the junction of Lower Haysden Lane with Brook Street/Upper Haysden Lane to the car parking area which runs across the southern end of the adjoining fields to the east of the application site ('Safeguarded Land') to the north of the existing hedgerow/boundary.

Floodlit Synthetic Turf Pitch – Phase 1

11. It is intended that the proposal would be delivered in 2 key phases, the first phase comprising of the floodlit synthetic pitch only. It is intended that phase 1 would be complete and operational by September 2016 as should application reference KCC/TM/0390/2015 (Item D2 on these papers - replacement of Ridge View School) be successful. The Judd School would no longer have access to the Yeomans site. Phase 2 comprises of the remainder of the development proposed at the site, as listed in paragraph 9 above.
12. The floodlit synthetic pitch is proposed to the south west of the application site and would measure 130 metres in length and 80metres in width, orientated north south. The pitch is proposed to be enclosed with 3metre high weld mesh fencing along its lengths (east and

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

west) and 5metre high fencing along the widths (north and south). Six 15metre high lighting columns are proposed, each with three luminaires. The applicant advises that the floodlighting proposed (Abacus Challenger 1 floodlight) has been specifically selected as it is particularly suited to areas where low light pollution is essential. The main beam of light is emitted at an angle of 60 degrees forward when the glass is horizontal. This results in a flat floodlight appearance, minimising the area of reflector visible from outside of the site. In addition, an internal baffle re-directs upward waste light back into the floodlight beam, providing increased efficiency. The applicant further advises that the proposed lighting would keep overspill and upward light to a minimum.

13. The floodlighting specification has been designed to achieve a maintained illuminance value of 218lux, with a uniformity of 0.7, which meets the requirements of the Rugby Football Union. Switching and controls would be in place to prevent lighting being left on when the pitch is not in use or beyond the permitted hours. The site, being intrinsically dark in character, would be classified by the Institute of Lighting Professionals (ILP) as an Environmental Zone E2 (Low District Brightness). The applicant advises that the lighting specification has been designed to meet the ILE Zone E2s stringent light control parameters, whilst maintaining the specified illuminance levels for use for rugby.

Grass Pitches and the Changing Room Building – Phase 2

14. The grass pitches and sports facilities proposed would occupy the remainder of the application site, to the north and east of the floodlit facility. First, with regard to the grass pitches, the applicant is proposing to provide a grass senior rugby pitch to the north east corner of the site, a grass junior rugby pitch to the north west corner, a grass training pitch to the south east corner, a hammer cage in the far north east corner, and a centrally situated artificial cricket wicket. The grass pitches would be levelled and drained (see paragraph 22 below).
15. The proposed changing room block would be a single storey rectangular building positioned next to the south east corner of the floodlit pitch. The building would measure 16.7metres in length and 8.4metres in width, and would have a maximum height of 3.9metres (external floor area of 141 sqm). The overhanging gull wing roof design would provide a covered veranda area around the building which would bring the total dimensions of the structure to 20.6metres in length and 10.2metres in width. The building would contain two separate changing rooms, toilets, showers, physio/officials changing room and a general break out/circulation space.
16. The applicant advises that the design of the exterior of the changing room building aims to be simple and functional, befitting its Green Belt location. The building facades would be timber clad with a dark grey brickwork plinth, with high level glazing under the eaves providing natural lighting into the building whilst breaking up the elevations. Due to the buildings remote location the building has to be secure and designed to minimise the chance of vandalism and break in. The high level glazing aids in securing the building, with low level windows limited to the kitchen and circulation space to the front of the building only. The inverted roof design also serves to inhibit access. An area of the changing room building's roof has been identified to accommodate south facing photo voltaic panels. Windows, doors and the roof fascia would be dark grey aluminium.
17. As the changing room block would provide a physio/officials changing room which could double up as a first aid area, one of the three metal storage containers approved as part of consent reference KCC/TM/0435/2014 (TM/15/121) (the development of Vizard 1) would no longer be required and would be removed from site.

Provision of playing fields, including a floodlit synthetic pitch and pavilion building for Judd School, Tonbridge – TM/15/3918 (KCC/TM/0385/2015)

Level/Frequency of Use

18. In addition to use by Judd School Monday to Friday until 6pm and Saturday mornings, it is proposed that Tonbridge Juddian Rugby Football Club (TJRFC) would have limited access to the synthetic floodlit pitch for training purposes and occasional match day use. It is proposed that TJRFC elite men's first 15 would only play matches on the floodlit pitch if the home ground was unavailable due to flooding at The Slade. It is, however, understood that in the last two seasons The Slade has only flooded once, so use for match purposes would be very limited. The applicant is further proposing limited rental opportunities on a Friday (no further details available at this time).
19. The proposed community hours of use (TJRFC and a possible other community use on a Friday evening only) are as follows:
 - 6pm to 9.30pm Monday to Friday;
 - 2pm to 5pm on Saturdays (emergency use for TJRFC should The Slade be flooded);
 - 9am to 5pm on Sundays; and
 - No use on Bank Holidays;
20. The applicant has confirmed that The Judd School would not be using the facilities available at Vizard 1 (which has no community use) or Vizard 2 should TJRFC be using the floodlit pitch. The car parking (60 spaces) currently provided for Vizard 1 is therefore considered by the applicant to be sufficient to cater for the needs of TJRFC, with a maximum of 30 cars expected to park on site at one time.

Landscaping and Fencing

21. This application would not affect any of the hedgerows surrounding the site, and there would be no trees lost as a result of the development. In addition, fencing would be limited to that surrounding the floodlit synthetic pitch (see paragraph 12).

Earthworks and Drainage

22. As stated above, the site is relatively flat and is currently left to pasture. The applicant would mow the site, rotivate the topsoil and thereafter grade the topsoil to minimise undulations and depressions. The site would be levelled using cut and fill, creating a lower tier (northern half of the site and the floodlit pitch) and an upper tier (grass training pitch in the south east of the site). Stone separation would remove all stones greater than 2cm in diameter from the upper 10cm (4inches) of soil. Stones and any plant waste/excess soil would be disposed of off-site. Lateral and collector drains would thereafter be installed across the site. The 3G pitch would have a full drainage system installed prior to surfacing the pitch, which would direct surface water east to west to link with the wider collector drainage system. I am advised by the applicant that the proposed drainage design would reduce surface water run off by approximately 20%.

Additional Lighting

23. In addition to the floodlighting of the synthetic pitch, it is proposed to provide some low level bollard lighting to the approved car park and around the changing room block to assist with visibility, safety and security of users during darker periods.

The application is accompanied by a Planning, Design and Access Statement, Design and Access Statement for the Changing Room Block, Landscape Visual Impact Assessment, Lighting Specification and Assessment, Transport Statement, Preliminary Ecological Appraisal, Bats and Lighting in the UK Document, Flood Risk Assessment,

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Statement of Community Involvement, Letters of Support, and a Specification for Construction.

Planning Policy Context

- 24.(i) **National Planning Policies** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set 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.

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 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;
- promoting sustainable transport;
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.

In addition, Paragraph 72 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted*

- (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.

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(iii) **Tonbridge and Malling Borough Core Strategy September 2007:**

Policy CP1 Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all.

Policy CP2 Sustainable Transport: New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.

Policy CP3 Metropolitan Green Belt: National Green Belt policy will be applied generally to the west of the A228 and the settlements of Snodland, Leybourne, West Malling and Kings Hill, and to the south of Kings Hill and east of Wateringbury.

Policy CP6 Separate Identity of Settlements: 1) Development will not be permitted within the countryside or on the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside or from adjoining settlements; 2) Any development that is considered acceptable in terms of this policy should maintain or enhance the setting and identity of the settlement, and in the countryside, be consistent with Policy CP14.

Policy CP11 Urban Areas: States that development should be concentrated within the confines of the urban areas which include Tonbridge. Development adjoining these urban areas will only be permitted where there is an identified need and there are no suitable sites within the urban areas/ Priority will be given to the use of previously developed land.

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Policy CP14 Development in the Countryside: In the countryside development will be restricted to (a) extension to existing settlements in accordance with Policies CP11 or CP12: or (b) appropriate replacement or extension to an existing dwelling; (c) necessary development for the purposes of agriculture or forestry; (d) limited expansion of an existing employment use; (e) development that secures the viability of a farm; (f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability; (g) affordable housing which is justified as an exception under Policy CP19; (h) open recreation uses together with associated built infrastructure; or (i) any other development for which a rural location is essential.

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

Policy CP24 Achieving a High Quality Environment: 1) All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance, be designed to respect the site and its surroundings; 2) All development should accord with the advice contained in Kent Design, By Design and Secured by Design, and other supplementary Planning Documents and, wherever possible, should make a positive contribution towards the enhancement of the appearance and the safety of the area; 3) Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted; 4) The Council will seek to protect and enhance existing open spaces; 5) The environment within river corridors will be conserved and enhanced.

Policy CP25 Mitigation of Development Impacts: Development will not be permitted unless the service, transport and community infrastructure necessary to serve it is either available, or will be made available by the time it is needed. Development proposals must therefore either incorporate the infrastructure required as a result of the scheme, or make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed, by means of conditions or a planning obligation.

(iv) **Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010:**

Policy CC1 Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate passive design measures to reduce energy demand.

Policy CC3 Sustainable Drainage: Requires the provision of sustainable drainage systems (SUDS) appropriate to the local ground water and soil conditions and drainage regimes. Where SUDS are not practical the proposal should incorporate alternative means of surface water drainage to ground watercourses or surface water sewers.

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- Policy NE2 Biodiversity:** The biodiversity of the Borough, and in particular priority habitats, species and features, will be protected, conserved and enhanced.
- Policy NE3 Impact of Development on Biodiversity:** 1) Development that would adversely affect biodiversity or the value of wildlife habitats will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement; 2) Proposals for development must make provision for the retention of habitat and protection of its wildlife links; 3) Where development is permitted the Council will impose conditions, where necessary and appropriate, to minimise disturbance, protect and enhance ecological conservation, contribute towards the objectives of Kent Biodiversity Action Plan, ensure appropriate management and monitoring, and the creation of new or replacement habitats.
- Policy NE4 Trees, Hedgerows and Woodland:** The extent of tree cover and the hedgerow network should be maintained and enhanced.
- Policy SQ1 Landscape and Townscape Protection and Enhancement:** Proposals for development are required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD. All new development should protect, conserve and where possible enhance (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity; (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.
- Policy SQ8 Road Safety:** 1) Before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure is in place or is certain to be provided; 2) Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network; 3) Development proposals should comply with parking standards; 4) Appropriate mitigation measures shall be provided where required before a development is occupied.
- Policy DC6 Rural Lanes:** In the consideration of development proposals which are in the vicinity of, or served by, rural lanes, permission will only be granted where: (a) the development conserves and enhances the value of the lane in terms of its landscape, amenity, biodiversity, historic or archaeological importance; and (b) any proposed alterations to the lane are the minimum necessary to serve the proposal in terms of highway safety.

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Consultations

25. **Tonbridge and Malling Borough Council** raises no objection subject to the following considerations:

- “1. TMBC recognises that the proposed sports facilities for the Judd School, and for wider community use, have the potential to deliver beneficial sporting opportunities for the local area which merits support;
2. Kent County Council must be satisfied that the proposed development accords with the requirements of the NPPF and that, for the application to be approved, very special circumstances clearly exist which outweigh the degree of harm caused to the open nature and function of the Metropolitan Green Belt by virtue of the inappropriate nature of the development proposed. If this cannot be satisfied, the application should be refused.
3. In the event that Kent County Council considers that very special circumstances do exist to outweigh the degree of harm to the Metropolitan Green Belt in this locality and the scheme is found to be acceptable in all other respects, the County Council should:
 - Be satisfied that the traffic impacts on the local highway network would not be assessed as severe and thus are able to meet the tests set out in the NPPF;
 - Be satisfied in amenity terms in respect of the proposed community use of the sports facilities and impose restrictions where necessary to minimise potential impact of such uses on surrounding land uses (including residential property, Haysden Country Park and the adjoining safeguarded residential land) - including reducing proposed hours of use on weekday evenings to 20:30 hours and the potential for further limiting Sunday afternoon hours;
 - Be satisfied that the proposed floodlighting will not give rise to a harmful amenity or landscape impact, taking into account surrounding residential properties, Haysden Country Park and the adjoining safeguarded housing land (as safeguarded by Tonbridge & Malling Borough Core Strategy 2007 Policy CP4);
 - Impose planning conditions to cover site operations (as per permission TM/15/121) including: no coach access to the site, the retention of hedgerows and trees, and submission of a detailed site landscaping scheme;
 - Strongly consider the opportunity for the provision of a safe pedestrian footpath along the entire length of Lower Haysden Lane (from Brook Street) to the entrance of Haysden Country Park will full public access;
 - Removal of Permitted Development Rights to prevent new storage containers from being installed on the site.

Furthermore, TMBC requests that the applicant be encouraged, by way of an informative, to manage school parking across their entire estate (including the new 60 space sports car park) to minimise parking concerns in surrounding residential roads to the main school campus.”

Kent County Council Highways and Transportation raises no objection to the proposal and comments as follows:

“I note from the Transport Statement submitted that use of ‘Field 1’ and ‘Field 2’ by The Judd School would not intensify above that expected with Field 1 in place as a result of ‘Field 2’ being implemented.

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I also note the proposed evening and Sunday use for training purposes by Tonbridge Juddians Rugby Club (TJs). From the figures submitted it does not appear that the car parking capacity of 60 spaces would be exceeded although some picking up and dropping off is anticipated. I have studied the car parking layout approved under the previous permission and consider that the aisle width at 8.5m is sufficient to allow for effective manoeuvres off-road. I also note from the Transport Statement that Fields 1 and 2 would not be used by both The Judd School and Tonbridge Juddians at any time (i.e. no overlap), and it is considered that it may be helpful to include this as a requirement by planning condition.

Paragraph 2.3 of the Transport Statement refers to a traffic management plan drafted by The Judd School to operate on occasions when popular matches are played. This paragraph indicates that an updated version of this type of traffic management procedure requiring visitor parking to take place elsewhere, when it is anticipated that capacity would be exceeded, can be formulated by TJs. It is considered that matches played by TJs for emergency purposes or otherwise on a Saturday should not be permitted until a suitable traffic management and overflow parking procedure is drafted and agreed by condition.

I also note reference to 'other limited rental opportunities'. It is not considered at this stage that any approval should allow other undefined community use. It is considered that roadside overflow parking would be detrimental to the operation of Lower Haysden Lane (potentially severely), requiring input from other services to clear the road. At this stage therefore, I would recommend that any community use is limited to that defined in the Transport Statement for use by Tonbridge Juddians Rugby Club.

Subject to the above I write to confirm on behalf of the highway authority that I have no objection to this application."

Sport England supports this application subject to the following conditions:

- The playing fields to be constructed in accordance with the submitted TGMS 'Drainage Design & Pitch Profile' ref TGMS-0866.8-7, Judd Drainage Information 26.01.16 and Judd School – Vizards 2 Geotechnical Survey 20 10 15.
- The playing field/artificial grass pitch shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- Phase I of the development (all weather pitch, floodlighting, and temporary toilet facilities) shall be made available for use by 1st September 2016 in accordance with the Proposed Site Layout plan (drawing number TGMS-0866.8-2) and Changing Room Block – Floor Plans (drawing number JSP BBA Z0 ZZ DR A 02001) and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011) and Pavilions and Clubhouses (Sport England, 1999). Phase II of the development (natural turf playing pitches, hammer cage, cricket square and permanent changing room block) shall be made available for use by 1st September 2018 in accordance with the Proposed Site Layout plan (drawing number TGMS-0866.8-2) and Changing Room Block – Floor Plans (drawing number JSP BBA Z0 ZZ DR A 02001) and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011) and Pavilions and Clubhouses (Sport England, 1999).

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- The approved all weather pitch, natural turf playing pitches and changing room block shall be constructed and managed in accordance with the submitted 'The Judd School Maintenance Schedule 21.01.16' and Judd School – Vizards 2 Geotechnical Survey 20 10 15. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Phase 1 works (all weather pitch) and phase 2 works (natural turf pitches and changing rooms).
- No development shall commence until a community use agreement has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall apply to the artificial grass pitch, natural turf pitches and changing rooms and shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities, a mechanism for review and a programme for implementation. The approved scheme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Environment Agency no comments received to date.

Natural England advises that the proposal is unlikely to affect any designated Nature Conservation Sites or Landscapes, and has no comment to make with regard to impact upon 'protected landscapes'.

The County Council's Biodiversity Officer raises no objection to the application and comments as follows:

"Due to the level of surveys which were carried out in 2014 and because no habitats containing reptiles, Dormice or breeding birds would be impacted by the proposed development we are satisfied that sufficient information has been provided to determine the planning application.

Bats

Bats have been recorded foraging/roosting/commuting within Haysden Country Park. As such it is likely that bats are foraging and commuting within the proposed development site – particularly along the hedgerows within the site.

Lighting can have a negative impact on foraging and commuting bats and floodlighting has been proposed for one of the pitches.

We have reviewed the information which has been submitted with the planning application and we are satisfied that the floodlighting has been designed to minimise light spill and has been located as far away from Haysden Country Park as possible.

As such we are satisfied that on this occasion there is no requirement for emergence surveys to be carried out. If floodlighting is proposed for other pitches within the site (outside of this planning application) we would recommend the applicant contacts their ecologist to discuss the need for activity surveys.

Enhancements

One of the principles of the National Planning Policy Framework is that "*opportunities to incorporate biodiversity in and around developments should be encouraged*".

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No details of ecological enhancements have been provided and to incorporate enhancements in to the site we recommend that any gaps within the hedgerows are planted up with native species and the nest boxes for birds and bat tiles/bricks for bats are incorporated in to the new building.”

Kent Wildlife Trust has no objection to the principle of the development but raises objection to the proposed floodlighting as Kent Wildlife Trust consider that the specification fails to adhere to the Bat Conservation Trusts guidelines. Kent Wildlife Trust comment as follows:

“My (unqualified) assessment suggests that unless metal halide lamps are prohibited and only low-pressure or high-pressure sodium narrow-beam lamps are fitted, the proposals would fail the Bat Conservation Trust’s guidance. Without appropriate adjustment of the application and/imposition of planning conditions to secure the necessary specifications, the application should not be determined without further bat survey work. In these circumstances, I object to the grant of permission unless and until my concerns have been addressed.”

The County Council’s Landscape Advisor (Amey) considers that it is not likely that there would be any adverse impacts on the land, or to the wider countryside and surrounding fields and farm land, as a result of the development. The submitted Landscape Visual Impact Assessment is considered to be robust and accurate, and assess the developments impact as being minor to negligible.

The County Council’s Lighting Advisor (Amey) considers that the lighting specification proposed meets the Institute of Lighting Professional’s requirements for lighting in an Environmental Zone E2 (village or relatively dark outer suburban location), and that the switching mechanisms proposed would ensure that the lighting was turned off when not in use. The lighting specification is deemed to be acceptable for the location, and no objections are raised.

The County Council’s Country Parks Team no comments received to date.

The County Council’s Flood Risk Team/SuD’s Officer raises no objection to this application and is satisfied that the proposals are unlikely to increase flood risk. The information submitted with the application is also considered to be sufficiently detailed to preclude the requirement for any associated conditions.

The Upper Medway Internal Drainage Board comments as follows:

“In order to ensure that downstream flood risk is not exacerbated by this development, surface water runoff rates from the site must be restricted to no greater than those of the Greenfield site. The applicant must provide an assessment of pre- and post-development runoff rates, along with details of how increased runoff (beyond Greenfield) would be attenuated with on-site storage provided to accommodate the 1 in 100 year rainfall + Climate Change. It is requested that details of the drainage system, and it’s future maintenance, be agreed with KCC’s drainage and flood risk team. (The applicant should be informed that details of the drainage outlet will also require formal land drainage consent from the UMIDB).”

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The County Council's Archaeologist raises no objection subject to a condition being placed on any grant of planning permission requiring the securing of the implementation of a watching brief, to be undertaken in accordance with a written specification and timetable which should be submitted for prior approval.

The County Council's Conservation Officer comments as follows:

"Whilst the provision of playing fields will have little to no impact on the Haysden Conservation Area the provision of floodlighting at the site is of concern with regard to how light spillage would affect the setting of the Conservation Area. If it can be shown there will be little to no light spillage from the lights then I would have no adverse comments to make on the proposals."

Local Member

26. The local County Members, Mr Chris Smith and Mr Richard Long, were notified of the application on the 3 December 2015.

Publicity

27. The application was publicised by the posting of 5 site notices, advertisement in a local newspaper, and the individual notification of 40 neighbouring properties.

Representations

28. To date, I have received 7 individual letters of representation from local residents. A summary of the main issues raised/points of objection is set out below:

Highways/Access

- Objection is raised as the application does not include a public footpath along the southern boundary to the Country Park Entrance;
- Dogs walkers, families accessing the Country Park, cyclists, and horse riders use the lane, and increased traffic would be a danger to pedestrians and others;
- Evening and weekend use of the lane is high as people are accessing the Country Park (especially in nice weather);
- Wide deep ditches run along the side of the lane, making it hard to pass in places;
- This proposal would produce vast amounts of additional traffic;
- The Brook Street area is heavily congested and cannot accommodate anymore traffic;
- Residents already have to put up with inconsiderate parking by parents due to local schools;
- Cars that cannot park on site would park on the lane which is not acceptable;

Landscape

- Whilst the playing fields are acceptable, the building of changing rooms and floodlighting would destroy the area;
- Horrified to learn that there is a proposal to develop land adjacent to Haysden Country Park;
- Part of the field would be turned into a car park;

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Discussion

29. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 24 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, including the National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon the Metropolitan Green Belt and wider landscape matters, highway implications and access, and whether the development is sustainable in light of the NPPF.
30. Tonbridge and Malling Borough Core Strategy Policy CP1 seeks to conserve and enhance the environment and requires developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Local Plan as being within the Metropolitan Green Belt. Core Policy 3 of the Tonbridge and Malling Core Strategy seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances. Core Policy 14 also states that development within the countryside should be restricted to certain acceptable uses only.
31. 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 the Green Belt, but lists a number of exceptions to this assumption. One such exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, so long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. However, the provision of a floodlit pitch and a changing room building in this location could affect the openness of the Green Belt, and could have an urbanising affect.

32. The NPPF further states that “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 say “very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”. Any built development within the Metropolitan Green Belt could affect the openness of it and would be contrary to planning policies. On this basis the development proposed must be considered as a departure from the Development Plan. Therefore, if Members were minded to grant planning permission, the application would need to be referred to the Secretary of State for his consideration.

Green Belt Considerations

33. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, the County Planning Authority is of the view that the proposals would not meet these exceptions in this case due to the proposed floodlighting and changing room building, and that the

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development is therefore inappropriate by definition. Inappropriate development is also, 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.

34. A Planning, Design and Access Statement was submitted in support of this application. The applicant considers that the development falls under the definition of appropriate development within the Green Belt which, as outlined above, is not a conclusion that I agree with in this instance. However, the applicant has further set out what they consider to be the very special circumstances that warrant setting aside the general presumption against what would be inappropriate development in the Green Belt. The applicant considers the following 'very special circumstances' are sufficient to collectively outweigh any Green Belt policy objection:
- i) The identified need for additional sports facilities;
 - ii) The provision of improved facilities; and
 - iv) The quality of the design and level of mitigation proposed that would ensure that the impact on the openness of the Green Belt would be limited;
- Each of these 'very special circumstances' as put forward by the applicant will be considered and discussed in the following section of this report. I will take each point in turn, first considering the case of need for additional sports facilities for The Judd School.

Case of Need

35. As outlined in paragraph 24 of this report, great emphasis is placed within planning policy generally, specifically paragraph 72 of the NPPF, to the need to create, expand or alter schools. This application is proposing to provide additional sports facilities for The Judd School, development which is supported in principle by such planning policy.
36. As outlined in paragraph 6 of this report, the application site already benefits from planning permission for its conversion into playing field under consent reference KCC/TM/0435/2014. That application was approved on the basis that The Judd School was lacking sufficient outdoor playing field provision to meet the needs of its existing pupils, and those expected following expansion (approved under consent reference TM/15/554). A case of need for the provision of additional playing fields at this site has, therefore, already been established and accepted.
37. However, the case of need is further enhanced in this case as should application reference KCC/TM/0390/2014 (item D2 on these papers) be granted approval, The Judd School would lose their playing field provision at the Yeomans site on Upper Haysden Lane. A case of need has been set out in that application to support the relocation of Ridge View School, and having accepted this, the Yeomans site has been identified as the only available and suitable site within the Borough for the required replacement school facilities. Key to the success of application KCC/TM/0390/2015 is the provision of replacement sports facilities to a equivalent and better standard than that to be lost. Should this application not be successful, the relocation of Ridge View School to the Yeomans site would not be able to proceed. The applicant advises that the application site represents the best opportunity to provide replacement facilities for The Judd School, in considering the change of use that has been granted, the adjacent facilities and parking provision at Vizard 1, and the proximity to The Judd School. Further, the application site is under the freehold ownership of The Judd School, meaning the

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proposals are deliverable. This represents a significant case of need for this application, and I fully accept this.

38. In addition, the application documents contain letters of support for the proposals from both Tonbridge and Malling Leisure and the Tonbridge Sports Association. Both parties express a demand for a locally accessible floodlit pitch. In addition, the Tonbridge Juddians Rugby Football Club (TJRFC) have set out the limitations of their existing training facility and welcomes the opportunity of working with The Judd School and having limited evening and weekend access to the floodlit pitch for training purposes. Such support for the proposals further adds to the case of need for such a facility.
39. Based on the above, in my view, it is evident that a clear case of need for the development exists. The application site has already been granted change of use to playing field following a case of need previously considered and accepted. Further, the provision of a floodlit pitch has support from local sports promoters and clubs. Lastly, the relocation of Ridge View School (Item D2 on these papers) is reliant on the provision of replacement sports facilities to mitigate the loss of the Yeomans site should that development be granted permission. Without the facilities proposed under this application, the Ridge View School relocation could not proceed. Given the strong support for the provision of school places within local Planning Policy and the NPPF, and the further Policy Support for the provision of required school facilities, I consider that the need for the development should be given significant weight in this instance. Having accepted a need for the sports facilities proposed, it is now important to consider that further very special circumstances put forward by the applicant.

The provision of Improved Facilities

40. The applicant further advises that this proposal would represent a crucial opportunity to improve the quality and quantity of The Judd School's off-site playing field provision. Currently, I am advised that the Yeomans site has a number of limitations as follows:
- unheated changing room;
 - no washing facilities and/or toilets;
 - poor drainage resulting in waterlogged pitches;
 - lack of parking facilities (already approved at Vizard 1);
 - no all-weather pitch facility; and
 - only a single floodlight offering limited use out of daylight hours.
41. The proposed changing room building would have separate changing rooms, toilets, showers, physio/officials changing area and a break out space, all collectively representing a significant improvement over the existing facility at Yeomans. The quality of the pitches would also be an improvement over those currently provided at Yeomans. The application site would be levelled and prepared in accordance with industry standards, and drained to minimise waterlogging. The floodlit synthetic all weather pitch is something which The Judd School do not currently have, or have access to, and would significantly improve the facilities available to the pupils of the school.
42. The development of Vizard 2, as proposed, would also link physically with Vizard 1 which is currently under development. The proposed development would therefore have access to the approved 60 space car park on site, something which the Yeomans site does not have. Further, the application site is closer to The Judd School than the Yeomans site, and has an approved off road pedestrian link between the site and Brook Street (which has pavement links to the main School). Access to the site for pupils, who walk from the school, is therefore considerably safer and easier, as well as being quicker. Lastly, moving the playing field from Yeomans to the application site would have the benefit of

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containing all of The Judd School's off site playing fields in one location, which would assist in respect of learning, teaching and management of training and games within and outside of school hours.

43. The provision of improved facilities for state funded school is heavily supported in local Planning Policy and within the NPPF, and I accept that the proposals would provide significantly improved sports facilities for The Judd School. The case of need and the provision of improved facilities are both, in my view, very special circumstances that in this case go some way to outweighing the presumption against inappropriate development within the Green Belt. However, the impact of the development on the openness of the Green Belt also needs to be assessed.

Impact on the Openness of the Green Belt

44. First, it is important to note that the application site is well screened from public views by a mature hedgerow, mature trees and other forms of soft landscaping along all of the site boundaries, and the boundary planting of adjoining fields. However, openness of the Green Belt is described as an 'absence of development' irrespective of the degree of visibility of the land in question from public vantage points. Therefore, any development within the Green Belt, whether visible or not, would have some impact on the openness. Whether that impact is either acceptable or unacceptable is a matter of fact or degree based on the specifics of each case.
45. The application site is currently an arable open field and the proposed development would, without question, introduce a new built form into the Green Belt. However, I consider that the proposed layout of the site has been carefully designed to maintain the openness of the Green Belt as far as practicably possible. The changing room building is proposed to the south east of the application site, adjacent to the approved car parking, and in an area of the site that would benefit from screening from tree planting in the south eastern corner of the application site. The building footprint has also been kept to a minimum, and the roof designed to minimise the building height and reduce the perceived massing. The floodlit synthetic pitch has also been designed to minimise its impact, with green fencing and the minimum amount of lighting columns necessary to be fit for purpose. The lighting specification has also been designed to minimise light pollution in sensitive areas. The remainder of the site would remain as open grass, albeit laid out as formal sports pitches, and would link with the wider landscape beyond, including Haysden Country Park to the north.
46. It needs to be borne in mind that protection of the Green Belt and the protection of landscape per se are two separate matters, although landscape impact can become a very special circumstance in assessing Green Belt openness. The County Council's Landscape Advisor has assessed the proposal and the accompanying Landscape Visual Impact Assessment, and concludes that the development has been designed to minimise impacts on the surrounding area, including the Green Belt. Whilst the development proposals would inevitably have some impact on the openness of the Green Belt, I consider that the changing room building, floodlit pitch and sports/outdoor facilities, would be well contained within the immediate context of the application site, and that the impact of the proposals on the openness and functioning of the Green Belt would be very limited. The overall contribution made by the site to the Green Belt would, in my view, be largely maintained if the proposed development were to proceed.

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Summary – Very Special Circumstances/Green Belt Considerations

47. It should be borne in mind that open sports facilities, and limited ancillary development, are a defined appropriate use within the Green Belt. It could be argued, therefore, that the development as proposed is appropriate. However, in considering the provision of a floodlit pitch and a changing room building, I am of the opinion that the proposal represents inappropriate development within the Green Belt and have assessed the development as such. Overall, I accept the applicant's assessment and application of Green Belt Policy as set out in the submitted documentation, and I have considered this in the context of the Development Plan Policy and the NPPF. 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 proposals has been carefully considered to help mitigate 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. However, if Members were minded to grant permission, the application would need to be referred to the Secretary of State for Communities and Local Government for his consideration before permission could be granted.

Siting, Lighting Specification and Design – Conservation Area, Wider Landscape and General Matters including Residential Amenity

48. Having accepted the siting and design of the proposed facilities in Green Belt terms, the siting and design must also be considered in terms of impact on the Lower Haysden Conservation Area, the wider landscape, and residential and local amenity. First, it is important to note that the development would not only be well screened by existing hedge and tree planting, but it would be well over 300 metres from local properties. I am more than satisfied that this degree of separation would ensure that the changing room building, floodlit pitch and associated playing fields would not have any negative impacts on the amenity of local residents. Although local residents could experience a change of view, that is not a material consideration in the determination of this application. Nevertheless the degree of existing screening would mean that views of the development would be limited in any instance.
49. Views of the development from the hamlet of Lower Haysden, which is a Conservation Area, do however need to be considered as the development could affect the character and appearance of the Conservation Area. The hamlet of Lower Haysden lies to the southwest/west of the application site, with the closest residential property in Lower Haysden being approximately 350metres away from the western site boundary. The County Council's Conservation Officer considers that the provision of playing fields would have little to no impact on the Haysden Conservation Area. However, it is further considered that the provision of floodlighting at the site could be a concern should light spillage not be contained within the application site. The Conservation Officer concludes that if it can be shown that there would be little to no light spillage from the lights then there would be no adverse impact on the Conservation Area.
50. The applicant is proposing to provide six 15metre high lighting columns each with three luminaires. The applicant advises that the floodlighting proposed (Abacus Challenger 1 floodlight) has been specifically selected as it is particularly suited to areas where low light pollution is essential. The main beam of light is emitted at an angle of 60 degrees forward when the glass is horizontal, resulting in a flat floodlight appearance, minimising the area of reflector visible from outside of the site. The applicant further advises that the

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proposed lighting would keep overspill and upward light to a minimum, and this has been demonstrated within the submitted application documentation. The lighting specification has been designed to achieve a maintained illuminance value of 218lux, with a uniformity of 0.7, which meets the requirements of the Rugby Football Union. The site, being intrinsically dark in character, would be classified by the Institute of Lighting Professionals (ILP) as an Environmental Zone E2 (Low District Brightness). The applicant advises that the lighting specification has been designed to meet the ILP Zone E2s stringent light control parameters, whilst maintaining the specified illuminance levels for use for Rugby.

51. The County Council's Lighting Advisor (Amey) considers that the lighting specification proposed meets the Institute of Lighting Professionals requirements for lighting in an Environmental Zone E2 (village or relatively dark outer suburban location), and that the switching mechanisms proposed would ensure that the lighting was turned off when not in use. The lighting specification is deemed to be acceptable for the location, and I am satisfied that any light spill from the pitch would be well contained within the parameters of the application site. Additionally, the use of baffled luminaires would minimise any glare from the lighting, i.e concealing the lantern as well as containing any upward or outward light spread.
52. I am therefore satisfied that the development would not have a negative impact on the character and appearance of the Conservation Area, nor would it adversely affect the setting of the Listed Buildings within the hamlet of Lower Haysden. In addition, I am satisfied that the proposal would have no impact on Haysden County Park to the north or the High Weald Area of Outstanding Natural Beauty which lies to the south of the A21, and am further satisfied that wider landscape impacts would be minimal given the degree of screening and the proposed layout of the site. However, should permission be granted it is essential that the lighting is installed and set up in strict accordance with the submitted lighting specification, and that the switching mechanisms proposed are implemented to ensure that lighting is not left on when the pitch is not in use. Hours of use would also be strictly controlled, with lighting not in use any later than 9.30pm Monday to Friday, and 5pm on Saturdays and Sundays, with no use of bank holidays. Subject to these matters being controlled by planning condition, I am satisfied that the proposed floodlighting would not have a significantly detrimental effect on the amenity of the immediate locality or indeed the wider landscape.
53. With regard to community use of the floodlit pitch, this will be discussed later in this report. However, the Borough Council request that the proposed hours be reduced to 8.30pm Monday to Friday and consideration be given to further limiting Sunday afternoon use. The applicant advises that through consultation with the TJRFC, the only intended community user at this time, a timetable for use was devised based on basic minimum requirements. The applicant further advises that to reduce the proposed hours further would jeopardise the viability of the scheme and reduce the expected rental returns to a level insufficient to maintain the artificial pitch. In considering the limited amount of community use proposed, and the degree of separation from residential properties, I am satisfied that the hours of use proposed would not result in a significantly detrimental impact on the amenity of local residents. Moreover, the hours of use proposed are already limited and would result in very little use of the floodlighting in summer months.
54. With regard to the proposed changing room building, in my view, the small low scale building would respect the character of the site, and would not detract from the overall quality of the surrounding area. The built development proposed is therefore, in my view, in accordance with the principles of Development Plan Policy and respects the character and appearance of the surrounding development in terms of scale, massing, design and appearance. The applicant has provided indicative details of external materials, as

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outlined in paragraph 16. However, in my view, it would be appropriate to seek further and final details of all materials to be used externally pursuant to condition, should permission be granted. Subject to the imposition of that condition, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the appearance or amenity of the locality and, therefore, would be acceptable.

55. Lastly, as the changing room block would provide a physio/officials changing room which could double up as a first aid area, one of the three metal storage containers approved as part of consent reference KCC/TM/0435/2014 (TM/15/121) (the development of Vizard 1) would no longer be required and would be removed from site. Tonbridge and Malling Borough Council consider that the County Council should remove Permitted Development Rights to prevent the applicant from installing additional storage containers on the site. I consider this to be appropriate in this instance, and the County Planning Authority would not wish to see further storage containers, or other small buildings, erected on the site without having been considered and assessed by the Planning Authority. Therefore, should permission be granted, a condition on consent would remove Permitted Development Rights at this particular site.

Landscaping and Biodiversity

56. In addition to the wider landscape implications of the proposals, as discussed above, the localised impact of the proposals on existing trees and hedging needs to be considered. I can confirm that the development would not result in the loss or removal of any trees and/or hedgerow which surrounds the site. The County Council's Biodiversity Officer does however recommend that any gaps within the existing hedgerow are planted up with native species. However, planning consent reference KCC/TM/0435/2015, which has already been implemented, is already subject to a condition requiring additional planting, specifically the filling of any gaps within the existing boundary hedgerows with native species. This matter is therefore already covered by a previous planning permission, and I see no reason to impose a duplicate condition in this case.
57. With regard to Ecological matters, the County Council's Biodiversity Officer is satisfied that the mitigation detailed within the planning application is sufficient to determine the planning application. Ecological enhancements, such as bird and bat boxes are required, and should permission be granted this would be secured by planning condition. Further, Natural England advise that the proposal is unlikely to affect any designated Nature Conservation Sites or Landscapes, and has no comments to make with regard to impact upon protected species.
58. Kent Wildlife Trust, who have no objection to the principle of the development, raise objection to the proposed floodlighting specification as they consider that the proposed lamps do not comply with the Bat Conservation Trusts (BCT) Guidelines. Kent Wildlife Trust consider that unless metal halide lamps are prohibited and only low or high pressure sodium narrow beam lamps are fitted the proposal would fail the BCT guidance. The applicant confirms that the floodlighting specification was developed with the BCT guidance notes in mind and that, apart from the lamp type, all other requirements within the guidance have been met. The applicant advises that low and high pressure sodium lamps are coloured and their use fails the colour requirements sets by England Rugby. Given that the pitch would be used for rugby, failing England Rugby's requirements is not acceptable to the applicant.
59. The applicant further advises that every effort has been made to design the specification to meet the guidance set out by the BCT, to minimise the impact of the lighting, whilst maintaining a viable proposal that is fit for purpose. It must also be borne in mind that the

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BCT guidance is guidance and not a requirement in the preparation of lighting schemes. The County Council's Biodiversity Officer is satisfied that the floodlighting has been designed to minimise light spill and has been located as far away from the boundary of Haysden Country Park as possible, and therefore, is further satisfied that no further work with regard to bats is required. In considering all of the above, and the need to balance the interests of protected species against providing a development that is fit for purpose, and in considering the limited hours of use proposed, I am satisfied that the applicant has taken all reasonable steps to ensure that the development would not have a significantly detrimental impact on protected species. I therefore see no reason to refuse the application on this ground.

Sport England matters

60. As can be seen in paragraph 25 of this report, Sport England support this proposal subject to the imposition of the conditions set out within their consultation response. The required conditions concern construction and maintenance of the facilities, phasing of the development, and end use, including the submission of further details regarding community use. Phase 1 of the development (the floodlit pitch) must be provided by 1 September 2016, a timescale put forward and agreed by the applicant to enable replacement sports facilities for The Judd School to be provided to mitigate the loss of the Yeomans field should application KCC/TM/0390/2015 be approved (item D2 on these papers). Submission of additional details regarding community use is required, something which Highways & Transportation also request (see paragraph 67 below), and I have no objection to this request. Should permission be granted, the conditions required by Sport England would be imposed on the permission to ensure that the development is constructed and maintained in accordance with the specified guidelines, and to ensure that the facility is put to best use.

Parking and Highway Issues including Community Use

61. As outlined in paragraph 22 of this report, local residents have raised objection to the proposal on the grounds of increase traffic flow in Lower Haysden Lane. It is further stated that the Lane could not accommodate additional traffic in considering its use as an access to Haysden Country Park, and its use by pedestrians, cyclists and horse riders. It is further suggested that the proposal would generate vast amounts of traffic and the overspill parking would occur in local roads, including Lower Haysden Lane.
62. First, it is important to note that the proposed development would, in the main, be for school use only during the school day with access for pupils being on foot via a dedicated footpath link (provided under consent reference KCC/TM/0435/2014). However, the applicant is proposing limited evening and weekend use of the proposed floodlit pitch by TJRFC, and a possible other local club on Friday evenings only. Such use would involve access to the site by car, and the impact of this needs to be assessed.
63. In the consideration of the highway impacts of this development, it is important to note that the development of Vizard 1 (KCC/TM/0435/2014), which was considered to be acceptable on highway grounds, proposed school use of the playing fields only. Community use was specifically precluded, and a condition of consent ensured that that be the case. However, School uses include matches against away teams and, as such, parking for spectators and visiting team players is provided on site. The design and layout of the car park, which can accommodate approximately 60 cars and 3 minibuses, was considered by Highways and Transportation to be acceptable and more than capable of accommodating the requirements of that development.

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64. This application is not proposing to amend the approved access and car parking arrangements in any way. However, the applicant has confirmed that The Judd School would not be using the facilities at Vizard 1 or Vizard 2 should the floodlit pitch proposed be in use by TJRFC. Therefore, the car park would not be in use by the School and would be fully available for use by the TJRFC only. Should permission be granted a condition of consent, as required by Highways and Transportation, would be imposed ensuring that The Judd School would not be using Vizard 1 or 2 when the floodlit pitch was in use by TJRFC.
65. The submitted Transport Assessment states that the for general evening and weekend use, the TJRFC would have an average of 30 people on the pitch, with the maximum expected on a Sunday morning with up to 60 using the pitch for training. However, even with a maximum expected use by 60 members of TJRFC, the applicant advises that a maximum of 30 cars would park on site, with the remainder of members car sharing or being dropped off/picked up. The existing 60 space car park could easily accommodate 30 parked cars, with enough space on site to accommodate a further 30+ cars dropping off and picking up. Further, such low numbers of vehicle trips to the site would, in my view, have very little impact on Lower Haysden Lane and its users. Highways and Transportation consider that the capacity of the car park would not be exceeded, subject to the condition outlined above prohibiting use by The Judd School when TJRFC are using the facilities, and therefore I am satisfied that general use of the proposed development by TJRFC would not have an acceptable impact on the local highway network and would not lead to overspill parking in local roads.
66. However, as outlined in paragraph 18 of this report, it is also proposed that TJRFC elite men's first 15 would use the floodlit all weather pitch on Saturday afternoons should their home ground at The Slade be unavailable due to flooding. I am advised that The Slade has only flooded once in the last two seasons, so such emergency use would typically be very limited. The applicant has not provided figures for expected vehicle trips should such an emergency arise and, therefore, Highways and Transportation have requested the submission of additional information before any use for emergency matches occurred. Therefore, should permission be granted, a condition of consent would require that prior to any use of the site by TJRFC for emergency matches, a Traffic Management and Overflow Parking procedure is submitted for the written approval of the County Planning Authority. Subject to such a condition, I am satisfied that the very limited proposed use of the site for emergency matches in the event of flooding at The Slade would not have a significantly detrimental impact on the operation of the local highway network.
67. In addition to use of the floodlit pitch out of school hours by the TJRFC, the applicant is also proposing use by another possible local club/team on Friday evenings (6 to 9.30pm). However, no further details are available at this time. Highways and Transportation do not consider that further community usage (beyond use by TJRFC) should be allowed on site at this time due to a lack of information regarding the level of use and number of vehicle trips that such use could generate. However, as discussed above, Sport England requires the submission of a Community Use Agreement which would set out the level of use proposed, including any use by an additional local club/group on a Friday evening. I consider that that document should also be subject to consultation with Highways and Transportation, and should the level of use on a Friday evening be acceptable in Highway terms, that that use could commence upon approval of the Community Use Agreement. Subject to such a condition, I see no reason why use of the proposed facility on a Friday evening by another local club/group would have a detrimental impact on the local highway network.

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68. The Borough Council further requests that a condition prohibiting coach access to the site be imposed on the consent. Such a condition was also imposed on the consent for the development of Vizard 1 (KCC/TM/0435/2014), and I see no reason why it cannot be reiterated here. Therefore, should permission be granted a condition prohibiting coach access to the site would be imposed on the consent.

Pedestrian Access

69. The Borough Council and a local resident consider that the applicant should upgrade and extend the footpath link to the application site (approved under consent reference KCC/TM/0435/2014) to provide a pedestrian link between Brook Street and Haysden Country Park for members of the public. However, the applicant in this case cannot reasonably be expected to provide a Public Right of Way to meet the needs of other development or land. However, the upgrade and extension of the footpath is something that the School have suggested could be undertaken at such time as the neighbouring safeguarded land is developed, subject to agreement with all relevant landowners. That option could be pursued in the future as and when further residential development occurs, and is not something that is proposed or should be provided as part of this application, although the current proposals do not jeopardise some later provision of a pedestrian route.

Drainage

70. First, as outlined in paragraph 2 of this report, the entire site (excluding the south east corner) falls within Flood Zone 2, and a small area of the north west of the site falls within Flood Zone 3. The River Medway lies approximately 280 metres to the north west of the application site at its closest point, and sites within Flood Zone 2 and 3 represent locations where there is a 'medium' and 'high' risk of flooding respectively. It is therefore accepted that the site is prone to flooding, it is in the floodplain, and subsequently a Flood Risk Assessment has been submitted in support of the application.
71. The development, as an open recreation area, is defined as a functional flood plain compatible use. I therefore have no objection to the principle of the development within the floodplain. With regard to the application exacerbating flooding, apart from the flood lit pitch (which would be actively drained) and the footprint of the changing room building, the site would remain as a grass field. Further, the applicant is proposing to install drainage on the site to ensure that the pitches do not become waterlogged, and the prevent pooling of water on the site. Lateral and collector drains would thereafter be installed across the site. The 3G pitch would have a full drainage system installed prior to surfacing the pitch, which would direct surface water east to west to link with the wider collector drainage system. I am advised by the applicant that the proposed drainage design would reduce surface water run off by approximately 20%.
72. The Upper Medway Internal Drainage Board state that downstream flood risk should not be exacerbated by this development and that surface water runoff rates from the site must be restricted to no greater than those of the Greenfield site. It is requested that details of the drainage system, and it's future maintenance, be agreed with the County Council's Drainage and Flood Risk Team. First, it should be noted that surface water runoff rates would be reduced by the effective drainage methods proposed. Further, the County Councils Drainage and Flood Risk Team raise no objection to the application and consider that sufficient information has been submitted by the applicant to negate the need for further information to be submitted pursuant to condition. Subject to the development being carried out in accordance with the submitted details, I am satisfied that drainage of the site is acceptable, and that the development would not exacerbate

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flood risk. The applicant should liaise with the Upper Medway Internal Drainage Board with regard to any approvals that they may need (discharge of surface water) and this should be covered by way of an informative.

Archaeology

73. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, a condition of consent should be imposed. It is requested that no development takes place until the applicant has secured the implementation of a watching brief, to be undertaken in accordance with a written specification and timetable. I consider that the suggested condition would be an appropriate requirement in ensuring an acceptable level of evaluation and mitigation of the archaeological potential of the site. Therefore, subject to the imposition of the required condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Construction matters

74. Given that there are nearby (not directly adjacent) residential properties, and Haysden Country Park to the north of the site, I consider it appropriate that details of a full Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative parking, details of wheel washing/cleaning facilities, details of how the site access would be managed to avoid conflict with vehicles on Lower Haysden Lane and details of the construction access. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy. In addition, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

75. 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 wider landscape and the local highway network. 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 impact of the development 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 local highway network, the wider landscape, or the amenity of local residents, and would accord with the principles of sustainable development as set out in the NPPF. In addition, support for the provision of improved school facilities is heavily embedded within the NPPF and local planning policy, and this development would satisfy a required need for improved sporting facilities for The Judd School. 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 the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, permission be granted subject to appropriate conditions.

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Recommendation

76. I RECOMMEND that the application BE REFERRED to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- the standard time limit for implementation;
- the development to be carried out in accordance with the permitted details;
- submission of details of all materials to be used externally;
- hours of use of the floodlighting limited to 9.00pm Monday to Friday, 5pm Saturday and Sunday and no use on Bank Holidays;
- extinguishing of lighting when pitch not in use or 15 minutes of last use;
- lighting to be installed in accordance with approved details, and checked on site prior to first use;
- lighting levels not to exceed those specified within the application;
- removal of Permitted Development Rights;
- no coaches to access the site;
- no use of Vizard 1 or 2 by The Judd School if Tonbridge Juddians Rugby Football Club are using the floodlit pitch;
- submission of a Traffic Management and Overflow Parking procedure prior to any use of the site by TJRFC for emergency matches;
- Playing fields to be constructed in accordance with the submitted TGMS 'Drainage Design & Pitch Profile' ref TGMS-0866.8-7, Judd Drainage Information 26.01.16 and Judd School – Vizards 2 Geotechnical Survey 20 10 15;
- The playing field/artificial grass pitch shall be used for Outdoor Sport and for no other purpose;
- Phase I of the development shall be made available for use by 1st September 2016 and Phase II of the development shall be made available for use by 1st September 2018;
- The all-weather pitch, natural turf playing pitches and changing room block shall be constructed and managed in accordance with the submitted 'The Judd School Maintenance Schedule 21.01.16' and Judd School – Vizards 2 Geotechnical Survey 20 10 15;
- submission of a Community Use Agreement to be subject to consultation with Sport England and Highways & Transportation, amongst others;
- no use of the site by community users other than the TJRFC until such time as Highways and Transportation approve any further use as set out in the Community Use Agreement;
- tree/hedge protection measures to be adopted throughout construction;
- submission of a specification and timetable for the implementation of a watching brief;
- the development to be undertaken in accordance with the recommendations of the Ecological Scoping Survey;
- the provision of ecological enhancements including bird and bat boxes;
- the submission of a Construction Management Strategy, including details of the hours of working, the location of site compound and operative parking, wheel washing/cleaning facilities, and details of the construction access & management of the site access to avoid conflict with vehicles using Lower Haysden Lane;
- measures to prevent mud and debris being taken onto the public highway.

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77. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:

- The applicant is to undertake discussions with the Upper Medway Internal Drainage Board, and seek any necessary approvals from them with regard to surface water drainage.

Case officer – Mary Green

03000 413379

Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

- | | |
|--------------|---|
| SW/15/502632 | Details of a landscape scheme pursuant to condition (45) of planning permission SW/15/502632 for the phased extraction of brickearth and restoration to agriculture.
Orchard Farm, School Lane, Iwade, Sittingbourne
Decision: Approved |
| TH/15/1304 | Erection of 1 No. Ferric Chloride Dosing Plant Kiosk.
Weatherlees Hill WTW, Jutes Lane, Ramsgate
Decision: Permitted |
| TW/15/503490 | Installation of an Agricultural Dryer on the consented AD Development.
Conghurst Farm, Conghurst Lane, Hawkhurst, Cranbrook
Decision: Permitted |

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

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

Background Documents – The deposited documents.

- | | |
|--------------|--|
| DA/14/19/R11 | Details of a School Travel Plan (including measures to promote safer and more considerate parking by parents associated with the school, management of the drop off facility, further monitoring of school parking on Oakfield Lane and investigation of scoping optimum use of the car park on Church Hill) pursuant to condition 11 of planning permission DA/14/19.
Oakfield Primary School, Oakfield Lane, Dartford
Decision: Approved |
|--------------|--|

DO/15/663/R5&R12	<p>Discharge of conditions (5) and (12) of planning permission DO/15/663 relating to Contamination & Construction Management Plan.</p> <p>White Cliffs Primary College for the Arts, St Radigunds Road, Dover</p> <p>Decision: Approved</p>
GR/15/1243	<p>Temporary construction compound for the new Rathmore Road comprising office, welfare and storage facilities.</p> <p>Lord Street Car Park, Lord Street, Gravesend</p> <p>Decision: Permitted</p>
GR/16/19	<p>Re-establishment of school farm to include wildfowl and animals. Inclusion of polytunnel for horticulture.</p> <p>Northfleet School for Girls, Hall Road, Northfleet, Gravesend</p> <p>Decision: Permitted</p>
MA/15/503462/R	<p>Non-material amendment for the creation of a 2 FE primary school comprising a two story building, access, car parking and pick up/drop off bays, external play areas including a multi-use games area, informal play area and grass playing field and hard and soft landscaping.</p> <p>Land at Langley Park, Sutton Road, Maidstone</p> <p>Decision: Approved</p>
MA/16/500186	<p>Section 73 application to vary a condition of MA/12/488 to allow the change of use of part of the first floor of the building from class D1 use as a training/conference use to class B1 office use for a temporary period of 18 months.</p> <p>Oakwood House, Oakwood Park, Maidstone</p> <p>Decision: Permitted</p>
SE/15/2417/R28	<p>Details of an outline School Travel Plan for Trinity Free School pursuant to condition (28) of planning permission SE/15/2417.</p> <p>Knole East Academy (Site), Seal Hollow Road, Sevenoaks</p> <p>Decision: Approved</p>
SW/13/1110/R4&R5	<p>Details of a scheme of landscaping and ecological enhancements, pursuant to conditions (4) and (5) of planning permission SW/13/1110.</p> <p>Lansdowne Primary School, Gladstone Drive, Sittingbourne</p> <p>Decision: Approved</p>
SW/14/500221/R12&R16	<p>Details pursuant to conditions (12) - Cycle Parking and (16) - External Lighting of planning permission SW/14/500221.</p> <p>Land at Thistle Hill, Minster, Isle of Sheppey</p> <p>Decision: Approved</p>
SW/14/500739/R4	<p>Details of a scheme of landscaping pursuant to condition (4) of planning permission SW/14/500739.</p> <p>Iwade Community Primary School, School Lane, Iwade, Sittingbourne</p> <p>Decision: Approved</p>

SW/15/503584/R7	<p>Temporary relaxation of the normal hours of work pursuant to condition (7) of planning permission SW/15/503584. Land at Danley Road, Danley Road, Sheerness Decision: Approved</p>
SW/15/509809	<p>New two storey building comprising of 5 classrooms, a kitchen, dining hall and storage and toilet facilities. A new canopy will link the new building to the existing school where a new link corridor will be created. The proposed development will include the re-configuration of the existing car park, a new MUGA, the conversion of the existing school dining hall and kitchen into a new classroom and a new Year 1 play area. Rose Street Primary School, Rose Street, Sheerness Decision: Permitted</p>
SW/15/510165	<p>New single storey classroom extension with integral assisted wc and storage together with separate pupil hygiene room and associated external works to include replacement playground and the relocation of existing canopies. Meadowfield School, Swanstree Avenue, Sittingbourne Decision: Permitted</p>
TH/16/23	<p>Small extension to school hall within an internal courtyard area. Bromstone Primary School, Rumfields Road, Broadstairs Decision: Permitted</p>
TM/15/3800	<p>Temporary site compound to support the M20 Junction 4 widening programme. Land to the east of Castle Way, Leybourne Decision: Permitted</p>
TW/15/510299	<p>A permanent planning application for the change of use of the existing school house to be used as administration space. Frittenden C of E Primary School, The Street, Frittenden, Cranbrook Decision: Permitted</p>

E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 – SCREENING OPINIONS 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.*

- (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/SW/0019/2016 - The construction and operation of a gypsum recycling building with plant and machinery to recycle plasterboard and the re-configuration of the existing lorry park to include office/welfare facilities and ancillary supporting activities, including rain water harvesting tanks, container storage, new weighbridges, fuel tanks, hardstanding, safe lorry sheeting access platform and automated lorry wash. Countrystyle Recycling Storage Land, Ridham Dock, Iwade, Sittingbourne, ME9 8SR

KCC/SCR/MA/0022/2016 - Maidstone Gyrotory Scheme, which involves the widening of existing carriageway to provide a two-way section of a two-lane northbound carriageway on the eastern side of the gyrotory at the Medway bridges in the centre of Maidstone.
Maidstone Gyrotory LEP Scheme, Maidstone

- (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:-

None

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

- (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.*

None

E.4