

**PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 11th July, 2018**

**10.00 am**

**Council Chamber - Sessions House  
County Hall, Maidstone  
ME14 1XQ**







## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Wednesday, 11th July, 2018, at 10.00 am**  
**Council Chamber - Sessions House**  
**County Hall, Maidstone**  
**ME14 1XQ**

Ask for: **Andrew Tait**  
Telephone: **03000 416749**

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

#### **Membership (13)**

Conservative (10): Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman),  
Mrs R Binks, Mr A Booth, Mr P C Cooper, Mr M D Payne,  
Mr H Rayner, Mr C Simkins, Mrs P A V Stockell and Mr J Wright

Liberal Democrat (1): Mr I S Chittenden

Labour (1) Mr B H Lewis

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 - 13 June 2018 (Pages 7 - 10)
4. Site Meetings and Other Meetings

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

1. General Matters

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

1. Application DO/18/0034 (KCC/DO/0339/2017) - Wood recycling to produce biofuel together with ancillary power production at former KCC Waste Transfer Station, Fernfield Lane, Hawkinge; Flisher Energy Lane (Pages 11 - 28)

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

1. Proposal SE/18/01521/KCCRG3 (KCC/SE/0075/2018) - Erection of a two storey extension to the existing school to provide accommodation for an additional Form of Entry (1FE to 2FE), relocation of existing mobile classroom and the provision of a further temporary classroom (for 12 months), 18no additional car parking spaces, new hard court playground (including MUGA), associated landscaping and ancillary works at Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks, TN15 0DJ (Pages 29 - 60)
2. Proposal SE/18/01520/KCCRG3 (KCC/SE/0076/2018) - Extension to existing car park to include 5 parking spaces, reconfiguration of existing parking layout, resurfacing and upgrade of existing footpath at Seal Recreation Ground Car Park, High Street, Seal, Sevenoaks (Pages 61 - 78)
3. Proposal SW/18/502/753 (KCC/SW/0077/2018) - Retrospective application for erection of a 2.3m high 57m long fence along one boundary of the sports field at Newington CEP School, School Lane, Newington; Governors of Newington CEP School (Pages 79 - 86)
4. Proposal DA/18/659 (KCC/DA/0088/2018) - Temporary application for retention of 3 modular classrooms (permitted under DA/17/1626), provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils and 42 additional car parking spaces at Wilmington Academy, Common Lane, Wilmington; KCC Property and Infrastructure Support (Pages 87 - 124)
5. Proposal DA/18/39 (KCC/DA/0353/2017)- Three storey teaching block to accommodate additional two Forms of Entry, provision of additional 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works spaces at Wilmington Academy, Common Lane, Wilmington; KCC Property and Infrastructure Support (Pages 125 - 182)
6. Application DA/19/94/CPO (KCC/DA/0002/2018) -Erection of two storey teaching block and sports hall with roof top MUGA to accommodate an additional Form of Entry (4FE to 5FE), provision a drop-off loop for 6 buses, 12 additional car park spaces, rearrangement of existing hard surfaced games court together with temporary games court during construction works, associated landscaping, upgraded footpath link and ancillary highways works at Wilmington Grammar School for Girls, Parsons Lane, Wilmington. (Pages 183 - 240)

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

1. County matter applications (Pages 241 - 244)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

**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)*

Benjamin Watts  
General Counsel  
03000 416814

Tuesday, 3 July 2018

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

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**KENT COUNTY COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

MINUTES of A meeting of the Planning Applications Committee held at Council Chamber - Sessions House on Wednesday, 13th June, 2018.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr A Booth, Mr I S Chittenden, Mr P C Cooper, Mr P M Harman, Mr B H Lewis, Mr M D Payne, Mr H Rayner, Mr C Simkins and Mr J Wright

OFFICERS: Sharon Thompson (Head of Planning Applications Group), Paul Hopkins (Principal Planning Officer), David Joyner (Transport & Development Manager) and Andrew Tait (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**18. Membership.**  
*(Item. A1)*

The Committee noted the appointment of Mrs R Binks in place of Miss E Dawson.

**19. Minutes - 16 May 2018.**  
*(Item. A4)*

RESOLVED that the Minutes of the meeting held on 16 May 2018 are correctly recorded and that they be signed by the Chairman.

**20. Site Meetings and Other Meetings.**  
*(Item. A5)*

(1) The Committee noted that the second part of the Education Commissioning Plan would take place after the meeting.

(2) The Committee agreed to undertake a training visit to Ridham Dock during the morning of Tuesday, 24 July 2018.

(3) The Committee agreed to visit a site in Essex in order to observe a site where materials were transported exclusively by sea.

**21. General Matters.**  
*(Item. B1)*

(1) The Head of Planning Applications Group informed the Committee that the revised National Planning Policy Framework was still expected to be issued prior to the parliamentary recess in July. A copy would be sent to all Members of the Committee.

(2) The Head of Planning Applications Group informed the Committee that she would send an executive summary and link to the DEFRA Clean Air Strategy 2018 - Consultation Draft to all Members of the Committee.

(3) The Committee noted that the “probity sheet” (which was provided exclusively to Committee Members before each meeting in order that they could identify anyone with whom they had a close personal or pecuniary relationship who had commented on a planning application) would henceforth be produced on green paper in order to further underline its confidential status. To comply with GDPR requirements, Members were requested to ensure that it was either shredded by themselves following meetings or given to the Democratic Services Officer for this purpose.

**22. Proposal TW/18/884 (KCC/TW/005/2018) - Detached two classroom building at Speldhurst Primary School, Langton Road, Speldhurst; Governors of Speldhurst Primary School.**

*(Item. D1)*

(1) The Head of Planning Applications Group informed the Committee that a late representation in support of the application had been received. This representation covered the points that had already been made by other correspondents and raised no new issues.

(2) Mrs Rebecca Cloke and Mr Kia Boon Phoa (local residents) addressed the Committee in support of the application. Mrs Stephanie Hayward (Head Teacher) spoke in reply.

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

(4) 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 approval of details of all materials to be used externally; measures to protect those trees to be retained; details of any external lighting being provided; hours of working during construction being restricted to between 0800 to 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays with no operations on Sundays and Bank Holidays; measures to prevent mud and debris being taken onto the public highway; the implementation of the School travel Plan; the monitoring and regular updating of the School Travel Plan; and the submission for approval of a construction management plan, including lorry routing, access, parking and circulation within the site for contractors and other vehicles related to construction operations; and

(b) the application be advised by Informative of the need for Listed Building Consent for the new double doors to the school hall.

**23. 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 2017; and
- (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

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SECTION C  
MINERALS AND WASTE DISPOSAL

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

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**Item C1**

**Wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge, Kent, CT18 7AW – DO/18/00034 (KCC/DO/0339/2017)**

A report by Head of Planning Applications Group to Planning Applications Committee on 11 July 2018

Application by Flisher Energy Ltd for wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge, Kent, CT18 7AW – DO/18/00034 (KCC/DO/0339/2017)

Recommendation: Planning Permission be GRANTED subject to conditions.

Local Member: Mr G Lymer & Ms S Carey

Classification: Unrestricted

**Site and surroundings**

1. The application site is located some 3.1 km from the northern edge of the built-up area of Folkestone. It is north of the A20 and east of the A260. The site is 225m from the north-eastern edge of the residential curtilage of Hawkinge, within the District of Dover and wholly within the Kent Downs Area of Outstanding Natural Beauty (AONB), and also the Alkham East Kent Downs Landscape Character Area. The wider area is a mixed landscape of farms, west is Fernfield Farm, to the east of the site is Stombers Farm, to the north is agricultural land and woodland and close by to the south and east is Hawkinge Allotments, with residential development to the south of these.
2. The site is approximately 0.3 ha and comprises existing buildings (the former KCC waste transfer station and incinerator building and chimney) and associated surrounding yard (including weighbridge) and parking areas. Two of the three Combined Heat and Power (CHP) units are within the building whilst the third is located outside immediately adjacent to the southern elevation of the building. The site has a direct gated access from Fernfield Lane and is securely fenced around its perimeter. The road frontage has a good tree belt either side of the access which obscures views into the site from the road.
3. HGV's visiting the site use a private road (part of which is a public footpath) which gives direct access to the A260 from Fernfield Lane. The road adjacent to Fernfield Farm runs north-east for a short stretch before turning sharp left and heading south-east join the main road just before the roundabout. The road is gated and locked when not in use.

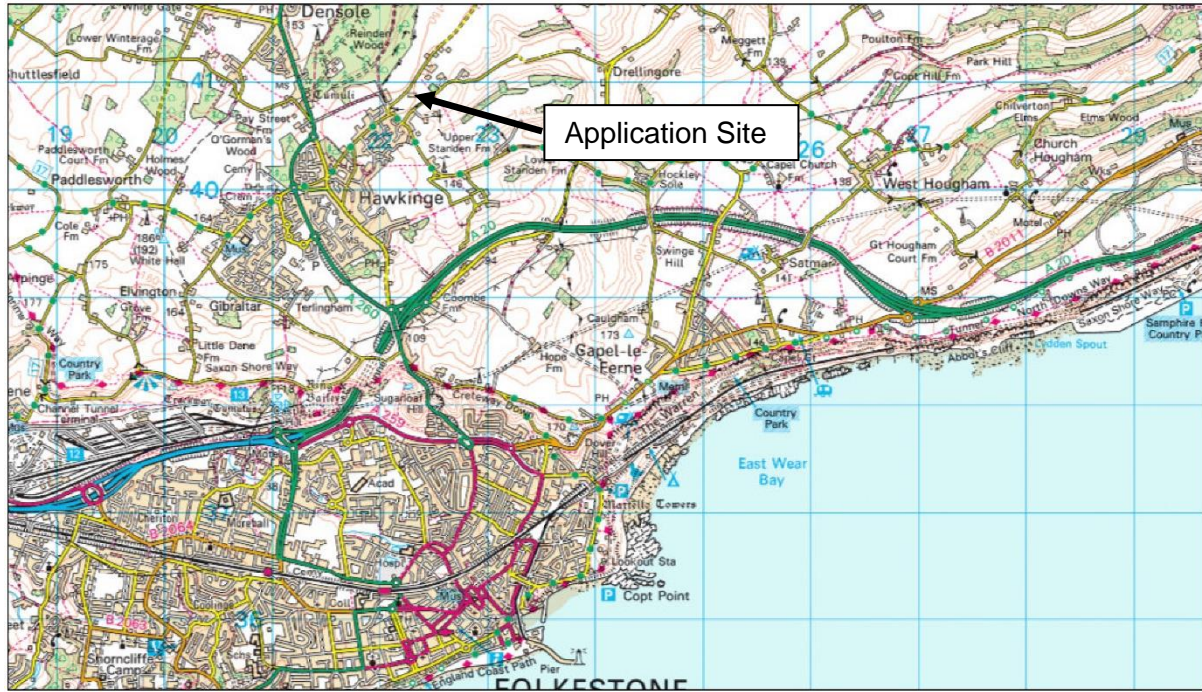
4. A public footpath crosses from Fernfield Lane to Stombers Lane just over 100 metres to the north.
5. The application site lies within a groundwater Source Protection Zone 2 (SPZ 2) where the Environment Agency (EA) consider the risk of pollution and suggest prevention measures if appropriate.

### **Background and Recent Site History**

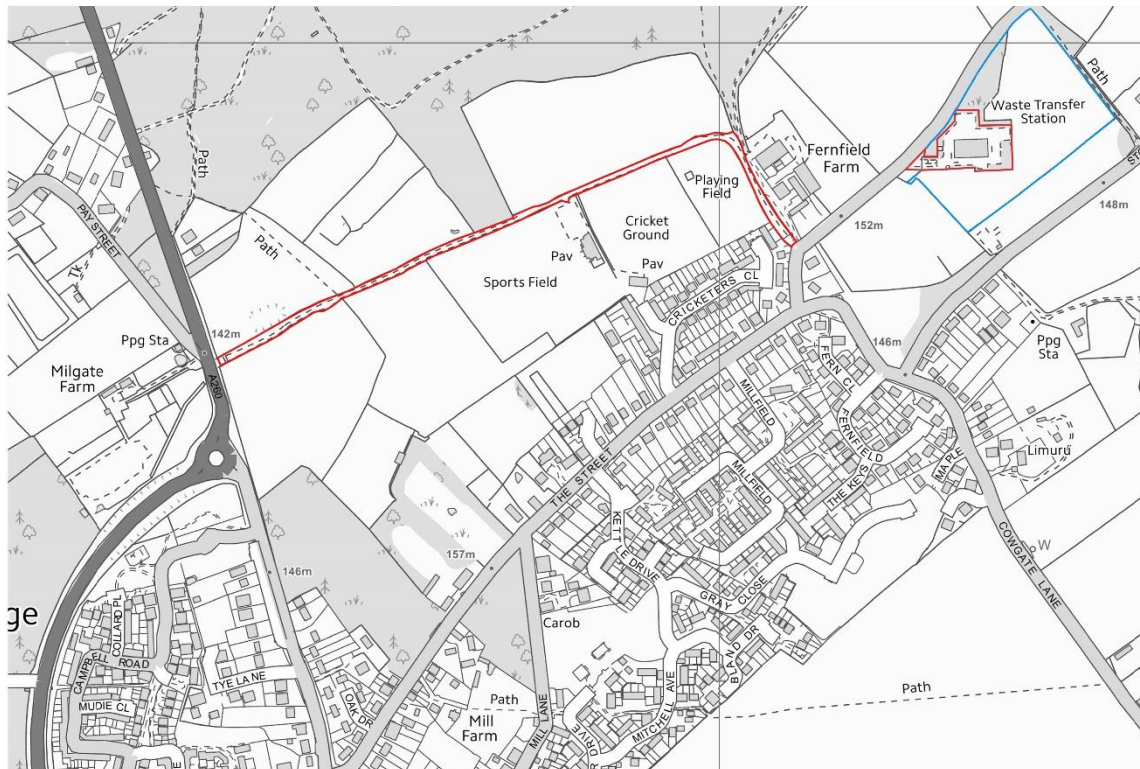
6. Historically the site was a former brickworks served by associated clay pits in the surrounding area. Planning permission for an incinerator on the site of the former brickworks for household refuse disposal was granted on appeal on 16 July 1970. More recent relevant planning applications have been received as follows:
  - DO/80/1191 - Modification of refuse incinerator plant for use as a waste transfer station – Deemed permission 12 March 1982 (Reg. 4 Town & Country Planning General Regulations 1976 – This consent was solely for the benefit of the County Council). *This permission allowed for the conversion of part of the incineration plant into waste transfer for household waste whilst retaining the ability to burn waste if the need were to arise in the future.*
  - DO/92/1099 – Continued use of KCC Waste Transfer Station by direct operation of the facility transferred to a third-party contractor and proposed householders waste and recycling centre - Permission granted 25<sup>th</sup> January 1994.
  - DO/92/1099R2 – Installation of new fuel tank – granted permission 5 January 2004.
  - DO/92/1099R2 – Variation of the hours of operation – permission granted on 13 May 2004.
  - DO/92/1099R6 - Installation of enclosed stairwell and crane control cabin - Permission granted 4 May 2006
  - DO/94/1172 – Extension to site area to improve vehicle manoeuvring space – Temporary planning permission granted on 13 March 1995 until 31 March 2003.
  - DO/94/1172R1 - Continued use of extended manoeuvring area up **until 31 October 2022** – Permission granted 13 March 2003.
7. To the south east of the application site, beyond a field owned by the applicant, is an area of land owned by Folkestone and Hythe District Council which was granted permission for 40 allotments in August 2009.

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

**General Location Plan**

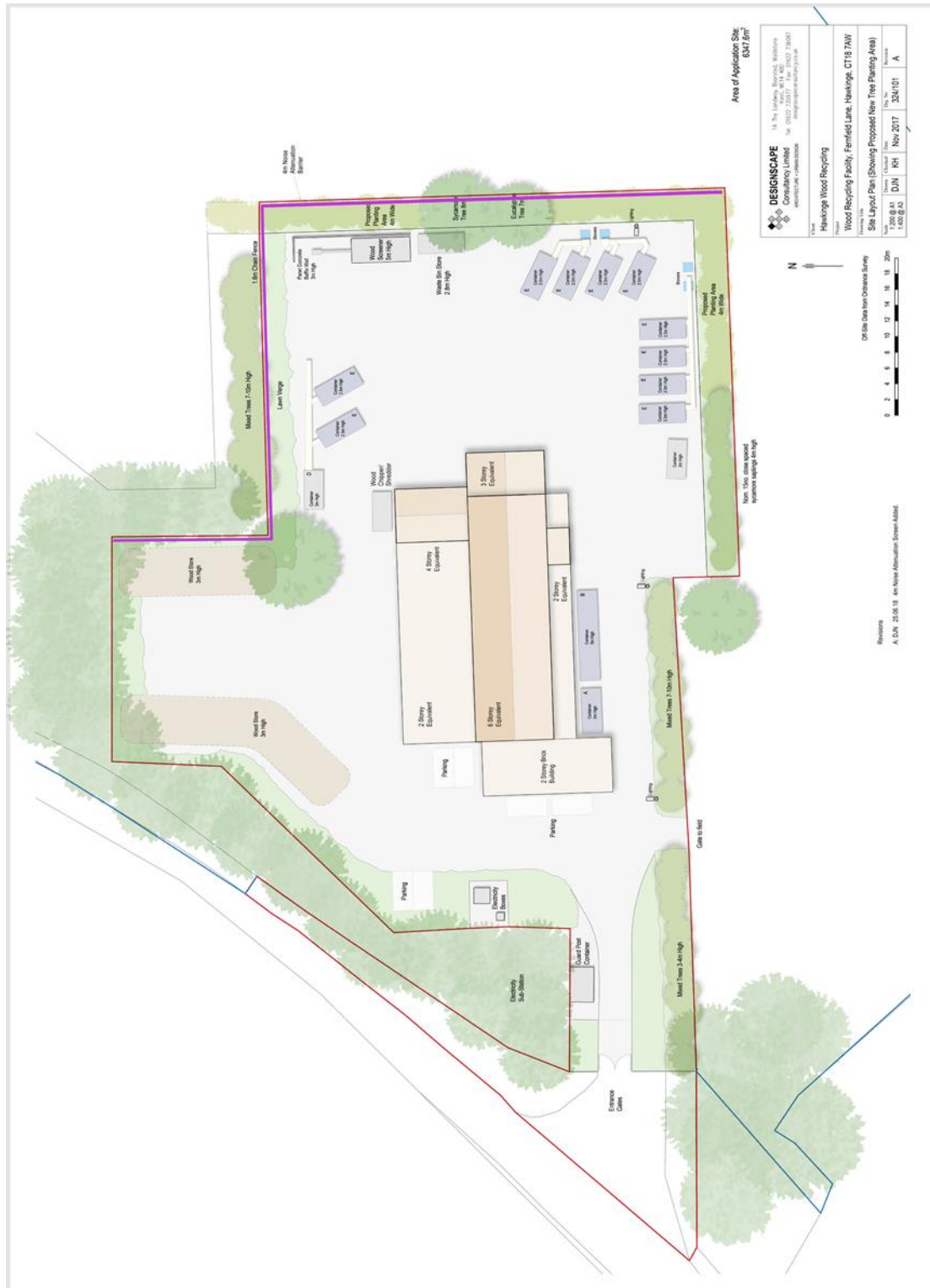


**Site Location Plan**



# Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)

## Site Layout



**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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**Proposal**

8. This is a retrospective application for the use of the site in the production of a high-grade wood chip fuel for sale and use in offsite, largely commercial, boilers. The throughput is up to 10,000 tonnes per annum (tpa) of waste wood from forestry operations and 10,000 tpa of waste wood from offsite construction and demolition waste and commercial and industrial waste streams. A proportion of the shredded waste wood is fed, as a fuel, into the onsite CHP boilers which in turn produce hot air for drying the woodchip, and electricity which is used for on-site operations with any surplus (approx. 10%) being fed into the National Grid.
9. The wood waste is brought to site by HGV and deposited into wood storage areas which primarily lie within the area that was granted a temporary consent for vehicle manoeuvring until 31 October 2022. Wood is then taken to the screener if the load needs separation from other contaminants and or the shredder, being loaded using a telehandler.
10. Once it has been run through the shredder, the chipped wood is then deposited in the drying containers which are connected by ducting and pipework to one of the three CHP units. As set out above these power units supply the hot air for drying as well as the electricity to run the facility. Approximately 20% of the processed wood from the shredder is used to fuel the boilers with the remainder being dried to produce the high-grade woodchip for sale off site. Two of the CHP units (1x Binder RRK 1200-1650 biomass boiler and 1x Heizomat RHK-AK 850 biomass boiler) together with the wood chip storage for fuelling are located within the existing building whilst the third CHP unit (1x Heizomat RHK-AK 850 biomass boiler) and its associated fuel store are housed within two separate containers adjacent to the southern façade of the existing building. Only the Binder boiler is required to have a waste permit and it is authorised to burn both Grade A (untreated, clean wood) and Grade B (non-hazardous mainly from construction and demolition activities, recycling centres and civic amenity sites) waste wood. The Heizomat's burn only solid wood and are not required to have waste permits. The operation of the screener and shredder are the subject of an environmental permit exemption from the Environment Agency.
11. The proposal includes the installation of an acoustic barrier on the eastern and part of the northern boundary of the site.
12. A small amount of ash is produced in the boilers and this is stored in a covered waste bin along with any non-compliant wood or other materials (principally nails). The container is taken off site for disposal of the contents to an appropriately licensed waste disposal site.
13. The site employs 7 staff and whilst the power generation and drying process operates continuously the noisier shredding and other external plant activity occurs during the hours 07.30 - 16.30 Monday - Friday and 08.00 - 13.00 hours on Saturdays only.

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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**Planning Policy**

14. **National Planning Policy Framework (NPPF) (March 2012)** sets out the Government's planning policies for England and is a material consideration in the determination of planning applications. The Framework does not vary the status of the development plan (included below), which remains the starting point for decision making.
15. The NPPF contains a presumption in favour of sustainable development, which includes economic, social and environmental dimensions that should be sought jointly and simultaneously through the planning system. In terms of delivering sustainable development in relation to this development proposal, Chapters 1 (Building a strong, competitive economy), 3 (Supporting a prosperous rural economy), 4 (Promoting sustainable transport), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) are of particular relevance.
16. The NPPF seeks local planning authorities to look for solutions rather than problems and to approve sustainable development that accords with the development plan, unless material considerations indicate otherwise. Where the development plan is absent, silent or out-of-date, the Framework seeks that permission be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against NPPF policies.
17. A draft revised NPPF (March 2018) has recently been out to consultation. Many of the proposed changes reflect the current position with regard to EU legislation references and add more emphasis for the support for the delivery of new housing. The basic principles of sustainable development, building a strong competitive economy, supporting a prosperous rural economy and promoting sustainable transport remain as do meeting the challenge of climate change, flooding, as well as conserving and enhancing the natural environment, especially Areas of Outstanding Natural Beauty (AONB).
18. **National Planning Policy Guidance (NPPG) (March 2014 (as updated))** supports the NPPF including guidance on planning for air quality, climate change, flood risk and coastal change, light pollution, natural environment (landscape and AONB), noise, transport and waste (amongst other matters). The waste section of NPPG advises that the aim should be for each Local Planning Authority to be self-sufficient in dealing with their own waste in the context of the 'proximity principle'. It requires waste planning authorities to plan for sustainable management of waste.
19. **National Planning Policy for Waste (NPPW) (October 2014):** The NPPW should be read in conjunction with amongst other matters the NPPF and Waste Management Plan for England (WMPE) 2013. It recognises the need to drive the management of waste up the 'Waste Hierarchy' and the positive contribution that waste management can bring to the development of sustainable communities. It recognises that planning plays a pivotal role in delivering this country's waste ambitions through amongst other matters helping to secure the recovery of waste without endangering human health and without harming the environment.



**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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20. **Waste Management Plan for England (WMPE) 2013:** The key aim of the WMPE is to help achieve the Government's objective of moving towards a zero-waste economy as part of the transition towards a sustainable economy. It also promotes the waste hierarchy as a guide for sustainable waste management. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery and last of all disposal (landfill).

**Development Plan Policies:**

21. **Kent Minerals and Waste Local Plan (KMWLP) 2013 – 2030 (July 2016):** As set out in the NPPF the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF requires that policies in local plans should follow the approach of the presumption in favour of sustainable development. The KMWLP is therefore founded on this principle. Policy CSW1 gives support where, when considering waste development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out and supported by National Policy.
22. Policy CSW2 recognises that to deliver sustainable waste management solutions for Kent any proposal should demonstrate how they will help drive waste up the waste hierarchy whenever possible.
23. Policy CSW6 guides the location of built waste management facilities. Policy CSW7 provides a strategy for the provision of new waste management capacity for non-hazardous waste. The policy will increase the provision of new waste management capacity for recovery while recognising the need to drive waste up the waste hierarchy.
24. Policy DM1 requires that proposals for waste development are designed amongst other matters, to maximise the re-use or recycling of materials. Policy DM2 of the KMWLP states that proposals for waste development must ensure that there is no unacceptable adverse impact on the integrity, character, appearance and function, biodiversity interests, or geological interests of sites of international, national or local importance unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net planning benefit. Particularly relevant is the protection afforded to AONB's where significant weight is given to conserving the landscape and scenic beauty of these areas in which the conservation of wildlife and cultural heritage are important considerations. Policy DM3 of the KMWLP states that proposals will be required to demonstrate that they result in no unacceptable adverse impacts on Kent's important biodiversity assets and that proposals that are likely to give rise to such impacts will need to demonstrate that should secure measures to mitigate any adverse impacts and the securing of opportunities to make a positive contribution to the protection, enhancement, creation and management of biodiversity.
25. Policy DM10 seeks to protect the water environment and embraces issues of flood, groundwater, SPZ's and the protection of waterbodies. Policy DM11 requires waste developments to demonstrate that they are unlikely to generate unacceptable adverse impacts from noise, dust, odour, vibration, emissions, bioaerosols, illumination, visual

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Policy DM12 establishes the need to take into account the cumulative impacts of individual elements of a proposal to ensure there are no unacceptable adverse impacts on the environment or local communities. Policy DM13 requires waste developments to demonstrate that road traffic movements are minimised as far as practicable by preference being given to non-road modes of transport. Policy DM14 seeks to provide safeguards which satisfactorily protect the interests of any Public Rights of Way affected by proposed developments.

26. **Dover District Council Core Strategy 2010** – Policies DM3 (Commercial Buildings in the rural area), DM12 (Road Hierarchy and Development), DM15 (Protection of the Countryside), DM16 (Landscape Character – including AONB)), DM17 (Groundwater Source Protection) also apply.

**Consultations**

27. **Dover District Council** - No objection – Would like to request that the proposed landscaping, including the new sections of native species planting, and the sound attenuation wall shown on the drawings, be secured by condition in order to preserve or enhance the surrounding open countryside and AONB and in the interests of residential amenity. We would also request that other noise attenuation measures which could further mitigate the noise from the wood chipper should be explored due to the high level of noise that is generated by this process and the site being situated within the AONB.

**Folkestone and Hythe District Council (FHDC)** - Have made a detailed representation on the planning application; they are the neighbouring authority (through which the private road passes) but also own an area of open space to the south of the application site and the neighbouring allotments along Stombers Lane (although both these are within Dover District Council's administrative area). FHDC have submitted an outline planning application for a small housing development (19 dwellings) on the area of open space within their ownership. The indicative layout shows the nearest plot to be about 50 metres at its closest point to the wood recycling facility. FHDC do not object to the principle to the change of use but would wish to ensure that any planning permission granted would not affect the amenity of local residents and the development potential of the FHDC owned land. They commissioned their own noise report which responds to the noise assessment included with this application. They comment that should permission be granted it should be subject to a condition to restrict the location of the wood chipper to that upon which an acceptable noise assessment and mitigation strategy has been based as well as requiring any proposed mitigation measures to be provided. They also comment that the noise assessment ignores the impact on the users of the allotments and further consideration should be given to mitigation measures by which the overall noise impacts of the wood chipper can be reduced and a further noise assessment of those measures carried out.

**Hawkinge Town Council** – State no objection in principle but object to the road being included. Further subsequent comments are as follows:

- To register the concerns: The impacts of current plant on the proposed development.

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- To consider the neighbours and the different impacts it will have locally.
- To consider traffic in addition to the current activities which are already on site and using the transfer road not Fernfield Lane.
- To consider restriction times on the movement of traffic in-wards bounds and out-wards bounds to consider the local neighbour's.
- To consider the level of noise which the operations will create during the production.
- To consider production restriction times, e.g. not running the equipment through the night.
- To consider the impact on the air pollution

**Alkham Parish Council** – No response received

**Environment Agency** – No objection. The applicant states that the operational area of the site is constructed of an impermeable continuously kerbed surface and the proposed development does not involve any construction which would require this surface to be punctured. It is also stated that all surface water is collected with pollution prevention controls and drains (with foul water) to mains foul sewer. The EA is satisfied with these proposals. Care should be taken to ensure that all fuels, lubrication oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to the ground.

**Sustainable Drainage** – No objection. The development is regarded as having a low flood risk.

**Kent County Council Highways and Transportation** – No objection subject to following being secured by condition:

- Provision and permanent retention of the vehicle loading/unloading, turning and parking facilities shown on the submitted plans.
- Access for all import and export of wood to be via the private road between the A260 Canterbury Road and Fernfield Lane only, with the operation of the gates to be in accordance with that described in the Planning Statement submitted.
- Maximum yearly import of wood to be no greater than 20,000 tonnes.

**Kent County Council Landscape Consultant (Amey)** – The proposed landscape mitigation associated with the planning proposals for change of use appear to be broadly appropriate although greater detail is required in terms of plant groupings, proposed plant protection, plant numbers and percentages of the chosen hedge mix species and semi mature trees. Thought should be given to the location of the evergreen elements of the hedging to ensure that there is not a fully deciduous width to the hedge in winter months. There is an opportunity for wildflower seeding during reinstatement and ground preparation works. The tree planting appears to be appropriate although detail is required as to the numbers and spacing of trees and species grouping in addition to the proposed tree pits and staking. Bearing in mind the maturity of the proposed trees to create an instant significant screen ground preparation and appropriate planting technique is vital. Clarification in regard to all plant material provenance is required as all material should have UK provenance with a preference for local provenance if possible.

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**Kent County Council Noise (Amey)** – The noise reports which accompany the application conclude that the proposals are acceptable in noise terms in principle and that view is supported. However should planning permission be granted it is recommended that an appropriate condition restricting the use of the shredder to certain areas of the site only and requiring further details of the 4m high absorptive noise barrier .

**Kent County Council Air Quality & Odour Consultant (Amey)** – Following the submission of further information we are satisfied that emissions from the CHP units are within appropriate limits and that with good housekeeping, dust and odour emissions will not be significant, but maintain that dust migration controls should be formally adopted by condition.

**Kent Downs AONB Unit** – No objection. Taking into account the previous use and extant permission of the site and the proposed significant reduction in vehicular movements, together with the proposed production of woodchip fuel which is supported by Kent Downs AONB Management Policy WT9 the AONB unit has no objection subject to the Landscaping Strategy as set out in Drawaing No. 0040/B/3 being secured to any planning permission issued.

**Kent County Council Biodiversity** – No objection. The site is predominantly hard standing with limited potential for protected species. The building shows negligible potential for roosting bats. We note that the surrounding vegetation is being retained and improved with additional native planting which has the potential to provide ecological enhancements.

**Public Rights of Way (East Kent PROW Team)** - No objection. It is noted there is a gated access to restrict and monitor vehicle movements along the private road know as 'Pavilion Road'. HE197 runs along this road allowing members of the public rights on foot. If a condition could be considered to allow traffic to give way to members of the public it would be most appreciated. This can be easily done as the route is opened for deliveries etc. Following that regard, there is unlikely to be a significant impact to the footpath.

**Public Health England** - As the site will be subject to a part B environmental permit, with provisions for the control of emissions to air, we do not have any comments to make.

**Civil Aviation Authority** – No reply received.

**Local Member**

28. The local County Members Mr Geoff Lymer and Ms Susan Carey have been notified of the application, but no views have been received to date.

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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**Publicity**

29. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 53 residential properties.

**Representations**

30. Five letters of representation have been received, one confirming no objection to the application, two from the same residence objecting to the proposals, a further letter of objection from a local resident and one from the Hawkinge Allotment Society. The following comments are made:

- The Street is very narrow and not built for large vehicles which take up the whole width.
- The old access road previously by council lorries could be used and a weight and size restriction put on The Street.
- The private access road is much used by pedestrians and children, opening it up makes it available as a rat-run and is completely unsuitable for the increased number of HGV's
- Concerned about air quality, dust and noise in what is a very quiet and clean environment at the moment.
- The noise and rumbling from the turbines continues late into the night.
- The users of the allotments want to enjoy peace and quiet away from the stresses and noise of everyday life.
- The site has occasionally had unpleasant bonfires.
- The production of biofuel so close to residential properties must be a health and safety issue. It threatens increased noise. Pollution and traffic congestion and offers no benefit to local residents other than a few jobs. It is inappropriate in current form and should not be allowed to expand.

**Discussion**

31. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraphs 20-25 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 can be summarised by the following headings:

- Need and sustainability
- Traffic and Transport
- Noise, Dust & Air Quality
- Landscape and Visual Impact
- Drainage
- Other Issues

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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**Need and Sustainability**

32. This former brickworks site was granted planning permission (on appeal) for a small household waste incinerator activity in 1970. In 1974 as a result of Local Government reorganisation the County Council took over responsibility of the site and operation of the incinerator. I understand that the incinerator was closed in 1982 and the site converted to operate as a waste transfer station through a deemed planning consent (solely for the benefit of the County Council). As a result of legislative changes in 1990 the operation of the waste facility was transferred from direct operation by the County Council to a private contractor and it was therefore necessary to seek planning permission to allow operation of the site by a third party private contractor. Planning permission DO/92/1099 granted in January 1994 allowed the continued use of the waste transfer station by a third-party contractor and also established a small householder's waste and recycling centre within the existing site.
33. The site handled trade and domestic waste (including construction and demolition waste) until 2013 when the applicant took over the site, the wood recycling operations began in 2015. The original incinerator which was still in the building in 2013 has since been removed. This application is seeking retrospective planning permission for the wood recycling operations as set out in paragraphs 8-12 above.
34. It is clear that the site has had a long history of waste activity, albeit that the present activities are currently unauthorised. The presence of this waste management facility in its rural location is already established and it is proposed to carry out similar recycling activities to those previously permitted, with a lower throughput and less traffic. The proposed activity offers the additional sustainable benefit of producing power to run the drying operations on site and exporting excess energy to the national grid, as well as enabling a new use for the wood waste.
35. Policy CSW1 of the Kent Minerals and Waste Local Plan (KMWLP) presumes in favour of sustainable development and requires that waste development that accords with the development plan should be approved without delay, unless material considerations indicate otherwise. Policy CSW2 supports the movement of waste up the hierarchy and the recycling of the wood for re-use follows that principle. The application site whilst in a rural area and within the Kent Downs Area of Outstanding Natural Beauty (AONB), has a history of waste use and offers existing buildings, infrastructure and security, and accords with Policy CSW6. (Further consideration of the landscape impacts will be dealt with later in my report). Policy CSW16 safeguards existing waste management facilities from being developed for non-waste management uses and in this regards the proposal retains a waste management activity on the site.
36. In principle I am satisfied that there is policy support for this waste management activity in this location on a site where the principle of waste management has been established for nearly 50 years. The retrospective application seeks to regularise the operations which have been on-going since 2015. The wood recycling allows for a more efficient re-use of a waste product, whilst producing sufficient energy to run the facility as well enabling export of the excess to the national grid. It represents sustainable development in accordance with the policies contained in the development plan.

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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**Traffic and Transport**

37. The wood waste is delivered to site using on average 20t HGV's which based on a throughput of 20,000 tpa imported to site and 16,000tpa of product exported equates to 1800 HGV movements per annum. Assuming 274 working days per year this would equate to 7 movements per day (i.e. max 4 HGV 's per day).
38. It is proposed that the vehicles delivering to the site would continue to use the private road from the A260 to Fernfield Road, following the arrangements set up for the previous waste uses at the site. The gates of the private road are locked at either end when the road is not in use however the gate adjoining the A260 is opened at 7.00am each morning to allow access for other users. The gate at Fernfield Lane is locked until a driver advises that they have arrived and needs the gate to be opened. Once a delivery is made the gate is locked. Vehicles exporting the processed wood chip would leave via the same route.
39. The Highways Officer comments that the numbers of associated traffic are unlikely to have a significant impact on the highway network, especially bearing in mind the movements that could be generated by the previous use of the site as a waste transfer station and household waste site which had permitted throughput of 100,000 tonnes and up to 300 HGV movements per day were experienced. He has no objection to the proposals subject to conditions to secure provision and permanent retention of the vehicle loading/unloading, turning and parking facilities shown on the submitted plans; access for all import and export of wood to be via the private road, with the operation of the gates as set out in the planning statement and maximum yearly imports to no greater than 20,000 tonnes.
40. Part of the private road is a public footpath and as such the drivers are required to give way to pedestrians. As stated above the road was used over many years in association with the waste transfer station when volumes of traffic were significantly higher. This activity will generate a maximum of 7 HGV movements per day and I therefore consider that an informative to remind the Applicant to ensure all drivers visiting the site and using the private road are aware of the requirement to give way to pedestrians would be reasonable in this instance.

**Noise, Dust and Air Quality**

41. The site has been in a waste related use for several decades. The wood recycling activities have been taking place at this site since 2013, albeit without the benefit of planning permission. It is therefore appropriate to consider the potential impacts that arise because of the use that is now being applied for. In general, it is important to ensure that the waste industry does not adversely impact upon the health and amenity of the surrounding environment and community. Appropriate suitable mitigation measures should be used to reduce the risk of unacceptable adverse impacts occurring. Policy DM11 of the KMWLP supports waste development if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts.
42. Noise – A noise assessment has been carried out in accordance with British Standard (BS) 4142:2014 'Methods for rating and assessing industrial and commercial sound', and the assessment report accompanies this application. It identified the nearest noise

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sensitive receptors and concluded that the proposals are acceptable in noise terms in principle. However, it was accepted that for that to be the case there would need to be a degree of attenuation to the shredder for the identified noise sensitive receptors which could be provided by locating it to the north of the substantial waste building.

43. It became apparent upon submission that the noise report had overlooked the bungalow at Stombers Farm which is approximately 160m to the north east and so additional surveys and assessments have been carried out. As a result, it is proposed to mitigate noise by erecting a 4m high absorptive barrier along the majority of the northern and all of the eastern boundary of the site. The amended acoustic report concludes that with this measure the noise emissions from the operations would be acceptable at all noise sensitive receptors. It would be essential that the location of the mobile shredder is restricted so that it can only be operated in a location which benefits from the proposed screening and to the north of the large waste handling building. Furthermore, it is proposed to limit, by condition, the maximum noise level at which the shredding equipment can operate (112 dBA) as well as requiring the final details of the noise limiting qualities of the acoustic barrier. The Applicant has indicated that he is happy to accept such conditions.
44. In response to the concerns regarding noise levels at the allotments it is suggested that the noise sensitive hierarchy considers gardens as being more sensitive than allotments as they can be seen as being a direct extension to a dwelling. Allotments are invariably remote from residences and in many cases can be found in urban or semi urban locations often subject to some extraneous noise such as road traffic or industrial. Based on the predicted noise contours, the Stombers Lane allotments would be experiencing noise ranging from around 40 to 56 dB when the shredder were operational which is not considered unacceptable by my noise advisor. It should also be borne in mind that a waste activity (household waste site and transfer station) was already taking place on the site before planning permission for the allotments was granted in August 2009. It is stated that the shredder and any other external plant activity would only be operational during the hours of 07.30-16.30 Monday to Friday and 08.00 to 13.00 hours on Saturdays and as such the proposed site activities would not result in a significant adverse effect on the amenity of the allotments. It would be appropriate to condition the above hours of activity so that the impact can be minimised. One complaint about noise back in 2015 made to the District Council was not substantiated and could not be confirmed as linked to Flisher Energy.
45. Dust and Air Quality – The application is accompanied by a dust assessment report and it is acknowledged that the waste wood activities promoted through this application have the potential to result in impacts upon the environment from a number of sources. Wood storage itself is not considered to be a dust source. The screening and chipping process, though likely to produce dust, is not considered to be in sufficient quantities to cause adverse impact and is categorised as 'not significant' in the dust assessment. The operation of the Binder CHP unit is subject to a waste permit and it is concluded that if operated in accordance with the permit that emissions from the unit would be adequately controlled and the risk to human health low as a result. An update of the monitoring of emissions from the Heizomat boiler in the container are considered not to exceed the emission limit values in statutory guidance for combustion of waste wood (Process Guidance Note 1/12 (13) – DEFRA July 2013), this is also the case for the second Heizomat boiler inside the waste building and my air quality advisor considers



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these results to be robust. The bottom ash from the boilers is stored in a covered waste bin and then collected by a specialist waste handler who takes it to an appropriately licensed landfill site. The risk of amenity impacts from this operation are considered minimal based upon the ash being transported in covered vehicles. There have been no complaints about dust or odour from the site since these wood recycling operations have been taken place over the last 3 years.

46. It is concluded that with good housekeeping, dust and odour emissions will not be significant, in fact a reduction in traffic levels from those associated with previous waste uses results in some benefit to the local environment. However, it is recommended that the mitigation controls set out in the dust assessment are subject to an appropriate condition to ensure good management and appropriate action should dust issues arise.

**Landscape and Visual Impact**

47. The site is located in the Kent Downs Area of Outstanding Natural Beauty (AONB) within Alkham:East Downs Landscape Character Area in the Landscape Assessment of Kent Landscape. The site is screened by the existing topography, hedgerows, scrub and mature trees. However, the site is visible from some view points to the south and east (from the allotments and residential properties further afield). A number of containers (2.5-3m high) used for drying the wood chip are located around the perimeter at the eastern end of the site, as is the screener which measures 5m in height. However, the largest structure on the site by far remains the original waste handling building, which now houses 2 of the 3 CHP units. The boundary of the site was extended in 1995 to improve vehicle manoeuvring space to accommodate the larger waste vehicles visiting the KCC waste transfer site. Temporary permission was renewed in 2003 and currently is allowed until 2022. The tree screen around this additional area has developed well over the years and views of the yard area at this point are limited. If planning permission is granted the use of this area of land as an intrinsic part of the waste operations would become permanent as it currently provides storage space for the waste wood awaiting processing as well a vehicle manoeuvring area.
48. The landscape strategy submitted with the application proposes to address the inadequate screening on the boundaries by felling existing non-native Sycamore and Eucalyptus trees to reduce the seeding of these invasive species and replanting with native species. A range of native species of trees of varying height is proposed along with a six-row native hedge mix with a high mix of evergreen material to provide a dense lower storey of vegetation below the tree canopies. The proposals have been designed to provide visual screening from the allotments to the south and east and views from the public footpath to the north east. In addition to the screening characteristics of the proposals the planting has been designed to enhance biodiversity and foraging corridors around the site, this is welcomed by my Biodiversity officer.
49. My landscape advisor is generally satisfied with the proposed approach to provide additional screening subject to final agreement on details of species, plant provenance plant groupings and protection measures. Detailed suggestions for matters to be included for submission pursuant to a landscaping condition are set out in his comments and for assistance I recommend that this be added as an informative to any planning permission granted.

**Change of Use to wood recycling to produce biofuel together with ancillary power production at Former KCC Waste Transfer Station, Fernfield Lane, Hawkinge – DO/18/00034 (KCC/DO/0339/2017)**

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50. The site has been in a waste related use for many years and this proposal offers the opportunity to improve the screening of the site and associated activities. As such the impact of the development upon the landscape quality of the AONB would be reduced by the improved screening offered by the proposed additional planting which could be secured through an appropriate condition.

**Drainage**

51. The site is located within a Source Protection Zone 2, located upon a principal aquifer and within a drinking water protected area for groundwater safeguard zone. Initially the Environment Agency objected to the planning application as the applicant had not supplied adequate information to demonstrate that the risk to groundwater from the development could be adequately managed. The Applicant submitted some additional drawings showing the existing drainage arrangements for the site and undertook a CCTV inspection of the system. The whole operational area of the site is constructed of an impermeable continuously kerbed surface which would not be disturbed (punctured) by the development being applied for. All surface water flows directly to a foul water public sewer as has been the case for many years and whilst previous waste uses have been taking place. Based on the additional information the EA were satisfied the information was sufficient to enable them to remove their objection. They comment that care should be taken to ensure that all fuels, lubrication oils and any other potentially contaminating materials should be stored to prevent accidental/unauthorised discharge to ground, an appropriately worded condition would secure this.
52. The County Council's Sustainable Drainage team as Lead Local Flood Authority reviewed the application and additional information and regard the development as low risk and have no objection.

**Other Issues**

53. Folkestone and Hythe District Council (FHDC) have questioned the use of what they argue are newly cut tree trunks as falling outside the definition of recycled wood. As such they take the view that their processing should be subject to a planning application to the District Council for a non-waste based industrial process. It is true that virgin timber may not be a waste, and this might include trees and branches, shavings and sawdust, removed during forestry, woodland or riverbank management. However, the Environment Agency confirm that the Applicant does not describe the wood stream as 'virgin timber' and so it cannot be considered as such. Furthermore at least 50% of the material coming into the site is from construction and demolition streams and as such it is appropriate for the County Council to deal with the planning application as a waste management proposal.
54. FHDC owns a parcel of land to the south of the application site for which they have applied for outline planning permission from Dover District Council (DDC) for 19 dwellings. The application was submitted in December 2016 and has yet to be determined. They have not objected in principle to this waste application but have commented that they would not wish the development potential of this land to be affected by any planning permission granted.

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55. I acknowledge the aspirations of FHDC for the adjoining site but at this point in time no planning permission exists for residential development and DDC may or may not grant permission, depending upon their housing needs and the material considerations relating to that application. When they are in a position to determine the application, they will have to take account of whatever development is permitted in the area. FHDC comment that if KCC are minded to grant permission it should seek to ensure, via condition, that the location of the wood chipper is in a fixed location to north of the main waste transfer building as the ability to move the chipper around the site would have the potential to adversely affect the amenity of local residents and noise levels would not have been assessed. I agree with this point and as such am recommending a condition to secure the location of the chipper when it is in operation (see noise section of report). Furthermore, if this waste application is granted, then consideration of the potential amenity afforded to the new dwellings would have to be accommodated within the proposed housing layout with any noise mitigation designed in as appropriate. My noise advisor considers that limiting the noise emissions from the chipper and restricting its location along with appropriate measures designed into the proposed housing proposals would allow noise impacts to be adequately addressed and as such it is not considered that the development potential of the FHDC site would be restricted.

**Conclusion**

56. The application seeks retrospective planning permission for the use of the site for waste wood recycling activities which have been taking place over three years. The site has a very long history of waste uses and so the principle of waste related development at this sensitive AONB location is already established. The level of HGV traffic is considerably lower than the previous waste use and the access routes to and from the site secured by the previous use have been and will continue to be used. This involves directing the HGV's visiting the site to use the private access road from Fernfield Lane to the A260 so as to avoid travelling through Hawkinge. Noise, dust and air quality impacts upon the site and surrounding areas have been considered through the application and found to be minimal; and with appropriate mitigation (secured by conditions) there are no objections from consultees. Existing drainage arrangements have been surveyed and tested and found to offer appropriate safeguarding to the groundwater environment to the satisfaction of the Environment Agency.
57. It is not considered there would be any cumulative or combined impacts associated with other developments.
58. I am satisfied the proposed development complies in all relevant aspects with the NPPF to which the presumption in favour sustainable development therefore applies. It is concluded that the proposals comply with the adopted KMWLP 2016 and the relevant policies of the Dover District Council's Core Strategy 2010
59. There have been no substantiated noise complaints about the activities at the site since it began operations in 2015 and no reports of dust. Based on the considerations set out above I am satisfied that the proposals represent a sustainable waste management activity which would not result in any significant impacts upon the sensitive landscape area or the amenity of the residential properties and other land uses beyond.

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60. I recommend that planning permission be granted for these proposals.

**Recommendation**

59. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The development to be carried out in accordance with the approved plans.
- Waste wood awaiting processing shall be stored only in the area identified on the plans.
- No additional containers shall be brought onto the site.
- No more than 20,000 tonnes of wood waste per annum shall be imported to the site.
- The shredder shall only be located as shown on the layout drawing 324/101 rev A.
- Noise limit for shredder (112dBA as set out in table 4.1 in the noise report).
- The shredder and other external plant to be operated 07.30-16.30 Monday-Friday and 08.00-13.00 on Saturdays only, none of these activities shall take place on Sundays or Bank Holidays.
- Prior to the installation of the acoustic barrier details of the acoustic qualities of the barrier and long-term maintenance plans to be submitted for approval.
- Submission of detailed landscaping scheme.
- Maintenance of approved planting scheme.
- Submission of a dust management plan.
- No more than 7 HGV movements per day.
- Use of private access for import/export of wood including operation of the gates.
- The areas identified for parking, turning and manoeuvring shall be kept available for such use
- Storage of oils, fuels and lubricants to be appropriately contained to prevent spillage and impact on groundwater.

61. I further recommend that an informative be added advising the matters for inclusion in the landscaping scheme to be submitted pursuant to the landscape condition above, and a further informative that the Applicant remind drivers visiting the site using the private road that pedestrians have right of way.

Case Officer: Andrea Hopkins
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Tel. no: 03000 413394
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Background Documents: see section heading
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SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

### **Item D1**

## **Expansion of school from 1FE to 2FE and associated ancillary works at Seal CofE Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

A report by Head of Planning Applications Group to Planning Applications Committee on 11<sup>th</sup> July 2018.

Application by Kent County Council (Property Services) for the erection of a two storey extension to the existing school to provide accommodation for an additional Form of Entry (1FE to 2FE), relocation of existing mobile classroom and the provision of a further temporary classroom (for 12 months), 18 additional car parking spaces, new hard court playground (including MUGA), associated landscaping and ancillary works at Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks, Kent, TN15 0DJ – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).

Recommendation: The application be referred to the Secretary of State for Housing, Communities and Local Government, and subject to his decision, that planning permission be granted, subject to conditions.

**Local Member: Roger Gough**

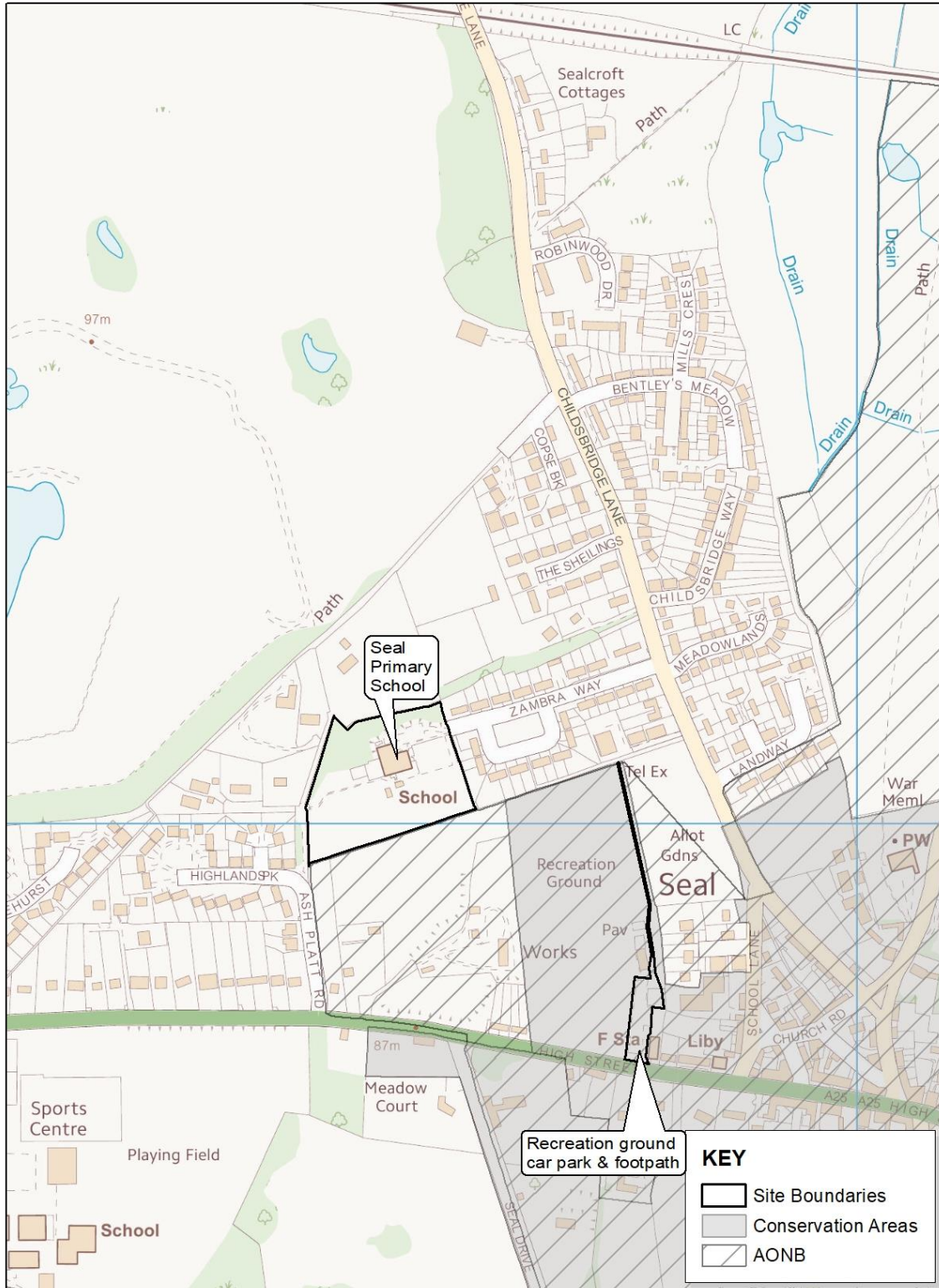
**Classification: Unrestricted**

### **Site**

1. Seal Primary School is a single storey building which is located at the end of a cul-de-sac in the village of Seal. The existing building is constructed with brickwork and rendered blue panels under a flat roof, with white fascia's, windows and doors. The school is located in a central position within the school site, behind the hard surfaced playground. The playing fields lie to the south of the school and the site is well screened along the boundaries, including a wooded area to the north. Four temporary mobile classrooms are located on site (including the existing nursery facility) and an area of staff parking (28 spaces) is located to the north of the school, accessed from a single vehicular entrance off Zambra Way. The access is gated and there are zig-zag keep clear markings outside the school gates. Zambra Way is a residential cul-de-sac, with semi-detached two storey properties located in a regular pattern around a small green. A secondary pedestrian only access to the school is provided from Ash Platt Road to the west, after its junction with Highlands Park, where it becomes a single width unmade road. Ash Platt Road is accessed from the A25 and serves a number of detached properties, but also provides access to Highlands Park which is a residential cul-de-sac of 26 properties.
2. The school lies outside of the settlement boundary of Seal, within the Metropolitan Green Belt and adjacent to the Kent Downs AONB, which meets the school's southern boundary. On a wider scale the village's recreation ground and community centre lie to the south-east of the school, accessed from the A25 Seal Road. The community centre has a car park and a pedestrian footpath which runs between this and Zambra Way. This recreation ground falls within the Seal Conservation Area which extends further to the south-east.

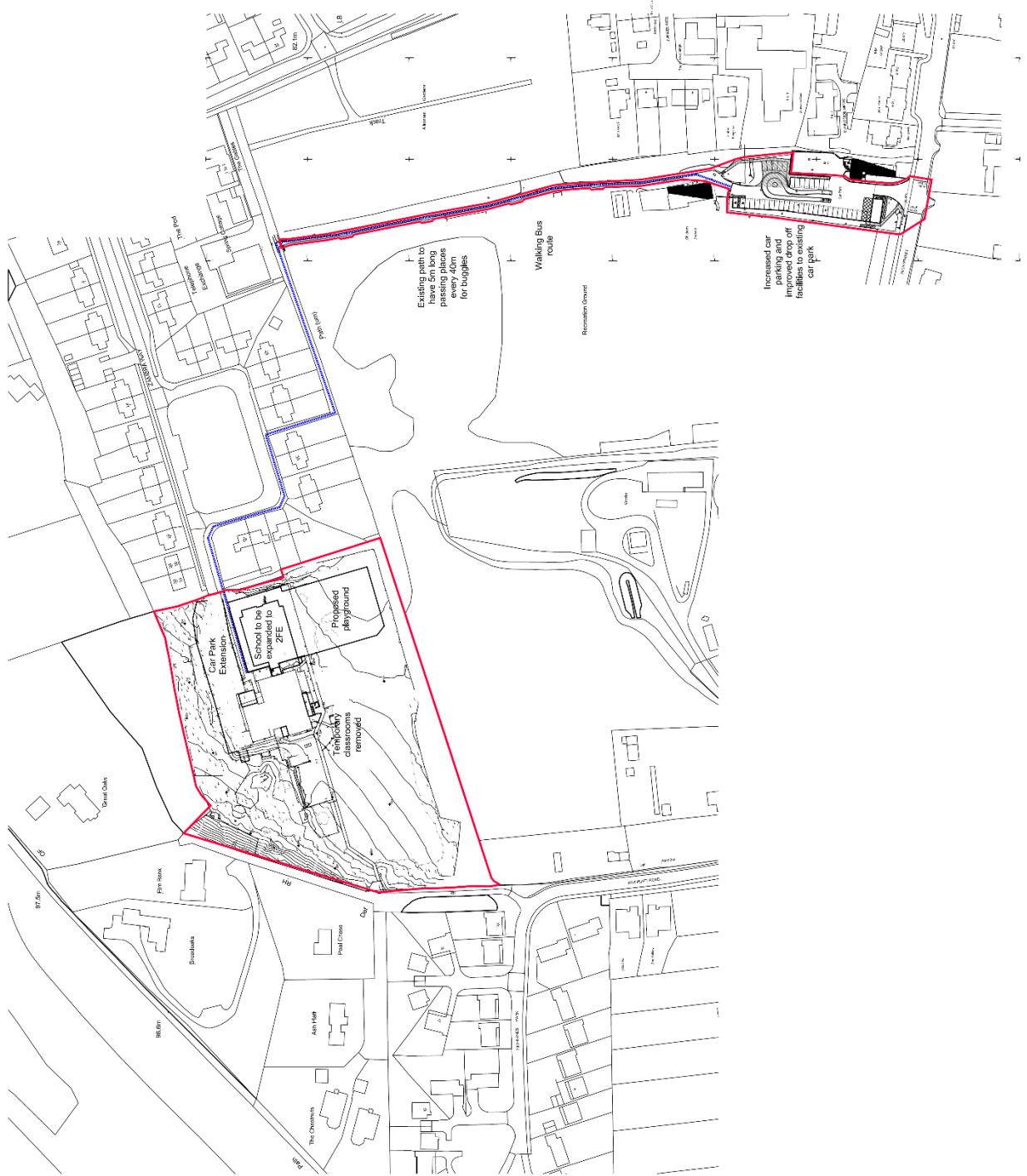
**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

**General Location Plan**



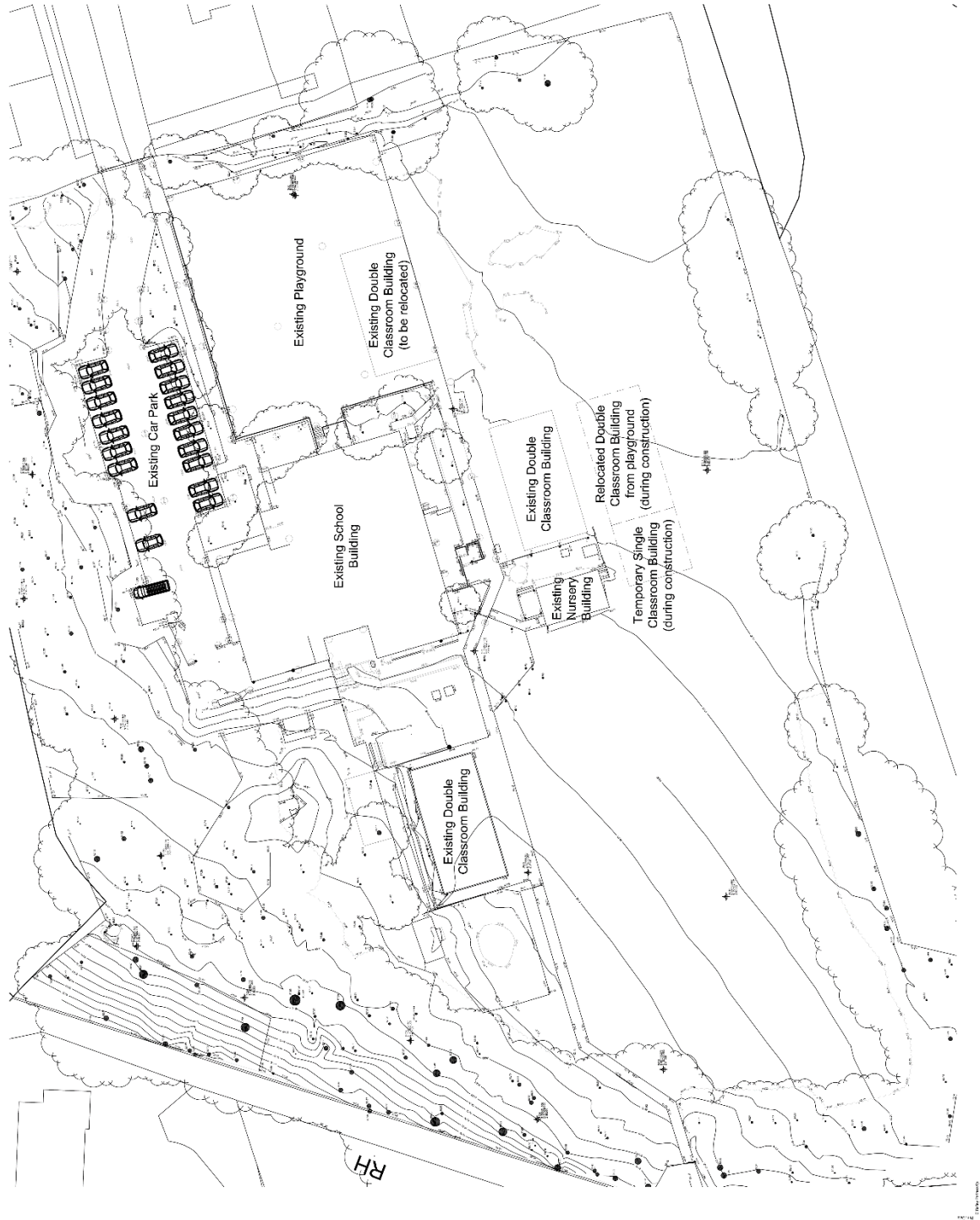
**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

**Proposed Masterplan**



**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

**Existing Site Plan**





**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

**Proposed Site Plan**



**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

**Proposed Elevations**



1 North Elevation  
1:100



2 South Elevation  
1:100



1 East Elevation  
1:100



2 West Elevation  
1:100

**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

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**Recent Site History**

3. Seal Primary School has been the subject of a number of planning applications over the past 10 years, the majority of which have related to the provision of temporary modular classrooms to address a shortfall in classroom space on the site for the number of children on the school roll. In 2016 an application for a permanent solution was submitted (SE/16/1043) which related to the provision of a single storey extension to accommodate an increase in the school roll from 1FE to 2FE. This application was due to be reported to the Planning Applications Committee (PAC) in July 2016, however the applicant requested that the case be deferred to allow them time to give further consideration to the concerns raised by the community, and to explore the possibility of further mitigation, over and above the proposals already included in the application. In particular this related to the provision of additional off-site parking for parents.
4. A meeting was held in October 2016 between the applicant and Seal Parish Council to consider if there were any possible alternative sites where additional parking could be provided for parents, in order to alleviate congestion in the residential roads of Zambra Way, Ash Platt Road and Highlands Park. Six different options were discussed, which included three different parcels of land owned by Biffa, land at Highlands Park, land at Trinity School, and use of, or an extension to, the existing Seal Recreation Ground car park. Each site was assessed against a variety of parameters including size of site and parking capacity, owners' willingness to sell and negotiate, ground conditions, contamination, access to the development site and school, planning considerations, other considerations and cost.
5. The six alternative sites were investigated by the applicant's project team to determine whether they would be a viable and available option for additional car parking. A number of issues were encountered when examining these sites further, ranging from unwilling landowners, environmental issues such as ground contamination, the remoteness of the site from the school, or unsatisfactory access and safety concerns. The final site that was considered was the Seal Recreation Ground site, managed by Seal Parish Council. The study showed that the use of this site would not have required planning permission for a change of use, that it had a direct link to the school site through an existing pathway, and a car park survey had shown that there was capacity for it to be used as a drop off facility for the Primary School. However an agreement could not be reached with the Parish Council and therefore this option also remained unviable.
6. Following this assessment the Highways and Transportation team advised that whilst the school expansion had shown that the traffic and parking situation was likely to be worsened, they were not able to conclude that it would result in conditions that could be described as a 'severe impact on congestion or safety' – this being particularly the case when such impacts occur for short periods during the morning and afternoon and only during term time. The application was therefore taken back to the PAC in December 2016 with a recommendation to approve, but following a lengthy debate the application was refused for the following reasons:
  1. The proposal would represent inappropriate development in the Metropolitan Green Belt by reason of the scale and size of the extension and the increase in built form on the site, which would be harmful to and would not maintain the open character of the Green Belt, contrary to Policy GB8 of the Sevenoaks District Council

**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

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Allocation and Development Management Plan, Policy L08 of the Core Strategy and paragraph 89 of the National Planning Policy Framework.

2. The proposed expansion of the school would result in an increase in school related traffic on surrounding roads without provision in place of adequate mitigation measures to offset the expected adverse travel impacts, contrary to Policy T1 of the Sevenoaks District Council Allocation and Development Management Plan.

This current application aims to overcome these reasons for refusal and find an acceptable solution.

**Proposal**

7. This planning application seeks permission for a two-storey extension to the existing school, to accommodate an increase in the School Roll from 1FE to 2FE. The extension would be located to the east of the original school (toward Zambra Way) and would be sited over the existing hard surfaced playground. The extension would be sited at a lower ground floor level than the existing school (as the playground currently is) and to accommodate this change in levels there would be a platform lift and stairs in the glazed linking area. The extension would have a roughly rectangular footprint, based around a central corridor with classrooms on either side. At both the ground floor level and first floor level there would be 3 classrooms on either side, thereby providing an additional 12 classrooms at the school. Year 1, 2 and 3 classrooms would be accommodated at ground level, and years 4, 5 and 6 on the first floor. The reception classrooms would be accommodated within the existing school building, as would the nursery facilities which are currently provided in a mobile classroom within the grounds. A second staircase would be provided at the eastern end of the extension, along with smaller Special Education Needs (SEN) rooms and a block of toilets would be provided at the western end of each floor.
8. The extension would be clad in western red cedar cladding in a vertical pattern, with extruded colour window reveals in yellow and green. The windows would be dark grey powder coated aluminium with ceramic coated glass panels in varying colours to match the reveals. The link between the existing and new buildings would also be created from these coated glass panels. The central corridor would have a flat roof over it and the classrooms on either side would be covered by a monopitch roof extending from the eaves to the centre in a zinc standing seam material. An area for the provision of solar panels is shown on the southern roof slope of the main extension.
9. The existing school would have three small extensions added to it and some internal alterations. There would be an extension at the front of the school to provide an enlarged head teachers office and a larger staff and admin room. Secondly a small addition would be added to the western elevation to provide new pupil toilets and a store room, and finally an extension to the southern elevation to provide a store room, lobby and first aid room adjacent to the school hall. Internally the school hall would be enlarged by extending into the existing year 1 classroom, and there would be various other minor changes to provide the correct size reception classrooms, pupil toilets and the nursery facilities. Timber decking with canopies over are provided outside the nursery room and both the reception classrooms. The colour of the existing school external walls would be changed from pale blue to white.

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10. Given the extension would be located over the existing playground, a new hardsurfaced playground would be created to the south of the extension, with a marked out, but unfenced, MUGA. The playing field for the school would be retained in its current location at the southern/south-western side of the site. The proposed new extension would provide all the accommodation required by the school and would therefore allow for all the existing mobile classrooms to be removed from the site. However, for the period of the building works, the temporary classroom located on the playground would be relocated to the south of the school (by the nursery building) and one additional temporary classroom would be required to accommodate the new entry of pupils in September 2018. This would be sited alongside the relocated one and would match it in size and colour.
11. The existing 'staff only' car park, which is located at the northern side of the site, would be extended to provide an additional 18 parking spaces which includes one designated disabled space (this would increase the number of spaces from 28 to 46). This application is accompanied by an associated application at the Seal Recreation Ground, where improvements are being proposed to resurface and increase the number of parking spaces in the car park, with a view to using it as a drop-off facility for parents taking their children to school. Five additional spaces would be provided, along with a turning circle to allow easy turning on site. Improvements to the footpath from here to the school via Zambra Way are also proposed, and this scheme is outlined in more detail in the following committee report (Item D2). Although the two applications are separate they will be considered together as the recreation ground proposals provide mitigation for the school proposal in highway and transportation terms.

**Planning Policy**

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

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all existing and future occupants of land and buildings;

- 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;
- that the planning system contributes to and enhances the natural and local environment and that when determining applications there should be an aim to conserve and enhance biodiversity;
- 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;

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 work with schools promoters to identify and resolve key planning issues before applications are submitted.*

**Draft Revised National Planning Policy Framework (March 2018)**

A draft review of the NPPF was published on Monday 5<sup>th</sup> March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, which would help to reduce congestions and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for

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plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness).

- (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. In particular the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

- (ii) **Sevenoaks District Core Strategy (February 2011)**

**Policy L08 The Countryside and Rural Economy:** Seeks to maintain the extent of Green Belt, and conserve and enhance the countryside, including the distinctive features that contribute to the special character of its landscape and its biodiversity. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, will be conserved and enhanced.

**Policy SP1 Design of New Development and Conservation:** Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity. Account should be taken of guidance adopted by the District Council in the form of Conservation Area Appraisals and Parish Plans, amongst other matters. The Districts heritage assets and their settings, including listed buildings, conservation areas, historic buildings, archaeological remains, landscapes and outstanding views will be protected and enhanced.

**Policy SP2 Sustainable Development:** Sets standards for sustainable design and construction. Institutional development will be required to achieve a BREEAM rating of at least ‘very good’. In order to achieve this, the proposal will be expected to demonstrate 10% energy savings through renewable sources.

**Policy SP10 Green Infrastructure, Open Space, Sport and Recreation Provision:** Promotes the provision of multifunctional green space by linking existing green space areas. The Policy also seeks the retention of open space, sports and recreational facilities, including indoor facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.

**Policy SP11 Biodiversity:** Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity.

**Sevenoaks Allocations and Development Management Plan (February 2015)**

**Policy EN1 Design Principles:** sets out the need for high quality design and for

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proposals to meet criteria including: responding to scale, height and materials; respecting the topography and character of the site and any sensitive features; not result in the loss of buildings or open space that would affect the character of an area, provided satisfactory means of access and parking provision; include opportunities for increasing biodiversity potential, including sustainable drainage and to avoid harm to existing biodiversity; create a permeable layout; safe and easy access for those with disabilities; creation of a safe and secure environment to deter crime and fear of crime; include modern communication technology and infrastructure; and make efficient use of land.

**Policy EN2 Amenity Protection:** Proposals should provide adequate residential amenities for existing and future occupiers of development, and safeguard amenities of existing and future occupiers of nearby properties by ensuring development does not result in excessive noise, vibration, odour, activity, vehicle movements, overlooking or visual intrusion and where it would not result in a loss of privacy or light.

**Policy EN5 Landscape:** Sets out that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection. Proposals that affect landscape throughout the District will need to conserve the character of the landscape including areas of tranquillity.

**Policy GB8 Limited Extensions to Non Residential Buildings in the Green Belt:** Proposals to extend an existing non-residential building within the Green Belt which would meet the following criteria would be permitted – (a) the existing building is lawful and permanent in nature and (b) the design and volume of the proposed extension, taking into consideration the cumulative impact of any previous extensions, would be proportional and subservient to the original building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.

**Policy T1 Mitigating Travel Impact:** Sets out the need to mitigate against adverse travel impacts including their impact on congestion and safety, environmental impact such as noise, pollution and impact on amenity and health.

**Policy T2 Vehicle Parking:** Sets out that vehicle parking provision, including cycle parking, for non-residential developments should be in accordance with the advice of Kent County Council as Local Highway Authority.

**Green Belt SPD**

Sevenoaks Council's Supplementary Planning Guidance (SPD) provides detailed guidance on the implications of applying for planning permission for development located within the Green Belt. The document outlines that buildings must be permanent in nature and they will be considered on the basis of their volume, scale, bulk and whether or not the resultant building would adversely impact on the character of the countryside or openness of the Green Belt. The SPD outlines that the impact on the countryside is clearly greater if located in a highly visible location, however the test of the impact still applies even if there are limited or no public views of it. This is on the basis that, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. The SPD concludes by



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saying that if the development is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the building.

**Consultations**

13. **Sevenoaks District Council** object to the application on the grounds that the school is located within the Metropolitan Green Belt and the proposal would represent inappropriate development harmful to the maintenance, character and openness of the Green Belt contrary to the National Planning Policy Framework, Policy GB8 of Sevenoaks District Council's Allocation and Development Management Plan, and L08 of the Core Strategy. The very special circumstances provided do not clearly outweigh the harm to the Green Belt.

**Seal Parish Council** state that they support the improvements to the Primary School and the revised design. Their agreement with the County Council and the School for the walking bus from the Recreation Ground car park is a helpful step to ease congestion at the school, however, the Parish Council's view is that this alone will not cope with the traffic pressures at the school. The Parish Council therefore supports the concerns of the local community and objects to the expansion of Seal Primary School because of traffic congestion and inadequate parking, notably in the access to the school at Zambra Way and Ash Platt Road, but also throughout the village and on the roads leading to it.

**Sevenoaks Town Council** – no response received to date.

**Highways and Transportation Officer** raises no objection to the application subject to the imposition of conditions relating to the need for a robust School Travel Plan, a Construction Management Plan, the protection of parking spaces, and that best endeavours are used to extend the 30mph speed limit along the A25 where it is currently 40mph, and have Seal Primary School designated as a 'Safer School Zone'.

**Sport England** objects to the application because they consider it does not accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

**Biodiversity Officer** raises no objection subject to the imposition of conditions to cover the submission of a reptile/amphibian mitigation strategy; a bat emergence survey to be conducted; and the implementation of the ecological enhancements proposed.

**County Archaeological Officer** – raises no objection to the application provided a condition is placed on any consent to secure a watching brief so that excavation is observed and items of interest and finds are recorded.

**Environment Agency (Kent Area)** raise no objection to the application subject to the imposition of conditions to protect the Principal Aquifer which is a controlled water source and within Source Protection Zone 3.

**School Transport Planner** is content with the draft School Travel Plan.

**Flood and Water Management Team** raise no objection to the application subject to

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the imposition of conditions requiring a detailed sustainable surface water drainage scheme to be submitted and approved in writing by the County Planning Authority; and that the building shall not be occupied until an 'Operation and Maintenance Manual' for the proposed sustainable drainage scheme has been submitted and approved.

**Local Member**

14. The local County Member, Roger Gough was notified of the application on 11<sup>th</sup> May 2018. In response to the application he states: 'From my perspective as Cabinet Member for Children, Young People and Education, the expansion of capacity at Seal CEPS is required and this application is an essential part of it. The school has enjoyed a rising reputation and popularity in recent years, reflected in increasing applications for places, and the extra capacity provided relieves pressures in and around Sevenoaks Town, where just about all feasible school expansions have been undertaken. A great deal of effort has been made to accommodate justified local concerns, and this is seen in the new design and in the expanded car parking capacity in the recreation ground; this will meet the needs of those coming from the Town direction, which is likely to be the major source of additional pupils. It is reasonable to have concerns about ongoing pressures on the A25, but these are best addressed through measures linked to proposed expansion on the Trinity/ Weald of Kent site. As local Member, I will seek to support further Highways mitigation measures that address the concerns over the A25.'

**Publicity**

15. The application was publicised by the posting of four site notices, an advertisement in a local newspaper, and the individual notification of 122 residential properties. This included all those in close proximity to both the school site and the recreation ground site, alongside anyone else who previously made a representation to the 2016 application.

**Representations**

16. In response to the publicity, 30 letters of representation have been received, some supported by photographs of the issues described. The key points raised can be summarised as follows:
- Do not feel Seal Parish Council is working in the best interests of the Seal Village, the residents and children who attend the school – their best asset, the recreation ground, should be used for a positive purpose, namely the safety of children;
  - Concerns over health and safety for parents and children using Ash Platt Road due to volume of traffic and poor parking in the road;
  - With cars parked along Ash Platt Road it becomes a single width road resulting in cars driving over pavements to manoeuvre past each other;
  - Due to the bend in the road where Ash Platt Road joins Highlands Park, and the parked cars, visibility for those crossing the road is very poor;
  - Cars queue on A25 to turn into Ash Platt Road at peak times, exacerbated by parents using the end of Ash Platt Road to drop off children for Trinity and Weald of Kent Schools too;
  - Parking can cause roads to be gridlocked affecting the ability of a fire engine or ambulance being able to access properties in both Ash Platt Road and Zambra Way;

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- The entrance to the school from Ash Platt Road is not a 'pedestrian drop off' as virtually every pupil is driven here, often right up to the gate;
- The school gate in Ash Platt Road should be closed and used for emergencies only which would force parents to use the recreation ground drop off;
- The Recreation ground car park should be expanded alongside the A25 with in and out access, similar to the way the car park works in Ightham, with minimum impact on the park;
- Surrounding residential roads are not suitable for children cycling as they are so busy with cars at drop off and pick up times and the A25 is a very busy road;
- Issue of safety of children and parents raised during the previous application and doesn't appear to have been addressed;
- Proposed drop off point will have a minimal effect as it is too far away from the school and parents will use a closer option especially in bad weather, and as no shelter is proposed in the recreation ground;
- An additional 5 spaces at the recreation ground is unlikely to alleviate the current traffic situation, especially at pick up when parents park for longer to collect their children;
- Existing traffic and congestion on the A25 will discourage parents from using the recreation ground as it will be difficult to enter and exit quickly;
- The proposed drop off use here would also further worsen the existing traffic problems on the A25;
- Footpaths along the A25 are too narrow and dangerous to use, especially as they are also being used by children on scooters, and cyclists too scared to ride on the road;
- A walking bus should be created from Childsbridge Lane to stop parents driving into Zambra Way, or a drop off created within the school grounds;
- The School should provide a mini bus to collect children from further away;
- Land at the bottom of the recreation ground by the BT Exchange should be used for a car park at the school, with access from Childsbridge Lane;
- Insufficient additional staff parking being provided;
- Zambra Way has an overwhelming number of cars parked at drop off and pick up, meaning residents can't park if they arrive home at these times;
- Anti-social behaviour of parents who park across residents driveways and block them in and use residents driveways to relieve the congestion in the road; grass verges in Zambra Way are ruined in wet weather by parents parking on them;
- Increase in drop kerbs for properties in Zambra Way means there is less on street parking available;
- Letter from School to local residents highlights the problems experienced regarding the increase in traffic, lack of parking spaces, illegal parking and verbal abuse by parents to residents;
- The School have not succeeded in getting Parents to behave responsibly;
- Consider accidents are much more likely to happen due to the increased traffic as a result of the expansion, not 'unlikely' as suggested in the Transport Statement;
- Surrounding roads inadequate to support the current number of students at the school, let alone an expansion;
- Concerns about the effectiveness of the School Travel Plan;
- Additional pupils are unlikely to be coming from the village itself, therefore are likely to be driven to school where alternative modes of transport are not likely to be practical;

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- Zambra Way should have a 20mph speed limit to help the volume of traffic and speed of drivers;
- Insufficient staff parking would be provided for the number of staff proposed, meaning they too would park in the surrounding roads;
- The assertion that there will be no severe impacts because of the proposal is unbelievable as residents have witnessed the travel chaos over the last 2-3 years with the increase in pupils accommodated in mobile classrooms;
- Doubt the assumptions and conclusions of the Transport Statement. Parents cannot be made to use sustainable modes of transport, or the proposed drop off point;
- Meadowlands has suffered an increase in cars parking in it during this academic year, parking bumper to bumper, across driveways and right up to the junction with Childsbridge Lane making it difficult to access at drop off and pick up times;
- Increasing pupil numbers will exacerbate an already unacceptable situation and the time period over which this happens is becoming longer as parents arrive earlier to try and secure a parking space;
- Problems occur at lunchtimes as well as the morning and afternoon drop off and collection times;
- Unless alternative parking out of Zambra Way is provided the application should be refused;
- Noise pollution because of the expansion works, with heavy plant using Zambra Way.

**Discussion**

17. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 12 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.
18. This application is being reported for determination by the Planning Applications Committee due to the objections raised by the District Authority and Parish Council, the objection received from Sport England, and the neighbour representations received. In my opinion, the key material planning considerations in this particular case are the principle of development in this location in relation to the Green Belt and AONB, the siting and design of the proposed extension in terms of its built form; its siting which results in the loss of part of the playing field; the need for temporary classrooms during the construction period; the highway and traffic implications of the school expansion on the surrounding roads; and the subsequent amenity impacts of this for neighbouring residents. Other matters such as biodiversity, surface water drainage, sustainability and archaeology will also be covered in the report.

**Principle of Development**

19. The school site lies within the Green Belt and outside of the village boundary, where the District's Core Strategy Policy L08 seeks to resist inappropriate development, unless justified by exceptional circumstances. Policy GB8 of the Sevenoaks Allocations and Development Management Plan Document also addresses development in the Green

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Belt and sets out two criteria where development would be permitted. These relate to the need for the existing building to be lawful and permanent in nature, and that the design and volume of the extension (taking into account any previous extensions) would be proportional and subservient to the 'original'. The school building would meet the first criteria and the small extensions to the school would accord with the second, but the main two storey extension would add on a significant amount of floorspace (albeit only the minimum required for a 2FE school) and this element would not accord with criteria 2 of Policy GB8. As such the development is considered inappropriate development in the Green Belt when considered against Policy L08 and BG8 of the District's Planning Policy. Furthermore the development does not meet the exceptions outlined in paragraph 89 of the NPPF.

20. It therefore needs to be considered whether there are any Very Special Circumstances which exist, which would allow for the setting aside of the general policies of restraint in the Green Belt. The NPPF does not explain in any detail what "very special circumstances" means, but does 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". The application is supported by a Planning Statement where the applicants have set out what they consider the Very Special Circumstances of the case to be.

Very Special Circumstances

21. The argument put forward by the applicants has a three-fold approach – the need for the development, the lack of alternatives and the minimum required. The need for the development centres on the educational need, backed up the Government's aims that there should be a sufficient choice of local school places to meet the needs of existing and new communities. The Educational Need has been outlined by the KCC Area Education Officer for North Kent. He states that there are a number of factors driving expansion within the Sevenoaks Catchment Area:
- Increased indigenous demand caused by changing demographics in the area.
  - Inward migration from within Kent, London, EU and non-EU areas causing both capacity pressures and budgetary pressures due to increasing numbers of EAL (English as an Additional Language) children.
  - Proposed medium scale housing development on several sites within the Sevenoaks District Catchment Area
  - Difficulties in utilising limited pockets of unused capacity that are confined to rural locations, while many urban areas experience significant deficits in provision. These limited pockets of unused capacity in rural locations will not provide sufficient capacity to accommodate projected demand for local primary school places in the Sevenoaks planning area.
  - Implications associated with utilising such pockets of unused rural capacity, such as a significant impact on home to school expenditure.
22. Forecasts for the Sevenoaks planning area (town centre, Riverhead, Dunton Green and Chipstead) indicates that there is barely sufficient capacity to accommodate existing and future demand for primary school places, creating no scope for parental preference. The Education Authority has recorded a rising number of families applying for primary school places within the Sevenoaks Planning Area, with the number of first

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preferences exceeding the number of places available at existing facilities. In the Sevenoaks Town planning area, for example, there were 377 1<sup>st</sup> preference applications, but only 360 spaces available, leaving a shortfall of 17 spaces for their first choice school.

23. In terms of the Kent Commissioning Plan (KCP), the expansion of Seal Primary School from an education point of view, was considered in 2015 and increased cohorts have been admitted since this time. Where the KCP states that there is sufficient capacity in the area, this is only due to the fact that 30 additional places are already commissioned at Seal, and these are already included in the latest projections. Should the school have to revert back to a roll of 30 children per year (1FE) it would, he states, result in children having to travel greater distances to get to the school they have been allocated putting additional pressure on traffic flow around this area of the district.
24. The applicants acknowledge that it would be preferable to locate new development outside of the Green Belt from a planning policy stance, but as the whole site at Seal falls within the Green Belt this could only be achieved by relocating elsewhere within the District. A number of other schools were considered for expansion alongside Seal Primary (within close proximity to, or within areas of, current or forecasted demand) and these included Lady Boswells PS, St Thomas Catholic PS, St John's CE PS, Sevenoaks PS, Riverhead Infants PS, Kemsing PS, Dunton Green PS, Otford PS and Chevening St Botolph's CE PS. Of these some were considered to be on sites that were too small or were constrained and therefore had insufficient space for additional buildings, some had already been expanded by a form of entry, and others were constrained by site topography, or were simply not in the area of highest demand. Moreover some of these other schools are also within the Green Belt - 93% of the Sevenoaks District is located within its confines. In terms of looking for any alternatives, it was considered that Seal was the only logical solution and as set out above has been taking an additional form of entry since 2015, so is three years into the expansion to 2FE.
25. The third string of the argument put forward is the 'minimum required'. The current school is undersized in relation to the Building Bulletin for Schools BB103, with existing classrooms measuring approximately 37m<sup>2</sup> instead of the minimum of 55m<sup>2</sup>. Furthermore, many classes are located in temporary mobile classrooms on site. The applicants state that the design chosen would provide the minimum amount of floorspace required for a 2FE school according to BB103.
26. The District Council have raised an objection to the application on the grounds that it would represent inappropriate development harmful to the maintenance, character and openness of the Green Belt and that in their view the Very Special Circumstances do not clearly outweigh the harm to the Green Belt. In addition to the Very Special Circumstances above, the applicants have considered whether the development would impact on the openness of the Green Belt, in particular given the previous reason for refusal of the last scheme on these grounds. The applicants have suggested that openness can be assessed in two ways – the visual openness of the site relating to how visible the building is, and the physical openness relating to the amount of development.
27. In terms of visual openness they suggest that there are limited views into and across the site owing to its woodland boundary and topographical level differences, plus the presence of residential development to both the east and west of the school site, and

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these factors would ensure that the openness of this site in relation to the wider green belt designation would not significantly change. The previous scheme proposed a single storey extension with a larger footprint which spread development across a larger area of the site, whereas this scheme is for a two storey extension with a more compact footprint. Views of the extension would be seen against the backdrop of the existing school buildings and the extension would be set into the ground at a lower level than the existing school which would help minimise its visual impact. Furthermore the openness of the school site would be improved through the removal of all the temporary classrooms from the site reducing the spread of development.

28. In terms of the physical amount of the site that would be covered with buildings, hard play, roads and paths in relation to the green space and wooded areas on site, the existing figures show 77% would remain undeveloped from these physical structures and hard surfaces, whereas with the proposed extension 73% would remain undeveloped (compared to the previously refused scheme where 68% remained undeveloped). Just over 70% of the site would therefore remain 'open' should the extension be approved, which is still a substantial amount which would maintain the overall openness of the site, and more than the previous scheme.
29. In considering the justification given in relation to the openness of the Green Belt and whether the proposed extension would affect this, it should be noted that 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. I consider that the proposed extension would be seen within the context of an established education facility, sited in close proximity to the existing building and neighbouring development in Zambra Way, thus keeping the built form within one established area, and ensuring that it would not encroach into the more open part of the site. Only 8% of the site area would have built form on it and the established landscaping around the perimeter of the site would screen the development from wider views. On this point I consider the proposed development would not affect the function of the Green Belt.
30. Overall, and taking on board the views of the District Council, 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 Policies and the NPPF. The development is inappropriate development for the purposes of Green Belt Policy consideration and is, therefore, by definition harmful to the Green Belt. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute 'Very Special Circumstances' capable of outweighing harm, in this particular case. I accept that the carefully designed extension and its siting in relation to the existing school and surrounding built development would mitigate the impact of the development on the functioning and openness of the Green Belt. Accordingly, I consider that an objection on Green Belt grounds would not 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 Housing, Communities and Local Government before permission could be granted, to enable him to adjudicate on the Green Belt ramifications of the proposed development.

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**Siting and Design of the Extension**

31. The proposed extension would be sited to the east of the original school and would extend towards Zambra Way. A glazed link would connect what would be the two sections of the school and the new element would be at a slightly lower level than the original building due to the levels difference across the site. The extension would be of a modern design with two small monopitch roof elements either side of the flat roof over the corridor, and whilst this would be different to the existing school, the original school has little architectural merit and in this case would not warrant replicating. The design includes protruded windows which would add detail to the timber clad elevations, as would the coloured glass panels. The roof would be constructed from standing seam zinc.
32. It is considered that the materials would complement the natural wooded appearance of the school site, and it is proposed to change the elevations of the existing school to white so that the two elements are more complimentary. The change in levels in the area of the proposed extension (floor level is 1.6m lower than the existing) would ensure that even though a two-storey extension is now proposed the scale of the extension would not be overbearing to the original building.
33. The proposed extension would project towards the shared eastern boundary with the properties in Zambra Way, whose rear gardens back onto the school. There is an existing close board fence along this boundary and some established planting. The distance between the rear elevation of the properties in Zambra Way and the new façade of the extension would be 28m at the closest point, which exceeds the widely accepted industry guideline of 21m as a separation distance between neighbouring properties, included in design guides across the Country. In particular this distance is judged to be a target separation distance between the facing windows of 'habitable rooms' in adjacent properties, beyond which privacy by virtue of overlooking is deemed to be of insignificant nuisance. Given this distance, the intervening boundary treatment and the fact the windows in this new end elevation would be obscure glazed at first floor level, it is considered that the extension would be at a sufficient distance away from the neighbouring houses, so as not to cause an overlooking issue or be overbearing in terms of scale and height.
34. The hard surfaced playground would be provided to the south of the proposed extension, and would include an unfenced but marked out MUGA (which is not proposed to be lit). The playing field would then lie to the west between the playground and the existing school. To the north of the school and proposed extension, the staff parking area would be remodelled to accommodate some additional parking spaces. The parking provision and implications of the changes to the layout in terms of playing field provision are addressed further below.
35. The proposed extension would be seen in the context of the existing school buildings and the wider residential development of Zambra Way, and the modern design is therefore considered to be appropriate for the site. The choice of materials proposed would complement the wooded and landscaped nature of the site and would be acceptable in principle. The overall layout on site would work well in terms of integrating with the existing school. It is therefore considered that from a design and siting point of view, the application would be acceptable, and in accordance with SP1 of



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the Core Strategy and policies EN1 and EN2 of the Allocations and Development Management Plan.

**Siting of the Extension Resulting in the Loss of Playing Field**

36. The proposed new extension would require the layout of the school to be altered in terms of the open space and sports provision on site. The extension would be built on the area of the existing playground, and this would therefore be relocated to the south of the new extension, along the eastern boundary. Due to development being proposed on an existing area of playing field, Sport England were consulted, and have raised an objection to the proposals as they considered it would not accord with any of the exceptions to Sport England's Playing Fields policy, or with paragraph 74 of the NPPF. They state that whilst they welcome the removal of the temporary classrooms from the playing field, the new hardstanding proposed raises other issues for them. They do not consider the proposed MUGA as being a true MUGA because it is not fenced and because it does not appear to have a suitable surface such as polymeric or porous tarmac. In their view, this facility would not compensate for the loss of playing field.
37. Sport England did suggest that in order to overcome their concerns the MUGA should be upgraded and fenced in order to meet exception E5, or that the hardstanding be moved to the western side of the school, to the north of the footpath. This area is separate from the rest of the playing field and incapable of being used for formal sports provision on its own, therefore Sport England would not object to it being provided as hard standing.
38. Contained within the Planning Statement, the applicants have considered the implications of the new playground in relation to the Sport England Policy and the five exceptions. They state that the existing area of playing field in the south-eastern corner (where the trim trail and climbing frame are located) is prone to waterlogging and the relocation of this to an alternative location and the siting of the playground in this area instead would make this area useable all year round. The replacement playground would be of a higher quality than the existing one and include marked out courts for external sports facilities. The school have opted not to fence the sports courts in, to enable them to more flexibly utilise the hard-surfaced space for informal play as well as PE sessions. The internal alterations and enlargement of the hall, as a result of the new extension, would improve the schools internal sports provision and the planned removal of all the temporary structures on site would also benefit the overall sports and play provision on site. Finally they note that the proposals would meet BB103 in terms of the space requirements for hard play space.
39. The suggested alternative location for the playground, proposed by Sport England, would not be feasible due to the topography of the site, and furthermore it would not relate as well to the classrooms as the current layout. The proposals do result in the small loss of an area of undeveloped open space on the site currently used for informal play provision, and therefore in strict policy wording terms, it would not accord with Sport England's policy aimed at protecting playing field and open space provision. It should however be noted that the layout of the playing pitch itself would not be affected by this proposal, as this would remain unchanged in the south-western corner of the site. The removal of the temporary classrooms would result in this space becoming available for use, and the provision of the improved playground facilities incorporating marked MUGA pitches would be of benefit to the School, as would the enlargement of

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the school hall to improve indoor facilities, the retention on site of the relocated play equipment and the school's 'Forest School'.

40. Clearly the extension cannot be accommodated on site without there being some net loss of open space, and it is accepted that the proposals do not precisely comply with the exception policies of Sport England's guidance or the bullet points of paragraph 74 of the NPPF. In my opinion, although there is an objection by Sport England, I consider that the provision of additional primary school places to meet the needs of the local community, combined with the provision of improved sports facilities associated with this, would outweigh the loss of part of the existing informal play space, especially when taking a longer term view and considering the proposals in a holistic and broader context. However, if Members are minded to permit the proposals, the application would need to be referred to the Secretary of State for his consideration of the playing field implications as well.

**Need for Temporary Classrooms**

41. There are currently 3 double temporary classroom buildings on site (6 classrooms in total), two of which are covered by temporary planning permission (reference SE/17/2395, which gave a 3 year consent running until November 2020) and one which was placed on site last summer (2017) under permitted development rights. In addition there is a further smaller building used for the nursery. The temporary classrooms are required to accommodate the number of children on site, which has increased beyond the capacity of the existing school due to the expansion from 1FE to 2FE that is already underway. The proposed scheme would provide enough accommodation for a full 2FE school roll and would therefore allow for all the temporary classrooms on site to be removed. However, should permission be given there would still be a shortfall of accommodation on site for the intake this September (2018), and therefore this application also seeks permission for a further single storey classroom to be sited to the south of the nursery building until the new extension can be occupied. The double classroom currently sited on the playground would need to be relocated to allow construction of the extension and is proposed to be sited next to the new classroom south of the nursery.
42. Whilst the provision of temporary classrooms is never considered ideal, the process of finding a permanent solution has been delayed by the previous refusal and subsequent negotiations, and therefore as an interim measure has been found to be necessary. The new temporary building would, as for the main extension, be considered as inappropriate development in the Green Belt, would therefore by definition be harmful to the Green Belt, and again only considered acceptable in Very Special Circumstances. The temporary buildings that are currently on site have already been assessed for their impact on the Green Belt and found to be acceptable. The only impact to assess here is for the new single mobile classroom. As for the previous temporary permissions it should be noted that the site is secluded and well screened by existing mature tree and hedge planting. The new temporary building would be sited alongside the others on site and seen within the context of the main school building and as such it is considered that it would not unduly impact on the functioning of the Green Belt and the protection of its openness. Furthermore the strong boundary treatment to the south and the grouping of the buildings together would ensure the character and appearance of the adjacent AONB would be protected.

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43. Given the fact that all the temporary buildings, including this new one, would be removed from site should the permanent extension be approved, it is considered that any perceived impact on the Green Belt would only be temporary. In terms of the design of the unit, it would be of a similar style to the existing units on site and would therefore be in keeping with the character of development at the school. In my view the siting of the units would represent the option which strikes the best balance between minimising physical intrusion into the Green Belt and providing sufficient accommodation and facilities to enable the school to deliver its educational requirements. Accordingly I consider that an objection on Green Belt grounds would not be warranted in this case.
44. Although the Parish Council have requested that the temporary buildings are all removed from site prior to the occupation of the new extension (if approval is given), this would not be feasible as the children will need to be accommodated in the new extension before the temporary buildings are no longer required. It is therefore suggested that the temporary buildings should be removed from site within 3 months of the occupation of the new school building.

**Highway and Traffic Implications of the School Expansion**

45. The school is located at the end of a residential cul-de-sac, which provides the sole vehicular access to the site, leading to on-site parking for staff only. A secondary pedestrian access into the school is provided from Ash Platt Road. The proposals include an increase in on-site parking from 28 spaces to 46, including one dedicated disabled space. The on-site parking would remain for staff only, which means all parents and visitor parking must be accommodated on the surrounding road network. In order to mitigate for this, and address the previous reason for refusal, the accompanying application at Seal Recreation Ground proposes that this be used for a walking bus drop off/pick up facility. The majority of the representations received relate to the current problems experienced at school drop off and pick up times with parking in Zambra Way, Ash Platt Road and Highlands Park.
46. The application was supported by the submission of a Transport Statement (TS) together with a School Travel Plan (STP) both of which were produced by DHA Transport (April 2018). In the opinion of the Highways Officer, this revised TS (compared to that submitted in 2016 for the earlier application) provided much more robust evidence than previously on the likely highway impact of the increase in the number of pupils and staff and offered mitigating measures to minimise any disruption and congestion caused. As a result of this robust evidence, a meeting was held between the Transport Consultants and the County Highway Officer to discuss highway matters and this resulted in additional information and evidence being provided in a Transport Statement Addendum (TSA) dated 25th June 2018, and the views of the Highways Officer are based on both the original TS and the TSA.
47. Currently the School has 273 pupils and 41 staff, 28 of which are Full Time and 13 Part Time. The school car park is available for staff only and has 28 spaces which, from surveys undertaken, appears to be adequate for those numbers. There are 20 cycle spaces together with parking for scooters, and the school operates a phased start time/end time arrangement which helps to spread the times at which parents drop off and collect their children. A large proportion of current pupils (50%) live within 2km of school i.e. suitable for walking, but only 28% of pupils walk to school. In addition the

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majority of staff travel by car (90%) and few currently car share. It can therefore be seen that whilst there is an existing School Travel Plan (May 2016), this needs to be made more robust, even for current pupil numbers, to improve the sustainable modes of transport to and from school. In order to assess the existing parking in the area, parking stress surveys were carried out in Zambra Way, Highlands Park, Ash Platt Road and the Recreation Ground Car Park in June 2017, and these indicated that up to 75% of spaces were occupied by parked vehicles in the morning and up to 89% in the afternoons. This figure included residents cars and other visitors to the recreation ground. The parking assessment showed that a minimum of 31 spaces were available in the morning and 16 in the afternoon, but also it was observed that better parking management was needed to prevent accesses being blocked and parking on junctions.

48. The TS and TSA have calculated the existing and likely trips generated as a result of the 1FE expansion. In terms of staff cars the increase would be from 36 to 48 (taking account of part time staff) and the Highways Officer confirms that the increase in the staff car park from 28 spaces to 46 would meet the KCC Parking Standards and would therefore be acceptable, in accordance with Policy T2 of the ADMP. The Trip forecast for the school before and after expansion has been considered by the Highways Officer. The figures provided break down existing trips in the morning and afternoon peaks which are then adjusted for sibling combined travel; and staff trips which are then adjusted to take account of part time staff. The same exercise is undertaken for proposed trips after the full expansion, taking into account expected Travel Plan reductions and pre/after school clubs. The total car movements (parent + staff trips) are as follows:

<u>Existing</u>	<u>Proposed</u>
Total car movements am peak: 261	Total car movements am peak: 295
Total car movements pm peak: 247	Total car movements pm peak: 277

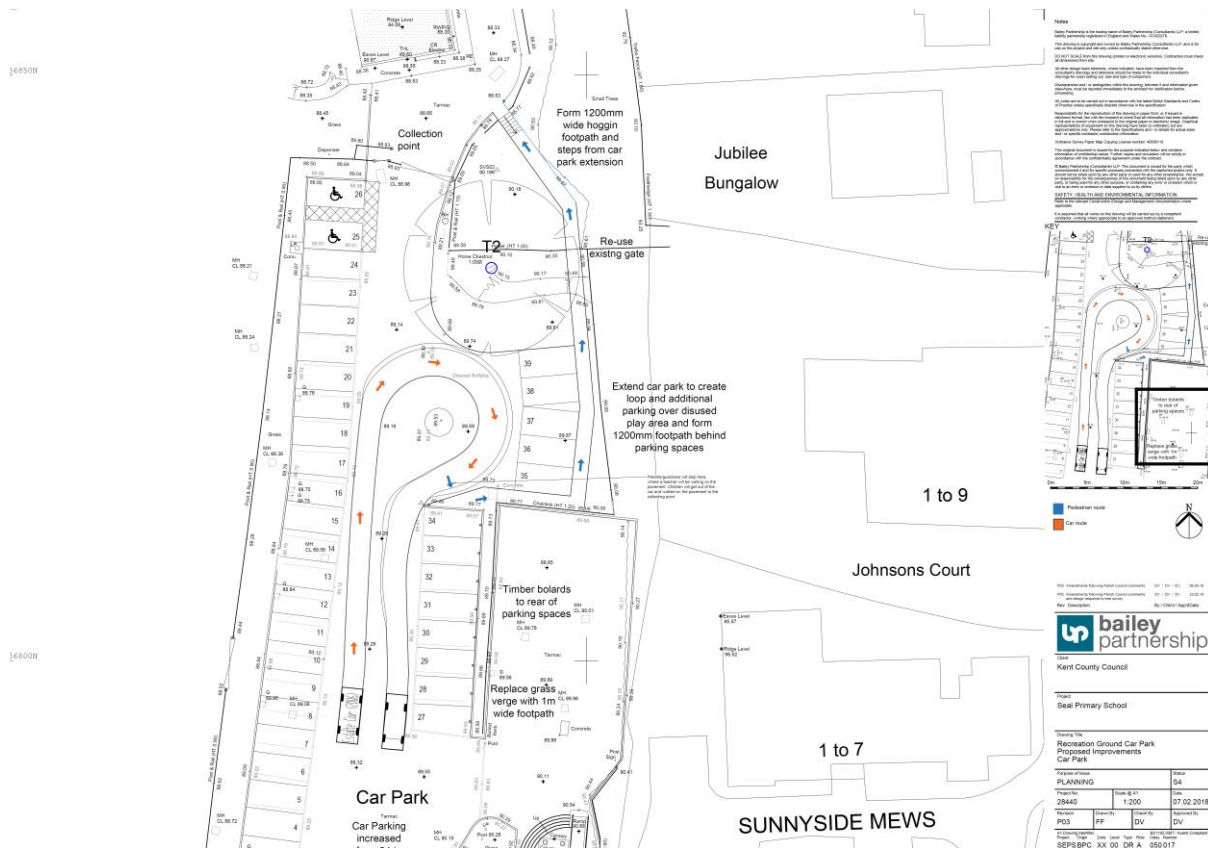
Therefore, the expected peak time increase in car movements are as follows:

am peak	$295 - 261 = 34$ additional movements
pm peak	$277 - 247 = 30$ additional movements

In order to address this increase a combination of additional parking at the Recreation Ground Car Park (5 additional spaces), a managed drop off zone within this Car Park and a more robust School Travel Plan are proposed to reduce the impact of additional vehicles accessing the School. The TS and TSA have assessed that as a result of these mitigation measures the number of cars would be reduced to 34 additional trips in the morning peak and 30 additional trips in the afternoon peak. These figures also take into account a reduction due to siblings using the same car.

49. The Highway Officer considers that the stress on parking availability will be reduced by the introduction of the drop off facility at the Recreation Ground car park. The School have confirmed that in order for this facility to be effective and run smoothly, four members of staff would be available at school start and finish times to accompany pupils to and from school so that the system works safely. To this end the applicants have submitted an updated plan which shows where pedestrian and vehicle movements would be undertaken (shown overleaf), and the Highways Officer is now assured that this would work safely in practice.

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50. Key to managing the increased number of cars dropping off and picking up pupils is the School Travel Plan (STP). A STP has been submitted in support of the application with the School indicating its commitment to encouraging more pupils and staff to travel to and from school in a more sustainable way. The existing Travel Plan needs to be more robust so that pupil number increases do not create problems, and the Highway Officer considers that there is plenty of scope for increasing the current percentage of pupils walking or cycling to school, stating that 28% is a low and disappointing number for essentially a village school. The School Travel Plan target is for the number of pupils travelling by car to reduce from 63% to 51% within 5 years (when the expanded school would be at full capacity) and it is considered that this should be achievable given the number of pupils living within walking/cycling distance of the school, and the encouraging measures proposed by the School itself. Car sharing should also be further encouraged and the School Travel Plan Co-ordinators could organise a car-sharing database to assist in making this effective. Furthermore the increase in pupil numbers is likely to mean an increase of siblings attending the school which the Highways Officer states should help reduce the number of vehicle trips with single pupil occupants.

51. In addition to the School Travel Plan, the TSA confirms that the Parish Council have offered their support for putting Seal Primary School forward as a ‘safer school zone’. This is an important proposal, the details of which are explained below:

“Under these arrangements, schools with school keep clear areas, school crossing patrols and yellow lines that suffer from illegal parking at drop off/pick up times are

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designated as “Safer School Zones” where no stopping and/or parking is allowed. This is intended to deter drivers who cause danger and obstruction by stopping on restrictions close by schools, when safer more appropriate parking is available nearby. Highly visible “Safer School Zone” signs are put up at the approaches to the Zone. Civil Enforcement Officers (often referred to as traffic wardens) patrol and issue immediate parking tickets to vehicles stopped on restrictions within the Zone.”

Should the Parish be successful in obtaining this status for Seal Primary School, it should help improve the anti-social behaviour of some parents who continue to park on the keep clear school markings in Zambra Way.

52. Another issue highlighted as a problem deterring parents and children from walking to school is the width of the footway alongside the A25 between the recreation ground and Seal Hollow Road where the speed limit remains at 40mph. It is suggested that the School should lobby for the reduction in the speed limit along the length of this road to 30mph, between the two sections of existing 30mph limits, which would improve pedestrian safety and encourage walking to school. This, the Highway Officer states, could be combined with the introduction of a pedestrian phase at the Seal Hollow Road traffic lights. The 30mph speed limit and traffic light phasing cannot, however, be secured as a condition on this planning permission, as it would be subject to a Traffic Regulation Order with its own consultation process. It is therefore proposed that an Informative could be included stressing the importance of the School pursuing these matters and the ‘Safer School Zone’, in the interests of the safety of their pupils and to encourage more sustainable modes of transport.
53. Whilst the Highway Authority have some concerns over the additional local congestion and parking issues that this development would create, in terms of Policy, the NPPF paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are ‘severe’. That, the Highway Officer states, can only be judged on a case by case basis, taking account of all material factors. The TS and TSA have been considered along with the current and likely future conditions on the local highway network. Whilst the submitted information shows that the situation is likely to be worsened, given the mitigating measures proposed (additional parking, drop off zone and a robust School Travel Plan) he is not able to conclude that it would result in conditions that could be described as ‘a severe impact on congestion or safety’, particularly when such impacts occur for short periods during the morning and afternoon and only during school term time. The Highway Authority conclude that with appropriate conditions and a pro-active input from the School to improve sustainable travel to and from school by pupils and staff, that the impact may be reduced considerably. The careful production, monitoring and review of the School Travel Plan would be the key to this. In addition to the School Travel Plan other conditions suggested, should the application be approved, would be for the permanent retention of the staff parking areas shown, and the need for a Construction Management Plan (this is addressed further below). Furthermore, a condition requiring the recreation ground car park to be available for use upon completion of the new classroom block should also be included as this provides part of the mitigation for the expansion and ought to be in place in conjunction with the new facilities.
54. Considering the off-site highway aspects of the proposed development as a whole, it is to be borne in mind that primary schools generate a level of localised traffic congestion and competition for on-street parking space. In most cases this is a short lived

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nuisance and irritation rather than a serious risk to road safety. Moreover, it only occurs on days when the school is open, compared to streets that are close to shops, offices, railway stations etc. Nevertheless, it is acknowledged that these cause friction between residents and school parents over on-street parking, but the public highway is there to be used and it is not the sole preserve of any one category of highway user. The key to minimising traffic nuisance and avoiding safety risks is sound management of the available facilities and the measures proposed seek to do this. It is therefore considered that the scheme meets the aims of Policy T1 of the ADMP, in that it seeks to mitigate against adverse travel impacts as a result of the school expansion.

**Other Matters****Construction**

55. A condition requiring the submission of a full Construction Management Plan (CMP) for written approval, prior to commencement of development is considered appropriate and has been requested by the Highways and Transportation Officer. He states that construction works would need to be carefully planned and managed to ensure the safety of pupils, staff and residents. The CMP should include amongst other matters that no traffic movements, including deliveries, should occur in Zambra Way and Ash Platt Road during school start and finish times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; and the provision of wheel washing facilities. Given that there are neighbouring residential properties to the site, if planning permission is granted it is considered appropriate to restrict the hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays). This could also be included in the CMP.

**Ecology**

56. The application was supported by the submission of a Preliminary Ecological Appraisal (April 2018) which considered the suitability of the site to support various protected species, including reptiles, amphibians, and bats and this documentation was assessed by the County's Biodiversity Officer. Most of the proposed development is located on hardstanding or amenity grassland, but the proposed car parking area would result in the loss of a small area of grass bank and trees. The survey states that there is a low potential for bats to be roosting in the main school building; that there is limited potential for reptiles and amphibians to be present within the woodland and grass bank to the north of the site; and that there are suitable features for breeding birds within the site.
57. Due to the small area of grassy bank/trees to be lost it is considered that there would not be a requirement for a reptile or amphibian survey to be carried out and instead the Biodiversity Officer considers that the risk to individuals can be avoided through the implementation of a detailed mitigation strategy. A suitably worded condition is suggested to ensure that the strategy is submitted and agreed prior to the commencement of the permanent development, and then implemented as approved. The proposed development would not directly affect the main school building therefore if bats are roosting within the building it would not result in a loss of a roost, however because of the proximity of the new extension to the main school, the works or lighting might affect them accessing their roost. It is therefore considered that the bat emergence surveys suggested in the report would be required, but because of the low

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potential they could be secured (and any mitigation required) by a suitably worded condition if planning permission is given. Finally the application provides opportunities for ecological enhancements to be incorporated on site and the report makes a number of recommendations which the Biodiversity Officer considers should be implemented of approved, and once again, these can be secured by condition. It is therefore considered that the scheme would comply with paragraphs 109 and 118 of the NPPF, Policy SP11 of the Core Strategy and EN1 of the ADMP.

**Landscape**

58. The application was supported by the submission of an Arboricultural Impact Assessment (March 2018), which outlined the trees that would need to be removed from the site to accommodate the proposed development. Most of trees to be removed are contained within the site and their removal would have no impact on views into the site from wider vantage points. The tree belt along the eastern boundary would be retained and protected during construction, as would the trees along the southern boundary. The most noticeable change would be the removal of the group of trees by the main school entrance which would be removed to allow the car park to be extended. However, it is considered that even this loss would be seen within the context of the remainder of the tree belt along the northern boundary and would have a limited impact overall in landscape terms. The proposed development is unlikely to have an impact on the landscape character of the AONB given the above, and subject to the imposition of a landscape condition requiring some replacement tree planting to be undertaken on site, it is considered that the proposed development would be acceptable in landscape terms, in accordance with Policy L08 and SP1 of the core Strategy and Policy ENV5 of the ADMP.

**Flood Risk & Drainage**

59. The application was supported by the submission of a Flood Risk Assessment which shows that the proposed extension falls within Flood Zone 1, the zone least vulnerable to flooding, and that the playground and MUGA are partially within Flood Zone 2, an area of medium risk of flooding. Because the playground and MUGA are considered as having low vulnerability in flood risk terms it is considered that their provision is acceptable in Flood Zone 2, whilst the proposed extension meets the aims of the sequential test by providing the development within an area with the lowest probability of flooding. In flood risk terms the proposal is therefore considered acceptable.
60. Details of the proposed drainage were also included in the report and the County's Flood and Water Management Team have assessed these details. They state that they have no objection to the proposed drainage into a soakaway as there are existing soakaways at the site, however additional site specific ground investigations would be required to support the use of infiltration as recommended in the report. Therefore, should permission be granted they have requested the imposition of conditions to secure the submission of a detailed sustainable surface water drainage scheme to be agreed in writing prior to development commencing and that the extension shall not be occupied until an operation and maintenance manual has been approved in writing.



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**Ground Contamination**

61. The Environment Agency were consulted on the application as the site is within Source Protection Zone 3 and located upon a Principal aquifer, therefore controlled waters are particularly sensitive. The application was supported by the submission of a Ground Investigation (March 2016) and a Phase 1 Desk Top Study Report (July 2015). The Environment Agency state that they have no objection to the proposed development, as the Ground Investigation Report provides them with confidence that the risk posed to controlled waters can be suitably managed, but that further detailed information is still required. This information, they suggest, can be sought through the imposition of conditions if the application were to be approved, and these relate to the need for a remediation strategy to deal with risks associated with contamination of the site being submitted to and approved in writing by the County Planning Authority before development commences; a means of dealing with any contamination being found on site that hadn't been previously identified; that no piling or penetrative foundation methods be used on site without prior written consent of the County Planning Authority; and that a drainage strategy be approved for the site prior to development commencing.

**Sustainability**

62. The design of the proposed extension has been undertaken to include various sustainable measures so that the scheme would accord with the principle of BREEAM Very Good. These would include passive design elements such as natural ventilation, good levels of natural daylight to the classrooms to avoid the need for artificial lighting, energy efficient internal lighting with occupancy sensors to minimise energy consumption, and dusk to dawn sensors and timers for external lighting. External renewable energy sources have also been considered for the proposed development and as a result an area for photovoltaic panels has been identified on the southern roof slope of the main extension. Although the County's education developments are not officially taken through the BREEAM process, it is considered that this scheme would accord with the aims of Policy SP2 of the Core Strategy, where institutional development is required to meet the 'very good' rating.

**Noise Assessment**

63. A Noise Assessment has been submitted in support of the planning application, which assessed the proposed development against British Standard 4142:2014: *Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas*. This was considered to be the most relevant piece of guidance for a situation where a new noise source might be introduced in a mixed residential area. Because at this stage specific equipment and final location for any plant has not been confirmed, the report considered a worst case scenario of all new plant equipment being in one location adjacent to the closest neighbouring property, which would be 28m away in Zambra Way. The report concluded that the plant equipment (which would only be used during school hours of operation) would have a low impact on residential amenity.

**Archaeology**

64. The County's Archaeological Officer has considered the application and notes that the site has the potential for Palaeolithic remains and sits on River Terrace Gravels. As such any excavations ought to be observed to ensure any items of interest are

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observed and recorded. A suitably worded condition to secure the implementation of a watching brief would therefore need to be included, should permission be given. As such the scheme would comply with Policy SP1 of the Core Strategy.

**Conclusion**

65. In my view the key determining factors for this proposal are the principle of allowing the development given its location in the Green Belt, the loss of playing field land, together with the appropriateness of the extension in terms of design and layout and the suitability of the highway network to accommodate the additional school traffic in this location. 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 'very special circumstances' allowing development in the Green Belt, highway matters, design, ecology, and landscape. In my view the proposed development would not give rise to any severe, significant or demonstrable harm in any of these respects, that would be overriding as far as planning, environmental and amenity aspects are concerned, as demonstrated in the discussion above.
66. The objections received in relation to the loss of playing field land and the fact the development would be sited within the Green Belt have been considered in detail above. In my view the proposed extension would not affect the principle aim of protecting the Green Belt and the small loss of playing field land would be compensated for by the provision of better on site sports facilities. The highway and transportation impacts would in part be mitigated by the provision of the extended car park facility at the recreation ground car park which would provide a parent facility for school drop off and pick up times, in association with a walking bus run by the school, which provides a much improved solution compared to the previously refused scheme.
67. In my view the development is sustainable, in accordance with the aims of the NPPF and the Development Plan policies, and there are no material planning considerations that indicate that the conclusion should be made otherwise. In addition, support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for primary school places in the Sevenoaks area. I therefore recommend that the application be referred to the Secretary of State for Housing, Communities and Local Government for his consideration, and subject to his decision that various conditions be placed on any planning permission, including those outlined below.

**Recommendation**

68. I RECOMMEND that the application BE REFERRED to the Secretary of State for Housing, Communities and Local Government, and SUBJECT TO his decision, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- the standard 3 year time limit;
  - the development to be carried out in accordance with the permitted details;

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- the submission and approval of details of all construction materials to be used externally;
- the first floor windows on the eastern end elevation shall be obscure glazed as shown on drawing number XXZZDRA050007 Rev P01 and retained as such to avoid overlooking of neighbouring properties;
- details of the roof plant shall be submitted to and approved in writing prior to the commencement of the permanent development;
- within 3 months of occupation of the school extension all temporary classrooms shall be permanently removed from the site and the land reinstated as part of the playing field/informal play space;
- within 6 months of occupation of the extension, the submission and written approval of a revised and updated School Travel Plan, and thereafter its ongoing monitoring review for a period of 5 years;
- the off-site parking facility shall be provided for parent drop off and pick up facilities prior to 1<sup>st</sup> September 2019, or upon completion and occupation of the extension, whichever is the latter, to mitigate for the expansion of Seal Primary School from 1FE to 2FE;
- the submission of a Construction Management Plan, providing details of amongst other matters that no traffic movements, including deliveries, should occur in Zambra Way and Ash Platt Road during school start and finish times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; the provision of wheel washing facilities; and hours of construction;
- that the ecological enhancements recommended in the Ecological Appraisal be implemented;
- that a detailed reptile and amphibian mitigation strategy be submitted prior to commencement of development;
- that a bat emergence survey and any details of mitigation be submitted prior to commencement of development;
- the provision and permanent retention of the vehicle and cycle parking facilities prior to the occupation of the school and their retention thereafter;
- the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of the permanent development, and the written approval of such a scheme and its on-going maintenance prior to occupation of the extension;
- the submission and approval of a maintenance manual for the sustainable drainage scheme prior to occupation of the extension;
- no development of the permanent extension shall commence until a remediation strategy to deal with risks associated with contamination of the site has been submitted to the County Planning Authority and approved in writing;
- if during development contamination not previously identified is found to be present, then no further development shall take place until a remediation strategy has been agreed with the County Planning Authority;
- no piling or penetrative foundation methods be used on site without prior written consent of the County Planning Authority;
- the submission of a native species landscape scheme and details of a maintenance scheme for such landscaping to ensure the establishment of the planting and that it be managed to benefit biodiversity;
- prior to commencement of the permanent development all trees and hedges in close proximity to the proposed development that are to be retained shall be fenced off with protective fencing as set out in the Arboricultural Impact Assessment and maintained for the duration of the building works;

**Expansion of school from 1FE to 2FE and associated ancillary works at Seal Church of England Primary School, Zambra Way, Seal – SE/18/01521/KCCRG3 (KCC/SE/0075/2018).**

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- that any lighting of the MUGA shall not be permitted without the written consent of the County Planning Authority.

69. 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 Seal Primary School pursue, as a matter of importance, the reduction of the speed limit to 30mph where the current 40mph speed limit exists on the A25 at Seal Hollow Road; the introduction of a pedestrian phase at the Seal Hollow traffic lights; and the inclusion of Seal Primary School within the ‘Safer School Zone’ programme in the interests of the safety of their pupils and to encourage more sustainable modes of transport;
- That the applicant ensures that all necessary highway approvals and consents are obtained;
- The development should take account of the Bat Conservation Trust’s ‘Bats and Lighting in the UK’ guidance;
- To ensure that works to trees are carried out outside of the breeding bird season and if this is not possible that an ecologist examines the site prior to works commencing.

Case Officer: Helen Edwards
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Tel. no: 03000 413366
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Background Documents: see section heading
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**Item D2**

**Extension and reconfiguration of existing car park and resurfacing and upgrade of footpath at Seal Recreation Ground Car Park, High Street, Seal – SE/18/01520/KCCRG3 (KCC/SE/0076/2018)**

A report by Head of Planning Applications Group to Planning Applications Committee on 11<sup>th</sup> July 2018.

Application by Kent County Council Property Services for the extension of existing car park to include an additional 5 parking spaces, reconfiguration of existing parking layout, resurfacing and upgrade of existing footpath at Seal Recreation Ground Car Park, High Street, Seal, Sevenoaks, TN15 0AF, – 18/01520/KCCRG3 (KCC/SE/0076/2018).

Recommendation: Permission be granted, subject to conditions.

Local Member: Roger Gough

Classification: Unrestricted

**Site**

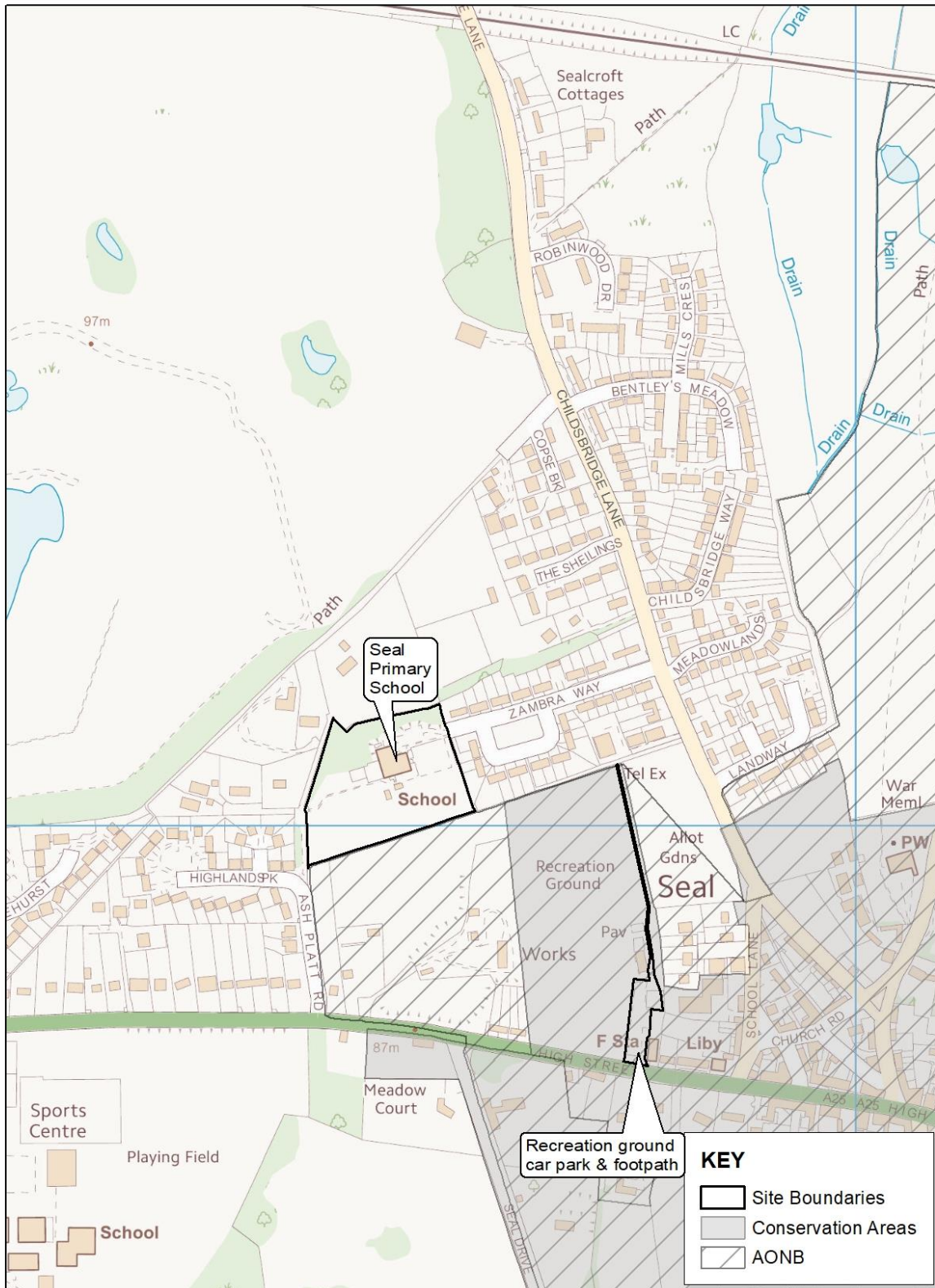
1. Seal Recreation Ground is located on the northern side of the A25 Seal Road, within the village boundaries. The recreation ground comprises the open green space, alongside a car park which currently provides 34 spaces. A disused playground is located within the car park area, whilst a new children's playground has been provided within the field alongside a footpath which links the recreation ground car park and Zambra Way which lies to the north. Within the recreation ground (but outside of the application site) is Seal War Memorial Pavilion which is used by Top Banana Pre-School Monday to Friday, and a dentist premises which has its own area of parking, accessed from the recreation ground car park. The Recreation ground lies within the Green Belt, North Downs Area of Outstanding Natural Beauty (AONB) and the village Conservation Area.

**Background**

2. Seal Recreation Ground was one of the six alternative option sites considered by the applicant's during the processing of the previous application at Seal Primary School (SE/16/1043), as a possible location for providing additional parking spaces for parents as part of the school expansion. However, no agreement could be reached with the Parish Council to use the car park for this purpose during 2016, and that application was subsequently refused. Discussions have been taking place since that refusal to try and resolve the issues, and an agreement in principle has now been reached with the Parish Council. A letter confirming the 'Heads of Terms' of the use agreement is included as part of the Planning Statement document. A new planning application is being considered at Seal Primary School for the permanent expansion of the school from 1FE to 2FE (KCC/SE/0075/2018) (Item D1 of the July Planning Applications Committee papers), and this application forms part of the mitigation for the school expansion in highway and transportation terms. Although the two applications are separate, they will be considered together.

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

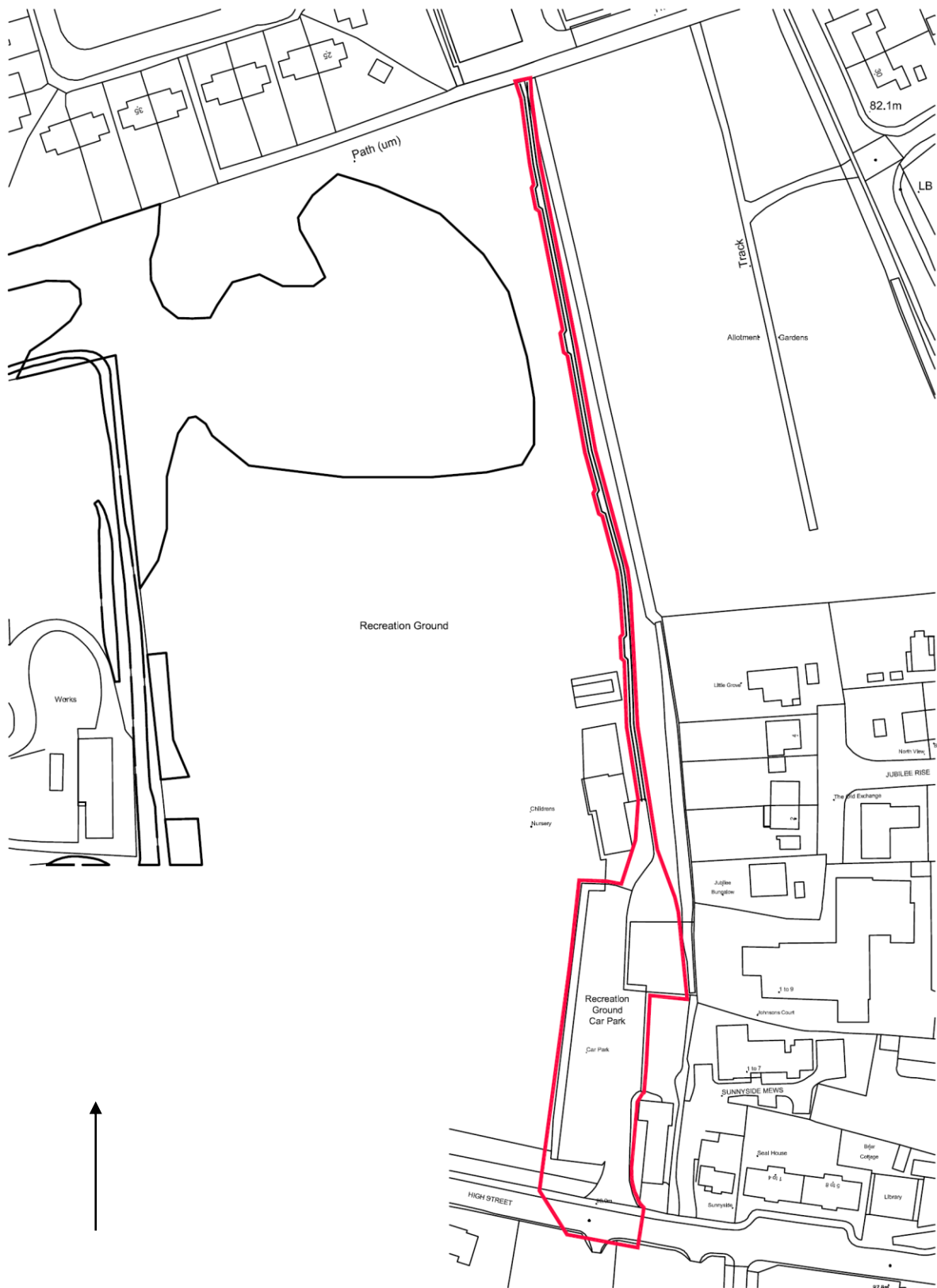
General Location Plan



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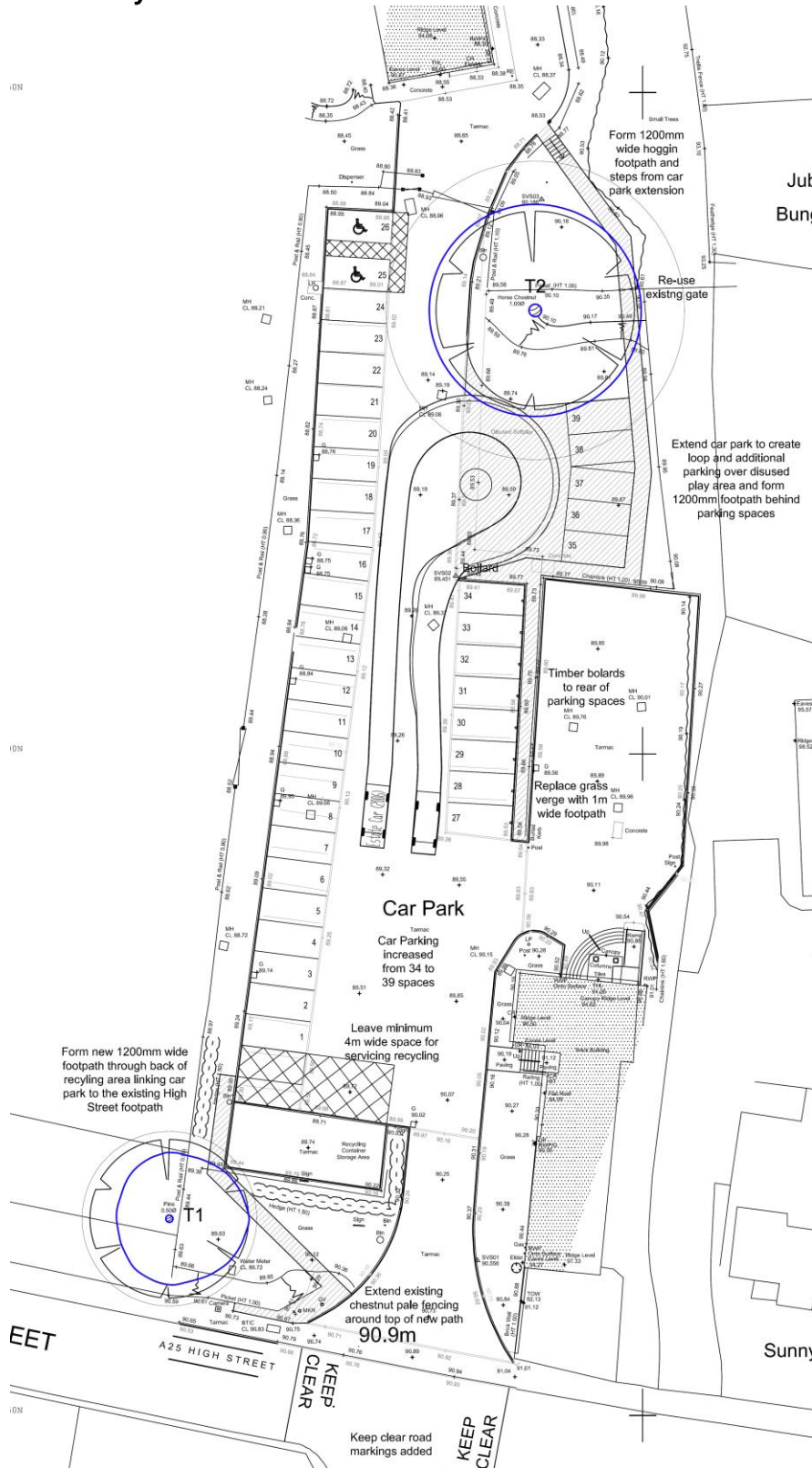
**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

Site Location Plan



**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

**Proposed Car Park Layout**

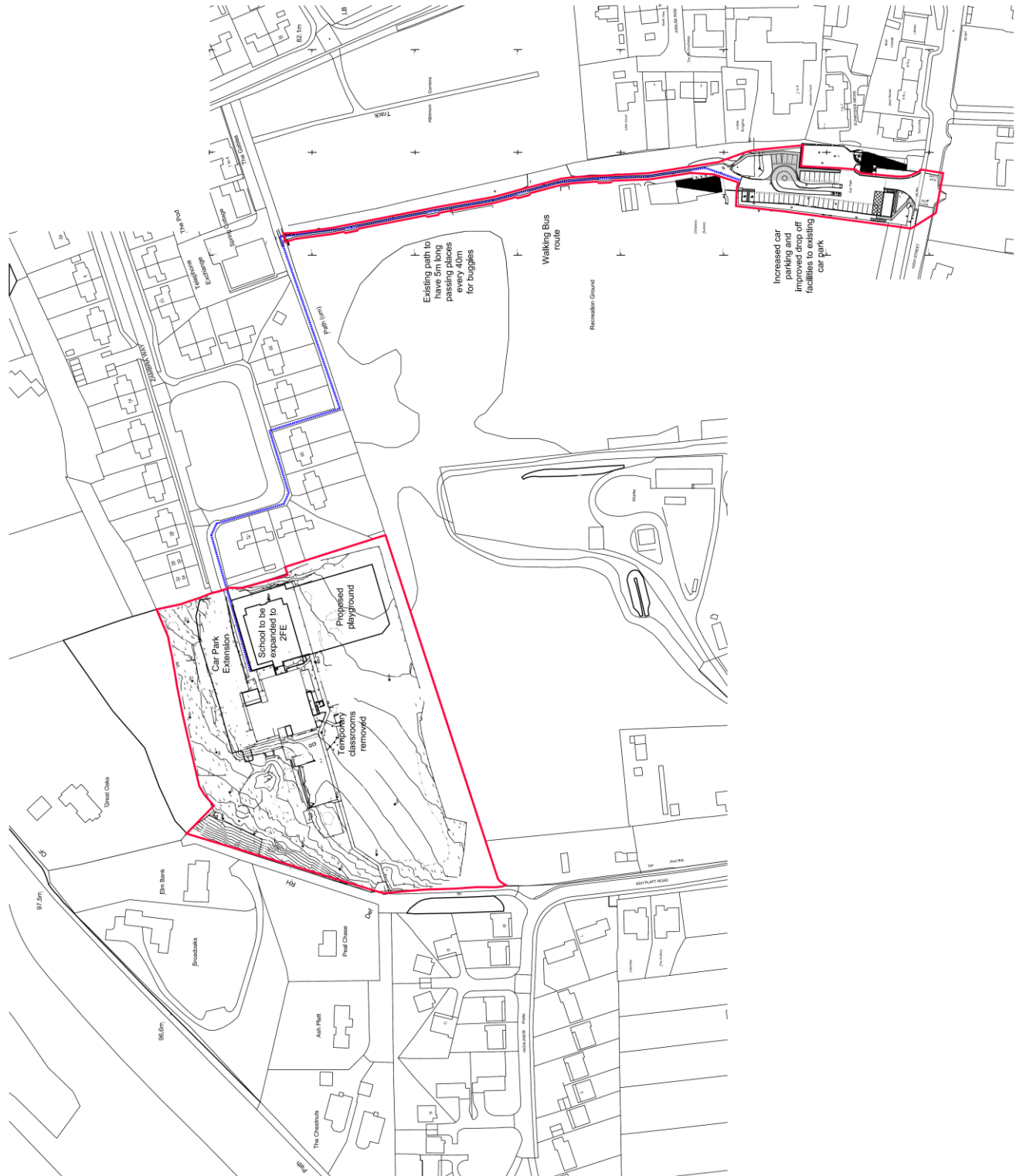






**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

**Proposed Masterplan showing footpath link between School and Car Park**



**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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**Proposal**

3. The application seeks permission to make some alterations and improvements to the existing recreation ground car park. The proposal seeks to remove the remains of the old children's playground which is sited along the eastern boundary of the site, in order to set out an additional 5 parking spaces. A turning area would also be accommodated in this area, which would enable cars to drive into the car park, loop round and drop off children, and then drive out without the need for any reversing manoeuvres. A new footpath would be provided to the rear of these new spaces linking to the existing footpath to the north in the vicinity of the pavilion, and to the south it would run behind the existing parking spaces adjacent to the dentist's car park. An additional new stretch of footpath would be provided at the entrance to the car park behind the recycling area to link into the adjacent footpath along the A25/High Street.
4. The whole of the car park would be resurfaced and remarked providing 39 spaces in total, 2 of which would be for disabled drivers. The footpath that runs from the recreation ground car park to Zambra Way would also be resurfaced, and would have 4 passing places provided along it. In these locations the footpath would be widened to 2m in width for a length of 5m to allow pedestrians to pass easily.
5. The Parish Council have agreed that the car park can be used as a drop off/pick up facility for parents at the School subject to planning permission being given for the 1FE expansion (associated application KCC/SE/0075), and a Heads of Terms agreement with the County Council has been drafted to this effect. It is intended that the School would operate a 'walking bus' from the car park and the Parish Council has confirmed that the existing parking restrictions that apply in the car park only operate between 8.00am and 8.20am therefore would not conflict with parents arriving for the walking bus drop off.

**Planning Policy**

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

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- 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;
- that the planning system contributes to and enhances the natural and local environment and that when determining applications there should be an aim to conserve and enhance biodiversity;
- conserving and enhancing the historic environment;
- 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;

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 work with schools promoters to identify and resolve key planning issues before applications are submitted.*

**Draft Revised National Planning Policy Framework (March 2018)**

A draft review of the NPPF was published on Monday 5<sup>th</sup> March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, which would help to reduce congestion and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness.

- (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. In particular the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

- (ii) **Sevenoaks District Core Strategy (February 2011)**

**Policy L08 The Countryside and Rural Economy:** Seeks to maintain the extent of Green Belt, and conserve and enhance the countryside, including the distinctive features that contribute to the special character of its landscape and its biodiversity. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, will be conserved and enhanced.

**Policy SP1 Design of New Development and Conservation:** Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity. Account should be taken of guidance adopted by the District Council in the form of Conservation Area Appraisals and Parish Plans, amongst other matters. The Districts heritage assets and their settings, including listed buildings, conservation areas, historic buildings, archaeological remains, landscapes and outstanding views will be protected and enhanced.

**Policy SP10 Green Infrastructure, Open Space, Sport and Recreation Provision:** Promotes the provision of multifunctional green space by linking existing green space areas. The Policy also seeks the retention of open space, sports and recreational facilities, including indoor facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.

**Policy SP11 Biodiversity:** Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity.

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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**Sevenoaks Allocations and Development Management Plan (February 2015)**

**Policy EN1 Design Principles:** sets out the need for high quality design and for proposals to meet criteria including: responding to scale, height and materials; respecting the topography and character of the site and any sensitive features; not result in the loss of buildings or open space that would affect the character of an area, provided satisfactory means of access and parking provision; include opportunities for increasing biodiversity potential, including sustainable drainage and to avoid harm to existing biodiversity; create a permeable layout; safe and easy access for those with disabilities; creation of a safe and secure environment to deter crime and fear of crime; include modern communication technology and infrastructure; and make efficient use of land.

**Policy EN2 Amenity Protection:** Proposals should provide adequate residential amenities for existing and future occupiers of development, and safeguard amenities of existing and future occupiers of nearby properties by ensuring development does not result in excessive noise, vibration, odour, activity, vehicle movements, overlooking or visual intrusion and where it would not result in a loss of privacy or light.

**Policy EN4 Heritage Assets:** Proposals that affect a Heritage Asset, or its setting, will be permitted where the development preserves or enhances the character, appearance and setting of the asset. Areas of archaeological importance will require an archaeological assessment.

**Policy EN5 Landscape:** Sets out that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection. Proposals that affect landscape throughout the District will need to conserve the character of the landscape including areas of tranquillity.

**Policy T1 Mitigating Travel Impact:** Sets out the need to mitigate against adverse travel impacts including their impact on congestion and safety, environmental impact such as noise, pollution and impact on amenity and health.

**Policy T2 Vehicle Parking:** Sets out that vehicle parking provision, including cycle parking, for non-residential developments should be in accordance with the advice of Kent County Council as Local Highway Authority.

**Green Belt SPD**

Sevenoaks Council's Supplementary Planning Guidance (SPD) provides detailed guidance on the implications of applying for planning permission for development located within the Green Belt. The document outlines that buildings must be permanent in nature and they will be considered on the basis of their volume, scale, bulk and whether or not the resultant building would adversely impact on the character of the countryside or openness of the Green Belt. The SPD outlines that the impact on the countryside is clearly greater if located in a highly visible location, however the test of the impact still applies even if there are limited or no public views of it. This is on the basis that, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. The SPD concludes by saying that if the development is acceptable in principle, its form should be well proportioned and present a

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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satisfactory composition with the building.

**Consultations**

7. **Sevenoaks District Council** raise no objection.

**Seal Parish Council** has no objection to the application subject to the request for conditions to be imposed relating to the design of the car park and footpath being as shown on the submitted drawings; that the access to and exit from the car park being kept clear by appropriate road markings on the A25 as shown on the drawings; and that details of the specification and materials be submitted for approval. The Parish Council also ask for written confirmation that the extension of the car park if permitted, would remain lawful development in the event that the school cease using the car park for a 'walking bus'.

**Sevenoaks Town Council** – no response received to date.

**County Council Conservation Officer** raises no objection.

**Highways and Transportation Officer** raises no objection to the application subject to the imposition of a condition securing the provision of this facility to tie in with the occupation of the classroom extension at Seal Primary School, should this application be approved.

**School Transport Planner** is content with the draft School Travel Plan.

**Biodiversity Officer** raises no objection subject to the imposition of a condition to cover the submission of a reptile/amphibian mitigation strategy and the updating of this strategy to avoid impact on the badger sett; and the implementation of the ecological enhancements proposed.

**Flood and Water Management Team** raise no objection to the application which they regard as having a low risk.

**Local Member**

8. The local County Member, Roger Gough was notified of the application on 11<sup>th</sup> May 2018. In response to the consultation he states that he strongly supports the application, and that this scheme is essential to meeting concerns over increased traffic pressures linked to much-needed school expansion in the area and has been developed in discussion with the Parish Council.

**Publicity**

9. The application was publicised by the posting of four site notices, an advertisement in a local newspaper, and the individual notification of 122 residential properties. This included all those in close proximity to both the recreation ground site and the school site, alongside anyone else who previously made a representation to the 2016 application (at Seal Primary School) which was refused.

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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**Representations**

10. Because of the way the two applications were advertised and the relationship between them, the letters received in response to the publicity addressed both the school extension and the highways and transport mitigation. Whilst not all letters referenced both applications directly, I can confirm that we received 30 letters of representation in total. The full summary of the key points raised has been provided in the School application report and to avoid duplication I have only summarised below the points raised that relate to the recreation ground car park proposals:

- The Recreation ground car park should be expanded alongside the A25 with in and out access, similar to the way the car park works in Ightham, with minimum impact on the park;
- Proposed drop off point will have a minimal effect as it is too far away from the school and parents will use a closer option especially in bad weather, and as no shelter is proposed in the recreation ground;
- An additional 5 spaces at the recreation ground is unlikely to alleviate the current traffic situation, especially at pick up when parents park for longer to collect their children;
- Existing traffic and congestion on the A25 will discourage parents from using the recreation ground as it will be difficult to enter and exit quickly;
- The proposed drop off use here would also further worsen the existing traffic problems on the A25.

**Discussion**

11. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 6 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.

12. This application is being reported for determination by the Planning Applications Committee due to the neighbour representations received, and the need to assess both this application and the associated School proposal at the same time. In my opinion, the key material planning considerations in this particular case are the principle of development in this location in relation to the Green Belt, AONB and Conservation Area; the design and layout of the car park and footpath improvements; and the highway and traffic implications of the school expansion on the surrounding roads combined with this car park proposal as a form of mitigation for these effects.

**Principle of Development in the Green Belt, AONB and Conservation Area**

13. The recreation ground lies within the Green Belt, the Area of Outstanding Natural Beauty and Seal Conservation Area. Policies in the NPPF, Core Strategy and the Allocations and Development Management Plan (ADMP) seek to preserve the openness, character and setting of all three of these designations. In terms of the Green Belt first, consideration needs to be given as to whether the development would be classed as



**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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‘inappropriate’. Whilst the policies of the Local Plan do not specifically address car park extensions, the NPPF (paragraph 90) states that local transport infrastructure that requires a green belt location would not be considered inappropriate, provided it preserved the openness of the Green Belt. Given that the proposed development relates to a very small extension to an *existing* car park occupying a green belt location, and that such resurfacing works and alterations would all be carried out at ground level, I can see no reason why the proposals would affect the openness of the Green Belt. In addition, it should be noted that the car park supports the use of the recreation ground and such recreational uses are also considered to be appropriate development in a Green Belt. No objection has been raised on Green Belt grounds by the District Authority and I consider that the proposed development would not conflict with the NPPF guidance or Policy L08 of the Core Strategy and is acceptable in principle.

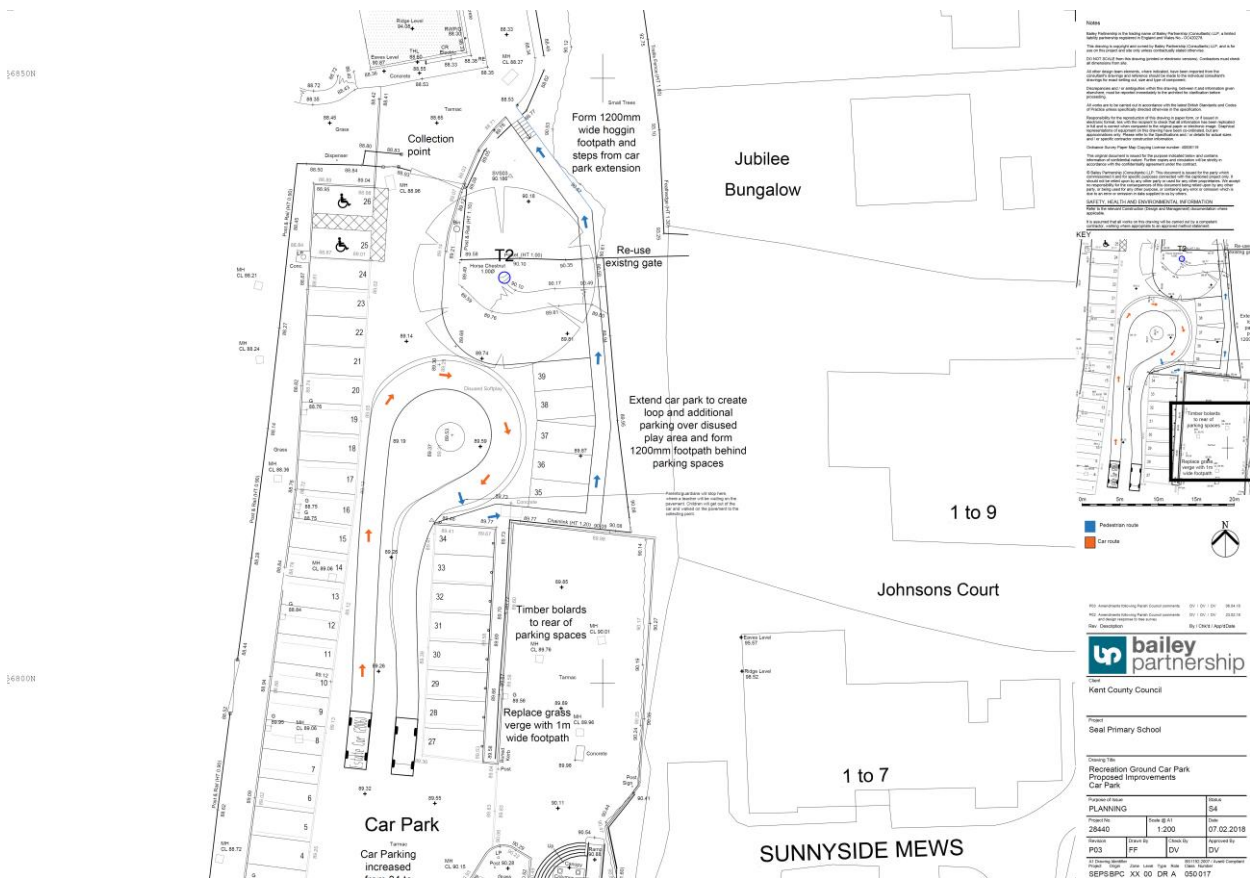
14. The designations for the Conservation Area and the AONB as set out in the District Proposals Maps include the recreation ground and car park. The small extension to the car park would have a very limited impact on these wider landscape and heritage settings as they would be seen in the context of the existing car park, and footpath links. The removal of the disused children’s playground would represent an improvement to the appearance of the area, in my view, and thus improve the setting of the recreation ground. Neither the Conservation Officer, nor the District Council have raised any concerns about the impact of the proposals on the AONB or Conservation Area and I consider that the scheme would comply with the aims of Policies SP1 of the Core Strategy and Policies EN4 and EN5 of the ADMP.

**Design and Layout**

15. The 5 new car park spaces would be in keeping with the rest of the car park and utilise the area of the old children’s playground. The laying out of these spaces and the provision of a turning circle within the car park are considered to be acceptable and clarification has been provided in the Transport Statement Addendum (TAS) of how the drop off facility would work in relation to vehicle and pedestrian movements. This additional plan is included below, and the Highways Officer is satisfied that the drop off facility and parking spaces would be ‘safe and useable’ from a highway safety perspective.

## Item D2

# Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).



16. The widening of the footpath in 4 places has been designed to allow ample space for passing, especially for parents or carers with pushchairs who might use this route. The improved footpath would not be lit due to the day time hours that it would be used, such that even in the winter months the path would be safe and useable without lighting, with the school pick up being between 3 and 4pm. The existing trees in the car park and along the footpath would all be retained and in particular this relates to the Horse Chestnut (T2) adjacent to the 5 new spaces. In order to ensure that the tree is not damaged during construction of the spaces a reduced dig method of construction would be used. In addition protective fencing would be located round all trees as well as the hedge at the entrance to the recreation ground by the recycling centre. In terms of the design and layout of the car park and footpath works, it is considered that the scheme would accord with the aims of Policy SP1 of the Core Strategy and EN1 of the ADMP.

### Mitigation for Highway and Traffic Implications of Seal Primary School Expansion

17. As set out in the background section of this report, the applicants have been trying to find a permanent solution for the expansion of Seal Primary School since 2015. One of the reasons for refusal of the previous application (in 2016) related to the "...increase in school traffic on surrounding roads without provision in place of adequate mitigation measures to offset the expected adverse travel impacts". One of the ways the applicants were considering trying to off-set the impact of parent traffic in residential roads such as Zambra Way, Ash Platt Road and Highlands Park was to find a site which could be used as a drop off/pick up facility for parents linked to a walking bus scheme which would be run by the School. A solution could not be found last time despite 6 sites being

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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considered as possible options. However, since the refusal of the 2016 application discussions and negotiations have been carried out with the Parish Council, resulting in them now agreeing in principle to the use of the recreation ground car park as a drop off and pick up facility.

18. As set out in the previous application on the agenda, item D1, the Highways and Transportation Authority consider that the provision of these improvements *will* reduce the stress on parking availability in the surrounding residential roads to the School. For their part the School have confirmed that in order for this facility to be effective and run smoothly, four members of staff would be available at school start and finish times to accompany pupils to and from the site so that the system works safely. This facility, in combination with the School Travel Plan initiatives which would be secured through the school application itself, would in the view of the Highways Officer provide sufficient mitigation to address the highways issues that would arise with the expansion of the school from 1FE to 2FE, particularly as such impacts occur for short periods during the morning and afternoon and only during school term time. The recreation ground car park improvements are therefore considered to be acceptable in relation to Policy T1 of the ADMP, in that it seeks to mitigate against adverse travel impacts as a result of the associated school expansion.
19. The Parish Council have requested confirmation that the extension of the car park would be lawful development even if the School cease to use it for a walking bus. In land use planning terms the extension to the car park would be approved by this application, and once implemented (provided any conditions are discharged or met) would become a lawful extension to the car park. Any cessation of a walking bus at some future date would not 'undo' the planning permission for the works to the car park.
20. The Keep Clear road markings shown on the Car Park Improvements Plan form part of the application, included within the red line. They can therefore be conditioned to be carried out in accordance with the plans, prior to the car park being used after the extension and resurfacing works are completed. In order to enable ease of access to, and exit from, the recreation ground especially during times of high traffic flows, I consider this would be an appropriate condition.

**Other Matters**

**Biodiversity**

21. The applicants have submitted an 'Ecological Constraints and Mitigation Strategy' report which has assessed the application site within the recreation ground in relation to any potential impact on protected species such as invertebrates, reptiles, badgers, birds and bats. The results showed that the habitats to be impacted are unlikely to support rare or notable species of invertebrates; that no works are proposed that would affect reptile habitat and that no suitable bat roosting features were noted within the trees on site. No works are proposed to trees that might affect nesting birds and the one badger sett observed was some 30m away from the proposed works.
22. The County Council's Biodiversity Officer has considered the content of the report and advises that due to the small area of habitat to be lost she is satisfied that there is no requirement for specific species surveys to be carried out and that any risk to individuals could be avoided through the implementation of the precautionary mitigation approach

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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detailed within the Ecological Constraints and Mitigation Strategy (June 2018). With regard to the badger sett, it is noted that the sett lies on the eastern side of the footpath and the widening works would occur on the western side. The Biodiversity Officer has advised that given this the works would be unlikely to disturb the sett to the extent that a licence from Natural England would be required. Nevertheless the mitigation strategy would need to be updated to include the works to the footpath, to ensure the sett is not affected during construction. On this basis the proposal is considered to comply with paragraphs 109 and 118 of the NPPF, Policy SP11 of the Core Strategy and EN1 of the ADMP.

**Conclusion**

23. In my view the key determining factors for this proposal are the principle of allowing the development given its location in the Green Belt, AONB and Conservation Area, and the mitigation this scheme provides for the expansion of Seal Primary School from 1FE to 2FE. In my view the proposed development would not give rise to any severe, significant or demonstrable harm in respect of any of these designations, that would be overriding as far as planning, environmental and amenity aspects are concerned, as demonstrated in the discussion above. The mitigation this scheme provides by allowing parents to park at the recreation ground car park and walk from here to the school would address the highway reason for refusal from the previous school application.
24. I consider that the development is sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise. I therefore recommend that the application be approved subject to conditions, including those outlined below.

**Recommendation**

25. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- The standard 3 year time limit;
  - The development to be carried out in accordance with the permitted details;
  - The Keep Clear markings on the A25 (shown on drawing number XX00DRA050017 Rev P03) be provided prior to the use of the car park following the extension and resurfacing works hereby approved;
  - Prior to commencement of development the recommendations within the Ecological Constraints and Mitigation Strategy shall be updated to include the whole construction footprint, submitted for written approval by the County Planning Authority and implemented as approved;
  - No work shall commence until the trees and hedges that are to be retained (marked in the Arboricultural Impact Assessment) are protected from construction, and such protection shall be maintained for the duration of the works.
26. I FURTHER RECOMMEND that the following INFORMATIVE be added:
- That the applicant ensures that all necessary highway approvals and consents are obtained.

**Item D2**

**Extension and reconfiguration of existing car park and resurfacing and upgrade of existing footpath at Seal Recreation Ground – SE/18/01520/KCCRG3 (KCC/SE/0076/2018).**

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Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

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**Item D3**

**Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

A report by Head of Planning Applications Group to Planning Applications Committee on 11<sup>th</sup> July 2018

Retrospective application by Newington C of E Primary School for the erection of a fence along one boundary of the school field at Newington Church of England Primary School, School Lane, Newington, Sittingbourne – (SW/18/502753/CPO) (KCC/SW/0077/2018)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Mike Whiting

Classification: Unrestricted

**Site**

1. The application site relates to Newington C of E Primary School, which sits to the north of the village of Newington. The school site which totals 1.77ha is surrounded by agricultural fields to the south and the west.
2. The north and eastern sides of the site are bordered by School Lane, which provides access, and Church Lane, with a junction between the two roads to the north east corner of the site. The school playing field, which spans to the east of the site, is surrounded by a number of residential properties. These properties essentially sit between the school field and the surrounding roads. They back directly onto the field with little to no screening between them, other than the fences or walls at the end of residents' gardens.

**Background**

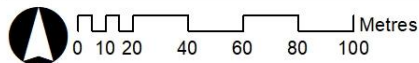
3. Due to the proximity of the neighbouring properties to the school playing field, and the low heights of several of the boundary fences, the School considered it prudent to install fencing to the back of the school playing field. This was to allay concerns over the safeguarding of the children on the field as well as to minimise inconvenience to the occupiers of the residential properties from balls falling into their gardens.
4. The fence was erected in February 2018. Due to several complaints to the School by neighbouring properties, advice was sought from the County Council whom advised the School that the height of the fence is over the threshold of what can be carried out under permitted development rights, and therefore express planning permission would be required.

**Recent Site History**

5. The most recent planning history at the site was in 2009 for a conservatory entrance porch.

**Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

Site Location Plan



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Ordnance Survey 100019238



## Item D3

### **Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

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#### **Proposal**

6. The proposal seeks to obtain retrospective planning permission for a 2.43m mesh wire fence which is 57m long and sits at the end of the school playing field on the western boundary of the school site. When the application was first submitted, a height of 2.3m was indicated, however through the progression of the application it became apparent that the actual height is 2.43m.
7. The fence is at variable distances from the neighbouring residential properties; 2.8m at most with the closest point being 0.7m.
8. The fence is dark green in colour and can be seen in the figures below.



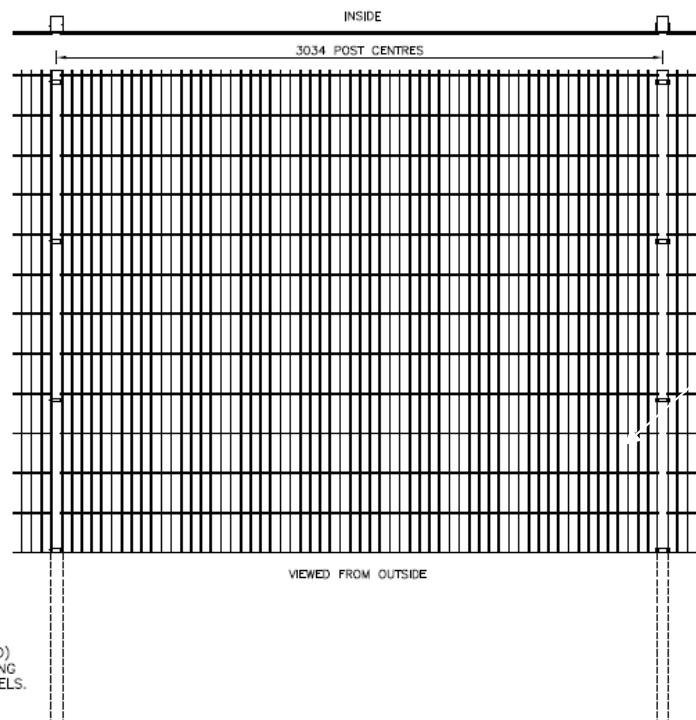
## Item D3

### Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)

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9. The design of the mesh and fixing posts are illustrated in the elevations plan, however it essentially comprises 5mm thick wires which are 5cm apart from one another. The fence posts sit at 3m intervals.



#### NOTES.

ALL DIMENSIONS ARE IN mm (U.N.O)  
GAPS UNDERNEATH GATES & FENCING  
ARE NOMINAL DUE TO GROUND LEVELS.

#### Materials.

FENCE POSTS – 80 x 80 x 3 RHS  
HORIZONTAL WIRES –  $\phi$ 6mm  
VERTICAL WIRES –  $\phi$ 5mm

#### Finish.

GALVANISED TO BS EN ISO 1461:1999  
POWDER COATED: IF REQUIRED

**Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

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**Planning Policy**

10. 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 policies in the NPPF, the greater weight that they may be given).

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

In terms of delivering sustainable development in relation to this proposal, the following NPPF guidance and objectives 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; and
- That great weight should be given to the need to create, expand or alter schools.

A draft review of the NPPF was published on 5<sup>th</sup> March 2018 but the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to attach great weight to the need to create, alter or expand schools.

- (ii) **Policy Statement – Planning for Schools Development (15 August 2011)** which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. In particular, the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt to improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

- (iii) **Swale Borough Council Bearing Fruits 2031: The Local Plan for Swale** (July 2017)

**Policy CP4** All development proposals should be of high quality design and be appropriate to their surroundings.

**Policy DM14** All proposals will, as appropriate meet a set of general development criteria, including to accord with the proposals of the adopted Development Plan, be well sited in terms of scale, design, appearance and details that is sympathetic and appropriate to the location and cause no significant harm to the amenity and sensitivity of other users.

**Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

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**Consultations**

11. **Swale Borough Council** raise no objection

**Newington Parish Council** support the application

**Local Member**

12. The local County Member, Mr Mike Whiting, was notified of the application on 21 May 2018.

**Publicity**

13. The application was publicised by the posting of a site notice at the front of the school and the individual notification of 13 residential properties.

**Representations**

14. At the time of writing this report, 5 letters of representation have been received. All are from the occupants of the properties which back onto the boundary where the fence has been built. The key points raised can be summarised as follows:

- Neighbours weren't consulted prior to the construction of the fence;
- The fence is too high, a revised height of 4ft (1.2m) was suggested instead;
- The space in between the fence and the residential properties is not being maintained and as such is becoming overgrown;
- Views of the school playing field which were previously enjoyed have now been disrupted;
- There has never been any incident concerning child safeguarding or nuisance to neighbouring properties, therefore the construction of the fence is not justified;
- The fence gives a sense of imprisonment to the residents' gardens; and
- The fence is too close to the neighbouring gardens.

**Discussion**

15. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 10 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 comprise of the need for the development, visual amenity and the ongoing maintenance of the vegetation.

**Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

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**Need for the development**

16. As summarised above, the applicant's have stated that the fence was constructed to allay child safeguarding concerns and prevent annoyance to neighbouring properties. The fences and walls which align the neighbouring properties are generally of a lower height. This height is not considered to be sufficient to ensure that children are appropriately safeguarded during playtimes and other times in the school day where they may use the field. Furthermore, it also enables easy access into the school grounds from the neighbouring properties and so represents a security concern. Another justification given was to prevent incidents such as balls falling into the residents' gardens which may cause annoyance over time.
17. The point was argued in the representations received that the above incidents have never occurred in the past and so the construction of the fence cannot be justified. However, whilst incidents have not occurred in the past that is no guarantee that they will not occur in the future. Furthermore, I consider matters of child safeguarding to be of paramount importance in any case, and clearly it is a matter that the School has responsibility for and considered needed to be addressed. Therefore, I do not consider it appropriate to dispute the need for some boundary fencing.

**Visual amenity**

18. A common theme within the representations is complaints about the height of the fence, which is 2.43m. It was pointed out in one representor that the fence is twice as high as their boundary wall.
19. Whilst the height of the fence does present the neighbouring properties with scenery they are not used to, it is important to remember that if the fence was not of a sufficient height, it would not be able to carry out its purpose.
20. Whilst I understand that the previous more open view across the playing field would have been preferable there is no right to a view. Moreover, the style of fence is typical of the fencing commonly used around school playing fields and sports pitches. The open mesh allows views through fence and as it is finished in a dark green colour to some extent it would be seen against the backdrop of the school playing field. Furthermore, I do not consider it to be overly high for its purpose. In any case, the School would be allowed to erect a fence of up to 2 metres high under permitted development and, in my view, the additional 43 cm does not make a significant difference to the visual perception of it. Overall, I do not consider that it poses unacceptable impacts on residential or visual amenity.

**Ongoing maintenance of vegetation**

21. Complaints were made within the representations that the area between residents' gardens and the new fence is not being maintained so the vegetation is becoming overgrown and unsightly. This claim was substantiated by observations made on the site visits to the school and can be seen from the photographs above. We have taken this up with the School and they have undertaken to cutback the vegetation and have given assurances that the school's landscape services will maintain the area during the

## Item D3

### **Retrospective planning application for the erection of a fence along the school field boundary at Newington C of E Primary School, School Lane, Newington, Sittingbourne – SW/18/502753/CPO (KCC/SW/0077/2018)**

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summer months on a fortnightly basis, and the Site Manager will undertake the task as and when the need arises outside of this time-period.

#### **Conclusion**

22. As discussed above, I accept that there is a justified need for the boundary fencing and consider that it would not have an unacceptable impact on residential or visually amenity. The development is in accordance with the general aims and objectives of the relevant Development Plan Policies and the principles of the National Planning Policy Framework and therefore my recommendation is that planning permission be granted.

#### **Recommendation**

23. I RECOMMEND that PERMISSION BE GRANTED.

Case Officer: Alice Short	Tel. no: 03000 413328
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Background Documents: see section heading
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Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 11 July 2018.

Temporary application for the retention of 3no. existing modular classrooms (permitted under KCC/DA/0257/2017 (DA/17/1626)) and the provision of a further 3no. modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42no. additional parking spaces - at Wilmington Academy, Common Lane, Wilmington (KCC/DA/0088/2018) (DA/18/659)

Recommendation: Planning permission be granted subject to conditions.

**Local Member:** Mrs Ann Allen

**Classification:** Unrestricted

#### Members' Site Visit

1. A group of Planning Application Committee Members visited the application site on the 19 March 2018 to acquaint themselves with the proposals for the permanent expansions (which are subject to separate reports) at both Wilmington Academy and Wilmington Grammar School for Girls and the issues they raise. As part of this visit Members of the Committee walked between the two application sites at the end of the school day.

#### Application Site

2. Wilmington Academy is located to the north west of the village of Wilmington and is accessed via Common Lane, a road which links Wilmington to Leyton Cross - a small residential area to the northeast of the Academy site. Dartford town centre is located approximately 2.3kms (1.4 miles) to the north east of the Academy site. The whole of the 8.45 hectare (20.8 acre) Academy site is located within the Metropolitan Green Belt. Built development on the site is concentrated to the north east of the site, adjacent to the Common Lane site frontage, with playing fields and open grassland extending to the south and west, beyond which lie agricultural fields and the wider countryside. The northern boundary of the Academy site is a wooded steep embankment, beyond which lies Public Right of Way (PROW) DR118A, which links with PROW DR118 which follows the western boundary of the Academy site. To the north of the application site, beyond the PROW DR118A, residential properties in Manor Close and Tredegar Road back onto the site from an elevated position. A row of residential properties are located opposite the existing site exit on Common Lane, and face toward Wilmington Common.
3. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of most of the existing buildings and the erection of a two storey academy building and sports centre, in addition to associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. Previous to that, the Academy operated from buildings that were built in the mid 1970's, which were then split in the 1980's to accommodate two schools, Wilmington Grammar School for



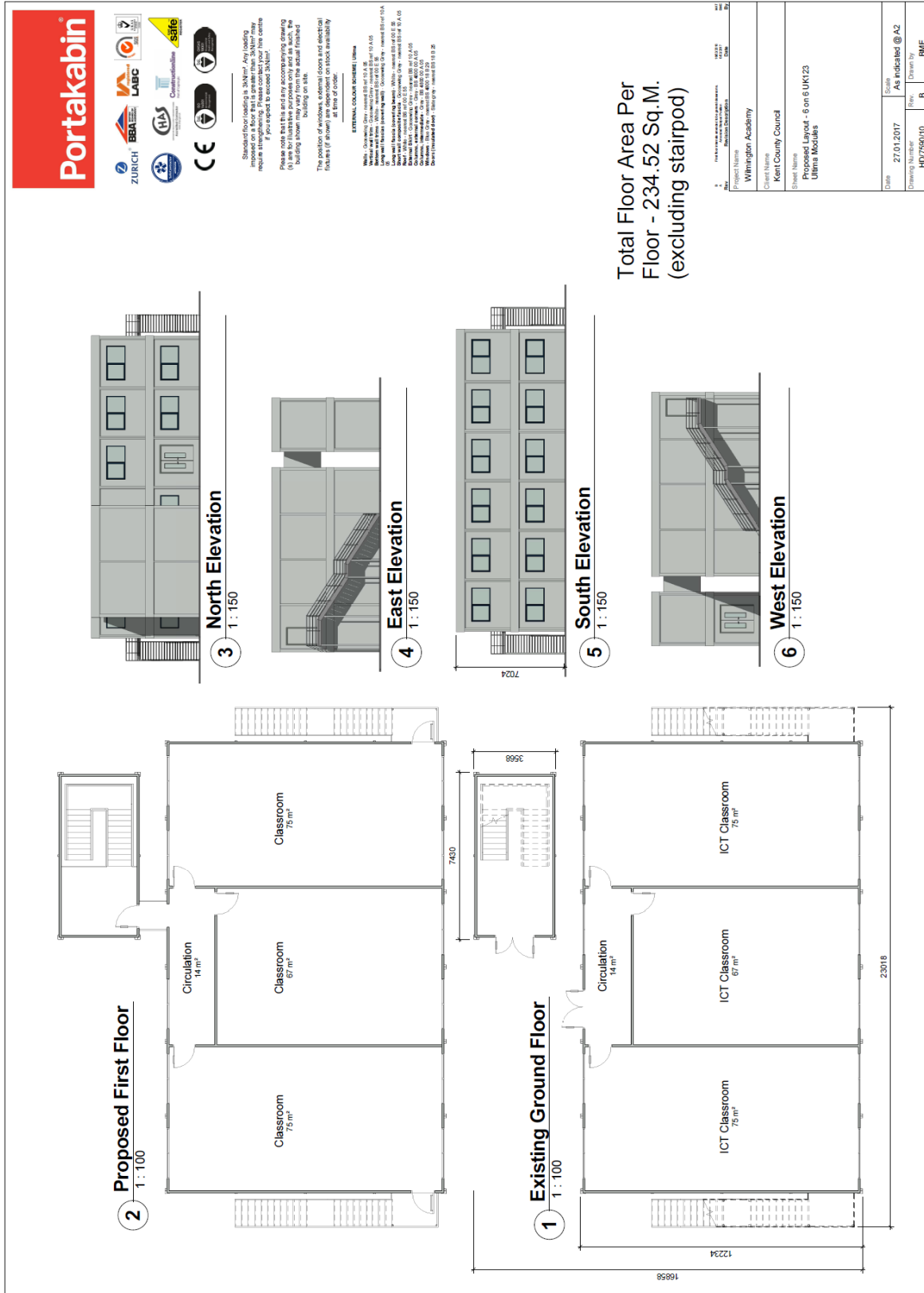






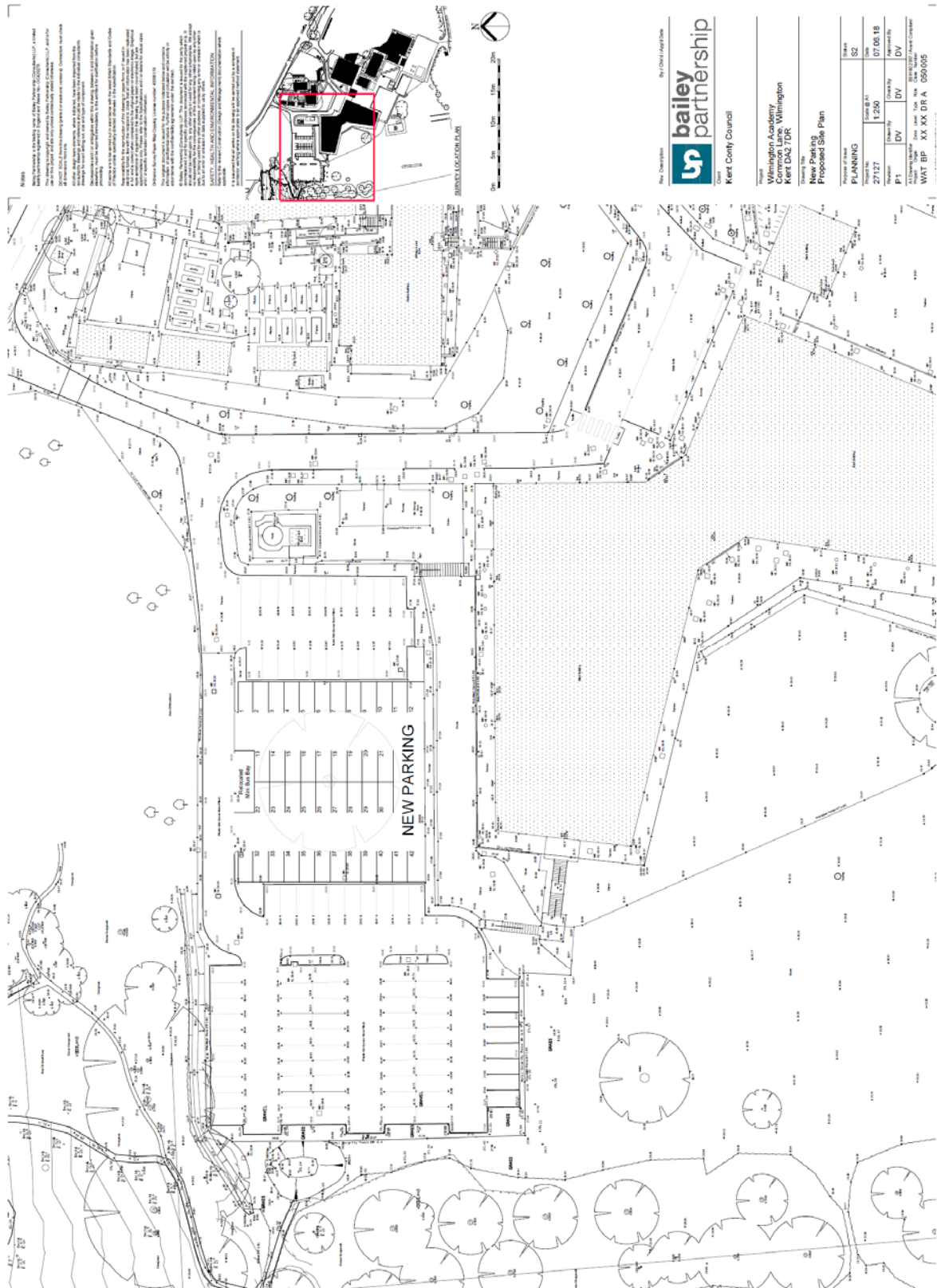
Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy - DA/18/659 (KCC/DA/0088/2018)

**Proposed Modular Building**



Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

Proposed Car Parking



Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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Boys (WGSB) and a non-selective secondary school (now Wilmington Academy). The academy continues to occupy the north western side of the site, albeit in a new building, with WGSB (which also has Academy Status) to the south east. The organisation of the whole site is further complicated by a third school, Wilmington Grammar Schools for Girls (WGSG), who own a sports pitch in the south west corner of site and have rights of access through the academy to reach it. The academy and WGSB share one exit point onto Common Lane, with the academy entrance located to the north west of that exit, with a one-way access loop extending up to the frontage of the academy building for pupil drop off linking the entrance and exit. A private nursery is located to the front of the academy site, within the access loop and on the Common Lane road frontage. In addition to WGSB, Wilmington Grammar School for Girls (WGSG) is located to the north of the academy site, accessed via Parsons Lane, which links Common Lane with Oakfield Lane. Further, to the east of the Academy site, Wilmington Primary School is located to the northern side of Common Lane, accessed via Common Lane only.

4. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan. However, should Members be minded to permit, the application would not, in this particular case, need to be referred to the Secretary of State due to the size, scale and impact of the development (to be discussed in detail within the discussion of this report). *A site location plan is attached.*

#### Background and Relevant Planning History

5. Planning applications to support the permanent expansion of both the Girls Grammar School and Wilmington Academy were originally submitted in 2016, accompanied by applications for the approval of some temporary accommodation to cover the immediate shortfall of space to accommodate additional pupils at each school. The temporary accommodation was given approval, subject to the completion of various highway mitigation measures, as set out in paragraph 17 below. However, the applications for permanent development were subsequently withdrawn after a lengthy consultation period which highlighted major concerns raised by those living in the locality that the village of Wilmington was struggling to cope with the amount of school related traffic. Following the withdrawal of those applications, further discussions between the applicants, planning officers and representatives of the Parish Council, Dartford Borough Council, Wilmington Safer Streets and Ward Members took place, including discussions regarding the highway mitigation measures that would be necessary to possibly make the expansions of the two schools acceptable. Subsequent to those discussions, an application for permanent accommodation at Wilmington Academy (KCC/DA/0353/2017), the associated application for development at Wilmington Grammar School for Girls, (KCC/DA/0002/2018), and this application for retention of existing temporary accommodation and provision of further temporary accommodation for the 2018 pupil intake, were submitted.
6. Wilmington Academy has been operating as an Academy since 1 September 2010, originally in the buildings of the former Wilmington Enterprise College. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of the majority of the existing

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

buildings and the erection of a two storey academy building and sports centre, in addition to associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. That redevelopment did not propose any expansion to the Academy, and was designed to accommodate a maximum capacity of 950 pupils.

7. Wilmington Academy is, however, now proposed to expand incrementally over a 5 year period from a 6 form of entry (FE) Secondary School (900 pupils plus sixth form, with a pupil admission number (PAN) of 180) to a 8 FE School (1200 pupils plus sixth form, (total 1325) with a PAN of 240). The 2016 and 2017 allocation of pupils have been accommodated in temporary accommodation (see planning history below), and the current number of pupils on site (as of September 2017) is 1167, which includes 115 sixth form pupils.
8. The table below summarises the relevant planning history at the site:

Application Reference	Description	Decision
KCC/DA/0537/2011 (DA/12/14)	Redevelopment of existing school site to include: demolition of some of the existing buildings, retention of the existing horticulture vocational unit, arts block, sixth form/SEN block and science block and erection of a two storey academy buildings and sports centre. Retention of existing hard surfaced games courts and sports playing fields and creation of new hard and soft play/recreation areas. Provision of 92 on site car parking spaces, 6 motorcycle spaces, 1 minibus parking space, 4 bus/coach pick up/drop off spaces and 146 cycle spaces. Creation of a hard surfaced one way access road. Retention of existing vehicular exit on Common Lane and creation of a new vehicular entrance from Common Lane to the west. Provision of associated hard and soft landscaping.	Approved 09/05/2012
KCC/DA/0430/2012 (DA/13/30)	Temporary siting of two adjacent modular buildings to provide three teaching areas and a small office on an area of the existing hard play surface for the duration of the construction works only.	Approved 12/02/2013
KCC/DA/0088/2016 (DA/16/799)	3 temporary single storey classrooms to accommodate the 2016/2017 allocation of pupils (in conjunction with a separate application to permanently expand the school (DA/16/814 see below)), two additional bus bays within the academy site, provision of a new footpath link between the car park and PROW DR118/118A to the	Approved 21/12/2016

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

	north west, and widening of a section of footway on Common Lane.	
KCC/DA/0085/2016 (DA/16/814)	Erection of a three storey teaching block, creation of a new hard outdoor play area and the provision of additional car parking, together with associated landscaping and ancillary works and internal alterations to the existing Academy buildings.	Withdrawn
KCC/DA/0257/2017 (DA/17/1626)	Retention of 3 temporary classroom units (permitted under consent reference KCC/DA/0088/2016 (DA/16/799)) to accommodate the 2017 allocation of pupils.	Approved 07/11/2017

#### Amendments Following Initial Submission

9. Application reference KCC/DA/0353/2017, which seeks to provide the permanent accommodation needed to expand the academy by two forms of entry, initially included the removal of a London Plane tree from the centre of the existing car park, which provided space for 42 new bays to be formed. As referred to in paragraph 1 of this report, Members of the Planning Committee undertook a site visit and it was during that visit some concern was raised about the removal of the London Plane tree as it is an historic tree. In addition, it was suggested that the tree has local historical interest. In response to the concerns raised, application KCC/DA/0353/2017 was amended to propose an alternative car park location which would provide 18 additional bays, enabling the London Plane to be retained. However, that amendment resulted in substantial local objection. The applicant subsequently met with the County Councillor (Ann Allen), Borough Councillors, Wilmington Parish Council and Wilmington Safer Streets (a local action group) to discuss the concerns regarding car parking provision on the Academy site. The applicant advises that it became apparent from that meeting that the vast majority of the local community are far more concerned with the provision of additional parking spaces within the boundary of Wilmington Academy than the retention of the tree.
10. The applicant subsequently took the decision to amend this application for temporary accommodation (KCC/DA/0088/2018) to include the removal of the London Plane tree to enable the provision of the 42 space car park originally proposed in the application for permanent accommodation (KCC/DA/0353/2018). Whilst these works are now proposed to be undertaken as part of the installation of temporary buildings, the intention is that if permission is granted there would be no requirement for additional car parking as part of the permanent development.
11. It is the revised proposal that will be discussed throughout this report.

#### Proposal

12. This application (as amended) has been submitted by Kent County Council Property and Infrastructure Support and proposes the retention of the 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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provide 42 additional parking spaces. The applicant advises that the proposed temporary buildings would be used for the education of students during the period of September 2018 to September 2019, with the intention then being to remove the buildings and decant into permanent accommodation (subject to planning approval (application reference KCC/DA/0353/2018)).

13. The existing three temporary classrooms were initially granted a temporary permission until the 1 September 2017. As can be seen in the table in paragraph 8 above, that temporary permission was renewed and extended until the 1 September 2018. Due to the delays in the consideration and determination of application reference KCC/DA/0353/2018 for permanent accommodation at the site, the applicant is now seeking a further retention of the 3 existing classrooms and the provision of a further three temporary classrooms.
14. The existing modular classrooms are located to the south of the existing building, to the rear of the academy, accessed via a bridge link to the main school building. The temporary building is sited on an area of amenity grassland, on the edge of the playing fields. The schools boundary fencing has been temporarily extended to include the temporary classrooms within the secure perimeter of the academy, which separates the buildings and the playing fields. The existing three classrooms are contained within a single storey flat roofed modular building measuring approximately 21m in length and 12 metres in width.
15. It is proposed to provide an additional 3 classrooms on top of the existing 3, double stacking the modular buildings. Escape stairs are proposed at each end of the modular classroom block, in addition to an enclosed stair pod proposed to the east of the classrooms with a link bridge at the 1<sup>st</sup> floor. Including the escape stairs, the proposed two storey modular classroom block would measure 12.23 metres by 23.01 metres, with a height of 7.02 metres. The standalone enclosed stair pod would have a footprint of 7.4 metres by 3.6 metres, linking to the modular building at the first floor. The total floorspace proposed is 522m<sup>2</sup>, including the stair pod. Externally, the modular building would be coloured with a standard grey finish, and window and doors would be a slate grey finish, as per the existing single storey building.
16. As outlined in paragraphs 9 & 10 above, the applicant is also proposing to provide a 42 space car park to the front of the academy site by extending the existing car park, resulting in the removal of a mature London Plane tree. The car parking would be surfaced to match the surrounding existing car parking, being a plastic geocell membrane filled with a grey aggregate. The applicant has suggested, and is willing, to fund the formation of a series of commemorative benches, which could be located around the village, using timber from the felled tree. The applicant is also proposing to fund the provision of replacement tree(s) in locations which can be agreed with the local community and school.

### Highway Mitigation Measures

17. A number of mitigation measures have already been carried out as a result of the temporary permission granted in December 2016 which include:
  - two additional bus bays within the Wilmington Academy site;



Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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- provision of an onsite footpath link between the Academy car park and Public Right of Way DR 118/118A to the north west (joining with Tredegar road);
  - the widening of a section of footway on Common Lane, at the junction with Parsons Lane, by removal of an area of vegetation/scrub;
  - the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools; and
  - the resurfacing of Public Right of Way DR118A.
18. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.

*This application is supported by a Design and Access Statement, Planning Statement, Transport Technical Note and an Arboricultural Implications Assessment.*

#### Planning Policies

19. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
- (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;
- 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;

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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;

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 work with schools promoters to identify and resolve key planning issues before applications are submitted.*

### **Draft Revised National Planning Policy Framework (March 2018)**

A draft review of the NPPF was published on Monday 5<sup>th</sup> March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, which would help to reduce congestions and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness.

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**Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

## (ii) **Development Plan Policies**

The adopted **Dartford Borough Core Strategy (2011)**

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|--------------------|--|
| <b>Policy CS13</b> | Seeks to resist inappropriate development within the Green Belt, in accordance with the NPPF.  |
| <b>Policy CS15</b> | Pledges support for minimising the need to travel and minimising car use, whilst making effective use of the transport network. Travel plans will be required for all significant traffic generating development to ensure more sustainable modes of transport are pursued. Kent County Council’s parking standards will be applied. |
| <b>Policy CS16</b> | Seeks to enable the transport network to respond to the pressures of new development, including by securing the provision of off-site highway and local road improvements, and by promoting the use of public transport, walking and cycling.  |

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**Policy CS21** Seeks the provision of community facilities that are close to the population they serve and that come forward in a timely fashion. Dual use of facilities is sought.

#### **Dartford Development Policies Local Plan (2017)**

**Policy DP1** **Presumption in Favour of Sustainable Development:** States that the Plan is written in accordance with national objectives to deliver sustainable development. A positive approach to considering development proposals will be had, reflecting the presumption in favour of sustainable development contained in the NPPF and the development needs of the Borough set out in the Core Strategy.

**Policy DP2** **Good Design in Dartford:** Development will only be permitted where it satisfies the locally specific criteria for good design in the Borough by (a) reinforcing and enhancing localities to create high quality places, (b) ensuring heritage assets are retained, re-used and respected, (c) facilitating a sense of place through a mix of uses and careful design, (d) providing clear pedestrian and cycle linkages and permeability, active frontages and a mix of buildings and spaces. Provides further advice about determining planning applications in relation to scale, massing, form, materials, Conservation Areas and areas of heritage sensitivity, inclusive, safe and accessible places, management of natural resources and flood alleviation, and appropriate signage and advertisements.

**Policy DP3** **Transport Impacts of Development:** Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising transport impacts, in line with Core Strategy Policies 15 & 16. Localised residual impacts on the highway network should be addressed by well-designed off site-transport measures and adverse impacts on residential amenity or the environment must be minimised. Development will not be permitted where the localised residual impacts from the development, on its own or in combination with other planned development in the area, result in severe impacts on one or more of the following: (a) road traffic congestion and air quality (b) safety of pedestrians, cyclist and other road users and (c) excessive pressure for on-street parking.

**Policy DP4** **Transport Access and Design:** Development should be of a design and layout to promote walking, cycling and use of public transport through provision of attractive and safe routes. Proposals should also include appropriate vehicular access arrangements. Development will only be permitted where proposals ensure that the layout and siting of access is acceptable in terms of residential amenity, highways capacity and safety, free flow of traffic, cyclists and pedestrians, and visual impact.

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- Policy DP5**      **Environmental and Amenity protection:** Development will only be permitted where it does not result in unacceptable material impacts, and consideration must be given to potential amenity/safety factors such as air and water quality, traffic, access and parking, anti-social behaviour and littering, and intensity of use (amongst other matters).
- Policy DP11**     **Sustainable Technology and Construction:** Development should be well located, innovatively and sensitively designed and constructed, to tackle climate change, minimise flood risk and natural resource use and must aim to increase water efficiency.
- Policy DP21**     **Securing Community Facilities:** New community facilities will be permitted where they are in an appropriate location and of a type and scale to reflect the needs of the communities they will serve.
- Policy DP22**     **Green Belt in the Borough:** Sets out 12 aspects against which development in the Green Belt will be assessed, including the consideration of inappropriate development, which by definition is harmful to the Green Belt and would only be approved in Very Special Circumstances; criteria against which to assess harm to the Green Belt; criteria to assess development considered as potentially not inappropriate by the NPPF; those developments that support Core Strategy Policy CS13; the re-use of existing permitted permanent buildings; taking account of the character and scale of existing buildings; criteria relating to extensions to buildings or infilling of previously developed sites; the replacement of buildings; ensuring no loss of the best and most versatile agricultural land; criteria for proposals for farm diversification; the use of land for horses or the erection of stables; outdoor sports and recreation uses; and the infrastructure required for such uses.
- Policy DP25**     **Nature Conservation and Enhancement:** Proposals should seek to avoid any significant impact on existing biodiversity features, and any potential loss must be mitigated. Enhancement of existing habitats is expected and existing trees should be retained wherever possible. If retention is demonstrated not to be feasible, replacement provision should be of an appropriate tree species and maturity.

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#### Consultations

20. **Dartford Borough Council** raise no objection to the proposal, and comment as follows:

“The Council does not object to the retention of the existing classrooms and the proposal for an additional 3 classrooms and supports the provision of additional parking spaces at the site.

However, the Council is concerned that it has been put into a difficult position as the intake at the school has continued at 8FE a year and the places for 2018/19 have already been allocated prior to the principle of the continued expansion being considered under planning legislation. The Council therefore feels that the welfare of the children in this case overrides the impact of the proposal on the Green Belt. The Council would request that if KCC consider that planning permission is granted that the school is required to commit to a Travel Plan which covers the whole school site not only the temporary accommodation and that if this falls outside of the red line consideration is given to how this might be enforced in the future.

The Council is keen to work with KCC education on school places in the Borough and has always sought to do so. We would request that any further expansion of schools (whether temporary or permanent) are discussed with the Borough Council at an early stage, so that the planning matters such expansions may lead to can be fully considered before the offer of places is prejudiced.”

**Wilmington Parish Council** welcomes the inclusion of the 42 space car park but continue to object to the application as per its comments on the original submission, which are as follows:

“The Parish Council notes with concern the proposed retention of the three existing modular classrooms (permitted under DA/17/1626) and the provision of a further three modular classrooms to accommodate the September 2018 allocation of pupil and firstly must stress the indelible link between this application and the proposed expansion of the Academy under Reference KCC/DA/0353/2018.

The Council believes that by making this application the Local Education Authority has predetermined the outcome of the application made under KCC/DA/0353/2017 and since the Parish has lodged an objection against what is considered to be the totally unacceptable expansion it follows that retention of the existing modular classrooms and the addition of three more is in the Council’s opinion illogical, especially as one of the key objections relate to onsite parking which it is now proposed to reduce *[NB this is no longer the case]* and that our grounds for objection to the full application are all still relevant to this temporary consent.

It is the Council’s view that to simply accept a total of six modular classrooms would indicate tacit approval to the Academy’s expansion which is not the

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case and may provide unacceptable grounds for forcing the requirement for such expansion which must surely represent a less than transparent and unfair practice on the part of the Local Education Authority

It is understood that the decision was taken not to dispose of the Oasis Academy, Hextable site as it would provide for the known need for additional Secondary School places. This site remains undeveloped, hence available for immediate restoration or development. The Parish Council cannot understand why this seemingly logical step cannot be taken and believe that as this alternative site exists the 'exceptional circumstances' to override the Green Belt restriction on development cannot be substantiated"

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

"By way of background attention is drawn to my responses dated 16 June and 21 July 2016, each of which fully covered the highways issues and raised holding objections to the [previous] temporary expansion of the Academy on the basis of the additional trips generated, the inadequate mitigation proposed and the evident road safety issues on Common Lane which were not mitigated. My final response of 18 August 2016 which, based on the significant package of mitigations subsequently proposed, confirmed the highways objection to the temporary expansion could be resolved subject to delivery of the measures.

During 2017 the various measures were introduced on the local highway network as mitigation for the previous temporary expansion, as well as actions by the County Council and Dartford Borough Council to address existing issues on Common Lane and in the vicinity of the Academy. These included:

- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site and resurfacing of DR118A;
- the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A;
- the schools and nearby properties have been required to cut back overhanging vegetation to reduce the likelihood of large vehicles overrunning the footway;
- two additional dedicated bus bays have been provided within the Academy grounds;
- carriageway white line markings have been refreshed;
- a 20mph speed limit has been introduced;
- a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane;
- parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking, and;
- an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.

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A key part of our concerns focused on ensuring there would be no further net increase in the number of students who walk along Common Lane in peak hours and to ensure the safety improvements would be delivered in the near future.

A basic 'gravity' model, using home postcodes of students likely to be walking, has been developed to determine the distribution of pedestrian trips associated with Wilmington Academy. This has been used to estimate year on year the numbers of Academy students walking along Common Lane including the additional annual intakes associated with the temporary expansions. September 2015 is taken as the base year prior to the expansions. 2015 is also the base year for the mode share survey of 27% walk to school and 32% walk from school.

In September 2015 circa 254 students are estimated to have walked to school and 303 students are estimated to have walked home from school along Common Lane. In September 2016 there were 281 and 336 students respectively. In September 2017, including the impact of the new link from footpath DR118A to the Academy, the numbers reduced to 181 and 217. With the additional students proposed in this planning application from September 2018, the numbers of students walking on Common Lane are projected to increase slightly to 191 walking to school and 227 walking home from school.

It is therefore accepted that there will not be a net increase of students walking on Common Lane from the 2018 expansion in Wilmington Academy compared to the pre-expansion numbers.

In addition to the above, a survey of the actual number of students using the onsite link was undertaken by the Academy on the afternoon of 27 March 2018. In the survey 161 students were counted on their way home from school. This survey suggests the modelling may be a relatively conservative estimate of the benefits of the link in providing an alternative route away from Common Lane.

In response to concerns about the impact from any additional parking in the Tredegar Road area caused by the continuing expansion of the Academy and the introduction of the new pedestrian route linking to footpath DR118A, the transport consultants undertook a parking survey on 17 April 2018. They recorded 8 parents parked waiting to pick up at the end of the school day, which is not considered to have a significant impact.

42 additional staff parking spaces are proposed to be provided as part of this application. Dartford Local Development Framework parking standards (2012) apply to developments in Dartford district. These require 1 space per 15 pupils and 1 space per 2 classes meaning this proposed provision substantially exceeds DBC parking standards, however, an existing shortfall in staff parking provision would be made up by this provision.

On the basis of the above, and given the progress made with bringing forward further mitigations as part of the concurrent proposals for the Wilmington



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Academy and Wilmington Grammar School for Girls, I recommend no objection to the proposed retention and further temporary expansion of the Academy subject to the following conditions:

- The installation of the additional temporary classrooms is to be undertaken outside of school operating times;
- Access needs to be maintained to the drop off loops and bus/ coach parking areas within the school site to reduce congestion on Common Lane
- The Academy should be required via an 'informative' to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.

Subject to these measures, KCC Highways does not object to this proposed further temporary expansion.”

**Sport England** raises no objection to the application subject to a condition being attached to the decision notice (should permission be granted) requiring the removal of the temporary buildings from site by 1 September 2019, and the subsequent reinstatement of the area as playing field.

Although the application (as with the previous applications) would result in a temporary loss of a usable part of playing field (as defined by Sport England), Sport England have considered the following:

- The temporary reduction in the area of playing field associated with the proposals is unlikely to have a significant impact on the sites ability to accommodate cricket for the current year as four wickets would still remain in the closest pitch to the proposed development. The England and Wales Cricket Board (ECB) have confirmed that four wicket strips would allow play;
- The clearance distance required by the ECB would still be met; and
- The development would be temporary and it is expected that the area would be restored as playing field use at the end of the temporary period.

**The County Council's Biodiversity Officer** comments awaited.

Local Member

21. The local County Member, Mrs Ann Allen, was notified of the original application on the 17 May 2018, and the amended application on the 12 June 2018.
22. The two Dartford Borough Council Members for the ward of Wilmington, Cllr Eddy Lampkin and Cllr Derek Hunnisett, were also notified of the application on the 17 May 2018 and the amended application on the 12 June 2018.
23. The County Member and the two Borough Councillors raise objection to the application as originally submitted and comment as follows:

“We note with upmost concern the proposed retention of the three existing modular classrooms (permitted under DA/17/1626) and the provision of a

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further three modular classrooms to accommodate the September 2018 allocation of pupils. We would stress the strong link between this Application and the proposed expansion of the Academy under Reference KCC/DA/0353/2018.

By submitting this Application, the Local Education Authority has in our view predetermined the outcome of Application DA/0353/2017 especially as large numbers of local residents/Wilmington Parish Council/Local Authority/WSS and Local Members have lodged strong objections against what is considered to be an unacceptable expansion contrary to Local Plan and Green Belt Policy.

Thus the retention of the existing modular classrooms and the addition of three more is in our opinion very illogical, especially as one of the key objections relate to onsite parking which it is now proposed to reduce from 42 to 18 (a real 'slap in the face' to the Community and WSS who have campaign long and hard to obtain realistic on-site parking to help mitigate the Highway issues) and that our grounds for objection to the full application are therefore strengthened and are all still relevant to this temporary Consent.

Permission therefore for temporary modular buildings without any of the mitigation required especially of the Highway issues and onsite parking cannot be deemed acceptable.

It is our view that to agree to six modular classrooms would indicate tacit approval to the Academy's expansion, which is not the case and may provide unacceptable grounds for forcing the requirement for such expansion, which must surely represent a less than transparent and unfair practice on the part of the Local Education Authority.

We note that the decision was taken not to dispose of the Oasis School site at Hextable less than 1.9 miles from the Academy, as it could provide for the known need for additional Secondary School places. The site remains, hence available for immediate restoration or development as an extension of the Academy - a far more appropriate location for the new required expansion of the School without comprising Green Belt and the unacceptable impact on local residents.

We cannot understand why this seemingly logical step cannot be taken and believe that, as this alternative site exists, the 'exceptional circumstances' to override the Green Belt restriction on development cannot be substantiated.

We ask that the Application be refused."

No views have been received on the amended proposal. Should any comments be received prior to the consideration of this application, they will be reported verbally at the Planning Committee Meeting.

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### Publicity

24. The original application was publicised by the posting of 3 site notices and advertisement in a local newspaper. The amended proposal (addition of 42 car parking spaces) was publicised by the posting of 3 site notices, advertisement in a local newspaper, and the individual notification of 14 neighbouring properties (those that had made representations on the original application).

### Representations

25. At the time of writing this report, 21 letters of representation have been received, 20 objections and 1 support. The key planning points raised with regard to this application are summarised as follows:

#### Highway/Access Matters

- More pupils mean more traffic;
- The additional modular classrooms would exacerbate the problems faced by the community in terms of traffic, congestion and highway safety matters;
- Residents have had enough of illegal and inconsiderate parking by parents, at times blocking access and driveways;
- The opening of the onsite walkway has just moved the problem from Common Lane to other local roads;
- Pupils park all day in local roads;
- There is insufficient parking onsite for staff, parents and visitors;
- Common Lane is a narrow lane, too narrow for vehicles to pass, resulting in buses and large vehicle having to mount the pavement;
- There are 3 Secondary Schools, a Primary School and a Nursey all accessed from Common Lane, the road cannot accommodate anymore;
- At peak school times the pavements are heavily used due to the number of schools in the immediate locality;
- The pavements on Common Lane are narrower than the recommended width in places and are only on one side of the road. Pedestrians can get pushed into the road, or end up walking in the road as there is no room on the pavements;
- Paths are blocked by parked cars, resulting in people (including Primary School Children) having to walk in the road;
- The village of Wilmington cannot support 3 Secondary Schools, so pupils are bussed in or brought by car from outside of the area, few pupils are within walking distance;
- The roads around the Wilmington Schools are already chaos at peak school times, and literally at grid lock;
- The vast number of pupils at the schools on Common Lane causes havoc;
- The 20mph speed limit and HGV restriction is ignored;

#### Other Matters

- Retention of the 'unsightly mobiles' in the Green Belt should not be allowed yet alone the addition of 3 more;
- Temporary permissions for temporary buildings should not be extended;

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- The height and size of the building is not appropriate in the Green Belt, and the Green Belt should not be further encroached into;
- Accommodation is being provided for pupils that shouldn't be there as the expansion has not been approved;
- The expansion of local schools should not be considered independently but must be done as one to assess the overall impact on the community – which is considered to be unacceptable;
- Litter and antisocial behaviour is already an issue and is getting worse;
- Air pollution is already high in the area;
- The village cannot accommodate anymore development and/or pupils;
- Other local schools should take extra pupils, such as the Leigh Academy;
- The Hextable School site should be reopened to provide the required school places;

#### Support

- Whole heartedly support the construction of new facilities for local schools;
- It is crucial that capacity of schools is expanded to meet demand;
- Without the temporary accommodation, pupils that have been offered a place for September 2018 would have nowhere to go and would have to travel a long way to school .

#### Discussion

26. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 19 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 the Planning for Schools Development Policy Statement, and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the need for school places, impact upon the Metropolitan Green Belt, highway implications and access, playing field implications, general amenity matters, and whether the development is sustainable in light of the NPPF.
27. Development Plan policies require developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Development Plan as being within the Metropolitan Green Belt. Policy CS13 of the Dartford Borough Core Strategy, and Policy DP22 of the Dartford Development Policies Local Plan seek to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances.
28. The NPPF, section 9, paragraph 80 (section 13, paragraph 133 of the 2018 Revised Draft) 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

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- 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. However, the need, or otherwise, to refer this application to the Secretary of State for his consideration will be assessed and discussed below

#### Green Belt Considerations

29. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is considered to be inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, I am 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 against Green Belt Policy, to consider the impact 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.
30. A Planning Statement 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. It should also be noted that this application seeks to renew an existing temporary planning approval that was subject to consideration against Green Belt Policy. That development, as is the case here, was deemed to be inappropriate development for the purposes of Green Belt Policy consideration and was, therefore, by definition harmful to the Greenbelt. Nevertheless, the considerations provided by the applicant at that time were considered to be sufficient collectively to constitute ‘very special circumstances’ capable of outweighing harm. Temporary planning permission was therefore granted. The application before us now seeks to renew that permission for a further temporary period and add a further three classrooms as a second floor by double stacking modular units. Many of the points considered in the determination of the original temporary consent (KCC/DA/0088/2016 (DA/16/799)) will be reconsidered in the following section of this report as the same principles and case of need apply, but we must also assess the implications of the addition of a second storey to the modular building.
31. The applicant considers that the following ‘very special circumstances’ are sufficient to collectively outweigh a Green Belt policy objection:

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- i) The identified need for additional Secondary School places within the Dartford Borough;
- 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 limited impact of the development on the openness of the Green Belt, including providing the minimum amount of accommodation required;

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 school places in the Dartford Borough.

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

- 32. As outlined in paragraph 19 of this report, great emphasis is placed within planning policy generally, specifically paragraph 72 of the NPPF, on the need to ensure that a 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) also sets out the Government’s commitment to support the development of state funded schools and their delivery through the planning system. There is a presumption in favour of the development of state funded schools expressed in both the NPPF and the Planning for Schools Development Policy Statement.
- 33. 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. The applicant advises that this application is proposing temporary classrooms to provide additional teaching facilities to meet the curriculum requirements for the September 2018 pupil intake. Further permanent expansion is proposed under a separate planning application (KCC/DA/0353/2017) which is yet to be determined. However, the applicant advises that the following case of educational need applies to this temporary accommodation proposal as well as the permanent proposals.
- 34. As set out by Kent County Council (as Education Authority), the Wilmington and South Dartford urban areas have been seeing an upsurge in demand for secondary school places. This increase in indigenous demand is caused by changing demographics in the area. In addition, there is new demand from the large and medium scale housing and urban developments which are taking place in the area. This growth is bringing new families to the Dartford Borough requiring enhancements to the infrastructure in order to meet the future needs of the town and its residents. Compounding this issue was the closure of Hextable Oasis Academy by the Education and Schools Funding Agency, a closure which was robustly objected to by the County Council. Replacement school places had to be provided in the local area, meaning that pressure for school places materialised a lot earlier than anticipated.

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35. The applicant advises that the need for secondary school places has been mitigated in the short and medium term by the introduction of just under 8 forms of entry (FE) across the Dartford District. The Education Authority has provided these places by expanding the pupil admission number (PAN) at the following schools:

- Dartford Grammar School for Girls (bulge intake of an additional 20 pupils per year)
- Leigh UTC (new build 4FE school)
- Wilmington Grammar School for Girls (1FE uplift) and
- Wilmington Academy (2FE uplift)

The applicant further advises that even with the above expansions, which includes Wilmington Academy, there is barely sufficient capacity, and no scope for parental preference.

36. The 2018–2022 Kent Commissioning Plan (prepared by the Education Authority) provides forecasts that indicate an increase in the demand for secondary school capacity. Furthermore, this increased demand shows no signs of reducing over the forecast period. The forecast surplus/deficit of places for both year 7 and for all year groups is shown in the table below.

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-19	-61	-107	-180	-186	1,735
Year 7-11	7,913	362	306	150	-19	-341	-576	8,735

37. However, the applicant advises that these forecasts only include limited moderation to take into account the new house building that is taking place in Dartford Borough. Much of the demand from those developments would be met by a new school in Ebbsfleet, Northern Dartford. However, the demand shown above, plus further demand generated from ongoing large-scale development outside of the Ebbsfleet Garden City, must be met through the utilisation of bulge year groups within existing Secondary Schools until a new school can be provided in Northern Dartford.

38. Wilmington Academy has been admitting increased pupils since 2015, following the closure of Oasis Academy Hextable, with the increase in PAN accommodated in temporary buildings and by internal adaptations. The forecasts for Dartford Borough support the view that without the permanent expansion to Wilmington Academy, the local authority would fail to meet its statutory obligations to provide sufficient school places in the area for the next and future September intakes. The Education Authority has given careful study to all the options available and is of the firm opinion that the expansion of Wilmington Academy is one of a number that are necessary for the Dartford Borough area. If this expansion does not proceed, the deficit of places will worsen because of the limited options for alternative expansions within the wider Dartford Borough area.

39. It must be also be noted that the projected deficits in Secondary School places (as shown in the table above) have been calculated with the 2FE expansion to Wilmington Academy already included within the capacity figure. That means that if planning permission for accommodation for the expansion is not achieved, each of the Year 7 numbers in the table would reduce by 60, with corresponding pressure on total 7-11 roll, as shown in the table below:

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	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-79	-101	-167	-240	-246	1,735
Year 7-11	7,913	362	246	20	-199	-581	-936	8,735

40. In addition to the forecasts above, the applicant confirms that the latest information on preferences and subsequently the outcome of National Offer Day (1 March 2018) shows demand has increased beyond that projected within the 2018-22 Kent Commissioning Plan. Without further expansion or new provision, the Year 7 places available in Dartford would be 1,735 as shown in the last column of the above tables. However, due to additional pressures being anticipated following a review of the first cut of preferences, four schools across the district agreed to admit over their planned admission number (PAN) for 2018/19, providing an additional 53 places, meaning 1,788 places were available for National Offer Day. Bearing in mind that this total number of places already includes the increased intake for Wilmington Academy, following National Offer Day, Dartford District was left with only 6 places remaining in year seven for the 2018/19 Academic Year. This is before the second admissions round in April and any further in year admissions.
41. In summary, the applicant advises that the expansion of Wilmington Academy is proposed due to a number of key factors:
- 1) Increased demand in Dartford town and surrounding areas means that there are very few options for parents (as detailed above);
  - 2) Wilmington Academy sits very close to the area of greatest need;
  - 3) The size of the school site is adequate;
  - 4) Headteacher and governors are supportive;
  - 5) Ofsted have graded the school as “Good”;
  - 6) Proposed new schools are some three years away from delivery, by which time the Year 7 deficit would be more than 3FE.
42. The applicant has explored all options to meet the statutory need to provide school places to meet the need of pupils in this part of the County, including the expansion of other schools. In this case, the applicant has worked with those objecting to the proposal and the Highway Authority to prepare a detailed mitigation package to minimise the impact of the development on the local community, to be discussed later in this report. In the absence of a planning permission the Education Authority advises that the following would occur:
- 1) For the short and medium term (1 – 4 years) Kent County Council would be unable to meet its statutory duty of providing a school place for every young person in the area. This would result in severe and reputational damage to the County Council;
  - 2) There would be a negative impact on local families and children’s potential educational performance through children having to travel much further to school each day;
  - 3) By 2019 there would be a deficit of more than 3FE of Secondary provision and this could not be covered by purely introducing single years of expansion (commonly known as bulge years) in existing schools;



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4) Wilmington Academy would be left with a number of much larger cohorts in four of its year groups with insufficient and inadequate accommodation to enable the school to provide the best educational opportunities for students;

5) The further planned highway mitigation measures (car parking in this application, and other mitigation offered as part of the permanent build applications - KCC/DA/0353/2017 at Wilmington Academy, and KCC/DA/0002/2018 at Wilmington Grammar School for Girls), that many residents already feel are essential, would not be undertaken.

43. Based on the above, in my view, it is evident that a clear case of need for additional secondary school places within Dartford 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 local area, and a future need 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.

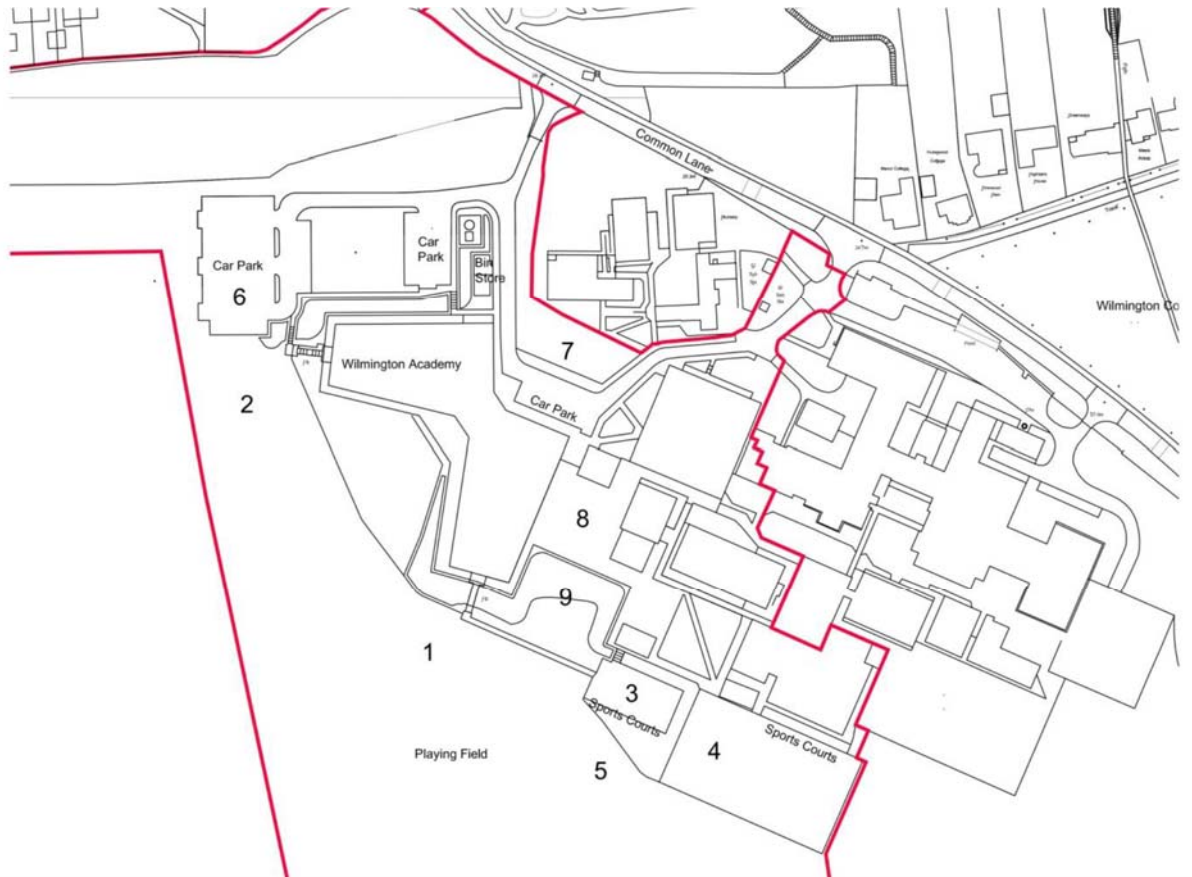
#### Alternative Development Options

44. As part of the applicant's case of very special circumstances, alternative development options have been assessed and the applicant has concluded that the development as proposed is the only viable option available. Having accepted a need for additional school places within the Dartford Borough, and consequently a need for additional places to be provided at Wilmington Academy (in addition to other local schools) the alternative development options available must be discussed. First, Wilmington Parish Council, the local County Council Member (Ann Allen), the Borough Council Members for the ward of Wilmington and local residents have questioned why the additional school places cannot be accommodated at the vacant Hextable Oasis Academy site.
45. As stated above, Hextable Oasis Academy was closed by the Education and Schools Funding Agency in 2015 following representations made by the Oasis Academy Trust. Kent County Council as Education Authority robustly objected to that closure. However, to reopen that site a new school would have to be established which, under current legislation, could only be opened as a free school. In considering this Central Government legislation, it is not considered that a free school could be established and set up in time to meet the urgent demand for places (establishing and opening a free school typically takes 3 - 4 years). Further, the applicant advises that use of the Hextable site was further discounted because the Swanley/Hextable area is adequately served by the Orchard Academy in Swanley. The Hextable site is outside of the Dartford catchment area and, in addition, the most expedient route from Dartford to Hextable is through the village of Wilmington. In any instance, the applicant advises that the accommodation on the Hextable site is dated and would require significant investment for it to meet modern infrastructure needs. I am therefore satisfied that the setting up of a new school is not practicable within the required times frames due to the Government's Free School initiative, and further the Hextable site is outside of the catchment area that it would need to serve.

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46. Having accepted that offsite alternatives are not practicable, development options within the existing Academy site must be considered. Although the whole of the Academy site is within the Green Belt, arguably development in some areas of the site would have a lesser impact on the openness on the Green Belt than others. As this application is seeking to renew a temporary consent for 3 existing modular classrooms (in addition to the provision of a second floor to provide 3 more classrooms) the modular building is already on site and its location is not proposed to be amended. As part of the consideration of the original application for the siting of the 3 modular buildings (KCC/DA/0088/2016 (DA/16/799)), the applicant assessed the suitability of alternative sites within the Academy grounds, as shown on the plan below.



47. Site 1 on the plan is the permitted location of the temporary classroom building. Sites 2 through to 9 were the alternative locations considered. The applicant advised at the time of considering the previous application that the possible alternative sites were discounted for the following reasons:

“Site 2 - Existing wildflower meadow, conditioned as part of a previous planning approval (DA/12/14) with tree to the centre and a steep topography. Unsuitable for selection.

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Site 3 - Existing hard ball court. Loss of hard play space and sport facilities is unacceptable.

Site 4 - Existing hard playground and sports courts. Loss of hard play space and sport facility unacceptable.

Site 5 - Future proposed expansion to hard ball court (KCC/DA/0353/2017) which would also be utilised as the main contractor compound for the main expansion development (should permission be granted) – selection would restrict ability to construct main expansion proposal (should permission be granted) therefore selection unacceptable.

Site 6 - Existing car park. Selection would result in loss of significant number of car parking spaces and therefore selection is unacceptable.

Site 7 – The area accommodates a bus pull in bay for 2 buses.

Site 8 - Area of existing hard landscape between existing buildings. Area was considered but due to the proximity of existing buildings, access points and the location of the proposed permanent accommodation (KCC/DA/0353/2017) it was determined that temporary buildings in this location would be difficult to remove once construction for the main block was underway and even when double stacked to reduce footprint would require more space than that was available. Therefore selection is unacceptable

Site 9 - Existing grass spoil mound from previous development with areas of adjacent existing hard landscaping. This location is the proposed site for the proposed permanent accommodation (subject to separate application) and is therefore unacceptable as it would prevent the construction of the proposed teaching block in this area (should permission be granted).”

48. The selection of location 1 was considered by the applicant to be not only the least intrusive location within the academy site, but also the only available and practicable location. Temporary buildings in that location can be installed/removed with minimum disruption to the daily school activities, and would also enable works to proceed on the main expansion scheme, should permission be granted. The siting is also adjacent to an existing entrance point to the main building providing access to toilets and easy connection to power and data services. Its proximity to the main building also necessitated only a limited extension of the existing fence line to bring the temporary classrooms within the secure boundary line of the school line. Further, the previously approved siting had no impact on trees and/or planting, minimal impact on playing field provision (discussed later in this report), limited visual impact and does not adversely affect the amenity of properties surrounding the school site.
49. In considering the above, I remain of the view that the existing modular buildings are in the most suitable location within the school site. By retaining the existing 3 classrooms and providing a further three as a second storey by double stacking the modular buildings the footprint of the development would only be increased by 26.51 metres square (the required enclosed stairwell). The impact on the openness of the Green Belt will be discussed below, but I accept that the location and siting of the development is the most viable and logical within the academy site.
50. With regard to the proposed 42 space car park, as outlined in paragraphs 9 & 10 of this report that car parking was previously included in the application for permanent accommodation at the site, which has subsequently been amended to propose an 18 space car park in an alternative location. The 42 space car park proposed is however

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in a logical location, almost at the centre of the existing car park. Although an alternative site is proposed within the application for permanent accommodation, the car parking is ancillary to the development proposed and alternative locations away from the existing car parking would be less appropriate for management, safety or space reasons. The impact of the car parking on the openness of the Green Belt will be considered in the following section of this report.

#### Impact on the Openness of the Green Belt

51. This application proposes development that would encroach into the Green Belt, which could harm its openness. First, it is important to note that the site is well screened from public views by the existing academy buildings, and mature boundary planting and 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.
52. The proposed temporary classrooms would continue to occupy a compact footprint, with the proposed enclosed stairwell adding only 26.51 metres square to the footprint of the existing modular building. The single storey existing modular is sited adjacent to the existing academy building, minimising encroachment into the undeveloped areas of the site. By adding an additional storey to the building, the height would increase to 7.02 metres, but being adjacent to the main school building, it is arguable that that additional storey would not have any greater impact on the openness of the Green Belt than the existing. Further, the alternative option would be to provide a further single storey modular building, which would double the footprint of the development, having a greater impact on the openness of the Green Belt. The applicant confirms that the amount of accommodation proposed has been limited to the requirements ascertained from the curriculum analysis and design development discussions with the school. Internal alterations have been undertaken in previous years to provide required accommodation, but internal solutions have now been exhausted. The addition of a second storey of modular accommodation would, in my view, have a limited impact on the openness of the Green Belt, especially in considering that the building would be required to be removed from the site by the 1 September 2019 if permission is granted.
53. With regard to the car park extension, this is a 2-dimensional engineering solution, located in the central area of the existing car park. The provision of the car park would necessitate the removal of a mature London Plane, the implications of which will be discussed later in this report, as the removal of that tree is not directly relevant to the Green Belt considerations of the proposal. The proposed car park would be contained within the school site, between the main school building and the well screened site boundary, and would involve infilling the central area of the car park which was previously undeveloped in order to provide root protection of the retained tree. I am satisfied that the proposed car park extension by nature of its use, scale and location would not have a significant detrimental impact on the openness of the Green Belt.

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54. In summary, I consider that alternative locations within the school site that could be argued to have a lesser impact on the openness of the Green Belt are not available or suitable to accommodate the temporary buildings and, in my view, the proposed location of the development would in fact have a very limited impact on the openness and functioning of the Green Belt. The contribution made by the academy site to the wider Green Belt would, in my view, be maintained by the proposed development, with the open areas of the site retained to the south and west, and built development contained to the north and east where it adjoins the built development of Wilmington and Dartford beyond.

#### Summary – Very Special Circumstances/Green Belt Considerations

55. 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 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.
56. Further, in assessing the need to refer the application to the Secretary of State for consideration and having regard to the Town and Country Planning (Consultation) (England) Direction 2009, I do not consider that this application needs to be referred. The Direction requires inappropriate development to be referred where it consists of the provision of buildings where the floor space to be created is 1000 square metres or more, or any other development which, by reason of its scale or nature or location would have a significant impact on the openness of the Green Belt. The proposed temporary buildings have a combined total floor space of 522.06 square metres, well below the 1000 square metre threshold. Further, given the temporary nature of the development and the limited impact that the development would have on the openness of the Green Belt due to its limited size and scale, and location adjacent to existing built development, I consider that there is no requirement to refer the application in this particular case.

#### Access and Highway Matters

57. As outlined in paragraph 25 of this report, there is substantial local objection to this application, and to the principle of expanding the Academy and other Schools in the immediate vicinity, based primarily on highway safety grounds and access concerns. Wilmington Parish Council, the local County Council Member (Ann Allen), and the two Dartford Borough Council Members for the ward of Wilmington (Cllr Hunnisett and Cllr Lampkin) also raise strong objection to this application on the same grounds (in addition to the applications for permanent development at the Academy and Wilmington Grammar School for Girls (WGSG)). The primary points of local concern and objection relate to a lack of capacity of local roads, and highway and pedestrian safety.

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58. A number of the received local objections relate to the principle behind, and the wider implications of, the proposed permanent expansion of both the Academy and WGS. As outlined in paragraph 5 of this report, the County Planning Authority are currently in the process of considering applications for permanent accommodation to facilitate expansions of both Wilmington Academy and Wilmington Grammar School for Girls. Both of those applications have met with significant local objection on access and highway safety matters, and are subject to separate reports on these papers. Those applications for permanent development address in detail the impact that a permanent expansion would have on the local highway network, and set out a package of further highway mitigation measures. Those applications must be determined on their own merits. Importantly, they would not be pre-determined by a decision on this application, which again has to be determined on its planning merits.
59. This application is proposing to retain 3 existing modular classroom, and the provision of 3 further modular classrooms to accommodate the September 2018 additional pupil intake over and above the 6FE original pupil admission number - an additional 60 pupils (240 intake in lieu of 180). We must therefore only assess the highway implications associated with an additional 60 pupils when considering the merits of this application. As previously stated, the impact of the full expansion from 6FE to 8FE will be assessed and considered in the determination of the application for proposed permanent accommodation (KCC/DA/0353/2018) (Item D5 on these papers).
60. As set out in paragraph 17 of this report, a number of mitigation highway measures have already been carried out as a result of the temporary permission granted in December 2016 (DA/16/814 (KCC/DA/0088/2016) which include:
- two additional bus bays within the Wilmington Academy site;
  - provision of an onsite footpath link between the Academy car park and Public Right of Way DR 118/118A to the north west (joining with Tredegar road);
  - the widening of a section of footway on Common Lane, at the junction with Parsons Lane, by removal of an area of vegetation/scrub;
  - the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools; and
  - the resurfacing of Public Right of Way DR118A.
61. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.
62. At the time of considering the previous temporary expansion, the above measures were considered sufficient to address the initial highway safety concerns raised by KCC Highways and Transportation (H&T). A key concern of H&T at that time was ensuring that there would be no increase in the number of pupils using the footway to the north of Common Lane, which is often mounted by busses and large vehicles that struggle to pass each other due to the restricted carriageway width.

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63. In September 2015, prior to any increase in the academy's roll, circa 254 students are estimated to have walked to school and 303 students are estimated to have walked home from school along Common Lane. In September 2016 there were 281 and 336 students respectively. Following the implementation of the mitigation measures set out in paragraph 60 above, those numbers reduced to 181 and 217 in September 2017. Much of this reduction is accredited to the onsite footpath link, between the Academy car park and Public Right of Way DR 118/118A to the north west. In fact, a survey of the actual number of students on the new link was undertaken by the Academy on the afternoon of 27 March 2018, and 161 students were counted on their way home from school. That survey suggests the modelling undertaken by the applicant may in fact be a relatively conservative estimate of the benefits of the link in providing an alternative route away from Common Lane.
64. However, in continuing the use of the accepted model, with the additional 60 students proposed in this planning application, the numbers of students walking on Common Lane is projected to increase slightly over the September 2017 numbers to 191 walking to school and 227 walking home from school from September 2018. However, when compared to the pre-expansion numbers of 254 and 303 respectively, it is accepted that there would not be a net increase in the number of students walking on Common Lane from the proposed 2018 expansion compared to the pre-expansion numbers. In-fact, in terms of pedestrian movements on Common Lane, H&T are of the view that the completed mitigation results in a betterment over what would have been the situation prior to expansion to 2015. I am therefore satisfied that this application would not increase the number of pupils using the footway in Common Lane over and above the 2015 base levels. H&T are also satisfied in this regard, and subsequently raise no objection to this application.
65. It is noted that some residents have expressed concern that the onsite footpath link has resulted in additional traffic in roads at the western end of PROW 118A, such as Manor Close and Tredegar Road. Whilst I would agree that those roads would be used by pedestrians and some parents to a greater level than would previously have been the case, the transport consultants undertook a parking survey on 17 April 2018 and recorded 8 parents parked waiting to pick up at the end of the school day. As stated by H&T, such low numbers would not be considered to have a significant impact and an additional 60 pupils would not be expected to exacerbate that situation to an unacceptable level.
66. With regard to further concerns expressed by local objectors relating to insufficient onsite parking resulting in parking in local roads, 42 additional staff parking spaces are proposed to be provided as part of this application. H&T advise that Dartford Local Development Framework parking standards (2012) apply to developments in the Dartford Borough and require 1 space per 15 pupils and 1 space per 2 classes. This application proposes 60 additional pupils, which equates to two classes. Using the Borough Council's parking standards, this application would generate a need for 5 additional parking spaces. The 42 spaces proposed substantially exceeds the required 5, however, an existing shortfall in staff parking provision would be made up by this provision. Therefore, this application would not only provide sufficient parking to mitigate the uptake in pupil numbers but would provide additional parking to aid in reducing any existing overspill parking on local roads.

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67. It should also be noted that the Travel Plan referred to in paragraph 60 has been updated by the Academy outside of the planning process, with the most recent version dated March 2018. Dartford Borough Council suggest that, should permission be granted, the Academy be required to commit to a Travel Plan that covers the whole of the school site. The Academy are already committed to a Travel Plan, that was updated and approved by the County Council's School Travel Plan Advisor within the last 4 months, that covers the whole of the school site. I therefore see no reason to require a further updated Travel Plan as a result of this particular application, especially in considering the temporary nature of the development proposed. Further, should the application for permanent accommodation (Item D5 on these papers) gain planning approval, Travel Plan requirements would be imposed upon that planning permission, amongst other matters.
68. In this case, I am satisfied that the applicant has demonstrated that the provision of the temporary buildings for an additional 60 pupils would not unreasonably exacerbate existing highway and access matters, including safety concerns, taking account of the mitigation works that have recently been completed, and the level of parking proposed. Highways and Transportation have no objection to this application subject to the imposition of conditions requiring the temporary classrooms to be installed out of school opening times, and to ensure that access be maintained to the onsite drop off loop and bus parking areas. I also consider that, in this instance, the proposed 42 space car park should be completed and operational prior to the occupation of the additional three modular classrooms. An informative is also proposed, requiring the Academy to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway. Subject to the conditions outlined above, and a temporary approval until 1 September 2019 only, I am satisfied that, in this instance, that the proposal would not have a significantly detrimental impact on the local highway network and therefore see no overriding reason to refuse the application on this ground.

#### Playing Field

69. In addition to the Green Belt implications of the proposed siting of the temporary classrooms, as discussed earlier in this report, the impact of the proposed development on playing field provision also needs to be addressed. Sport England were consulted on this application and raise no objection to the application subject to a condition requiring the removal of the temporary buildings by 1 September 2019. Although a temporary loss of a usable part of the playing field would occur as a result of the continued retention and additional storey of temporary classrooms, Sport England are satisfied that the temporary loss would not have a significant impact on the site's ability to accommodate sufficient cricket facilities for the current school roll. I am therefore satisfied that the development would not have a detrimental impact on the provision of adequate sports facilities at the site, subject to any permission being for a temporary period until the 1 September 2019 only.



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### Ecological and Landscape Considerations

70. As set out earlier in this report (when considering the impact of the development on the openness of the Green Belt), I am satisfied that this proposal would have a negligible impact on the character of the wider landscape as the modular classrooms would be well screened by existing buildings and planting and also benefit from a substantial degree of separation from public vantage points. However, the proposed car parking would result in the removal of a veteran London Plane Tree, which does have significant amenity value within the academy site. Whilst part of the canopy is visible from the academy entrance, the tree is otherwise enclosed from other view points from outside the site, and sits within the existing car park between the academy building the wooded site boundary with Common Lane. Arguably, its contribution to the wider landscape is limited due to its screened location. Although I recognise the local contribution the tree makes to the school site, I am satisfied that the applicant is left with no alternative than to remove the tree if it is to provide the additional parking spaces sought by the local community and the needs of this temporary application and those generated by the permanent accommodation. I note that the application for permanent accommodation (Item D5 on these papers) proposes an alternative 18 space car park, but that provision has met with local concern and objection on the basis that it is insufficient to meet need. The applicant therefore amended the application following discussions with the local community, the Parish Council and local Members to provide for the 42 space car park .
71. In doing so, the applicant explored alternative locations within the site to meet the demand for additional parking spaces. The intention was to seek a solution which provided the required parking with minimal loss of Green Belt, whilst ensuring minimal encroachment into the root protection area (RPA) of any existing trees or areas of habitat. A number of sites were considered including the use of a no-dig or grasscrete type solution within the canopy of the London Plane tree. Following arboriculturalist advice this was discounted as the development of parking bays within the canopy would result in significant root damage which could not be compensated by providing enhanced soil conditions elsewhere within the RPA. A contributory factor to this issue was the shallow root depth of the existing tree which could not be practically overcome through the use of a no-dig solution. A number of significant roots are visible at ground level and have broken through the existing turf. Development within the area would result in harm being caused to the exposed roots. In light of this, an alternative location for 24 spaces was considered on the site of an existing bank along the line of the existing school building, with a reduced impact upon the RPA of the London Plane tree. With strict arboricultural controls this may have been acceptable, but was discounted as the bank acts as a retaining structure for the existing school building and therefore its removal risks significant structural damage to the school buildings. Alternative options included extensions of the existing carparks into the Green Belt and a new remote car park on an existing area of playing field on the Wilmington Grammar School for Boys.
72. In light of the above, I accept that it is not practicable to provide parking spaces within the canopy of the tree without significant risk of damage to the tree roots and I am reluctantly satisfied that the tree will need to be removed to facilitate the educational

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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development on the site and the wider needs of the Dartford educational area. On balance therefore, I consider that the removal of the London Plane, although regrettable would be acceptable in this instance due to its limited contribution to the wider landscape, the perceived local need for the additional 42 car parking spaces and the lack of alternative locations given the constraints on the site. However, a condition of consent should be imposed, should permission be granted, requiring details of replacement tree planting to be submitted for approval, and an informative should be added encouraging the applicant to liaise with the Parish Council regarding its offer to provide benches in the local area made from the wood of the removed tree.

73. In addition to the above, I am satisfied that the removal of the London Plane is acceptable in ecological terms. Although we are yet to receive confirmation from our Biodiversity Officer, I am satisfied that the information provided by the applicant demonstrates that Bats are not using the London Plane tree. The submitted ecological information confirms that a relatively low number of bats were seen during dusk surveys, but none were observed to emerge from the London Plane. The ecologist advises that bats movements were limited to the northern wooded area of the site, and further states that bats were not using the London Plane as it is not on a corridor/route to other foraging areas and is also in close proximity to light sources that deter bat activity. On that basis, I am satisfied that the development would not have an unacceptable impact on biodiversity interests.

#### General Amenity and Other Matters

74. Other than off-site traffic, highway safety and access matters, the only concerns raised regarding general amenity matters relate to a potential increase in air pollution, and the exacerbation of existing problems regarding anti-social behaviour and the dropping of litter. With regard to design and residential amenity, I am satisfied that the temporary classroom buildings proposed would be sufficiently distant and screened from local properties to avoid any direct adverse impact. With regard to air pollution, the application site and surrounding locality is not within an area of poor air quality and therefore not within an Air Quality Management Area. I am of the opinion that the small increase in the school roll for the 2018-2019 year (being considered as part of this application) would have a negligible impact on local air quality, especially in considering that school traffic has 2 daily peaks, 5 days a week during time term only, and see no reason to refuse the application on this ground. With regard to litter and anti-social behaviour, although regrettable, these matters are outside of the remit of the Planning Authority.
75. The local community also consider that the applications for the expansion of various schools in Wilmington should be considered as a whole, and not dealt with in a piecemeal fashion. However, the County Planning Authority can only process applications for school developments where the County Council is applicant. In this instance therefore, developments at Wilmington Grammar School for Boys and the local Nursery are considered by the Borough Council as the County Council is not promoting the development. Further, the two sites that we are dealing with at County level, Wilmington Academy and Wilmington Grammar School for Girls, are two

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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separate schools and we cannot process one application that spans two sites, but they highway implications are being considered collectively. The applicant further advises that the need to submit proposals for temporary accommodation in addition to permanent solutions was due to time pressures to provide the temporary accommodation on site for September 2018. Staff may have been recruited by the Academy and places offered to pupils for September 2018, and a Planning Authority cannot prevent that, but that is not something that affects the planning process or in any way should suggest a pre-judgement by the Planning Authority.

### Conclusion

76. This proposal has given rise to a variety of issues, including the need to demonstrate 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 highway network, along with a need to ensure that there is a sufficient choice of school places available to meet community needs. I consider that very special circumstances have been demonstrated in this particular case for overriding Green Belt policy considerations. 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, or the amenity of local residents, and would accord with the principles of sustainable development as set out in Development Plan Policies and the NPPF. In addition, strong 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 secondary school places in the Dartford 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. Therefore, I recommend that the temporary permission (until 1 September 2019) be granted subject to appropriate conditions.

### Recommendation

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

- the development to be carried out in accordance with the permitted details;
- the modular buildings to be removed from site and the land reinstated as playing field on or before the 1 September 2019;
- the installation of the modular classrooms should be undertaken outside of school operating hours;
- the 42 space car park must be completed and operation prior to first occupation of the additional 3 modular classrooms;
- the onsite drop-off/pick-up area, bus parking/pick-up area, and car parking must be available for use during school operation hours;
- submission of details of replacement tree planting;

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

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

- The Academy should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.
- The applicant should liaise with the Parish Council regarding the provision of benches in the local area made from the wood of the removed tree.
- The Education Authority's attention is drawn to the comments expressed by Dartford Borough Council in that they are keen to work with KCC education regarding the provision of school places in the Borough and has always sought to do so. The Borough Council request that any further expansion of schools (whether temporary or permanent) are discussed with the Borough Council at an early stage, so that the planning matters such expansions may lead to can be fully considered before the offer of places is prejudiced.

Case officer – Mary Green	03000 413379
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Background documents - See section heading
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Three storey teaching block to accommodate an additional two Forms of Entry, provision of an additional 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 11 July 2018.

Erection of a three storey teaching block to accommodate an additional two Forms of Entry, provision of an additional 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works - at Wilmington Academy, Common Lane, Wilmington (KCC/DA/0353/2017) (DA/18/39)

Recommendation: 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 and SUBJECT TO a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions.

**Local Member:** Mrs Ann Allen

**Classification:** Unrestricted

#### Members' Site Visit

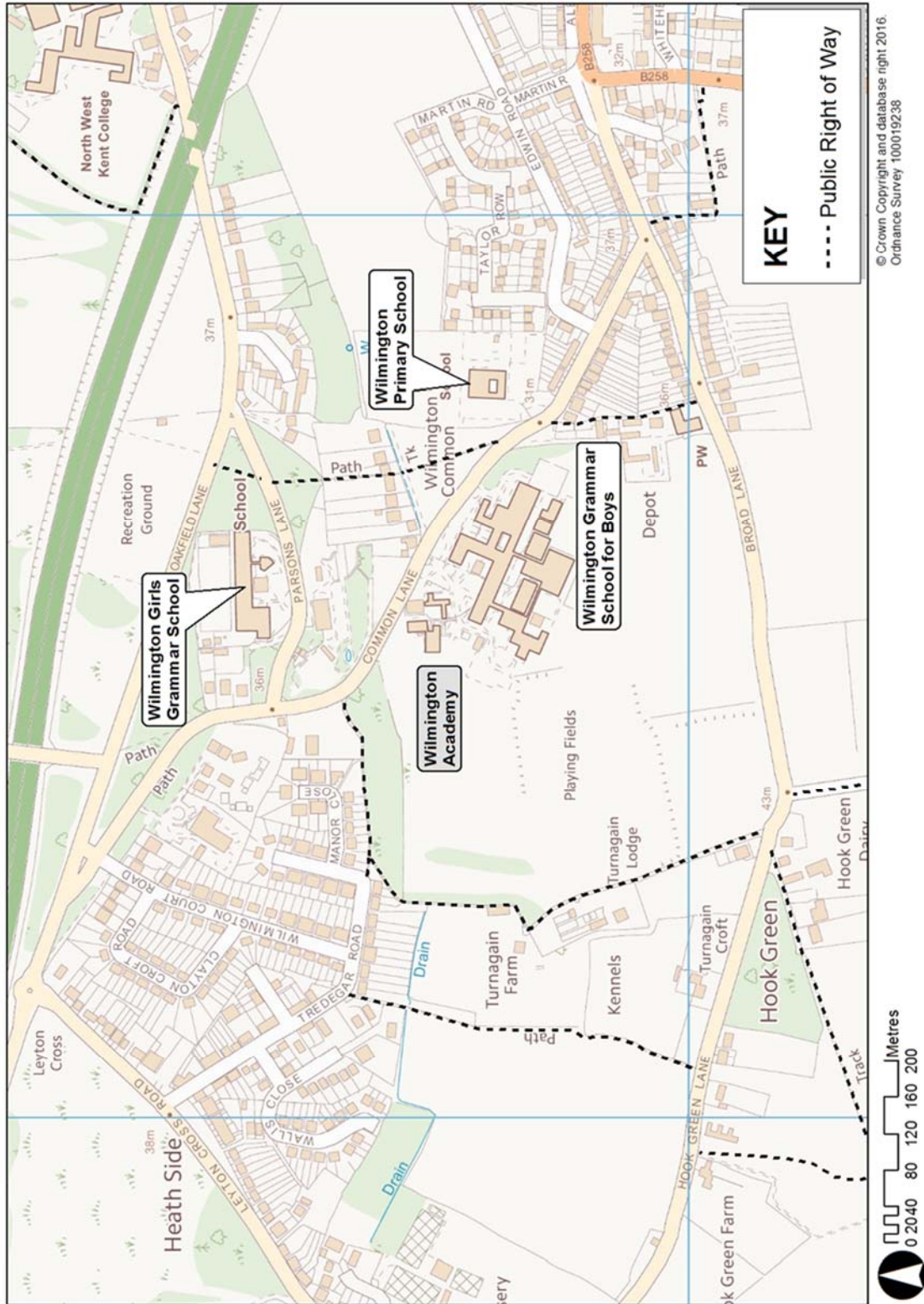
1. A group of Planning Application Committee Members visited the application site on the 19 March 2018 to acquaint themselves with the proposals at both Wilmington Academy and Wilmington Grammar School for Girls and the issues they raise. As part of this visit Members of the Committee walked between the two application sites at the end of the school day.

#### Application Site

2. Wilmington Academy is located to the north west of the village of Wilmington and is accessed via Common Lane, a road which links Wilmington to Leyton Cross - a small residential area to the north west of the academy site. Dartford town centre is located approximately 2.3kms (1.4 miles) to the north east of the academy site. The whole of the 8.45 hectare (20.8 acre) Academy site is located within the Metropolitan Green Belt. Built development on the site is concentrated to the north east of the site, adjacent to the Common Lane site frontage, with playing fields and open grassland extending to the south and west, beyond which lie agricultural fields and the wider countryside. The northern boundary of the academy site is a wooded steep embankment, beyond which lies Public Right of Way (PROW) DR118A, which links with PROW DR118 which follows the western boundary of the academy site. To the north of the application site, beyond the PROW DR118A, residential properties in Manor Close and Tredegar Road back onto the site from an elevated position. A row of residential properties are located opposite the existing site exit on Common Lane, and face toward Wilmington Common.
3. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of most of the existing buildings and the erection of a two storey academy building and sports centre, in addition to associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. Previous to

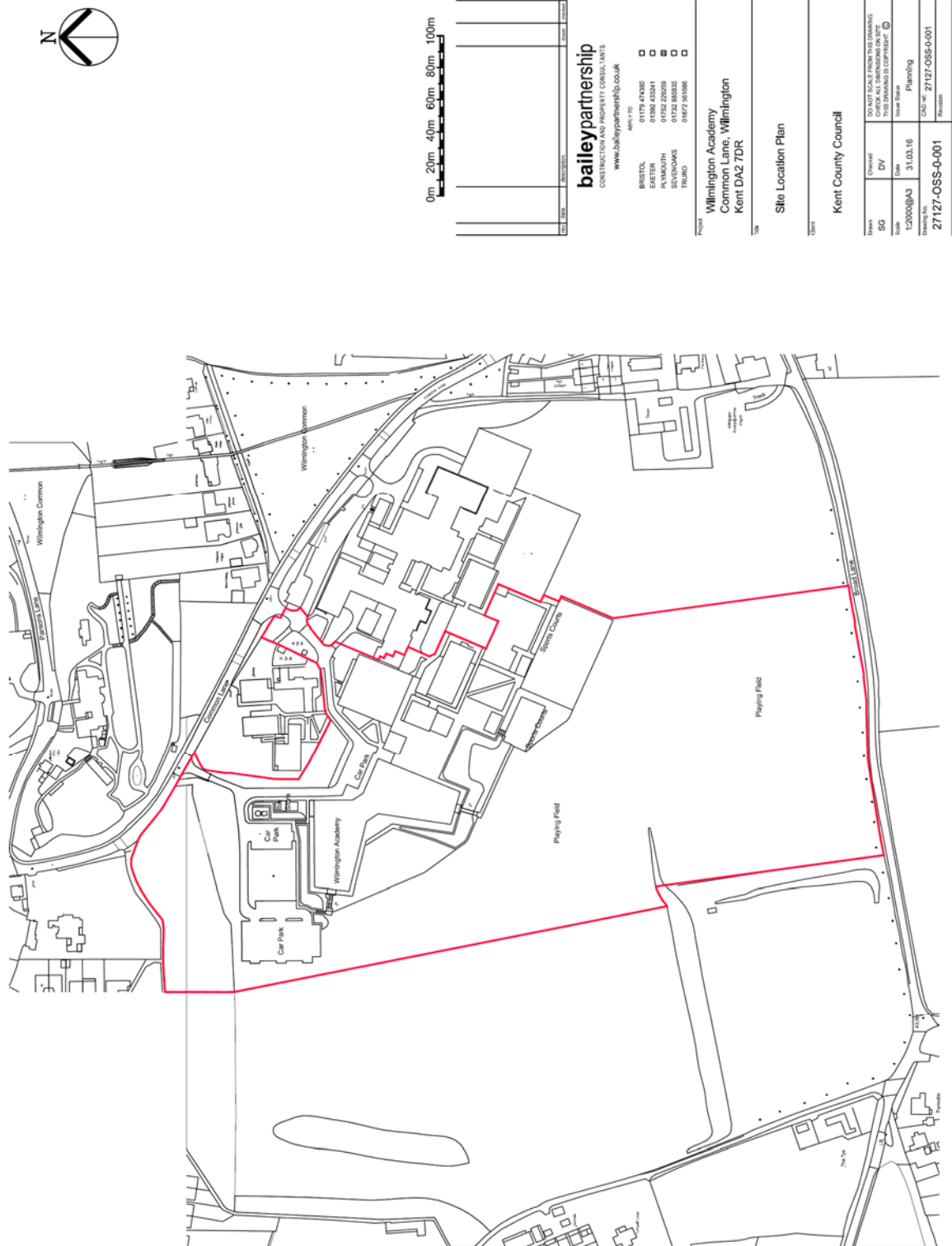
Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy - DA/18/39 (KCC/DA/0353/2018)

Site Location Plan



Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy - DA/18/39 (KCC/DA/0353/2018)

**Existing Site Plan**



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EXETER 01392 435241  
PLYMOUTH 01752 220298  
SOUTHAMPTON 01703 600000  
TUNBRIDGE WELLS 01827 861866

**Project**  
Wilmington Academy  
Common Lane, Wilmington  
Kent DA2 7DR

**Site**  
Site Location Plan

**Client**  
Kent County Council

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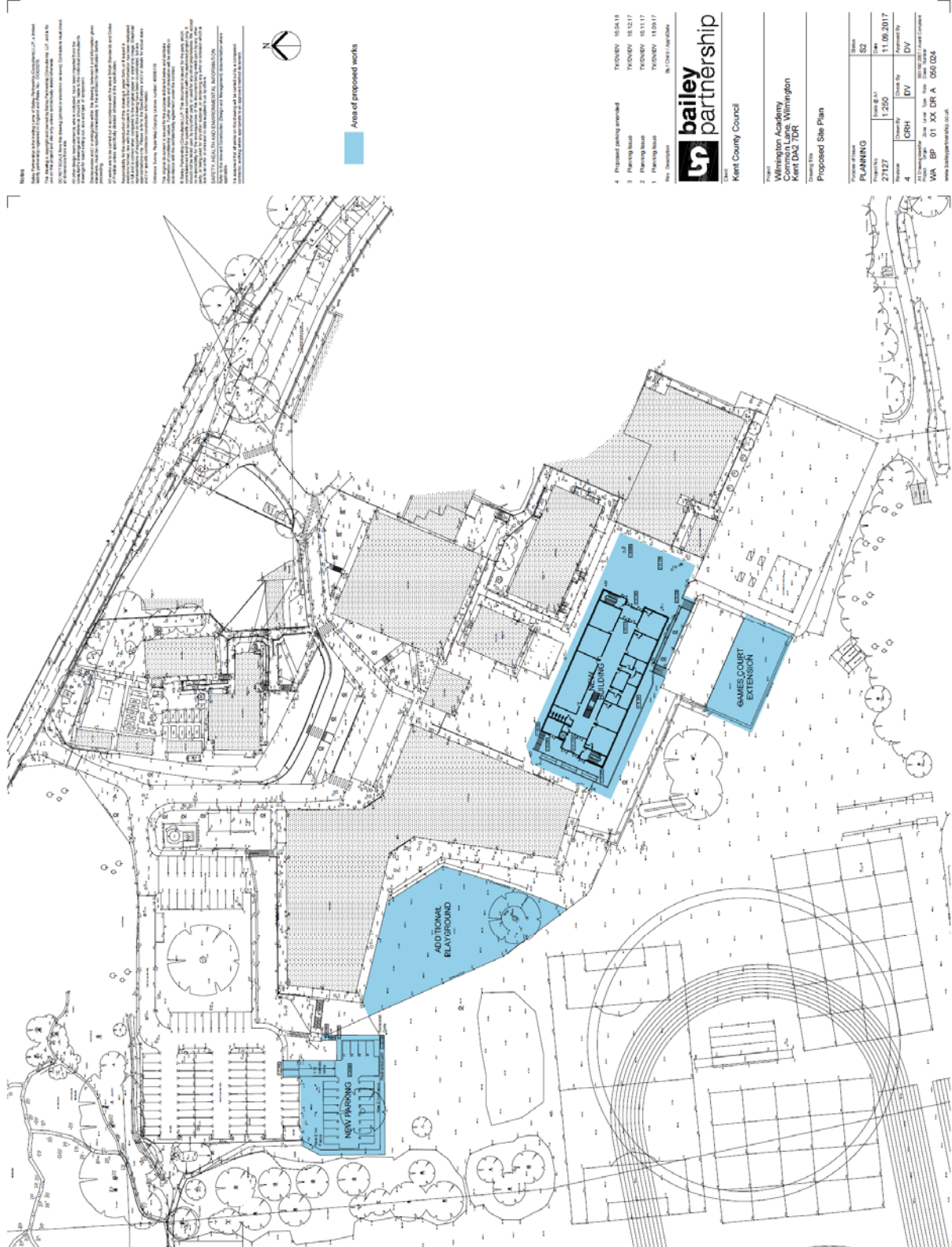
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Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

**Proposed Site Plan**

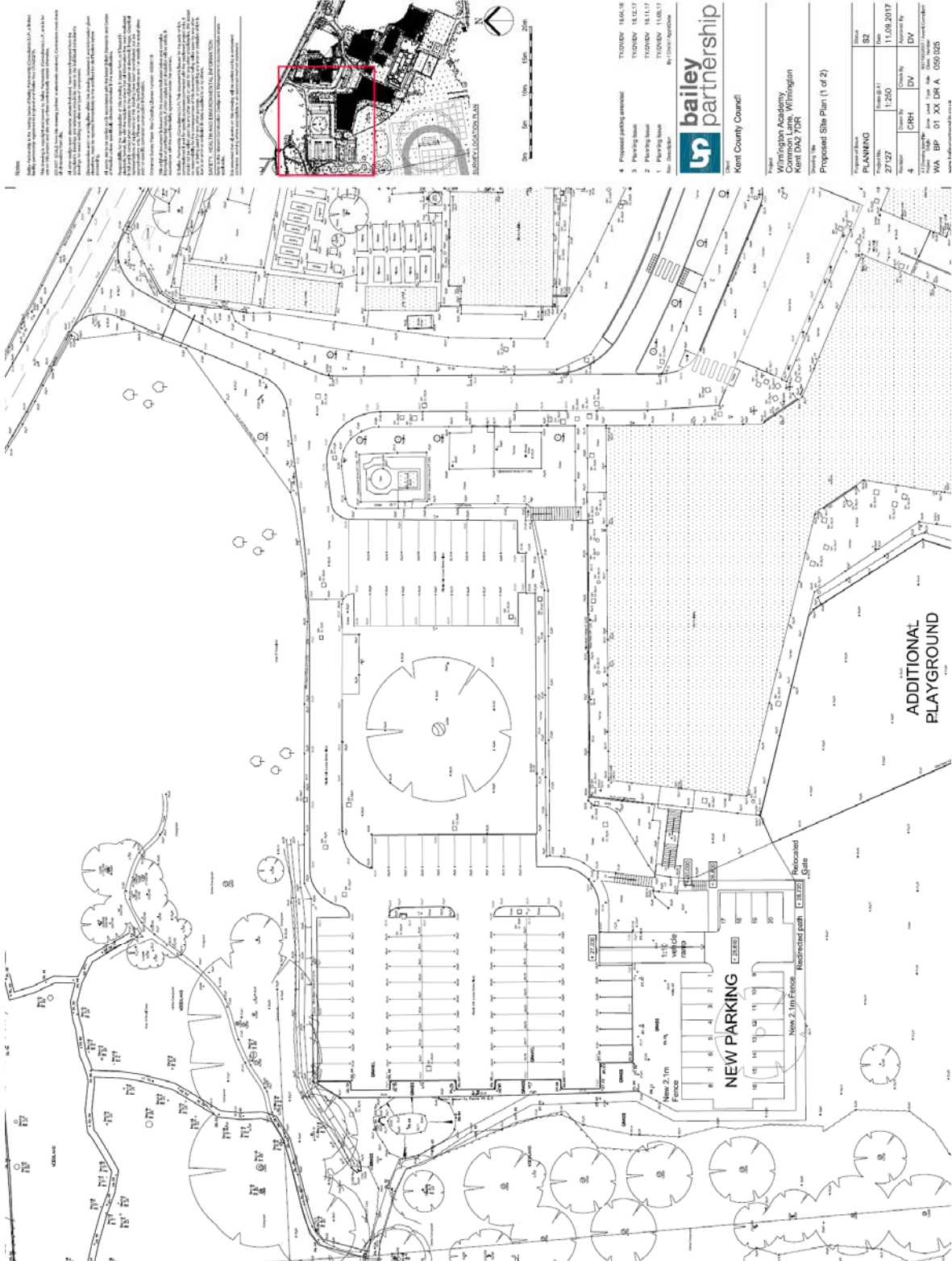






Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy - DA/18/39 (KCC/DA/0353/2018)

**Proposed Car Parking**



Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

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that, the Academy operated from buildings that were built in the mid 1970's, which were then split in the 1980's to accommodate two schools, Wilmington Grammar School for Boys (WGSB) and a non-selective secondary school (now Wilmington Academy). The academy continues to occupy the north western side of the site, albeit in a new building, with WGSB (which also has Academy Status) to the south east. The organisation of the whole site is further complicated by a third school, Wilmington Grammar Schools for Girls (WGSG), who own a sports pitch in the south west corner of site and have rights of access through the academy to reach it. The academy and WGSB share one exit point onto Common Lane, with the academy entrance located to the north west of that exit, with a one-way access loop extending up to the frontage of the academy building for pupil drop off linking the entrance and exit. A private nursery is located to the front of the academy site, within the access loop and on the Common Lane road frontage. In addition to WGSB, Wilmington Grammar School for Girls (WGSG) is located to the north of the academy site, accessed via Parsons Lane, which links Common Lane with Oakfield Lane. Further, to the east of the Academy site, Wilmington Primary School is located to the northern side of Common Lane, accessed via Common Lane only.

4. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan and would need to be referred to the Secretary of State following consideration at Planning Applications Committee if Members were minded to grant planning permission. *A site location plan is attached.*

#### Background and Relevant Planning History

5. Planning applications to support the permanent expansion of both the Girls Grammar School and Wilmington Academy were originally submitted in 2016, accompanied by applications for the approval of some temporary accommodation to cover the immediate shortfall of space to accommodate additional pupils at each school. The temporary accommodation was given approval, subject to the completion of various highway mitigation measures, as set out in paragraph 17 below. However, the applications for permanent development were subsequently withdrawn after a lengthy consultation period which highlighted major concerns raised by those living in the locality that the village of Wilmington was struggling to cope with the amount of school related traffic. Following the withdrawal of those applications, further discussions between the applicants, planning officers and representatives of the Parish Council, Dartford Borough Council, Wilmington Safer Streets and Ward Members took place, including discussions regarding the highway mitigation measures that would be necessary to possibly make the expansions of the two schools acceptable. Subsequent to those discussions, this application for permanent accommodation at Wilmington Academy (KCC/DA/0353/2017), an application for temporary accommodation for the 2018 pupil intake at Wilmington Academy (KCC/DA/0088/2018), and the associated application for development at Wilmington Grammar School for Girls, (KCC/DA/0002/2018), were submitted.
6. Wilmington Academy has been operating as an Academy since 1 September 2010, originally in the buildings of the former Wilmington Enterprise College. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of the majority of the existing buildings and the erection of a two storey academy building and sports centre, in addition to

Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. That redevelopment did not propose any expansion to the Academy and, was designed to accommodate a maximum capacity of 950 pupils.

7. Wilmington Academy is, however, now proposed to expand incrementally over a 5 year period from a 6 form of entry (FE) Secondary School (900 pupils plus sixth form, with a pupil admission number (PAN) of 180) to a 8 FE School (1200 pupils plus sixth form, (total 1325) with a PAN of 240). The 2016 and 2017 allocation of pupils have been accommodated in temporary accommodation (see planning history below), and the current number of pupils on site (as of September 2017) is 1167, which includes 115 sixth form pupils.
8. The table below summaries the relevant planning history at the site:

Application Reference	Description	Decision
KCC/DA/0537/2011 (DA/12/14)	Redevelopment of existing school site to include: demolition of some of the existing buildings, retention of the existing horticulture vocational unit, arts block, sixth form/SEN block and science block and erection of a two storey academy buildings and sports centre. Retention of existing hard surfaced games courts and sports playing fields and creation of new hard and soft play/recreation areas. Provision of 92 on site car parking spaces, 6 motorcycle spaces, 1 minibus parking space, 4 bus/coach pick up/drop off spaces and 146 cycle spaces. Creation of a hard surfaced one way access road. Retention of existing vehicular exit on Common Lane and creation of a new vehicular entrance from Common Lane to the west. Provision of associated hard and soft landscaping.	Approved 09/05/2012
KCC/DA/0430/2012 (DA/13/30)	Temporary siting of two adjacent modular buildings to provide three teaching areas and a small office on an area of the existing hard play surface for the duration of the construction works only.	Approved 12/02/2013
KCC/DA/0088/2016 (DA/16/799)	3 temporary single storey classrooms to accommodate the 2016/2017 allocation of pupils (in conjunction with a separate application to permanently expand the school (DA/16/814 – see below)), two additional bus bays within the academy site, provision of a new footpath link between the car park and PROW DR118/118A to the north west, and widening of a section of footway on Common	Approved 21/12/2016

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	Lane.	
KCC/DA/0085/2016 (DA/16/814)	Erection of a three storey teaching block, creation of a new hard outdoor play area and the provision of additional car parking, together with associated landscaping and ancillary works and internal alterations to the existing Academy buildings.	Withdrawn
KCC/DA/0257/2017 (DA/17/1626)	Retention of 3 temporary classroom units (permitted under consent reference KCC/DA/0088/2016 (DA/16/799)) to accommodate the 2017 allocation of pupils.	Approved 07/11/2017

#### Amendments Following Initial Submission

9. When first submitted, this application initially included the removal of a London Plane tree from the centre of the existing car park, which provided space for 42 new bays to be formed. As referred to in paragraph 1 of this report, Members of the Planning Committee undertook a site visit and it was during that visit some concern was raised about the removal of the London Plane tree as it is a mature and attractive specimen. In addition, it was suggested that the tree has local historical interest. In response to the concerns raised, this application was amended to propose an alternative car park location which would provide 18 additional bays, enabling the London Plane to be retained. However, that amendment resulted in substantial local objection. The applicant subsequently met with the County Councillor (Ann Allen), Borough Councillors, Wilmington Parish Council and Wilmington Safer Streets (a local action group) to discuss the concerns regarding car parking provision on the Academy site. The applicant advises that it became apparent from that meeting that the vast majority of the local community are far more concerned with the provision of additional parking spaces within the boundary of Wilmington Academy than the retention of the tree.
10. The applicant subsequently took the decision to amend the application for temporary accommodation (KCC/DA/0088/2018) to include the removal of the London Plane tree to enable the provision of the 42 space car park, as originally proposed in this application for permanent accommodation. Whilst the intention is that the 42 space car park would be constructed as part of the installation of temporary buildings (subject to planning permission), the intention is that the car parking would also form part of the highway mitigation for this permanent application. The 18 space car park proposed in this application would not be implemented should the 42 space car park gain planning permission. However, should the 42 space car park be refused planning permission (Item D4 on these papers), the 18 space car park would be implemented (again, subject to planning permission). Hence, the 18 space car park continues to form a part of this application.
11. It is the revised proposal for teaching accommodation, 18 car parking spaces, playground space and a games court extension that will be discussed throughout this report.

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#### Proposal

12. This application has been submitted by Kent County Council Property and Infrastructure Support, and proposes the erection of a three storey teaching block, the creation of a new hard outdoor play area and games court extension, and the provision of 18 additional onsite car parking spaces, together with associated landscaping and ancillary works. To meet the demand for additional school places, I am advised that the academy requires 10 extra classrooms, five science laboratories (provided by converting existing maths classrooms in the main school building resulting in the need for 8 replacement maths classrooms), two art spaces, a dance and drama studio, a technology space, administration areas and enlarged dining and kitchen facilities. The Academy runs the 'schools-within-schools' model, and currently the accommodation is split into two colleges, spread across the two wings of the existing building (Minerva Wing and Apollo Wing) and the stand alone Jubilee block. It is proposed to add a third college by providing the accommodation outlined above.
13. The applicant is proposing to construct a three storey classroom block on an area of dis-used land largely comprising of a grass spoil mound left from the sites recent redevelopment. The proposed building would be located to the south east of the main academy building, to the south of the Jubilee block. The applicant advises that the proposed building would have a compact footprint, and that its location within the school site has been selected to minimise impact on the openness of the Green Belt whilst also working operationally for the Academy.
14. The rectangular three storey flat roofed building, oriented east west, would be finished in a smooth red faced brick and timber effect cladding, with aluminium rainwater goods, window frames and doors, powder coated grey. Briese Soleil are proposed to the southern elevation to introduce some articulation, and also to prevent overheating of the passively ventilated building. The east and west elevations would incorporate glazed areas to delineate the main entrances to the building, with the north and south elevations incorporating three levels of windows of three varying size combinations.
15. The applicant is also proposing to provide an additional 18 car parking spaces on site, which would bring the total number of car parking spaces to 106. The spaces would be provided to the south of the existing car park, to the west of the main school building, on an area of existing area open land left to meadow. The onsite footpath link to Public Right of Way DR118A (see paragraph 18) runs through this meadow area, and would need to be realigned to follow the perimeter of the extended car park.
16. Additional playground space is proposed to be provided on the 'V' Shape area of grassland located between the two projecting wings of the existing main school building. The mature Giant Redwood in this location is to be retained and its root protection area protected. In addition, the applicant is proposing to extend an existing hard surfaced games court which is located to the south of the proposed building. It is proposed to extend the hard standing to the south to provide additional games court space to meet the requirements of the increased school roll. Existing fencing would be extended accordingly to enclose the enlarged hard standing.

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### Highway Mitigation Measures

17. A number of mitigation measures are proposed to support this planning application and the simultaneous application for the proposed expansion at Wilmington Grammar School for Girls. The mitigation measures proposed follow public consultation events held at both schools, and the extensive consultation referred to in paragraph 5 which resulted from the earlier applications. The mitigation proposed is as follows:

- Amendment to build out Parsons Lane – The existing kerb build out on Parsons Lane would be redesigned to reduce the amount of street furniture and provide a more attractive raised table/shared space to prioritise pedestrian movements and maintain low speeds. The existing staff parking area on the south side of the road would be provided with a footway and verge, and the existing guard rail removed to tie in with the proposed raised table.
- Parsons lane bus drop off area – A dedicated bus drop off and turning area is proposed to be provided on an area of the Girls Grammar School site, to the south of Parsons Lane. The existing access on this side of the lane (to an informally used parking area) would be enhanced to provide an entrance to a formal access road that would be 10.5m wide leading to a bus turning area at the eastern end of the site. Bus/coach stopping areas would be provided on either side of this access road, each with sufficient space to accommodate three buses (6 in total). A 1.8m wide footway would be provided on either side of the bus/coach drop off bays tying in with the existing footways on Parsons Lane and the proposed new footpath link (see below).
- Bus Stops on Parsons Lane – It is proposed to relocate the three existing bus stops on the northern side of Parsons Lane by approximately 15m to the east. This would enable buses to exit the drop-off area safely without conflict.
- Wilmington Grammar School for Girls footway – The provision of an additional section of footpath on the northern side of Parsons Lane within the school grounds to more directly link to the proposed raised table top and coach drop off loop.
- Junction between Common Lane and Parsons Lane – The junction would be reconfigured to reduce the width of the bellmouth to prevent vehicles parking and turning in this location. This would be achieved through hatched white lining and double-yellow line parking restrictions. Parking restrictions would also be sought between the entrance to the Grammar School and Common Lane to provide protection against inappropriate parking.
- Parking restrictions – Single yellow lines are proposed to be provided on the northern side of Common Lane to the east of the Academy exit and the provision of bollards on the southern side of the road between the existing zebra crossing and the speed bump to the west of the exit. The 1.5m high bollards would be spaced at 2m apart to prevent parking on this section of the footway.
- Opposite PROW DR 118A on Common Lane – A proposed table top shared surface would be constructed at the point where the PROW meets Common Lane to prevent inappropriate parking, increase safety of pedestrians and reduce vehicle speeds.
- Footpath linking proposed bus drop off area to the Boys Grammar School – A footpath is proposed to link the proposed bus loop at the Grammar School to the Boys Grammar School. There is an existing footpath link through the Girls Grammar School grounds, which leads from the southern side of Parsons Lane southwards to meet Common Lane at the approximate location of the Boys Grammar School and Academy exit. It is proposed as part of this application to enhance that footpath to

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provide a direct route from the proposed new coach drop off to the schools on Common Lane, as an alternative to walking down Common Lane itself.

- Widening of Boys Grammar Access – Proposed that the access into the Boys Grammar School be widened to enable better access for buses routing into the site (which would need to be subject to a separate planning application).
- Additional car parking – 18 additional spaces within the Academy site and 12 additional spaces in the WGSG site.

18. A number of mitigation measures have already been carried out as a result of the temporary permission granted last year which include:

- two additional bus bays within the Wilmington Academy site;
- provision of an onsite footpath link between the Academy car park and Public Right of Way DR 118/118A to the north west (joining with Tredegar road);
- the widening of a section of footway on Common Lane, at the junction with Parsons Lane, by removal of an area of vegetation/scrub;
- the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools; and
- the resurfacing of Public Right of Way DR118A.

19. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.

*The application is supported by a Design and Access Statement, Planning Statement including an Education Justification Statement, School Travel Plan, Transport Assessment and updated Technical Note, Arboricultural Implications Assessment, Preliminary Ecological Assessment, Structural Appraisal, Building Physics and Part L Compliance Report, MRL Acoustic Report, Phase 1 Ground Contamination Study, Ground Investigation Report, Flood Risk Assessment and Archaeological Desk Based Assessment.*

#### Planning Policies

20. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:

- (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



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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;
- 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;
- that the planning system contributes to and enhances the natural and local environment;
- 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;

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 work with schools promoters to identify and resolve key planning issues before applications are submitted.*

#### **Draft Revised National Planning Policy Framework (March 2018)**

A draft review of the NPPF was published on Monday 5<sup>th</sup> March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of

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transport modes, which would help to reduce congestions and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness.

**Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.

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- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

(ii) **Development Plan Policies**

The adopted **Dartford Borough Core Strategy (2011)**

- Policy CS13**      Seeks to resist inappropriate development within the Green Belt, in accordance with the NPPF.
- Policy CS15**      Pledges support for minimising the need to travel and minimising car use, whilst making effective use of the transport network. Travel plans will be required for all significant traffic generating development to ensure more sustainable modes of transport are pursued. Kent County Council's parking standards will be applied.
- Policy CS16**      Seeks to enable the transport network to respond to the pressures of new development, including by securing the provision of off-site highway and local road improvements, and by promoting the use of public transport, walking and cycling.
- Policy CS21**      Seeks the provision of community facilities that are close to the population they serve and that come forward in a timely fashion. Dual use of facilities is sought.

**Dartford Development Policies Local Plan (2017)**

- Policy DP1**      **Presumption in Favour of Sustainable Development:** States that the Plan is written in accordance with national objectives to deliver sustainable development. A positive approach to considering development proposals will be had, reflecting the presumption in favour of sustainable development contained in the NPPF and the development needs of the Borough set out in the Core Strategy.
- Policy DP2**      **Good Design in Dartford:** Development will only be permitted where it satisfies the locally specific criteria for good design in the Borough by (a) reinforcing and enhancing localities to create high quality places, (b) ensuring heritage assets are retained, re-used and respected, (c) facilitating a sense of place through a mix of uses and careful design, (d) providing clear pedestrian and cycle linkages and permeability, active frontages and a mix of buildings and spaces. Provides further advice about determining planning applications in relation to scale, massing, form, materials, Conservation Areas and areas of heritage sensitivity, inclusive, safe and accessible places, management of natural resources and flood alleviation, and appropriate signage and advertisements.

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- Policy DP3**      **Transport Impacts of Development:** Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising transport impacts, in line with Core Strategy Policies 15 & 16. Localised residual impacts on the highway network should be addressed by well-designed off site-transport measures and adverse impacts on residential amenity or the environment must be minimised. Development will not be permitted where the localised residual impacts from the development, on its own or in combination with other planned development in the area, result in severe impacts on one or more of the following: (a) road traffic congestion and air quality (b) safety of pedestrians, cyclist and other road users and (c) excessive pressure for on-street parking.
- Policy DP4**      **Transport Access and Design:** Development should be of a design and layout to promote walking, cycling and use of public transport through provision of attractive and safe routes. Proposals should also include appropriate vehicular access arrangements. Development will only be permitted where proposals ensure that the layout and siting of access is acceptable in terms of residential amenity, highways capacity and safety, free flow of traffic, cyclists and pedestrians, and visual impact.
- Policy DP5**      **Environmental and Amenity protection:** Development will only be permitted where it does not result in unacceptable material impacts, and consideration must be given to potential amenity/safety factors such as air and water quality, traffic, access and parking, anti-social behaviour and littering, and intensity of use (amongst other matters).
- Policy DP11**     **Sustainable Technology and Construction:** Development should be well located, innovatively and sensitively designed and constructed, to tackle climate change, minimise flood risk and natural resource use and must aim to increase water efficiency.
- Policy DP21**     **Securing Community Facilities:** New community facilities will be permitted where they are in an appropriate location and of a type and scale to reflect the needs of the communities they will serve.
- Policy DP22**     **Green Belt in the Borough:** Sets out 12 aspects against which development in the Green Belt will be assessed, including the consideration of inappropriate development, which by definition is harmful to the Green Belt and would only be approved in Very Special Circumstances; criteria against which to assess harm to the Green Belt; criteria to assess development considered as potentially not inappropriate by the NPPF; those developments that support Core Strategy Policy CS13; the re-use of existing permitted permanent buildings; taking account of the character and scale of existing buildings; criteria relating to extensions to buildings or infilling of previously developed sites; the replacement of buildings; ensuring no loss of the best and most versatile agricultural land; criteria for

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proposals for farm diversification; the use of land for horses or the erection of stables; outdoor sports and recreation uses; and the infrastructure required for such uses.

**Policy DP25 Nature Conservation and Enhancement:** Proposals should seek to avoid any significant impact on existing biodiversity features, and any potential loss must be mitigated. Enhancement of existing habitats is expected and existing trees should be retained wherever possible. If retention is demonstrated not to be feasible, replacement provision should be of an appropriate tree species and maturity.

## Consultations

### 21. Dartford Borough Council comment as follows on the amended application:

“The Borough Council would still wish to raise concerns about the application but recognise that as additional evidence has been submitted it would appear that there are some very special circumstances in this case and it is for KCC to decide whether these outweigh the harm to the Green Belt and the harm to the transport impacts of the intensified use.

In the Borough Council’s opinion, the application still provides very little assessment of the proposal in terms of the openness of the Green Belt. The proposed extension of the building, will be to the south of the existing school building, creating a 3-storey building on a currently existing hard surfaced area and partly on a grassed area. The Borough Council considers therefore that the proposal must be considered as inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. The NPPF advises and is echoed by Dartford Local Plan policy DP22 (2) that “‘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”.

The Council considers therefore that it is for KCC to assure themselves that the harm resulting to the Green Belt can be outweighed by the need for school places.

The Council acknowledge the Very Special Circumstances put forward with the revised application and recognise that KCC education have worked hard to look at the alternatives for school expansion in order to meet the secondary school place need which is current at the moment. The Council still has some concerns about the wider catchment area for the school, including pupils coming from outside Dartford and Kent. The Borough Council understands that KCC cannot control admissions to schools but have concerns that school expansion close to the boundary with London is likely to encourage more pupils from outside of Kent and from the rural area, rather from the Dartford urban area, where it is identified that the need arises.

The Council has also considered the other harms arising from the proposal in accordance with the criteria of Policy DP22.

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*DP22(3)(a): the extent of intensification of the use of the site*

The Council has concerns that the current proposal results in an intensification of the use of the site and adjacent land, reducing the site area that is open and reducing the areas of soft landscaping as well as resulting in increased activity which results in impact on the surrounding area, as set out below.

*DP22(3)(b): Impact of an increase in activity and disturbance, including traffic movement, parking, light pollution and noise*

Although the applicants' agents dismiss the traffic impacts of the proposal, and notes that Wilmington Academy is 3 years into that, so only 2 further year groups of 2FE expansion are necessary, which they advise relates to 25 trips in the morning peak and 16 trips in the afternoon peak. This seems to be a low proportion compare to the TA assessment for a full 2 FE expansion. However, the Council consider that this is a matter for KCC highways.

Given the rural nature of the surrounding roads and the narrow width of footways resulting in existing conflict between cars, buses, coaches, cyclists and pedestrians in the surrounding area even this limited increased in car trips is likely to result in some additional harm.

The application refers to the off-site mitigation measures which are submitted with the Wilmington Grammar School for Girls application. In the Council's opinion these are required to improve the existing situation and areas of conflict. The application includes a Travel Plan, but since the red line application boundary does not relate to the whole site the Council is concerned that this cannot be required to be delivered for the whole school through conditions. In addition, the Travel Plan, itself, is a set of desirable options but the Council is concerned that there are no obligations on the school to achieve the targets set or any penalties should they fail to achieve greater modal shift. If the County Council are minded to approve this planning application it is recommended that they ensure these mitigations and Travel Plan commitments can be enforced.

The Council acknowledge that KCC education have worked with KCC highways to seek to improve highway safety in the area, but the Council remains concerned that this is seeking to improve an existing poor situation and may not mitigate the additional impacts of the proposed expansion of the two schools.

In conclusion, therefore, the Council considers that the proposal is inappropriate development in the Green Belt and results in other harm with regard to transport issues, encouraging car use in the Borough contrary to the adopted Local Plan strategy, and impact on the character and visual amenity of the amenity. The Council recognises however, that based on the additional information submitted with regard to the need for additional permanent school places and the lack of options that can provide such places quickly that this could amount to Very Special Circumstances particularly when taking into account the welfare of the children involved who live in the Borough and who may be denied a school place in the local area if there is insufficient secondary school place provision.

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Finally, the Council recognise that there is an increasing demand for secondary school places in the Borough and has been working with KCC education for a number of years to plan for these. The Council would emphasise that is willing to assist the County Council with regard to education growth and help them respond to the changing demands in the future better in order to minimise the conflict with other planning policies.”

**Wilmington Parish Council** raise strong objection to this application (and the other application currently being considered by the County Council for the expansion of the Girls Grammar School (WGSG)) and comment as follows on the original proposal (comments on the amended proposal summarised after the direct quote below):

“The Parish Council would firstly express disappointment that the notices of the two applications were not issued at the same time as, although it is accepted that each has to be treated on merit, they are indelibly linked since taken together they will greatly impact on the rural setting in which the proposed developments are situated.

The Parish Council accepts and appreciates that the revised applications take into account the comments and objections raised by residents, the Parish Council and Wilmington's elected representatives on Dartford Borough Council when the original expansion proposals for both Wilmington Academy and Wilmington Grammar School for Girls (WGSG) were published. It is acknowledged that some highway and traffic control concerns raised at that time have already addressed and introduced for which the Parish Council is grateful but must stress that these go no way to resolving the extreme problems that arise at the start and the close of the School Day.

However, the Parish Council is still of the opinion that the revised plans for both the Academy and WGSG are contrary to Dartford Borough Council's Development Plan adopted in July 2017. Policy DP3 ('Transport Impact of Development') states -

1. *Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising impacts in line with (sic the Borough Council's) Core Strategy Policies CS15 and CS16 and*
2. *Development will not be permitted where the localised residual impacts from the development on its own or in combination with other planned developments in the area, results in severe impacts on one or more of the following -*
  - (a) road traffic congestion and air quality*
  - (b) safety of pedestrians, cyclists and other road users and*
  - (c) excessive pressure for on-street parking*

The Parish Council is of the opinion that the wording at DP3 above permits and gives great weight for the need for the two applications to be jointly considered. The Parish Council considers that the further expansion of both the Academy and WGSG represent an 'over-development' of each site and thereby are 'inappropriately located' with an adverse impact on what is a rural setting.

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The Parish Council notes that within the Transport Assessment submitted in support of the WGSG application the following text appears - 'it is recognised that some parts of the local area are subject to congestion before and after the school day as a consequence of the number of pupils arriving and leaving'. Having accepted that congestion already exists the Parish Council finds it hard to believe that the Academy's projection of 98 additional car journeys in the morning and 70 in the afternoon and WGSG's projection of an additional 22-25 car journeys would not add to the congestion that already exists, despite the proposals contained in the applications for this to be mitigated.

The Parish Council is aware of proposals to also expand Dartford Grammar School for Girls (DGSG). Whilst DGSG is not in the immediate vicinity of the Academy and WGSG, the proposal will generate yet more traffic movements on the roads through Wilmington as the additional pupils are taken to and from that School.

The Parish Council therefore objects in the strongest terms to both the Academy and WGSG applications believing that they represent totally unacceptable over-developments in a rural setting and that the impact of the additional traffic generated would have a detrimental and adverse effect on the community. The Parish Council has received a copy of the very balanced response to the Applications made by 'Wilmington Safer Streets' and agree with all of the very pertinent and constructive comments made.

The Parish Council believes that the above points are wholeheartedly supported by all or at least the majority of the residents of the Parish, many of whom have submitted comments and observations in respect of both Applications. The Parish Council trusts that the real concerns that have been expressed will be taken into account by Members of the Planning Committee when reaching their decision."

With regard to the amended application **Wilmington Parish Council** register, in the strongest of terms, incredulity over the revisions made to the above application. During the consultation on the original plans residents, Wilmington Safer Streets, the Parish Council and the elected representatives on both Dartford Borough Council and Kent County Council lodged a number of strong objections, one of which was the pressures on local roads the proposed expansion would create and at the least there was a need for adequate additional parking to be provided within the Academy's curtilage. However, this appears to have been completely ignored under the revised Plans with the 42 additional parking spaces proposed under the original Plan being reduced to 18, although there has been no reduction in the increased number of students and staff. The Parish Council also note that that the Academy lies within the Metropolitan Green Belt and, whilst it could be argued that the proposed expansion should be regarded as 'very special reasons' to override the protection of the Green Bely, any proposed development should not under any circumstances be to the detriment of the established local community or with a complete disregard of other Policies within the Local Plan. It is the Parish Council's view that the proposed three-storey building is unacceptable being totally out of keeping with the rural setting in which the Academy lies.



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The Parish Council further state that whilst it is known that KCC was opposed to the decision by the Secretary of State to close Oasis Academy Hextable and continued to make the case for keeping that Academy open, the fact remains that had the Oasis Academy been allowed to continue, albeit temporarily under capacity, the current need to expand Wilmington Academy would not have arisen.

**Kent County Council Highways and Transportation** has considered the mitigation proposed and the supporting information submitted by the applicant and subsequently raises no objection to this application (as amended), subject to the following measures being secured by planning condition:

- Completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension;
- In addition to the above it is recommended that new poles and globes be provided at the zebra crossing at the Academy/WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane;
- Submission of a Construction Management Plan for approval by the Planning Authority to include the following: routing of construction and delivery vehicles to/from the site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries; provision of wheel washing facilities and temporary traffic management/ signage;
- Access needs to be maintained to the drop off loops and bus parking areas within the school site to reduce congestion on Common Lane;
- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to occupation;
- Provision of measures to prevent the discharge of surface water onto the highway;
- Within 6 months of occupation of the extension, the submission of an updated School Travel Plan by Wilmington Academy, authorised by the school management team as a specific school policy, for approval by the Planning Authority and monitoring/ auditing of the Travel Plan for a period of 5 years, within which there will be annual updates with funding secured for KCC Highways to ensure adequate resourcing to audit and oversee this process (see below);
- The Academy should be required via an 'informative' to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the footway.

With regard to the funding to ensure adequate resourcing to audit and oversee the Travel Plan, Highways and Transportation will require a contribution a contribution of £1000 per year for 5 years. In this case, Highways and Transportation have accepted that this contribution would cover both the Academy and Wilmington Grammar School for Girls, should permission be granted, due to the close proximity of the two schools.

The full consultation response from Highways and Transportation is attached to this report in Appendix 1.

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**Sport England** raises no objection to the application and comments as follows:

“The proposed development results in a minor encroachment onto the playing field. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. As such, Sport England is satisfied that the proposed development broadly meets the intention of the following Sport England Policy exception:

*E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.”*

**The County Council’s School Travel Planner** confirms that the Travel Plan meets Kent County Council’s criteria and is happy for it to be uploaded to the County Council’s online Travel Plan system – Jambusters.

**The County Council’s Biodiversity Officer** is awaiting the submission of additional information before finalising comments on the proposals. Any further views will be updated verbally.

**The County Council’s Archaeologist** no comments received to date

**Environment Agency** raises no objection to the application subject to a condition regarding ceasing work should previously unidentified land contamination be found. Further informatives are requested regarding waste material.

**The County Council’s Flood Risk Team (SuDs)** raises no objection to the application subject to the imposition of conditions requiring the submission of a detailed sustainable surface water drainage scheme and the submission of an operation and maintenance manual for the sustainable surface water drainage scheme. A further condition is required to control surface water drainage into the ground.

**Wilmington Safer Streets (WSS)** (a local group set up to campaign for the improved safety of the streets of Wilmington, and at the time writing this report has 686 members) were notified of this application and comment as follows on both this application (as originally submitted) and the accompanying application at Wilmington Grammar School for Girls (WGSG) (KCC/DA/0002/2018):

“Proposed Mitigation

- Amendment to build out Parsons Lane - *WSS support this action*
- Parsons Lane Bus Drop Off area - *WSS support this action*
- Bus Stops at Parsons Lane - *WSS support this action*
- WGSG Footway - *WSS support this action*
- Junction between Common Lane and Parsons Lane - *WSS support this action*

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- Parking restrictions - *WSS support this action, to confirm WSS do not support Double Yellow lines along the village Common side as this would impact residents and events that are held within the community on the Common.*
- Tabletop road surface feature opposite PROW DR118A on Common Lane - *WSS support this action*
- Footpath linking the proposed bus loop to Wilmington Academy and Wilmington Grammar School for Boys (WGSB)- *WSS support this action*
- Widening of Boys Grammar Access - *WSS support this action*

Additional comments regarding the above:

- 1) The new WGSG & WGSB walkway proposed in the permanent mitigation would be accessed by using the old zebra crossing outside of the Academy site. This zebra crossing is dated and has no safety signage which is standard for crossings of 2017/2018. WSS feel that it is paramount this zebra crossing is updated and brought in line with current safety requirements along with the required signage to warn motorists as they approach from a darkly lit hill downwards to the crossing.
- 2) Resurfacing of PROW DR118A - the current surface is loose which makes it difficult for parents to push prams over this surface, and difficult to use by disabled residents and elderly. WSS ask that this is resurfaced to a smoother finish.
- 3) Signage should be increased at the entrance and exit points to Common Lane to include roundels in the road and vehicle activated signs on both Old Broad Lane and The High Road to identify Wilmington as a school safe zone. Currently we have little signage to denote the 3000 pupils in and around this area.
- 4) There are major items that have been overlooked and it is very disappointing to note that the section on Pupil Travel in 5.2 and 5.3 of the Transport Assessment, has not been updated and revisited since our last concerns highlighted in 2015. The Travel Survey data at the Academy of which, 134 pupils participated in, assume on travel for the total attendees at the school which there is currently 1034 and is to be increased to 1323 pupils. Therefore, the response rate is only slightly over 10% for pupils and a 50% response rate from the teachers which is a poor representation. A larger percentage of data would allow a true representation and WSS ask that these surveys are committed to being reviewed again to highlight the traffic and parking issues suffered locally. WSS feel that no assumption can be made on sustainable travel and parking requirement until this data is collated.
- 5) Parking is not sufficient for parents who collect their children. Parent parking in roads surrounding the schools is still a major issue and has been overlooked again in the mitigation. Parents who wish to drive to school create traffic, nuisance parking and have nowhere safe to sit and wait for their children. The support to govern parents parking illegally is limited by Dartford Borough Council (DBC) and the Police due to resources. Parents continue to

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contravene parking restrictions and block elderly resident driveways and leave little room for emergency vehicles. WSS have asked DBC to support residents with additional warden visits and to provide data identifying how efficient current processes and procedures are by way of ticket's given. This is impacting local roads and the community are HIGHLY concerned about the added pressure on traffic, safe parking, air quality and road infrastructure.

- 6) Please note that WSS residents are collating feedback on the negative safety impact of the schools in the surrounding roads and especially where the new Academy walkway exit is situated on Tredegar Road. Parents are using Tredegar Road and Wilmington Court Road as a drop off area which results in the cars speeding through this narrowly parked road. *(NB – a document titled Wilmington Resident Feedback was submitted by WSS on 30 January 2017 which includes the results of a door to door survey and collates feedback/letters sent to WSS regarding these applications).*
- 7) WSS strongly feel that the mitigation offered above should have been implemented years ago on grounds of safety and aside from any expansions. Whilst we would welcome the above measures we feel that for safety to be delivered, it must be at the cost of further expansion with no real understanding of the true impact on roads and communities as the data collated is based on a handful of people replying to transport surveys at the Academy.

The mitigation will offer some solace to the issue at hand and we appreciate the effort that has been made to overcome those issues, but the village and residents are at breaking point.”

Local Member

22. The local County Member, Mrs Ann Allen, was notified of the original application on the 12 January 2018, and the amended application on the 16 May 2018.
23. The two Dartford Borough Council Members for the ward of Wilmington, Cllr Eddy Lampkin and Cllr Derek Hunnisett, were also notified of the application on the 12 January 2018, and the amended application on the 16 May 2018.
24. The County Member and the two Borough Councillors raise objection to this application and the accompanying application at Wilmington Grammar School for Girls (WGSG) (KCC/DA/0002/2018) and comment as follows on the original proposal (comments on the amended proposal summarised after the direct quote below):

“In replying to the above consultations we have considered both applications together as they jointly impact on the community and should therefore be considered as one application in as far as they impact on the community. Our objections however should also be separately recorded against each application.

We acknowledge the work already undertaken by Kent County Council, the Schools and Wilmington Safer Streets to improve the safety for both students and

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other road users, and those as now proposed in these applications in an attempt to further mitigate traffic impact and road safety issues. The proposed measures in the applications, particularly at the WGSG, are most welcomed. However, we contend that the plans for extensions remain contrary to the Dartford Borough Council Development Policies Plan (adopted July 2017) Policy DP3 which states that -

*Development will not be permitted where the localised residual impacts from the development on its own or in combination with other planned developments in the area, results in severe impacts on one or more of the following:*

- a) road traffic congestion and air quality*
- b) safety of pedestrian's cyclists and other road users.*
- c) excessive pressure for on-street parking*

The planned developments at Wilmington Academy and WGSG impact on all 3 (a, b and c) and are therefore in conflict with the Borough Council's Adopted Local Plan.

I quote from submitted Transport Assessment for the Academy proposal:

*"Conclusion of transport assessment, page 40. 10.1.2, 10.1.5 and 10.1.2 in particular... 300 more students...98 more car trips in the morning...70 in the afternoon... 'should not have any residual impact in terms of transport'*

In addition to that assessment, a further 22-25 car trips are shown in the WGSG Transport Assessment. We therefore do not accept the conclusion of the Transport Assessment. We would also remind Officers/Members that the Academy shares the same site as the Wilmington Grammar School for Boys and is within 100m of Wilmington Primary School, both of which also impact on local residents and the narrow residential roads of Wilmington.

We therefore do not agree with the conclusion that these expansions would not have any residual impact on the area - the Transport Assessment for the WGSG application states "it is recognised that some parts of the local area are subject to congestion before and after the school day as a consequence of the number of pupils arriving and leaving". This is further evidenced by the very large number of resident objections to the highway impact of these applications on the surrounding community.

Although some of the safety concerns of residents have been addressed (we support Wilmington Safer Streets comments as submitted on those matters) the severe traffic impact of the extensions on the community has not been overcome.

We therefore strongly object to the application in that the proposals still represent an unacceptable over-development in what is a rural setting, would have an adverse effect on the community, and have unacceptable transport impacts being contrary to CS15 /CS16 and Policy DP3 of the Dartford Development Policies Plan."

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With regard to the amended application **the County Member and the two Borough Councillors** register, in the strongest of terms, objections to the revisions made to the application, and comment as follows:

“During the consultation on the original plans residents, Wilmington Safer Streets, the Parish Council and ourselves lodged a number of strong objections and concerns , one of which was the pressures on local roads that the proposed expansion would create and that there was a need for adequate additional parking to be provided within the Academy's curtilage as a minimum consideration. This appears to have been completely ignored under the revised plans with the 42 additional parking spaces proposed under the original plan being reduced to 18, although there has been no reduction in the increased number of students and staff.

It should be remembered that the Academy lies within the Metropolitan Green Belt and 'exceptional' circumstances' are required to override the protection of the Green Belt as provided in both Dartford Borough Council's Local Plan and the National Planning Policy Framework. These circumstances should not be to the detriment of the established local community and certainly not without obtaining their support (which is not given) and with a complete disregard of other Policies within the Local Plan. It is our view that the proposed three-storey building is unacceptable being totally out of keeping with the rural setting in which the Academy lies.

We reiterate our objections as submitted in respect of the original Application are still relevant and to be considered in respect of this amended application with the proposed reduction in the additional parking provision adding even greater weight to those objections.”

#### Publicity

25. The original application was publicised by the posting of 4 site notices and advertisement in a local newspaper, and the individual notification of 87 neighbouring properties. The amended proposal (reduction in car parking provision) was publicised by the posting of 4 site notices, advertisement in a local newspaper, and the individual notification of 291 residents (all those originally consulted and those who made representations on the original application).

#### Representations

26. At the time of writing this report, 129 letters of representation have been received, 126 raising objection and 3 in support of the proposal (74 objections to the application as originally submitted, and a further 52 objections to the amended scheme including one from the Wilmington Society). Many of these representations relate to not only this application, but the accompanying application at Wilmington Grammar School for Girls (KCC/DA/0002/2018). The key planning points raised are summarised as follows:

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#### Highway/Access Matters

- Common Lane is a narrow lane, too narrow for vehicles to pass, resulting in buses and large vehicle having to mount the pavement;
- At peak school times the pavements are heavily used due to the amount of schools in the immediate locality;
- Pedestrians, including pupils, have been hit by buses/coaches as they have mounted the kerb;
- The pavements on Common Lane are narrower than the recommended width in places, and are only on one side of the road. Pedestrians often walk in the road to pass others, or are forced into the road due to a lack of space;
- None of the proposed mitigation addresses the dangerous issue of vehicles mounting the pavement to pass each other;
- The junction of Parsons Lane and Oakfield Lane is not suitable for large coaches and buses. Traffic has to come to a stand still to allow them to exit as they have to use both sides of the road;
- Buses should be banned from Common Lane and a bus/coach park provided on Oakfield Lane, or at the least the road should be made one way to prevent vehicles having to pass each other;
- The roads around the Wilmington Schools are already chaos at peak school times, and literally at grid lock;
- There are 3 Secondary Schools, a Primary School and a Nursey all accessed from Common Lane, the road and the village cannot accommodate anymore;
- The village of Wilmington cannot support 3 Secondary Schools so pupils are bussed in or brought by car, few pupils are within walking distance;
- Those that can walk/cycle to school often don't as it is too dangerous;
- Pupils have recently been hit by vehicles when crossing Common Lane. It won't be long until there is a fatality;
- Common Lane is already a dangerous road at peak school times, expansion of the Academy would only make this worse;
- The recently introduced 20mph speed limit on Common Lane is not policed so is ignored. Repeater signs, additional road signs and road markings are required to draw drivers attention to the lower speed limit;
- Recently completed highway works/improvements are welcomed and gratefully received but are not enough to mitigate the impact of existing traffic yet alone any increase;
- Parents and sixth formers park dangerously and in some cases illegally, blocking access for local residents, and more importantly emergency services;
- Paths are blocked by parked cars, resulting in people (including Primary School Children) having to walk in the road;
- Additional onsite car parking is required to enable parents to drop off and pick up pupils within the Academy site;
- A reduction in car parking provision is totally unacceptable and unbelievable;
- Additional parking restrictions should be put in place in the village to prevent parents parking during the morning and afternoon peak;
- Recently introduced parking restrictions are not enforced so are ignored. Rather than introduce more stringent restrictions which would have a negative impact on local residents as they would not be able to park in the evenings/weekends, increase and improve the policing and enforcement of the restrictions that are already in place;

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- The recently constructed footway link within the Academy site, to the rear of the school, and PROW resurfacing has resulted in parents dropping off/picking up pupils in Tredegar Road, Wilmington Court Road and Manor Close. The problem has just been moved from Common Lane to other local roads;
- Parents often park in the nearby Wilmington Manor Care Home (BUPA), which has on occasion blocked access for an ambulance;
- The Transport Assessment refers to data collected in 2016, and in June which is exam time, so is out of date and inaccurate;
- The Travel Plan hands up survey was answered by 134 of the Academies 1195 pupils and 81 of the 184 staff. The data is not, therefore, a fair representation of the whole school;
- Previous Travel Plans (2012) set targets for a 20% reduction in car use. That does not appear to have been delivered;
- There is inadequate signage on Common Lane to warn drivers of children crossing;
- The Schools need to educate pupils on safe cycling, and safe crossing of roads;
- Vegetation along Common Lane needs cutting back as overhanging vegetation further narrows the carriageway;

#### Other Matters

- There is an empty school within three miles of the Academy which only closed recently and was a secondary school so must have the accommodation required for these additional pupils;
- There is not a local need for additional school places. The need arises from development elsewhere in the Borough (stone and Greenhithe specifically) so a new school should be provided elsewhere;
- Pupils from London Boroughs should not be accepted into schools in the Dartford District;
- The village is becoming overdeveloped which is ruining its rural character and destroying the community;
- The scale of the development is totally out of character with surrounding properties and the Green Belt location;
- There are no special circumstances put forward in this case that would outweigh harm to the Green Belt;
- The proposed building 'is a large timber clad monstrosity', does not match the existing buildings, and is 3 storey whereas surrounding development is 2 storey;
- The building should be reduced in height and its footprint increased;
- The application does not meet the requirements of local and national Planning Policy and Guidance, including the NPPF and the recently adopted Dartford Development Policies Plan, especially Policy DP3;
- The proposal would have a severe negative impact on road traffic congestion, air quality, safety of pedestrians, cyclists and other road users, and would result in excessive pressure on on-street car parking. Policy DP3 of the Dartford Development Policies Plan states that development will not be permitted if its impacts on one or more of the above. This proposal impacts on all of the above;
- The further expansions of the Wilmington Schools represent an unacceptable overdevelopment of a rural village;



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- The development would result in the removal of trees, specifically an historic Category A London Plane (which has significant landscape value such that the previous development of the site was designed around it);
- Wildlife would suffer and habitat would be lost;
- The applications for development and expansions of the Wilmington Schools should be considered together, not in a piecemeal fashion;
- The residents of Wilmington have not been considered at all, and the proposals have not been sufficiently advertised;
- Air pollution is already high in the area, this will only get worse should these expansions be approved;
- The development would increase noise pollution in the village;
- Litter and antisocial behaviour is already an issue, and with an increase in pupil numbers would only get worse
- Local residents are often verbally attacked by those parking anti-socially when asked to move;
- Residents quality of life must be considered;

#### Support

- Wishes the proposal well;
- Whole heartedly support the construction of new facilities for local schools;
- Moved into the area 23 years ago and the schools have always been there. The impact of them has been minimal, and the proposed development would result in very little change in that regard;
- It is crucial that capacity of schools is expanded to meet demand;
- Without the temporary accommodation, pupils that have been offered a place for September 2018 would have nowhere to go and would have to travel a long way to school.

#### Discussion

27. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 20 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 the Planning for School Development Policy Statement, and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the need for school places, impact upon the Metropolitan Green Belt, highway implications and access, general amenity matters, and whether the development is sustainable in light of the NPPF.
28. Development Plan policies seeks to require developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Development Plan as being within the Metropolitan Green Belt. Policy CS13 of the Dartford Borough Core Strategy, and Policy DP22 of the Dartford Development Policies Local Plan seek to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances.

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29. The NPPF, section 9, paragraph 80 (section 13, paragraph 133 of the 2018 Revised Draft) 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 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. In this case, 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

30. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is considered to be inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, I am 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 against Green Belt Policy, to consider the impact 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.
31. A Planning Statement 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 Secondary School places within the Dartford Borough;
  - 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 limited impact of the development on the openness of the Green Belt, including providing the minimum amount of accommodation required;

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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 school places in the Dartford Borough.

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

32. As outlined in paragraph 20 of this report, great emphasis is placed within planning policy generally, specifically paragraph 72 of the NPPF, on the need to ensure that a 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) also sets out the Government's commitment to support the development of state funded schools and their delivery through the planning system. There is a presumption in favour of the development of state funded schools expressed in both the NPPF and the Policy Statement – Planning for Schools Development.
33. 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. As set out by Kent County Council (as the Education Authority), the Wilmington and South Dartford urban areas have been seeing an upsurge in demand for secondary school places. This increase in indigenous demand is caused by changing demographics in the area. In addition, there is new demand from the large and medium scale housing and urban developments which are taking place in the area. This growth is bringing new families to the Dartford Borough requiring enhancements to the infrastructure in order to meet the future needs of the town and its residents. Compounding this issue was the closure of Hextable Oasis Academy by the Education and Schools Funding Agency, a closure which was robustly objected to by the County Council. Replacement school places had to be provided in the local area, meaning that pressure for school places materialised a lot earlier than anticipated.
34. The applicant advises that the need for secondary school places has been mitigated in the short and medium term by the introduction of just under 8 forms of entry (FE) across the Dartford District. The Education Authority has provided these places by expanding the pupil admission number (PAN) at the following schools:
- Dartford Grammar School for Girls (bulge intake of an additional 20 pupils per year)
  - Leigh UTC (new build 4FE school)
  - Wilmington Grammar School for Girls (1FE uplift) and
  - Wilmington Academy (2FE uplift)
- The applicant further advises that even with the above expansions, which includes Wilmington Academy, there is barely sufficient capacity, and no scope for parental preference.
35. The 2018–2022 Kent Commissioning Plan (prepared by the County Council as Education Authority) provides forecasts that indicate an increase in the demand for

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secondary school capacity. Furthermore, this increased demand shows no signs of reducing over the forecast period. The forecast surplus/deficit of places for both year 7 and for all year groups is shown in the table below.

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-19	-61	-107	-180	-186	1,735
Year 7-11	7,913	362	306	150	-19	-341	-576	8,735

36. However, the applicant advises that these forecasts only include limited moderation to take into account the new house building that is taking place in Dartford Borough. Much of the demand from those developments would be met by a new school in Ebbsfleet, Northern Dartford. However, the demand shown above, plus further demand generated from ongoing large-scale development outside of the Ebbsfleet Garden City, must be met through the utilisation of bulge year groups within existing Secondary Schools until a new school can be provided in Northern Dartford.
37. Wilmington Academy has been admitting increased pupils since 2015, following the closure of Oasis Academy Hextable, with the increase in PAN accommodated in temporary buildings and by internal adaptations. The forecasts for Dartford Borough support the view that without the permanent expansion to Wilmington Academy, the local authority would fail to meet its statutory obligations to provide sufficient school places in the area for the next and future September intakes. The Education Authority has given careful study to all the options available and is of the firm opinion that the expansion of Wilmington Academy is one of a number that are necessary for the Dartford Borough area. If this expansion does not proceed, the deficit of places will worsen because of the limited options for alternative expansions within the wider Dartford Borough area.
38. It must be also be noted that the projected deficits in Secondary School places (as shown in the table above) have been calculated with the 2FE expansion to Wilmington Academy already included within the capacity figure. That means that if planning permission for accommodation for the expansion is not achieved, for each of the Year 7 numbers in the table the deficit will increase, with corresponding pressure on total 7-11 roll, as shown in the table below:

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-79	-101	-167	-240	-246	1,735
Year 7-11	7,913	362	246	20	-199	-581	-936	8,735

39. In addition to the forecasts above, the applicant confirms that the latest information on preferences and subsequently the outcome of National Offer Day (1 March 2018) shows demand has increased beyond that projected within the 2018-22 Kent Commissioning Plan. Without further expansion or new provision, the Year 7 places available in Dartford would be 1,735 as shown in the last column of the above tables. However, due to

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additional pressures being anticipated following a review of the first cut of preferences, four schools across the district agreed to admit over their planned admission number (PAN) for 2018/19, providing an additional 53 places, meaning 1,788 places were available for National Offer Day. Bearing in mind that this total number of places already includes the increased intake for Wilmington Academy, following National Offer Day, Dartford District was left with only 6 places remaining in year seven for the 2018/19 Academic Year. This is before the second admissions round in April and any further in year admissions.

40. In summary, the applicant advises that the expansion of Wilmington Academy is proposed due to a number of key factors:
- 1) Increased demand in Dartford town and surrounding areas means that there are very few options for parents(as detailed above);
  - 2) Wilmington Academy sits very close to the area of greatest need;
  - 3) The size of the school site is adequate;
  - 4) Headteacher and governors are supportive;
  - 5) Ofsted have graded the school as “Good”;
  - 6) Proposed new schools are some three years away from delivery, by which time the Year 7 deficit would be more than 3FE.
41. The applicant has explored all options to meet the statutory need to provide school places to meet the need of pupils in this part of the County, including the expansion of other schools. In this case, the applicant has worked with those objecting to the proposal and the Highway Authority to prepare a detailed mitigation package to minimise the impact of the development on the local community, to be discussed later in this report. In the absence of a planning permission the Education Authority advises that the following would occur:
- 1) For the short and medium term (1 – 4 years) Kent County Council would be unable to meet its statutory duty of providing a school place for every young person in the area. This would result in severe reputational damage to the County Council;
  - 2) There would be a negative impact on local families and children’s potential educational performance through children having to travel much further to school each day;
  - 3) By 2019 there would be a deficit of more than 3FE of Secondary provision and this could not be covered by purely introducing single years of expansion (commonly known as bulge years) in existing schools;
  - 4) Wilmington Academy would be left with a number of much larger cohorts in four of its year groups with insufficient and inadequate accommodation to enable the school to provide the best educational opportunities for students;
  - 5) The further planned highway mitigation measures (car parking and off-site improvements in this application, and other mitigation offered in application reference KCC/DA/0002/2018 at Wilmington Grammar School for Girls), that many residents already feel are essential, would not be undertaken as they are part of the permanent build works.
42. Based on the above, in my view, it is evident that a clear case of need for additional secondary school places within Dartford 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

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much as those outside of the Green Belt. The applicant has demonstrated that there is an existing shortfall of places within the local area, and a future need 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, the Planning for School Development Policy Statement, and local Planning Policy, and I consider that the need for the development should be given significant weight in this instance.

#### Alternative Development Options

43. As part of the applicant's case of very special circumstances, alternative development options have been assessed and the applicant has concluded that the development as proposed is the only viable option available. Having accepted a need for additional school places within the Dartford Borough, and consequently a need for additional places to be provided at Wilmington Academy (in addition to other local schools) the alternative development options available must be discussed. First, Wilmington Parish Council, the local County Council Member (Ann Allen), the Borough Council Members for the ward of Wilmington and local residents have questioned why the additional school places cannot be accommodated at the vacant Hextable Oasis Academy site.
44. As stated above, Hextable Oasis Academy was closed by the Education and Schools Funding Agency in 2015 following representations made by the Oasis Academy Trust. Kent County Council as Education Authority robustly objected to that closure. However, to reopen that site a new school would have to be established which, under current legislation, could only be opened as a free school. In considering this Central Government legislation, it is not considered that a free school could be established and set up in time to meet the urgent demand for places (establishing and opening a free school typically takes 3 - 4 years). Further, the applicant advises that use of the Hextable site was further discounted because the Swanley/Hextable area is adequately served by the Orchard Academy in Swanley. The Hextable site is outside of the Dartford catchment area and, in addition, the most expedient route from Dartford to Hextable is through the village of Wilmington. In any instance, the applicant advises that the accommodation on the Hextable site is dated and would require significant investment for it to meet modern infrastructure needs. I am therefore satisfied that the setting up of a new school is not practicable within the required times frames due to the Government's Free School initiative, and further the Hextable site is outside of the catchment area that it would need to serve.
45. The ideal scenario in providing the required accommodation to cater for the need for additional school places would be to locate the development on land outside of the Green Belt. However, as outlined above, the opening of a new school, whether Green Belt or not, is a 3 to 4 year process and therefore not an appropriate solution in this instance. An annex on another site within the Borough would also not be an option as it would result in fragmentation of the education services offered by the Academy, a need for the duplication of ancillary facilities and, the applicant advises, would be ultimately unmanageable. Moreover, as with the Academy site, schools local to the Academy are also within the Green Belt so the same constraints would apply in that regard.
46. Having accepted that offsite alternatives are not practicable, development options within the existing Academy site must be considered. Although the whole of the Academy site

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is within the Green Belt, arguably development in some areas of the site would have a lesser impact on the openness on the Green Belt than others. Alternative locations within the school site were considered by the applicant but were discounted as they would have resulted in a loss of playing field, impacted upon car parking, resulted in a loss of important habitat areas and/or were not of a sufficient size. Further, alternative locations were also considered to have a greater impact on the openness of the Green Belt by virtue of being in more open areas of the site and also in more prominent locations due to the elevated position of the playing field.

47. The location of the proposed building was considered by the applicant to be not only the least intrusive location within the academy site, and also the only available and practicable location. The building would be predominately located on an area of hardstanding, surrounded on three sides by the existing academy buildings. The close proximity to the existing buildings would also be advantageous to the operation of the academy. Further, the proposed siting would have no impact on trees and/or planting, would not encroach onto the playing field, would have a limited visual impact and does not adversely affect the amenity of properties surrounding the school site.
48. With regard to the additional playground space and games court extension, I am satisfied that both of these elements of the scheme are proposed in the most logical and appropriate locations. Alternative locations within the site would be disjointed from the existing games courts and/or remote from the building so would not be practicable. With regard to the proposed 18 space car park, as outlined in paragraphs 9 & 10 of this report this application originally included a 42 space car park which is now proposed within the application for temporary accommodation (Item D4 on these papers). Should that 42 space car park gain planning permission, the applicant has confirmed that the 18 space car park proposed in this application would not be implemented. However, I consider the siting of the 18 space car park to be appropriate as alternative locations away from the existing car parking would not be practicable for management, safety or space reasons.
49. In considering the above, I am satisfied that the location and siting of the development is the most viable and logical within the academy site. The impact on the openness of the Green Belt will be discussed below.

#### Impact on the Openness of the Green Belt

50. This application proposes development that would encroach into the Green Belt, which could harm its openness. First, it is important to note that the site is well screened from public views by the existing academy buildings, and mature boundary planting and 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.
51. The applicant advises that the siting of the new school building has been carefully considered so as to minimise its impact on the openness of the Green Belt. As detailed

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above, the proposed building would be predominately located on an area of hardstanding, surrounded on three sides by the existing academy buildings. The building would therefore be viewed against the backdrop of the existing school buildings, set within a space that is enclosed by existing school building. Further, as can be seen from the site plans, the footprint of the building would not extend the building line of the academy further to the south, into the open areas of the site. As such, I am satisfied that the siting of the development is the most appropriate location within the site in terms of limiting the impact of the proposed school building on the openness of the Green Belt.

52. Further, those objecting to the application consider the 3 storey building to be out of keeping with the surrounding school buildings, and of a scale that is not appropriate for the site Green Belt location. The proposed building would measure 51 metres by 22.2 metres, and would be 11.8 metres in height at parapet level, and I am advised by the applicant that only the accommodation essential to meet the requirements of the curriculum is proposed. The building is therefore the smallest it can be, whilst providing the required accommodation, especially as all options for internal alterations to the existing building have been explored and implemented. However, the building would sit against a back drop of two storey buildings, which are not significantly lower in height than the classroom block proposed. The parapet height of the proposed building would be only 1.36 metres taller than the adjacent academy sports hall parapet and 1.53 metres taller than the adjacent pitched roof ridge level.
53. On this basis, I am satisfied that the proposed building is of an appropriate scale and massing for the academy site when considering that the siting of the building is within the extent of existing built development, and that the building would be viewed against a back drop/in the context of existing academy buildings which are of a similar scale.
54. With regard to the additional playground space, games court extension and 18 space car park, as stated above I am satisfied that these elements of the scheme are proposed in the most logical and appropriate locations. These elements of the development are 2-dimensional engineering solutions, located adjacent to existing car parking/hardstanding/games courts, in locations that are well screened from public vistas. As such I am satisfied that they would not have a significant detrimental impact on the openness of the Green Belt.
55. In considering the above, I am satisfied that the proposed development would have a limited impact on the openness of the Green Belt. Whilst there is inevitably some impact on the Green Belt, I am satisfied that the presence of the new building, car parking, playground and games court, would be contained within the immediate context of Academy development, and that the effect on the openness of the Green Belt would be limited. In my view, the proposed layout represents the option which strikes the best balance between minimising intrusion into the Green Belt and providing sufficient accommodation and facilities to enable the Academy to deliver its educational model and operate successfully.

#### Summary – Very Special Circumstances/Green Belt Considerations

56. 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



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Development Plan Policies and the NPPF. The development is inappropriate development for the purposes of Green Belt Policy 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 massing of the proposals have 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 Secretary of State for Communities and Local Government would have to be consulted before permission could be granted.

#### Access and Highway Matters

57. As outlined in paragraph 26 of this report, there is substantial local objection to this application, and to the principle of expanding the Academy and other Schools in the immediate vicinity, based primarily on highway safety grounds and access concerns. Wilmington Parish Council, the Local County Council Member (Ann Allen), and the two Dartford Borough Council Members for the ward of Wilmington (Cllr Hunnisett and Cllr Lampkin) also raise strong objection to this application on the same grounds (in addition to the applications for permanent development at Wilmington Grammar School for Girls (WGSG)). The primary points of local concern and objection relate to a lack of capacity of local roads, and highway and pedestrian safety.
58. As set out in the background section of this report, the applicants have been working towards finding an acceptable solution for the proposed expansion of Wilmington Academy and WGSG in highway and transportation terms since the submission of the previous applications in 2016 highlighted the existing problems experienced in Wilmington as a result of the number of schools in close proximity to each other. It was clear that in order for any expansion to be acceptable, work was required to improve the existing situation in highway terms, and then enhance it again in order to cope with additional pupil numbers in the area. During 2017 a number of measures were introduced on the local highway network which were a combination of actions by Kent County Council and Dartford Borough Council to address existing issues on Common Lane along with approved mitigation for the initial temporary expansion at Wilmington Academy (DA/16/814 (KCC/DA/0088/2016)). These include:
- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site (a survey on 27 March 2018 indicates the success of this footpath as a total of 161 students were counted using this new route);
  - the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A;
  - the resurfacing of Public Right of Way DR118A;
  - the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools;
  - two additional bus bays within the Academy site;
  - the schools and nearby properties have been required to cut back overhanging

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- vegetation to reduce the likelihood of large vehicles overrunning the footway;
  - carriageway white line markings have been refreshed;
  - a 20mph speed limit has been introduced;
  - a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane;
  - parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking; and
  - an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.
59. At the time of considering the previous temporary expansion, the above measures were considered sufficient to address the initial highway safety concerns raised by KCC Highways and Transportation (H&T). The H&T consultation response attached to this report in Appendix 1 sets out the current situation with regard to highway and access matters, including the results of a 2018 pupil travel survey (69% response rate which is considered representative). I will not repeat that scene setting here, but in summary during school peaks there can be significant levels of congestion on the local highway network, in particular on Common Lane, and the following represent the most recent school survey result with regard to pupils travelling to the academy;
- Walk – 33%  
 Cycle – 8%  
 Car (entire journey) – 24%  
 Car (park away from the site and walk) – 13%  
 Car Share – 2%  
 Bus - 20%
60. It is proposed that the Academy be expanded from 6FE and 8FE to accommodate up to 300 additional pupils increasing the school roll from 1,023 (900 pupils plus sixth form) to 1,325 (1200 pupils plus sixth form) and staff would consequently increase by 18 from 184 to 202. This expansion was approved by the Education Authority in 2015, and the school have taken an additional 60 pupils in September 2016 and 2017 using temporary accommodation solutions. The September 2018 additional intake is also proposed to be accommodated in temporary accommodation (Item D4 on these papers), meaning that the Academy would reach its expanded capacity by September 2020. However, in considering this application we must consider the impact of the expansion as a whole, from 2015 to 2020, and also consider the cumulative impact of the proposed expansion of WGSG also.
61. A 2015 pupil travel survey showed that 30% of pupils arrived at school by car (higher than the 2018 results above), and that 30% was used by the applicant in their Transport Assessment and subsequent modelling and calculations. The pre-expansion (referred to as existing/current in Appendix 1) total number of car trips (pupils and staff) was estimated at 770 (464 arrivals, 305 departures) in the morning peak between 8am and 9am and 428 (214 arrivals, 214 departures) in the afternoon school peak between 3pm and 4pm. The expanded school total number of vehicle trips is estimated at 964 (569 arrivals, 395 departures) in the morning peak between 8am and 9am and 553 (276 arrivals, 276 departures) in the afternoon school peak between 3pm and 4pm. The additional number of vehicle journeys on the network has been estimated at 195 (105 arrivals, 90 departures) in the morning peak between 8am and 9am and 125 (63

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arrivals, 63 departures) in the afternoon school peak between 3pm and 4pm. This total additional number of vehicle trips is considered a robust estimation in that it assumes a 100% attendance rate and does not account for any pupils or staff and staff arriving or departing outside of the peaks or part time staff or sibling lift sharing.

62. The consultants also consider a further 10% reduction in the total number of school car trips could be achieved through the implementation of an updated School Travel Plan (to be discussed below). From this, with a 10% reduction applied to the total number of car trips generated by the school, the additional number of vehicle journeys on the network has been estimated at 98 (48 arrivals, 50 departures) in the morning peak between 8am and 9am and 70 (35 arrivals, 35 departures) in the afternoon school peak between 3pm and 4pm. To confirm, these figures are the difference between pre-expansion (6FE in 2015) and full expansion (8FE in 2020).
63. Further to the above, by reducing car journeys by 10%, it is assumed that the number of walking journeys would increase by 81 to school and 98 from school and the number of students travelling by bus would increase by 123 to school and 134 from school. The number of these trips would further increase depending on the success of the School Travel Plan (see below).
64. Having established the impact of the 2FE on expansion on vehicle numbers, it is important to assess how these additional car journeys would impact on the local highway network. As detailed in Appendix 1, traffic counts and queue observations have been undertaken on local roads/junctions at peak school times. Background traffic growth has been applied to that count data, in addition to the estimated vehicle movements generated by the expansion of the Academy and WGSG, to provide a 2021 future assessment figure. That figure has then been applied to the local junctions to assess future capacity issues. These figures have been considered and assessed within the submitted Transport Assessment and subsequently by H&T (as detailed in appendix 1).
65. Whilst the additional vehicle movements would inevitably have an impact on the local highway network and junction capacity matters, H&T conclude that the implementation of the School Travel Plan brings the results back to a similar level of congestion and delay projected for 2021 without the school expansions. Further, it should be noted that the junction modelling results are a summary over a one hour period. As observed and in line with other school sites, significant queues and congestion will quickly develop in the peaks at the start and end of the school day and also dissipate relatively quickly compared to other parts of the network. However, it is clear that the School Travel Plan is key to acceptability of this expansion, and this will be discussed later in this report. Further, the offsite highway mitigation measures, primarily proposed in the associated application for the expansion of WGSG, will be also be discussed.
66. With regard to the proposals on the Academy site, as detailed in paragraphs 9 & 10 of this report, initially this application proposed 42 car parking spaces and this was subsequently reduced to 18. This met with significant local objection as overspill car parking on local roads is a major point of concern and frustration to the local community. H&T advise that Dartford Local Development Framework parking standards (2012) apply to developments in the Dartford Borough and require 1 space per 15 pupils and 1 space per 2 classes. This application proposes 60 additional pupils, which equates to

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two classes. Using the Borough Council's parking standards, this application would generate a need for 5 additional parking spaces. The 18 spaces proposed substantially exceeds the required 5, however, an existing shortfall in staff parking provision would be made up by this provision. Therefore, this application would not only provide sufficient parking to mitigate the uptake in pupil numbers but would provide additional parking to aid in reducing existing overspill parking on local roads. In addition, should the car parking proposed under application reference KCC/DA/0088/2018 (the temporary proposal - Item D4 on these papers) be granted planning permission, 42 car parking spaces would be provided on site in lieu of the 18 proposed here. That would be of an even greater benefit in terms of providing onsite car parking to ease existing overspill onto local roads.

67. It is noted that some residents have expressed concern that the onsite footpath link (mitigation approved under consent reference DA/16/799 (KCC/DA/0088/2016)) has resulted in additional traffic in roads at the western end of PROW 118A, such as Manor Close and Tredegar Road. Whilst I would agree that those roads would be used by pedestrians and some parents to a greater level than would previously have been the case, the transport consultants undertook a parking survey on 17 April 2018 and recorded 8 parents parked waiting to pick up at the end of the school day. As stated by H&T, such low numbers would not be considered to have a significant impact and the continued expansion would not exacerbate that situation to an unacceptable level.
68. The mitigation measures outlined in paragraph 58 above were key to addressing the concerns of H&T with regard to the 2016 additional intake of pupils. A key concern of H&T at that time was ensuring that there would be no increase in the number of pupils using the footway to the north of Common Lane, which is often mounted by buses and large vehicles that struggle to pass each other due to the restricted carriageway width. The need to address pedestrian safety, including creating alternative routes away from Common Lane remains a key issue, especially in considering the projected increase in the number of pupils walking to school. Further, the impact of additional journeys by public service vehicles must also be mitigated, both in terms of capacity as well as impact of any additional large vehicles on Common Lane. H&T consider the provision of additional bus/coach waiting facilities to reduce the number of journeys on Common Lane, in addition to the provision of footway capacity away from Common Lane, to be the key issues needing to be addressed in order to support and encourage sustainable journeys to the Wilmington Schools.
69. As a result of the above key mitigation requirements of H&T, as outlined in paragraph 17 of this report, a number of mitigation measures are proposed as part of this application and the associated application at WGSG. The key elements comprise:
- an amendment to the existing build out on Parsons Lane to provide an improved 'raised table' traffic calming and pedestrian crossing feature;
  - a new bus/coach drop off and turning area on WGSG land to the south of Parsons Lane with dedicated bays for 6 buses/coaches as well as 12 additional staff car parking spaces for WGSG staff;
  - 18 additional staff parking spaces within the Wilmington Academy car park;
  - a new footpath route between Parsons Lane and Common Lane linking the 2 schools which crucially will provide a further 'traffic free' alternative to the footway along Common Lane;

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- hatched white lining and double yellow line parking restrictions at the Parsons Lane/ Common Lane junction to discourage inappropriate parking without impeding large vehicles such as buses from turning;
  - relocation of bus stops on Parsons Lane;
  - additional yellow line parking restrictions are proposed on Parsons Lane, between Common Lane and WGSG entrance and on Common Lane, including additional bollards, in the vicinity of the access points to the Academy to discourage inappropriate parking;
  - proposed table top shared surface would be constructed at the point where PROW DR118A meets Common Lane to replace an existing speed hump to reduce vehicle speeds and increase the safety for pedestrians crossing Common Lane; and
  - a widening of the access to Wilmington Grammar School for Boys to enable easier access.
70. These improvements (alongside the other measures previously implemented as part of the temporary expansion of the Academy and by the local authorities outside of the planning process) are considered by H&T sufficient to mitigate the impact of the proposed expansion of the Academy in respect of new infrastructure. The planning merits of the coach park and other matters associated with the development proposed at WGSG will be discussed with the report for Item D6 on these papers, but in terms of mitigating the highway impact of the academy expansion, the proposals are necessary to improve pedestrian safety on Common Lane.
71. With regard to the footpath link between Common Lane and the proposed coach park, this would further reduce the number of pupils using the footway on Common Lane (over and above the reduction already seen due to the onsite footpath link to DA118 in the academy site). In association with this, the coach park would remove coach movements associated with the Boys and Girls Grammar Schools from Common Lane by providing a dedicated coach park for the Grammar School vehicles. By reducing the number of pedestrians using the footway on Common Lane, and reducing the number of coaches using Common Lane, pedestrian safety is improved over and above the situation prior to expansion of the schools. Conditions on consent regarding the provision and phasing of the footpath link and the coach park would be attached to the WGSG planning consent, should permission be granted. However, as these elements are also necessary to mitigate the highway impacts of the Academy expansion (in terms of pedestrian safety) I consider it essential that the Academy development would not commence until assurance regarding the implementation of the WGSG development is provided (both subject to planning permission being granted). Should permission be granted, I recommend that a suitably worded Grampian condition be imposed in that regard.
72. With regard to the remaining off-site highway mitigation measures proposed, all measures, where they are on public highway, should be subject to a Stage 1 Safety Audit and any issues raised by the auditor would need to be taken into account as part of any planning permission. Therefore, as required by H&T, I would suggest that should permission be granted, a condition of consent be imposed requiring the completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the new building. Further, as required by H&T, an additional condition should be imposed requiring the provision of new poles and globes at the zebra

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crossing at the Academy/WGSB exit on to Common Lane, to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane. Subject to these conditions, I am satisfied that highway safety matters are adequately addressed.

73. However, as stated above, the success of the School Travel Plan and achieving the targets set out within it, is a key factor in mitigating the highway capacity issues associated with the school expansions. The school have an up to date Travel Plan, approved by the County Council's School Travel Planner, and dated March this year. However, the delivery of the 10% reduction in total school traffic flows (compared to the 2015 survey) with trips transferring primarily to walking and bus journeys, is an essential part of the overall expansion mitigation. The Academy must 'own' the plan, they must publicise it on their web site, actively implement it and regularly review and update it. To assist schools with this, KCC has a comprehensive range of initiatives including road safety awareness and training, responsible parking initiatives, travel plan writing and monitoring packages and grant schemes to support the introduction of measures, many of which the Academy are already signed up to.
74. The approved Travel Plan commits the Academy to providing staff to oversee traffic and pedestrian movements at the bus drop off within the school, along Common Lane to the north and south of the PROW and at the zebra crossing near the Common Lane exit (this was witnessed on site at the Members Site Visit on the 19 March). The Academy has also been participating as a pilot secondary in the KCC school parking initiative <http://www.responsibleparking.co.uk/>. In addition, further collaboration is proposed with the service bus operators and with the other local schools. It is hoped that these aspects, particularly co-ordination with the other Wilmington schools can be expanded upon given the need to take collective action to address common issues
75. Given the importance of the Travel Plan to the mitigation of the highway impacts of this proposal, Highways and Transportation has requested a contribution of £1,000 per year for 5 years to ensure adequate auditing, oversight and ongoing staff resourcing support. This money would be used by Highways and Transportation, so that they can devote staff time to monitoring and helping the Academy and WGSB manage arrangements effectively on and off site, to help deliver the travel plan targets. It is accepted that this contribution can cover both the Academy and WGSB Travel Plans. In this particular instance, given the sensitivity and complexity of the local issues and the importance of the Travel Plan in reducing car use to ensure that the expansions would not adversely impact upon local road/junction capacity, the Education Authority has agreed to this contribution. As monetary contributions cannot be required by planning condition, a Memorandum of Understanding is required, signed by H&T and the Education Authority, to agree this contribution. Therefore, the recommendation in this report is made subject to receipt of this Memorandum of Understanding. Further, should permission be granted, as required by H&T, a condition of consent would require the submission and approval of an updated Travel Plan within six months of occupation, authorised by the school management team as a specific school policy, and monitoring/ auditing of the Travel Plan for a period of 5 years. The Travel Plan must be subject to annual updates with the funding secured (as above) used to ensure adequate resourcing to audit and oversee this process.

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76. In this case, on balance and in considering the level of mitigation proposed, I am satisfied that this development would not significantly exacerbate existing highway and access matters, including safety concerns to a level to warrant refusal (as set out in Policy Guidance and the NPPF). The NPPF, the Policy Statement Planning for Schools Development, and Development Plan Policies heavily promote the provision of school places and consider that there is a presumption in favour of development unless impacts resulting from the development would be severe. Highways and Transportation have no objection to this application subject to a contribution towards Travel Plan monitoring, to be secured by a Memorandum of Understanding, and subject to the imposition of conditions, as set out above. Subject to the conditions outlined above, I am satisfied that, in this instance, that the proposal would not have a significantly detrimental impact on the local highway network and therefore see no overriding reason to refuse the application on this ground.

#### Design and Sustainable Technologies

77. Having accepted the siting and massing of the classrooms building within the Green Belt section of this report, it is important to consider the design. The three storey rectangular classroom block is a practical design which maximise the amount of accommodation provided whilst maintaining a compact footprint. When viewed against the back drop of the surrounding educational buildings, the proposed building would sit well within the site and be sympathetic to surrounding development. The applicant has provided indicative details of external materials, as outlined in paragraph 14. 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 of the building would have a significantly detrimental impact upon the appearance or amenity of the locality and, therefore, would be acceptable.

78. The applicant advises that sustainable design has been integrated into the building concept. 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. 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.

#### Drainage and Land Contamination

79. The Environment Agency and the County Council's Flood Risk Team (SuDs) both raise no objection to this application subject to the imposition of conditions. The Flood Risk Team require the submission of a detailed Sustainable Surface Water Drainage Scheme and the further submission of details of the implementation, maintenance and management of the sustainable drainage scheme. The Flood Risk Team also require a further condition to control surface water drainage into the ground (there should be no discharge to ground within a Source Protection Zone unless the discharge is clean and uncontaminated i.e. roof water). Should permission be granted, the conditions as outlined above would be imposed upon the consent to ensure that drainage of the site was both sustainable and effective.

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80. With regard to land contamination, the Environment Agency requests a condition be attached to any consent regarding how works should proceed should any contamination be found during construction. Therefore, should permission be granted, a condition would be imposed covering this matter.

#### Playing Field

81. In addition to the Green Belt implications of the proposed siting of the development, as discussed earlier in this report, the impact of the proposed development on playing field provision also needs to be addressed. Sport England were consulted on this application as the games court extension would result in the loss of a small area of mown grassland which could form part of the wider playing field. However, Sport England do not consider that the minor encroachment onto the playing field would reduce the sporting capability of the site, and therefore raise no objection to this application. I am therefore satisfied that the development would not have a detrimental impact on the provision of adequate sports facilities at the site.

#### Ecological and Landscape Considerations

82. As set out earlier in this report (when considering the impact of the development on the openness of the Green Belt), I am satisfied that this proposal would have a negligible impact on the character of the wider landscape as the proposed development would be well screened by existing buildings and planting and also benefit from a substantial degree of separation from public vantage points. With regard to existing trees on the site, a Giant Redwood is located in the southern corner of the area proposed to be surfaced to provide additional playground space. That tree is mature and has an important amenity value within the academy site, and therefore I consider its proposed retention to be advantageous to the overall development proposals. A 'no dig' permeable block paving solution is proposed for the surfacing of the area within the root protection zone of that tree, and I consider that that should be secured by planning condition, should permission be granted. Subject to that condition, I am satisfied that the development would not have an adverse impact on existing trees on the site.
83. In addition to the above, I am satisfied that the development is acceptable in ecological terms. Although we are yet to receive final comments on this application from our Biodiversity Officer, I am satisfied that the information provided by the applicant demonstrates that protected species would not be adversely affected by the proposal. The area of ecological concern is the proposed location of the car park, which has the potential to provide habitat suitable for reptiles. However, the submitted ecological information confirmed that 5 out of the required 7 checks have been undertaken and no reptiles have been found so far. The completed survey will be submitted for comment prior to the Planning Committee meeting, and Members will be updated verbally at that meeting. Subject to no contrary views from our Biodiversity Officer, I am satisfied that the development would not have an unacceptable impact on biodiversity interests.



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#### General Amenity and Other Matters

84. Other than off-site traffic, highway safety and access matters, the only concerns raised regarding general amenity matters relate to a potential increase in air pollution, and the exacerbation of existing problems regarding anti-social behaviour and the dropping of litter. With regard to design and residential amenity, I am satisfied that the development proposed would be sufficiently distant and screened from local properties to avoid any direct adverse impact. With regard to air pollution, the application site and surrounding locality is not within an Air Quality Management Area so is not an area of poor air quality. I am of the opinion that the resulting increase in vehicle movements associated with the expansion of the Academy would have a minimal impact on local air quality, especially in considering that school traffic has 2 daily peaks, 5 days a week during time term only, and see no reason to refuse the application on this ground. With regard to litter and anti-social behaviour, although regrettable, these matters are outside of the remit of the Planning Authority.
85. The local community also consider that the applications for the expansion of various schools in Wilmington should be considered as a whole, and not dealt with in a piecemeal fashion. However, the County Planning Authority can only process applications for school developments where the County Council is applicant. In this instance therefore, developments at Wilmington Grammar School for Boys and the local Nursery are considered by the Borough Council as the County Council is not promoting the development. Further, the two sites that we are dealing with at County level, Wilmington Academy and Wilmington Grammar School for Girls, are two separate schools and we cannot process one application that spans two sites. The highway implications of these proposals have, however, been considered as a whole, and the cumulative impact is considered in the determination of this application. Staff may have been recruited by the Academy and places offered to pupils, a Planning Authority cannot prevent that, but that is not something that affects the planning process or in any way should suggest a pre-judgement by the Planning Authority.

#### Construction Matters

86. Given that there are nearby residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours construction to protect residential amenity. I recommend that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
87. I also consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of the development. That should include details of the 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 peak school times, and details of any construction accesses. Such a strategy would also address the conditions required by Highways and Transportation with regard to the construction of the development.

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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.

## Conclusion

88. This proposal has given rise to a variety of issues, including the need to demonstrate '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 highway network, along with a need to ensure that there is a sufficient choice of school places available to meet community needs. I consider that 'very special circumstances' have been demonstrated in this particular case for overriding Green Belt policy considerations. 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, or the amenity of local residents, and would accord with the principles of sustainable development as set out in Development Plan Policies and the NPPF. In addition, support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for secondary school places in the Dartford area.
89. On balance, therefore, subject to the imposition of conditions, and an agreed Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan, 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 and subject to a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan.

## Recommendation

90. 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 and SUBJECT TO a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan 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;
  - the submission and approval of details of all materials to be used externally;
  - the submission of a landscaping scheme, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements;
  - tree protection methods, as shown on the submitted drawings, to be adopted to protect trees to be retained;

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- no tree removal during the bird breeding season;
- development not to be implemented until assurance regarding the implementation of the WGSG (KCC/DA/0002/2018) development, specifically the coach park and footpath link, is provided;
- Completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension;
- Provision of new poles and globes at the zebra crossing at the Academy/ WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane
- completion of the approved off-site highway works prior to expansion in school roll to over 210 pupils (over 1FE);
- the submission and approval of an updated Travel Plan within six months of occupation, authorised by the school management team as a specific school policy, and monitoring/ auditing of the Travel Plan for a period of 5 years, within which there will be annual updates with funding secured for KCC Highways (MoU) to ensure adequate resourcing to audit and oversee this process;
- provision and retention of car parking prior to the occupation;
- access to be maintained to the drop off loops and bus parking areas within the school site;
- 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 approval of the County Planning Authority;
- measures to control development should land contamination be identified;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- the submission and approval of a construction management strategy prior to the commencement of the development, including details of the 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 peak school times, and details of any construction accesses;

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

- The Academy should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.
- The applicant's attention is drawn to the letter from the Environment Agency in which advice is provided with regard to the disposal of waste material;

Case officer – Mary Green	03000 413379
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Background documents - See section heading
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**Kent County Council**  
Planning Applications Group  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

**Highways and Transportation**  
Ashford Highway Depot  
4 Javelin Way  
Ashford  
TN24 8AD  
Tel: 03000 418181  
Date: 26 June 2018

**Application - KCC/DA/0353/2017**

**Location - Wilmington Academy, Common Lane, Wilmington, Dartford, Kent, DA2 7DR**

**Proposal - Erection of a three storey teaching block to accommodate an additional two Forms of Entry, provision of an additional 42 car parking spaces, playground and games court and associated landscaping and ancillary highways works**

Dear Mary

Thank you for asking for my views relating to the application for the permanent expansion at Wilmington Academy.

By way of background may I draw your attention to previous KCC Highways responses to the proposed temporary expansion of Wilmington Academy, the first 2 raised holding objections on the basis of the additional trips generated, the evident road safety issues on Common Lane and the inadequate mitigation proposed. In my third response I lifted my objection principally on the basis that the measures proposed (primarily the new footpath into the back of the Academy) would lead to a net reduction in the number of students who walk along Common Lane in peak hours and to ensure safety improvements would be delivered in the near future. A recent application to extend the period of the temporary expansion did not lead to a new highways objection given progress with developing a package of mitigations for this planning application and a concurrent application for permanent expansion at Wilmington Grammar School for Girls (WGSG).

As previously highlighted, these permanent expansions of the Wilmington schools need to be considered collectively, alongside continuing 'organic' growth outside of the need for planning permissions, and a comprehensive package of highway and safety mitigations are needed responding to our concerns previously highlighted.

Our responses recommended a number of measures and investigations to be carried out including the widening of the footway and carriageway on Common Lane, the creation of a direct pedestrian link from Wilmington Academy to footpath DR118A and Tredegar Road and the creation of a further pedestrian route between Parsons Lane and Common Lane through the WGSG site. In addition, recommendations included the need for the Academy to commit to actively manage students and parent parking and

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drop off points within the site and at key access points to the public highway, the ongoing commitment to a bus partnership to manage routing and safer driving practices and to review and update the Academy School Travel Plan to monitor and reinforce the above and to promote sustainable and safe travel practices.

Highways officers have undertaken site visits, we have reviewed representations made and we have attended meetings with the applicants and their transport consultants. I also need to acknowledge the work which has been undertaken by the transport consultants, including their Supplemental Planning Statement dated 3 August 2016, the work to prepare drawing 11231-T10 showing outline proposals for a potential widening of the carriageway and footway along Common Lane. The proposal for the widening of Common Lane was not supported locally, but, in looking for measures to reduce the need for coaches to travel along Common Lane, a significant alternative is now proposed by way of a new coach drop off facility on WGSG land, together with a new footpath from Parsons Lane to Common Lane.

### **Local Highway Network/ Travel Patterns**

The Academy is accessed from Common Lane, an unclassified road with a footway only on the north side for much of its length. Common Lane also serves Wilmington Grammar School for Boys, Wilmington Grammar School for Girls, Wilmington Primary School and Wilmington Day Nursery, all of which are nearby.

There is a one way loop through the Academy site providing for drop offs by car and staff parking and for buses. Vehicles enter from the northern access point on Common Lane and leave via the southern access. The southern access is shared with Wilmington Grammar School for Boys.

Measurements of the width of the carriageway of Common Lane range from 5.3m to 5.7m between the Academy and Parsons Lane. In practice it is difficult for buses/coaches and lorries to pass each other, and buses have been seen overrunning the footway when passing each other, sometimes in close proximity to pedestrians - the majority of whom are children and adolescents.

There is a zebra crossing on Common Lane adjacent to the access to the Academy providing access to the footway to the north side of Common Lane. The footway on Common Lane has some narrow sections down to 1.65m, which is a concern given the large number of pedestrians using it at school peaks. The footway width is 1.54m north of Parsons Lane.

There is a separate pedestrian route into the north west of the site from public footpath DR118A.

There is a bicycle cage storage facility on site with space for up to 50 bikes.

There are bus bays within the on-site loop and nearby public bus stops on Common Lane. In addition there are privately arranged coach services catering for students travelling to the Wilmington schools. From site observations there are a significant number of pedestrian movements along Common Lane including students heading for

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buses/coaches to the north on Parsons Lane, and at other points on the network and the bus stops within the Academy as well as coaches dropping off and picking up from WGSG and the Academy.

During school peaks there can be significant levels of congestion on the local highway network, in particular on Common Lane in the vicinity of the school. As with most schools, the afternoon peak is worse due to longer vehicle dwell times as parents wait to pick up their children which can block through traffic.

A pupil travel survey was undertaken in 2015 which showed the following mode shares - walk to school: 27% / walk from school: 32%, car drop off: 30%/ car pick up: 21% and bus to: 41%/ bus from: 45%. No children were recorded as cycling. Of staff journeys there were 86% by car and 7% walking. The response rate for the pupil travel survey at 10% is very low and cannot be accepted to be representative of the school population as a whole.

Following representations, a further survey was undertaken in 2018 asking pupils how they travelled to school. This showed the following mode shares: walk: 33%, cycle: 8%, car (entire journey): 24%, park (away from the site) and walk: 13%, bus: 20%. These results were from a 69% response rate and can be considered more representative of actual travel patterns.

### **Road Safety**

Road casualty incidents have been investigated for a 3 year period to 31<sup>st</sup> March 2017. In the vicinity of the school and nearby roads there were 10 crashes resulting in slight injuries across a range of light, weather and road surface conditions. 4 of these involved pedestrians including 2 on Leyton Cross Road, 1 on Oakfield Lane and 1 on Common Lane. On Oakfield Lane a vehicle hit the rear side door of a parked car trapping a passenger in the door. On Leyton Cross Road one involved a pedestrian running into the path of a vehicle and the other a pedestrian struck by a vehicle overtaking a stationary bus. Our records prior to this period (reported in previous consultation responses) and post this period show similar types of collisions occurring. More recently one incident involved a pupil from Wilmington Academy being struck by a car when crossing Common Lane and another involved a pedal cyclist on Oakfield Lane, albeit not directly related to the schools.

These incidents illustrate the problems associated with busy roads, parking pressures, high numbers of pedestrians and relatively narrow footways, and the need, where any increase in the number of child pedestrians is likely, to comprehensively investigate measures which would provide alternative pedestrian routes, wider footways and reduced inappropriate parking.

### **Recent Highway/ Footway Improvements**

During 2017 a number of measures were introduced on the local highway network, including as mitigation for the temporary expansion in advance of this proposed permanent expansion, as well as actions by the County Council and Dartford Borough

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Council to address existing issues on Common Lane and in the vicinity. These included:

- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site (a survey on 27 March 2018 indicates the success of this footpath as a total of 161 students were counted using this new route),
- the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A,
- the schools and nearby properties have been required to cut back overhanging vegetation to reduce the likelihood of large vehicles overrunning the footway,
- two additional dedicated bus bays have been provided within the Academy grounds
- carriageway white line markings have been refreshed,
- a 20mph speed limit has been introduced,
- a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane
- parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking, and
- an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.

### **Trip Generation**

It is proposed that the Academy be expanded to accommodate up to 300 additional pupils increasing the school roll from 1,023 to 1,323 and staff would consequently increase by 18 from 184 to 202. The mode share data from the 2015 travel survey has been used to derive both the current and the new total number of journeys on the highway network resulting from the school.

As the original 2015 mode share data for car trips (at 30%) was higher than that surveyed for the 2018 (at 24%), it is accepted that this is a sufficiently robust assessment.

The current school total number of vehicle trips is estimated at 770 (464 arrivals, 305 departures) in the morning peak between 8am and 9am and 428 (214 arrivals, 214 departures) in the afternoon school peak between 3pm and 4pm

The expanded school total number of vehicle trips is estimated at 964 (569 arrivals, 395 departures) in the morning peak between 8am and 9am and 553 (276 arrivals, 276 departures) in the afternoon school peak between 3pm and 4pm.

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Taking the current vehicle trip rate from the expanded school trip generation, the additional number of vehicle journeys on the network has been estimated at 195 (105 arrivals, 90 departures) in the morning peak between 8am and 9am and 125 (63 arrivals, 63 departures) in the afternoon school peak between 3pm and 4pm.

This total additional number of vehicle trips is considered a robust estimation in that it assumes a 100% attendance rate and does not account for any pupils or staff and staff arriving or departing outside of the peaks or part time staff or sibling lift sharing.

The consultants also consider a further 10% reduction in the total number of school car trips could be achieved through the implementation of an updated School Travel Plan. 10% of these vehicles are therefore taken off from the additional number of vehicle journeys on the network from the proposed expansion.

From this, with the 10% reduction applied to the total number of car trips generated by the school, the additional number of vehicle journeys on the network has been estimated at 98 (48 arrivals, 50 departures) in the morning peak between 8am and 9am and 70 (35 arrivals, 35 departures) in the afternoon school peak between 3pm and 4pm.

By applying the surveyed mode share proportions to the proposed expanded school role, the number of walking journeys would increase by 81 to school and 98 from school and the number of students travelling by bus would increase by 123 to school and 134 from school. The number of these trips would further increase depending on the success of the School Travel Plan.

### **Impact**

Traffic counts and queue observations have been undertaken for weekday 7am -10am and 2pm – 6pm time periods on 7 June 2016 at Wilmington Academy/ Boys Grammar exit on to Common Lane, Parsons Lane/ Oakfield Lane and Leyton Cross Road/ Oakfield Lane. Background traffic growth factors have been applied to the count data to provide a 2021 future assessment year. The additional growth in vehicle movements from the expansion of the Wilmington Academy has been added to this. Further, sensitivity testing has been undertaken adding the proposed expansion of WGSG to provide a comprehensive picture.

The most significant impact by 2021 is at the Academy/ Boys Grammar exit onto Common Lane where there is an 11.3% increase in traffic predicted on the exit arm for the school pm peak. With the addition of the proposed WGSG expansion traffic this increases to 12% and the next most impacted junction is Parsons Lane/ Oakfield Lane at 9.8% more traffic on the exit arm.

With the impact of the School Travel Plan the residual traffic impact at the Academy/ Boys Grammar exit is reduced to 3.8%. This finding underlines the fundamental importance of securing and implementing an effective School Travel Plan.



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Junction modelling has been undertaken by the Transport Consultants to determine the Ratio of traffic Flow to Capacity (RFC) and average queue length expressed in Passenger Car Units (PCU). RFC's of over 0.85 indicate a junction is operating above practical capacity. Leyton Cross Road/ Oakfield Lane in the morning peak is shown to be over practical capacity in 2021. The Leyton Cross Road arm has a RFC of 0.92 and average queue of 9 PCU and the Oakfield Lane (East) arm has a RFC of 0.91 and an average queue of 8 PCU. Addition of the Academy traffic increases RFCs slightly to 0.94 and 0.93 and average queues to 11 and 10 PCUs respectively. Addition of the WGGGS traffic increases RFCs to 0.96 and 0.95 and average queues to 14 and 13 PCUs respectively. Implementation of the School Travel Plan brings the results back to a similar level of congestion and delay projected for 2021 without the school expansions.

It should be noted that these junction modelling results are a summary over a one hour period. As observed and in line with other school sites, significant queues and congestion will quickly develop in the peaks at the start and end of the school day and also dissipate relatively quickly compared to other parts of the network.

It is also noted from site observations that 'link' constraints, from parked cars and buses/ large vehicles on local roads can be more significant than junctions in terms of the efficiency of the highway network.

Whilst not shown to be over capacity, the proximity of the zebra crossing to the Common Lane/ Academy/ Boy's Grammar Exit and the number of children using it, which will increase with the expansions, will impact on the results. However, staff monitoring and control of the crossing at peak times is proposed in this Planning Application to mitigate this impact. This staff presence, which has already been observed in operation from site visits, does clearly benefit the operation of the junction.

Dartford Local Development Framework parking standards (2012) apply to developments in Dartford district. These require 1 space per 15 pupils and 1 space per 2 classes. The proposed 300 pupil uplift and 10 additional classes equates to a requirement of 25 spaces. These standards set by DBC are 'maximums' and as such can be considered in the light of evidence presented as to parking demands. Staff car travel to work was surveyed at 86.4% and so the Transport Consultants state that the 18 additional staff resulting from the expansion will require 16 parking spaces. 18 additional parking spaces are proposed to be provided which is deemed to be adequate to accommodate the additional staff parking demand. It is understood that this is the maximum number of additional spaces that can be reasonably accommodated on the site without taking out the tree in the centre of the car park. With removal of the tree it is understood that staff parking can be increased by 42 spaces, which substantially exceeds DBC parking standards, but would address an existing shortfall in staff parking provision.

In response to concerns about the impact from any additional parking in the Tredegar Road area caused by the temporary expansion and the introduction of the new pedestrian route linking to footpath DR118A, the transport consultants undertook a parking survey on 17 April 2018. They recorded 8 parents parked waiting to pick up at

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the end of the school day, which is not considered to have a significant impact. The photos submitted also support this view.

The impact of the additional journeys on foot on the already congested footways in the area, particularly on Common Lane where the footway widths are limited by a substantial retaining wall to the north and carriageway widths are below 6 metres, is a concern. As discussed, the need to address this pedestrian safety issue including creating alternative routes away from Common Lane remains a key issue which has partly been addressed via mitigation for the temporary expansion of the Academy.

The impact of the additional journeys by public service vehicle must also be considered, both in terms of capacity as well as impact of any additional large vehicles on Common Lane. The provision of additional bus/coach waiting facilities which will reduce the number of journeys on Common Lane as well as additional footway capacity away from Common Lane is a key issue needing to be addressed in order to support and encourage sustainable journeys to the Wilmington Schools.

### **Mitigation**

Mitigation measures have been developed in consultation with local stakeholders and the local authorities and public consultations have been held at the Academy and WGGS. These measures are illustrated on drawing 11231-T-03 P6. The key elements comprise:

- an amendment to the existing build out on Parsons Lane to provide an improved 'raised table' traffic calming and pedestrian crossing feature;
- a new bus/coach drop off and turning area on WGSG land to the south of Parsons Lane with dedicated bays for 6 buses/coaches as well as 12 additional staff car parking spaces for WGSG staff;
- 18 additional staff parking spaces within the Wilmington Academy car park for Academy staff;
- a new footpath route between Parsons Lane and Common Lane linking the 2 schools which crucially will provide a further 'traffic free' alternative to the footway along Common Lane
- hatched white lining and double yellow line parking restrictions at the Parsons Lane/ Common Lane junction to discourage inappropriate parking without impeding large vehicles such as buses from turning;
- additional yellow line parking restrictions are proposed on Parsons Lane, between Common Lane and WGSG entrance and on Common Lane, including additional bollards, in the vicinity of the access points to the Academy to discourage inappropriate parking;

Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

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## APPENDIX 1

- a new table top junction on Common Lane at the exit of footpath PROW DR118A to replace an existing speed hump to reduce vehicle speeds and increase the safety for pedestrians crossing Common Lane; and
- a widening of the access to Wilmington Grammar School for Boys to enable easier access for buses.

These improvements (alongside the other measures previously implemented as part of the temporary expansion of the Academy and by the local authorities outside of the planning process) are considered sufficient to mitigate the impact of the proposed expansion of the Academy in respect of new infrastructure.

All measures, where they are on public highway, should be subject to a Stage 1 Safety Audit and any issues raised by the auditor would need to be taken into account as part of any planning permission.

The proposals are presented by the Transport Consultants as a comprehensive mitigation package for the Wilmington Schools which will need to be considered in terms of how they are to be delivered through the planning process which relates to each school individually. This is especially the case in terms of the bus/coach drop off and footpath proposed on WGS land which will also help mitigate the impact of the expansion of the Academy and relieve pressures on Common Lane.

### **School Travel Plan**

Alongside the physical mitigation an updated School Travel Plan has been produced for the Wilmington Academy.

The Travel Plan is put forward in the Transport Assessment as a key element of the mitigation measures, delivering a 10% reduction in total school traffic flows (compared to the 2015 survey) with trips transferring primarily to walking and bus journeys. It is therefore essential that an effective Travel Plan be adequately secured as part of a planning condition and its impact monitored and measured as part of the KCC Jambusters resource at <https://jambusterstpms.co.uk/>

The Academy must 'own' the plan, they must publicise it on their web site, actively implement it and regularly review and update it. To assist schools with this, KCC has a comprehensive range of initiatives including road safety awareness and training, responsible parking initiatives, travel plan writing and monitoring packages and grant schemes to support the introduction of measures.

Importantly, the draft Travel Plan does commit the Academy to provide staff to oversee traffic and pedestrian movements at the bus drop off within the school, along Common Lane to the north and south of the PROW and at the zebra crossing near the Common Lane exit. The Academy has also been participating as a pilot secondary in the KCC school parking initiative <http://www.responsibleparking.co.uk/>

Further collaboration is proposed with bus operators and with the other local schools. It is hoped that these aspects, particularly co-ordination with the other Wilmington schools

Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

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can be expanded upon given the need to take collective action to address common issues. Particularly noteworthy in this respect is the fact that students attending the nearby Grammar Schools benefit from access to be-spoke locally arranged coach services. In the interests of collective action, the potential for Academy students to also use this service should be pursued.

Given the importance of the Travel Plan to the mitigation of the impact, KCC Highways will require a contribution of £1,000 per year for 5 years to ensure adequate auditing, oversight and ongoing staff resourcing support. It is accepted that this contribution can cover both the Academy and WGSG Travel Plans.

### **Construction**

The construction works will need to be carefully planned and managed to ensure the safety of pupils, staff and residents. No traffic movements should occur during school starting and finishing times. Parking areas for construction staff should be identified together with turning and unloading areas for delivery vehicles.

### **Planning Conditions**

In light of the above, the following Highways conditions should be secured as part of any planning consent:

- Completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension;
- In addition to the above it is recommended that new poles and globes be provided at the zebra crossing at the Academy/ WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane;
- Submission of a Construction Management Plan for approval by the Planning Authority to include the following: routing of construction and delivery vehicles to/from the site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries; provision of wheel washing facilities and temporary traffic management/ signage;
- Access needs to be maintained to the drop off loops and bus parking areas within the school site to reduce congestion on Common Lane
- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to occupation;
- Provision of measures to prevent the discharge of surface water onto the highway;
- Within 6 months of occupation of the extension, the submission of an updated School Travel Plan by Wilmington Academy, authorised by the school management

Three storey teaching block to accommodate an additional two Forms of Entry, 18 car parking spaces, playground and games court and associated landscaping and ancillary highways works at Wilmington Academy – DA/18/39 (KCC/DA/0353/2018)

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team as a specific school policy, for approval by the Planning Authority and monitoring/ auditing of the Travel Plan for a period of 5 years, within which there will be annual updates with funding secured for KCC Highways to ensure adequate resourcing to audit and oversee this process;

- The Academy should be required via an 'informative' to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the footway.

On the basis of the detailed assessment of the impact of the proposed expansion of the Academy contained within the Transport Assessment for this planning application, and the above measures being adequately secured, I can confirm that KCC Highways do not have reason to object in accordance with the National Planning Policy Framework.

Yours sincerely

David Joyner Transport & Development Manager – West Kent

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**Item D6****New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

A report by Head of Planning Applications Group to Planning Applications Committee on 11<sup>th</sup> July 2018.

Application by Kent County Council Property and Infrastructure Support for the erection of a two-storey teaching block and sports hall with roof top MUGA to accommodate an additional Form of Entry (4FE to 5FE); provision of a drop-off loop for 6 buses; 12 additional car park spaces; rearrangement of the existing hard surfaced games court together with a temporary games court during construction works, associated landscaping, upgraded footpath link and ancillary highway works at Wilmington Grammar School for Girls, Parsons Lane, Wilmington Dartford, DA2 7BB – DA/18/94/CPO (KCC/DA/0002/2018).

Recommendation: 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 and SUBJECT TO a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions.

Local Member: Ann Allen

Classification: Unrestricted

**Members' Site Visit**

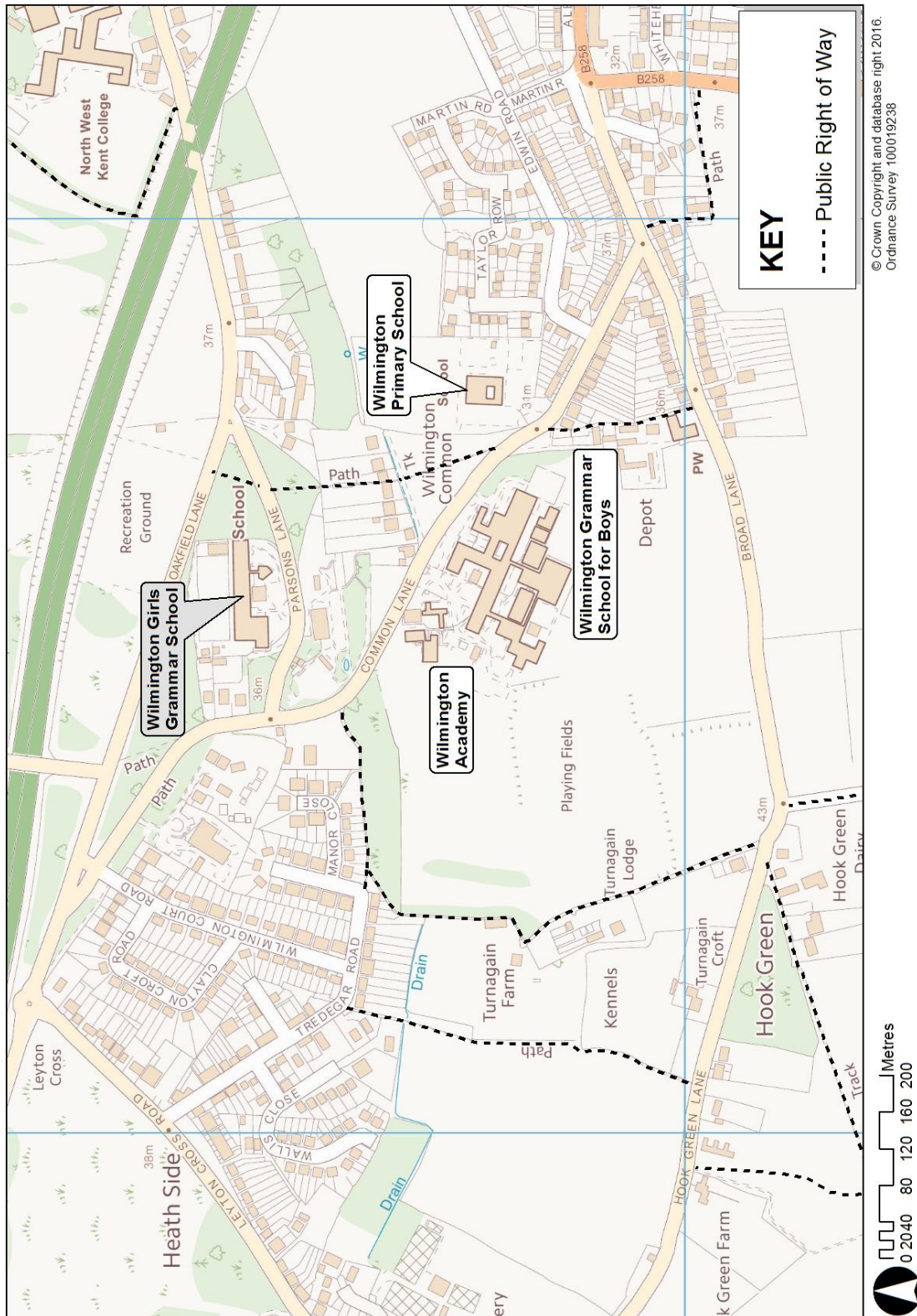
1. A group of Planning Application Committee Members visited the application site on the 19 March 2018 to acquaint themselves with the proposals at both Wilmington Academy and Wilmington Grammar School for Girls and the issues they raise. As part of this visit Members of the Committee walked between the two application sites at the end of the school day.

**Site**

2. Wilmington Grammar School for Girls (WGSG) is located in Parsons Lane in Wilmington, which lies within the Metropolitan Green Belt. The school is located on both sides of the lane – the main buildings are on the northern side, with the Manor House and more undeveloped land being located on the southern side of the road. The Grange, on the northern side of the lane is an old two and a half/three storey yellow brick and tiled building with pitched roofs. Sitting behind and alongside this is a 1960's flat roof two and three storey building which extends across the site frontage which has cream rendered panels and white windows in a uniform pattern. A new three storey curved building has recently been added at the eastern edge of the site, which is constructed with yellow brickwork and dark grey panels. The ground floor for this extension is set down at a lower level than the rest of the site. To the rear of the buildings is a series of hard court sports pitches, enclosed with wire mesh fencing and at the eastern end of the site is one remaining temporary classroom. The Manor, on the southern side of Parsons Lane, is a two storey building, white rendered with black beams to the first floor areas and a tiled, gabled roof. A brick wall with white rendered infill panels fronts the footpath and the building has some single storey additions on the eastern end. At this eastern end of the Manor building the School have sited a double temporary mobile classroom under permitted development rights. The Manor and the informal area of parking to the east are surrounded by mature trees and landscaping.

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

**General Location Plan**



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Ordnance Survey 100019238



# New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)

## Overall Site Plan

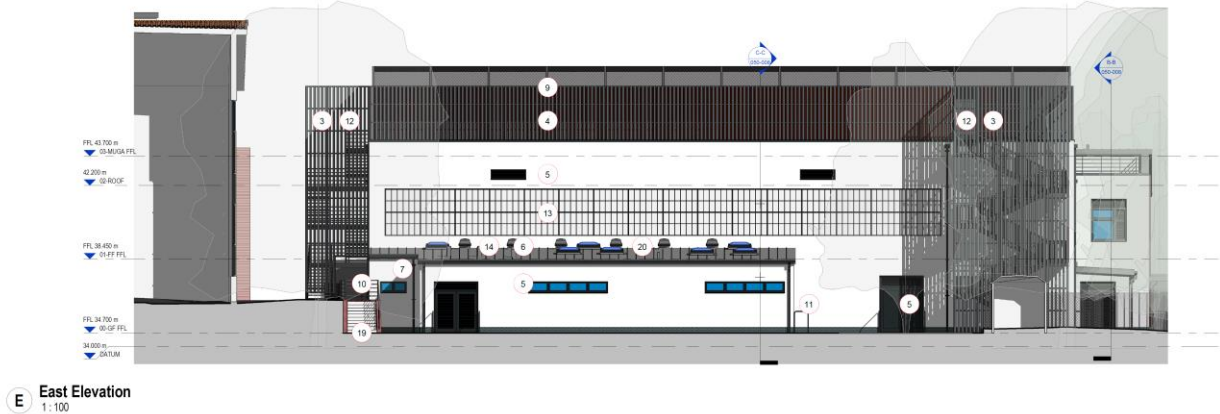
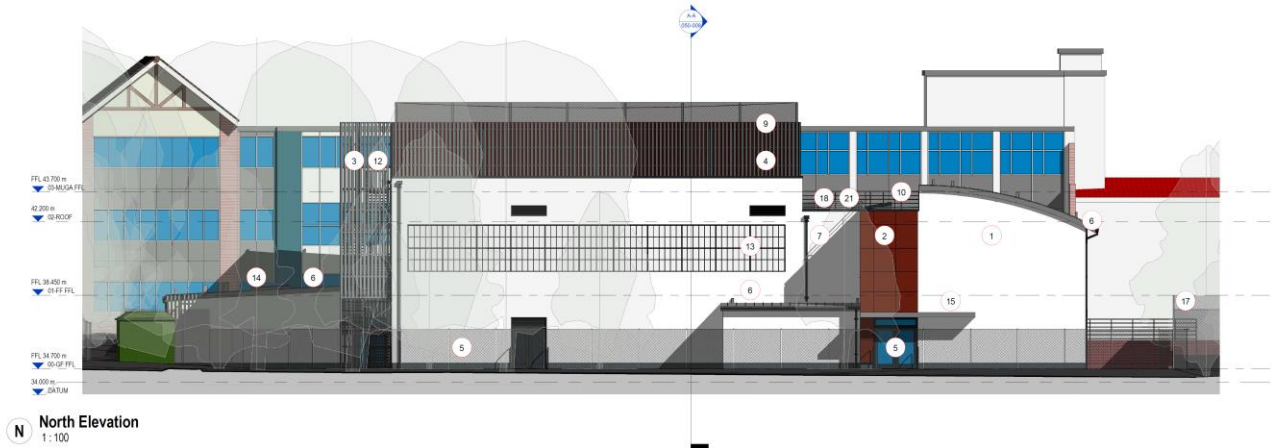




**Item D6**

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

**Proposed Elevations**



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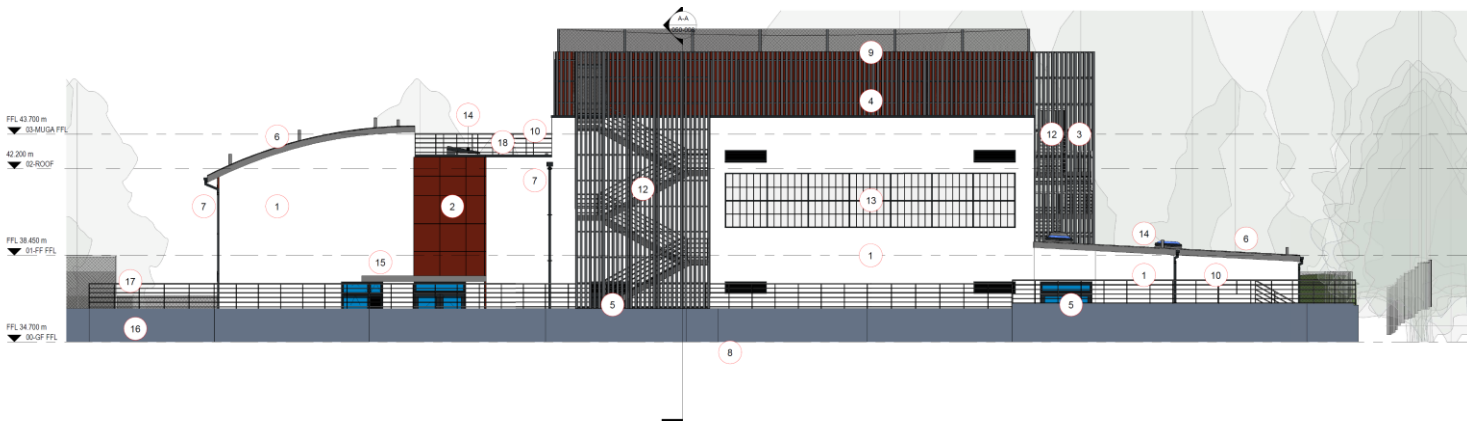
**Item D6**

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**Proposed Elevations**



**West Elevation**



**1 True Site South Elevation**  
1:100

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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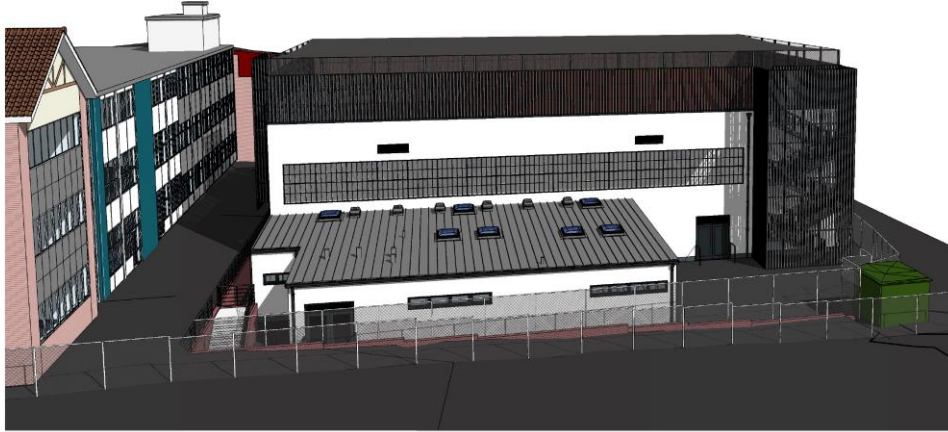
Proposed Visualisation Images



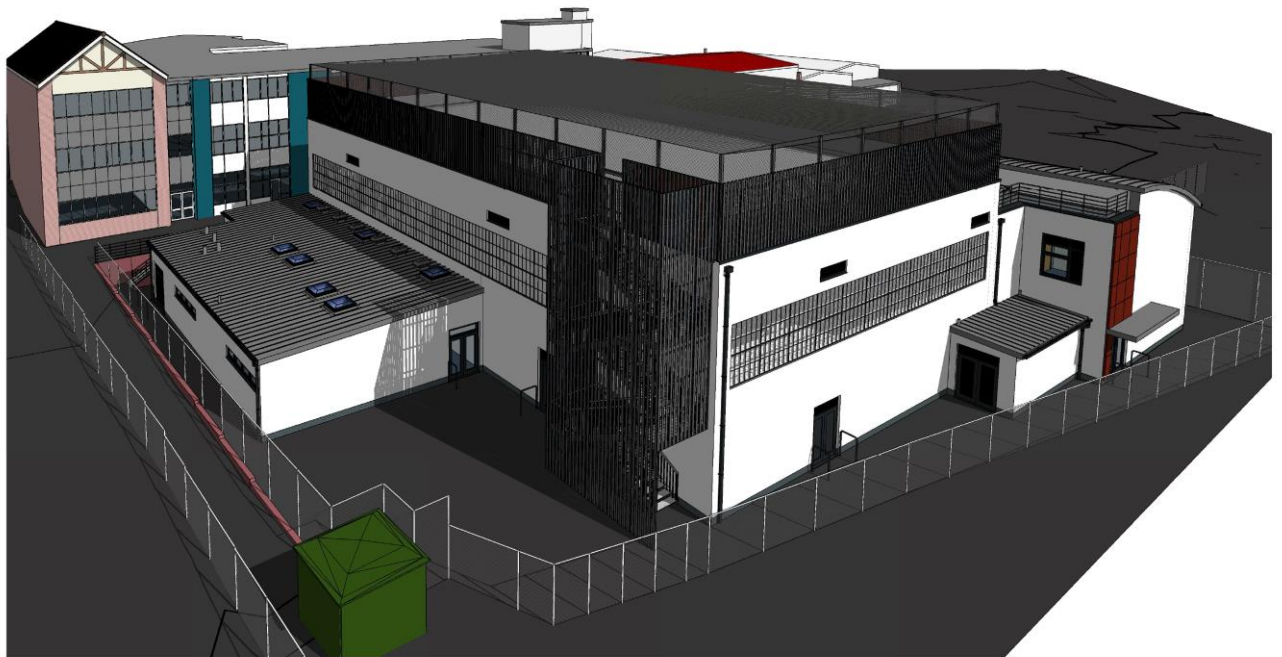
**Item D6**

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East Aerial View



**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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3. The area to the rear of the school buildings on the northern side is well treed and screened from wider views, and Oakfield Lane runs along the rear of the site. To the front of the school buildings is an area of parking, and the site is enclosed along the road frontage with green roll top metal fencing, with some established hedging in places, and mature trees surrounding the built form. At the western end of the school site is a narrow lane which provides access to a scattering of residential properties. Parsons Lane is accessed from Common Lane at its western end and runs eastwards until its junction with Oakfield Lane at the other end. At the Common Lane end of Parsons Lane, traffic is two way. Outside the main entrance to the school, the road is 'traffic calmed' and at this point the road effectively becomes one way, allowing traffic to travel from west to east only, with no access back past this pinch point towards Common Lane, and no entry to Parsons Lane from Oakfield Lane either. There are zig-zag 'keep clear' markings outside the school entrance on both sides of the lane, with 'on road' bus stops marked along the remainder of the open frontage of the school.
4. WGSG is located in close proximity to a number of other education facilities. Wilmington Day Nursery and Pre-School, Wilmington Academy, Wilmington Grammar School for Boys and Wilmington Primary School are all located to the south of WGSG and accessed from Common Lane. The Girls Grammar School have use of a playing field located within the grounds of Wilmington Academy and the Boys Grammar School. Further to the east of the Academy site lies Wilmington Primary School, accessed via Common Lane.
5. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan and would need to be referred to the Secretary of State following consideration at Planning Applications Committee if Members were minded to grant planning permission.

**Background**

6. Planning applications to support the permanent expansion of both the Girls Grammar School and Wilmington Academy were originally submitted in 2016, accompanied by applications for the approval of some temporary accommodation to cover the immediate shortfall of school places for children at each school. The temporary accommodation was given approval, but the permanent buildings were subsequently withdrawn after a lengthy consultation period highlighted major concerns by those living in the locality that the village of Wilmington was struggling to cope with the amount of school related traffic. Further consultations between the applicants, planning officers and representatives of the Parish Council, Dartford Borough Council, Wilmington Safer Streets and Ward Members took place, and discussions followed about the raft of highway mitigation measures that would be necessary to make the expansions of the two schools acceptable. This application, and the similar application for Wilmington Academy (DA/0353/2017), are the result of these discussions.

**Recent Site History**

7. There have been a number of planning applications at the Grammar School site determined by Kent County Council and more recently by Dartford Borough Council, since the school took on academy status in 2011.

**Item D6****New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**Applications determined by Kent County Council

Application Reference	Description	Decision
DA/02/1010	Erection of 2 no. prefabricated classroom buildings – single storey	Approved 12/12/2002
DA/03/293	Renewal of temporary permission for 2 no. mobile classroom buildings which were the subject of two separate applications DA/93/394 and DA/94/292	Approved 18/06/2003
DA/03/628	Erection of a single storey permanent modular building as a Mathematics Centre	Approved 09/09/2003
DA/05/929	Erection of new 4 classroom teaching block together with new lift, toilets and ancillary accommodation, together with alterations to the existing external escape stair and associated external works	Approved 13/12/2005
DA/06/330	Erection of new 8 classroom teaching block, together with seminar room, new lift, toilets and ancillary accommodation, along with a pitched roof to existing school building	Approved 01/06/2006
DA/07/1120	Formation of two pedestrian entrances, pupil waiting area and car parking modifications (including extension of existing car park at the north-west corner of the Grange) associated with the school travel plan.	Approved 17/01/2008
DA/08/883	Erection of aluminium solar shading to three storeys, to the south facade of the main teaching block.	Approved 22/07/2008
DA/16/00800	Relocation of an existing temporary classroom to the front of the school from the rear.	Approved 16/09/2016
DA/16/929	Erection of a two storey teaching block, rearrangement of the existing hard surfaced games courts together with associated landscaping and ancillary works	Withdrawn July 2017

Applications approved by Dartford Borough Council

Application Reference	Description	Decision
12/00616/FUL	Removal of existing panelling and windows and provision of replacement windows system and new cladding	Approved 26/07/2012
14/00709/FUL	Demolition of existing music block, removal of mobile classrooms and erection of three storey music and teaching block and extension of existing car park with associated landscaping	Approved 12/08/2014
14/01707/FUL	Erection of new sports hall	Approved 05/06/2015
15/01202/COU	Change of use of abandoned building in school grounds to Use Class D1 (education)	Approved 24/09/2015



**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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**Proposal**

8. As amended the planning application seeks approval for a two storey teaching block to be constructed at the rear of the existing school buildings which lie on the northern side of Parsons Lane, following the removal of the temporary classrooms situated here. The building would be sited at the eastern end of the school site, between the existing school and the northern boundary with Oakfield Lane. The building would accommodate a new 4 court sports hall which would form the central part of the footprint, with a single storey changing facility area to the east and a two storey classroom element to the west. Staircases would be provided internally at both ends of the classroom element, which would accommodate 5 classrooms, a tech room, various group rooms, offices and a viewing gallery for the sports hall at the first floor level. In addition to this, the proposal is for a new MUGA to be provided on the roof of the sports hall, accessed by two external staircases, one at the south-west corner and the other at the north-east corner. The MUGA would be enclosed by 3m high cladding and topped with ball stop netting to a maximum height of 4m (i.e. 1m above the top of the cladding).
9. There is a change in levels between the main school building and the existing ball courts and therefore the proposed new classroom block would sit within this lower terrace at a level 1.4m lower than the rest of the school. The maximum height of the new block is 13.6m above the existing ground level and consequently 3.23m below the existing teaching block ridge level. The cladding and ball stop netting would sit above this height, bringing it up to the same approximate level of the existing school. The siting of the building in this location would require the removal of four trees along the northern boundary, two turkey oaks, a holly tree and a pine, but the remainder of this scrubland and tree boundary would be retained and the site would remain enclosed by the existing chain link fence, which runs to the east and north of the site.
10. The extension would be predominantly white rendered, with elements of steel-grey and wine-red panelling to highlight sections and provide interest and detail. The classroom windows would follow a uniform pattern and would be dark grey aluminium to match the rainwater goods. There would be translucent wall panels on the north, south and east elevations to provide light to the sports hall and high level windows for the changing rooms. The classroom block would have a curved standing seam roof and the changing block a flat zinc roof. The external staircases would be enclosed by trespa cladding and the MUGA would be enclosed by 3m high hit and miss trespa cladding in steel grey and wine red. The ball stop netting would be supported by steel posts. Two of the four existing ground level ball courts would be retained here, following the proposed extension.
11. Because the proposed classroom block now includes a new sports hall, the School would not need to build the sports facility that was previously given approval in 2015 on the land to the south of Parsons Lane adjacent to The Manor. As such this land is now proposed to be used for a coach drop off loop. The existing access on this side of the Lane (to an informally used parking area) would be enhanced to provide an entrance to a formal access road that would be 10.5m wide leading to a bus turning area at the eastern end of the site. Bus/coach stopping areas would be provided on either side of this access road, each with sufficient space to accommodate three buses (6 in total), and an additional 12 car parking spaces for staff would be provided at the very eastern end of the turning point. A 1.8m wide footway would be provided on either side of the

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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bus/coach drop off bays tying in with the existing footways on Parsons Lane and the proposed new footpath link (see below). Acoustic fencing would be erected round the edge of the parking area and coach loop where this would abut the rear gardens of houses to the south. The inclusion of this fencing in the application and the increase in parking spaces from 6 to 12 formed amendments to the application, submitted in May 2018, along with updated Planning Statement, Design and Access Statement, Ecological Appraisal, Arboricultural Impact Assessment, Travel Plan, Technical Highways Note forming part of the Transport Assessment, layout plans and a new Noise Impact Assessment.

12. There is an existing footpath link through the Girls Grammar School grounds, which leads from the southern side of Parsons Lane southwards to meet Common Lane at the approximate location of the Boys Grammar School entrance. It is proposed as part of this application to enhance this footpath to provide a direct route from the proposed new coach drop off to the Boys Grammar School on Common Lane, as an alternative to walking down Common Lane itself. The existing vehicular access on the northern side of Parsons Lane into the school site in front of The Grange would be retained and this leads to one area of existing on site parking provision for staff. There is an additional access lane to the very west of the school site which provides access to a parking area at the rear of the school site, and this would be the road utilised for construction traffic. This lane is also shared with residential properties which lie to the west of the school site.
13. The extension would facilitate the expansion of the school from a 4FE to a 5FE school. The expansion would relate to years 7-11 only, offering 750 places across those 5 years (150 per year), with additional spaces for those accommodated in the 6<sup>th</sup> form run by the Grammar School. There would be an associated increase in staff numbers from 84 to 89 staff.
14. The application is supported by a Design and Access Statement, Planning Statement, School Travel Plan, Transport Assessment, Construction Access Phasing Statement, Arboricultural Report, Arboricultural Impact Assessment, Tree Survey Plans, Preliminary Ecological Appraisal Survey, Flood Risk Assessment and Archaeological Desk Based Assessment, Building Physics and Part L Compliance Report, Ground Investigation Report, Phase 1 Ground Contamination Desk Study, and Noise Impact Assessment.

**Highway Mitigation Measures**

15. A number of mitigation measures are proposed to support this planning application and the simultaneous application for the proposed expansion at Wilmington Academy. The mitigation measures proposed follow public consultation events held at both schools, and the extensive consultation referred to in paragraph (5), which resulted from the earlier applications. The mitigation proposed is as follows:
  - Amendment to Build Out Parsons Lane – The existing kerb build out on Parsons Lane would be redesigned to reduce the amount of street furniture and provide a more attractive raised table/shared space to prioritise pedestrian movements and maintain low speeds. The existing staff parking area on the south side of the road would be provided with a footway and verge, and the existing guard rail removed to tie in with the proposed raised table.

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- Parsons lane Bus Drop Off Area – A dedicated bus drop off and turning area, as described in paragraph 10, would be provided.
  - Bus Stops on Parsons Lane – It is proposed to relocate the three existing bus stops on the northern side of Parsons Lane by approximately 15m to the east. This would enable buses to exit the drop-off area safely without conflict.
  - Wilmington Girls Grammar School Footway – The provision of an additional section of footpath on the northern side of Parsons Lane within the school grounds to more directly link to the proposed raised table top and coach drop off loop.
  - Junction between Common Lane and Parsons Lane – The junction would be reconfigured to reduce the width of the bellmouth to prevent vehicles parking and turning in this location. This would be achieved through hatched white lining and double-yellow line parking restrictions. Parking restrictions would also be sought between the entrance to the Grammar School and Common Lane to provide protection against inappropriate parking.
  - Parking Restrictions – Proposed single-yellow lines on the northern side of Common Lane to the east of the Academy exit and the provision of bollards on the southern side of the road between the existing zebra crossing and the speed bump to the west of the exit. The 1.5m high bollards would be spaced at 2m apart to prevent parking on this section of the footway.
  - Opposite PROW DR 118A on Common Lane – A proposed table top shared surface to be constructed at the point where the PROW meets Common Lane to prevent inappropriate parking, increase safety of pedestrians and reduce vehicle speeds.
  - Footpath Linking Proposed Bus Loop to Boys Grammar – A footpath to link the proposed bus loop at the Girls Grammar School to the Boys Grammar School, as set out in paragraph 11 above.
  - Widening of Boys Grammar Access – Proposed that the access into the Boys Grammar School be widened to enable better access for buses routing into the site (which would be subject to a separate planning application).
16. A number of mitigation measures have already been carried out as a result of the temporary permission granted last year which include the widening of the footway to the north of Common Lane and the provision of concrete bollards at the junction between Parsons Lane and Common Lane. The Public Right of Way (PROW) DR118A (to the north of the Academy onto Common Lane) has also been improved and a new path routing off this PROW has also been put in place to link this to the Academy without needing to walk along Common Lane. A bus pick up/drop off loop has been put in place within the Academy site to aid the congestion along Common Lane.
17. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.

**Planning Policy**

18. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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- (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;
- 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;
- that the planning system contributes to and enhances the natural and local environment;
- 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;

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 work with schools promoters to identify and resolve key planning issues before applications are submitted.*

**Draft Revised National Planning Policy Framework (March 2018)**

A draft review of the NPPF was published on Monday 5<sup>th</sup> March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient

**New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, which would help to reduce congestions and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness.

**Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts

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and help deliver development that has a positive impact on the community.

- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

**(ii) Development Plan Policies**

The adopted **Dartford Borough Core Strategy (2011)**

**Policy CS13** Seeks to resist inappropriate development within the Green Belt, in accordance with the NPPF.

**Policy CS15** Pledges support for minimising the need to travel and minimising car use, whilst making effective use of the transport network. Travel plans will be required for all significant traffic generating development to ensure more sustainable modes of transport are pursued. Kent County Council's parking standards will be applied.

**Policy CS16** Seeks to enable the transport network to respond to the pressures of new development, including by securing the provision of off-site highway and local road improvements, and by promoting the use of public transport, walking and cycling.

**Policy CS21** Seeks the provision of community facilities that are close to the population they serve and that come forward in a timely fashion. Dual use of facilities is sought.

**Dartford Development Policies Local Plan (2017)**

**Policy DP1** **Presumption in Favour of Sustainable Development:** States that the Plan is written in accordance with national objectives to deliver sustainable development. A positive approach to considering development proposals will be had, reflecting the presumption in favour of sustainable development contained in the NPPF and the development needs of the Borough set out in the Core Strategy.

**Policy DP2** **Good Design in Dartford:** Development will only be permitted where it satisfies the locally specific criteria for good design in the Borough by (a) reinforcing and enhancing localities to create high quality places, (b) ensuring heritage assets are retained, re-used and respected, (c) facilitating a sense of place through a mix of uses and careful design, (d) providing clear pedestrian and cycle linkages and permeability,

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active frontages and a mix of buildings and spaces. Provides further advice about determining planning applications in relation to scale, massing, form, materials, Conservation Areas and areas of heritage sensitivity, inclusive, safe and accessible places, management of natural resources and flood alleviation, and appropriate signage and advertisements.

- Policy DP3**      **Transport Impacts of Development:** Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising transport impacts, in line with Core Strategy Policies 15 & 16. Localised residual impacts on the highway network should be addressed by well-designed off site-transport measures and adverse impacts on residential amenity or the environment must be minimised. Development will not be permitted where the localised residual impacts from the development, on its own or in combination with other planned development in the area, result in severe impacts on one or more of the following: (a) road traffic congestion and air quality (b) safety of pedestrians, cyclist and other road users and (c) excessive pressure for on-street parking.
- Policy DP4**      **Transport Access and Design:** Development should be of a design and layout to promote walking, cycling and use of public transport through provision of attractive and safe routes. Proposals should also include appropriate vehicular access arrangements. Development will only be permitted where proposals ensure that the layout and siting of access is acceptable in terms of residential amenity, highways capacity and safety, free flow of traffic, cyclists and pedestrians, and visual impact.
- Policy DP5**      **Environmental and Amenity protection:** Development will only be permitted where it does not result in unacceptable material impacts, and consideration must be given to potential amenity/safety factors such as air and water quality, traffic, access and parking, anti-social behaviour and littering, and intensity of use (amongst other matters).
- Policy DP11**      **Sustainable Technology and Construction:** Development should be well located, innovatively and sensitively designed and constructed, to tackle climate change, minimise flood risk and natural resource use and must aim to increase water efficiency.
- Policy DP21**      **Securing Community Facilities:** New community facilities will be permitted where they are in an appropriate location and of a type and scale to reflect the needs of the communities they will serve.
- Policy DP22**      **Green Belt in the Borough:** Sets out 12 aspects against which development in the Green Belt will be assessed, including the consideration of inappropriate development, which by definition is harmful to the Green Belt and would only be approved in Very Special Circumstances; criteria against which to assess harm to the Green Belt; criteria to assess development considered as potentially not

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inappropriate by the NPPF; those developments that support Core Strategy Policy CS13; the re-use of existing permitted permanent buildings; taking account of the character and scale of existing buildings; criteria relating to extensions to buildings or infilling of previously developed sites; the replacement of buildings; ensuring no loss of the best and most versatile agricultural land; criteria for proposals for farm diversification; the use of land for horses or the erection of stables; outdoor sports and recreation uses; and the infrastructure required for such uses.

**Policy DP25 Nature Conservation and Enhancement:** Proposals should seek to avoid any significant impact on existing biodiversity features, and any potential loss must be mitigated. Enhancement of existing habitats is expected and existing trees should be retained wherever possible. If retention is demonstrated not to be feasible, replacement provision should be of an appropriate tree species and maturity.

**Consultations**

19. **Dartford Borough Council**, in response to the original submission, have submitted a detailed objection to the application (received 12<sup>th</sup> March). They consider the proposal would be inappropriate development in the Green Belt and result in other harm with regard to transport issues, encouraging car use in the Borough contrary to the adopted Local Plan strategy, and impact on the character and visual amenity of the area which cannot be outweighed by the 'very special circumstances' which have been put forward as part of the current application. The proposal, they state, would therefore be contrary to Policies CS1, CS13, CS15, DP1, DP2, DP3, DP4, DP5, DP21 and DP22 of the adopted Local Plan for Dartford.

**Dartford Borough Council**, in response to the revised submission, provide the following comments:

"I refer to the above revised application which has now been re-considered by the Borough Council and wish to thank you for the opportunity to comment thereto. The Borough Council would still wish to raise concerns about the application but recognise that as additional evidence has been submitted it would appear that there are some very special circumstances in this case and it is for KCC to decide whether these outweigh the harm to the Green Belt and the harm to the transport impacts of the intensified use

In the Borough Council's opinion, the application provides very little assessment of the proposal in terms of the openness of the Green Belt. The proposed extension of the building, will be to the north of the existing school building, creating a 3-storey building on currently existing playing courts. Immediately to the north of the site is Dartford Heath common land forming part of the Green Belt character in this area. A visual impact assessment has still not been provided by the developer but the Council consider that, what is effectively a three-storey building, is likely to be visible from Common Land (particularly as trees are being removed) and will also be visible on longer views from the north over the heathland. The school development will therefore in the Council's opinion be more prominent in the area, and will result in



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buildings on what is currently an open area and hard surfacing and roads on area which is not built on and therefore will in the Council's opinion impact on the openness of the Green Belt. The Borough Council consider therefore that the proposal must be considered as inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. The NPPF advises and is echoed by Dartford Local Plan policy DP22 (2) that "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".

The Council considers therefore that is for KCC to assure themselves that the harm resulting to the Green Belt can be outweighed by the need for school places. The Council acknowledge the Very Special Circumstances put forward with the revised application and recognise that KCC education have worked hard to look at the alternatives for school expansion in order to meet the secondary school place need which is current at the moment. The Council still has some concerns about the wider catchment area for the school, including pupils coming from outside Dartford and Kent. The Borough Council understands that KCC cannot control admissions to schools but have concerns that school expansion close to the boundary with London is likely to encourage more pupils from outside of Kent and from the rural area, rather from the Dartford urban area, where it is identified that the need arises.

The Council has also considered the other harms arising from the proposal in accordance with the criteria of Policy DP22.

*DP22(3)(a): the extent of intensification of the use of the site*

The Council has concerns that the current proposal results in an intensification of the use of the site and adjacent land, reducing the site area that is open and reducing the areas of soft landscaping as well as result in increased activity which results in impact on the surrounding area, as set out below.

*DP22(3)(b): Impact of an increase in activity and disturbance, including traffic movement, parking, light pollution and noise*

Although the applications dismiss the traffic impacts of the proposal, 83 additional trips in the morning peak and 78 additional trips in the evening peak are anticipated arising from the development. The Council considers that given the rural nature of the surrounding roads and the narrow width of footways resulting in conflict between cars, buses, coaches, cyclists and pedestrians already in the surrounding area the increased in activity will result in additional harm to road users, pedestrian, cyclists and local residents.

The off-site mitigation measures proposed are in the Council's opinion these are required to improve the existing situation and areas of conflict. The application includes a Travel Plan, but since the red line application boundary does not relate to the whole site the Council is concerned that this cannot be required to be delivered for the whole school through conditions. In addition, the Travel Plan, itself, is a set of desirable options but the Council is concerned that there are no obligations on the school to achieve the targets set or any penalties should they fail to achieve greater

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modal shift. If the County Council are minded to approve this planning application it is recommended that they ensure these mitigations and Travel Plan commitments can be enforced.

The Council acknowledge that KCC education have worked with KCC highways to seek to improve highway safety in the area, but the Council remains concerned that this is seeking to improve an existing poor situation and may not mitigate the additional impacts of the proposed expansion of the two schools.

With regard to the noise assessment the Council's environmental health officers confirm that this is appropriate and have no concerns to raise.

With regard to visual impact the Borough Council would request that the County Council request verified views to the proposed extension from the north. Trees to the north of the site are proposed to be removed and others to have works to reduce their canopies. The trees former a buffer between Oakfield Lane and the school grounds and contribute to the creation of a rural heathland feel along Oakfield Lane and from views to the north. The Council is keen to ensure that the proposal for a three-storey building does not impact on the visual character of the area. The Council would also suggest that KCC impose a condition preventing external illumination should they be minded to grant planning permission in the interests of the openness of the Green Belt and also biodiversity impact.

In conclusion, therefore, the Council considers that the proposal is inappropriate development in the Green Belt and results in other harm with regard to transport issues, encouraging car use in the Borough contrary to the adopted Local Plan strategy, and impact on the character and visual amenity of the amenity. The Council recognises however, that based on the additional information submitted with regard to the need for additional permanent school places and the lack of options that can provide such places quickly that this could amount to Very Special Circumstances particularly when taking into account the welfare of the children involved who live in the Borough and who may be denied a school place in the local area if there is insufficient secondary school place provision.

Finally the Council recognise that there is an increasing demand for secondary school places in the Borough and has been working with KCC education for a number of years to plan for these. The Council would emphasises that is willing to assist the County Council with regard to education growth and help them respond to the changing demands in the future better in order to minimise the conflict with other planning policies.

**Wilmington Parish Council, in response to the original submission, raise strong objection to this application (and the other application currently being considered by the County Council for the expansion of Wilmington Academy) and comment as follows:**

“The Parish Council would firstly express disappointment that the notices of the two Applications were not issued at the same time as, although it is accepted that each has to be treated on merit, they are indelibly linked since taken together they will greatly impact on the rural setting in which the proposed developments are situated.

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The Parish Council accepts and appreciates that the revised applications take into account the comments and objections raised by residents, the Parish Council and Wilmington's elected representatives on Dartford Borough Council when the original expansion proposals for both Wilmington Academy and Wilmington Grammar School for Girls (WGSG) were published. It is acknowledged that some highway and traffic control concerns raised at that time have already addressed and introduced for which the Parish Council is grateful but must stress that these go no way to resolving the extreme problems that arise at the start and the close of the School Day.

However, the Parish Council is still of the opinion that the revised plans for both the Academy and WGSG are contrary to Dartford Borough Council's Development Plan adopted in July 2017. Policy DP3 ('Transport Impact of Development') states -

1. *Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising impacts in line with (sic the Borough Council's) Core Strategy Policies CS15 and CS16 and*
2. *Development will not be permitted where the localised residual impacts from the development on its own or in combination with other planned developments in the area, results in severe impacts on one or more of the following -*
  - (a) *road traffic congestion and air quality*
  - (b) *safety of pedestrians, cyclists and other road users and*
  - (c) *excessive pressure for on-street parking*

The Parish Council is of the opinion that the wording at DP3 above permits and gives great weight for the need for the two applications to be jointly considered. The Parish Council considers that the further expansion of both the Academy and WGSG represent an 'over-development' of each site and thereby are 'inappropriately located' with an adverse impact on what is a rural setting.

The Parish Council notes that within the Transport Assessment submitted in support of the WGSG application the following text appears - 'it is recognised that some parts of the local area are subject to congestion before and after the school day as a consequence of the number of pupils arriving and leaving'. Having accepted that congestion already exists the Parish Council finds it hard to believe that the Academy's projection of 98 additional car journeys in the morning and 70 in the afternoon and WGSG's projection of an additional 22-25 car journeys would not add to the congestion that already exists, despite the proposals contained in the applications for this to be mitigated.

The Parish Council is aware of proposals to also expand Dartford Grammar School for Girls (DGSG). Whilst DGSG is not in the immediate vicinity of the Academy and WGSG, the proposal will generate yet more traffic movements on the roads through Wilmington as the additional pupils are taken to and from that School.

The Parish Council therefore objects in the strongest terms to both the Academy

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and WGSG applications believing that they represent totally unacceptable over-developments in a rural setting and that the impact of the additional traffic generated would have a detrimental and adverse effect on the community

The Parish Council has received a copy of the very balanced response to the Applications made by 'Wilmington Safer Streets' and agree with all of the very pertinent and constructive comments made.

The Parish Council believes that the above points are wholeheartedly supported by all or at least the majority of the residents of the Parish, many of whom have submitted comments and observations in respect of both Applications. The Parish Council trusts that the real concerns that have been expressed will be taken into account by Members of the Planning Committee when reaching their decision."

In response to the amended details submitted **Wilmington Parish Council** have commented:

"The Parish Council notes the additional parking provision, which is most welcomed and in conjunction with the other mitigations proposed helps meet many of the concerns raised by residents in respect of parking and highway issues. However the Council is still of the opinion that the revised plans for the expansion of both WGSG and Wilmington Academy (KCC/DA/0353/2017) are contrary to Dartford Borough Council's Development Plan adopted in July 2017. Policy DP3 ('Transport Impact of Development') as detailed in the objection made when the original applications for the expansion of both sites went to consultation earlier in the year.

The Parish Council notes the view that the provision of an additional Form of Entry outweighs Green Belt considerations but must firstly make the point that Dartford Borough Council's Local Plan places great emphasis on the protection of the Green Belt. The Council believes that the views put forward at Paragraph 6.4.4 of the submitted Planning Statement are somewhat spurious in that –

1. Residents of the Parish should not be made to suffer by what is an inappropriate development; the fact that KCC 'would not be able to meet its statutory duty' of providing sufficient schoolplaces is not considered to be a reason for removing valuable green space
2. Holding 'local families' to ransom by warning that 'their children having to travel much further to school' is immaterial as this would be the case if an expansion had not been proposed
3. The contentions made regarding the 'deficit' and 'larger cohorts' is a matter that the Local Education Committee should have been previously considered and this shortcoming should not ride roughshod over the need to protect the Green Belt; and
4. The threat that the 'highway mitigations' would not be undertaken is regretted as it would seem to be a form of unacceptable coercion

The Council is therefore of the opinion that the reasons given within the Planning

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Statement do not outweigh the Green Belt considerations since this is regarded as an essential characteristic of the Borough and that the expansion would be to the detriment of the established local community.”

**Kent County Council Highways and Transportation** have commented in detail regarding both this application and the application at Wilmington Academy (item D5 on this agenda). Given the depth of the response and the complicated nature of the situation in Wilmington the response has been included in full at Appendix A. In summary no objection is raised to the development subject to the on and off site mitigation measures being provided in accordance with the plans submitted, and that the School provide and implement a robust School Travel Plan (STP) to include a range of road safety awareness, responsible parking and sustainable travel initiatives. Given the importance of the STP a Memorandum of Understanding is required to ensure the payment of a sum of £5,000 to ensure the Plan has adequate auditing, oversight and ongoing staff resourcing support from KCC Highways and Transportation. This fee would cover both the Grammar School Travel Plan and the Academy Travel Plan.

**The County Council’s Biodiversity Officer** has considered the revised Ecological Appraisal and raises no objection to the application subject to conditions relating to mitigation and ecological enhancements.

**The County Council’s Archaeologist** no comments received to date.

**Sport England** raise no objection to the application, noting that whilst part of an existing MUGA would be lost there would be adequate reprovision of sporting facilities on site.

**Environment Agency (Kent Area)** raise no objection subject to the imposition of conditions regarding the use of piling foundation methods without the express consent of the County Planning Authority; contamination not previously identified being found; and the infiltration of surface water drainage into the ground without the express consent of the County Planning Authority.

**KCC School Travel Plan Officer** is happy to accept the School Travel Plan as submitted, provided it is conditioned to be reviewed on an annual basis.

**The County Council’s Flood Risk Team (SuDs)** raises no objection to the application subject to the imposition of conditions requiring the submission of a detailed sustainable surface water drainage scheme and the submission of an operation and maintenance manual for the sustainable surface water drainage scheme. A further condition is required to control surface water drainage into the ground.

**Wilmington Safer Streets (WSS)** (a local group set up to campaign for the improved safety of the streets of Wilmington, and at the time writing this report has 686 members) were notified of this application and comment as follows on both this application (as originally submitted) and the accompanying application at Wilmington Academy (KCC/DA/0353/2017):

“Proposed Mitigation

- Amendment to build out Parsons Lane - *WSS support this action*

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- Parsons Lane Bus Drop Off area - *WSS support this action*
- Bus Stops at Parsons Lane - *WSS support this action*
- WGSG Footway - *WSS support this action*
- Junction between Common Lane and Parsons Lane - *WSS support this action*
- Parking restrictions - *WSS support this action, to confirm WSS do not support Double Yellow lines along the village Common side as this would impact residents and events that are held within the community on the Common.*
- Tabletop road surface feature opposite PROW DR118A on Common Lane - *WSS support this action*
- Footpath linking the proposed bus loop to Wilmington Academy and Wilmington Grammar School for Boys (WGSB)- *WSS support this action*
- Widening of Boys Grammar Access - *WSS support this action*
- Implemented Mitigation

Additional comments regarding the above:

- 1) The new WGSG & WGSB walkway proposed in the permanent mitigation would be accessed by using the old zebra crossing outside of the Academy site. This zebra crossing is dated and has no safety signage which is standard for crossings of 2017/2018. WSS feel that it is paramount this zebra crossing is updated and brought in line with current safety requirements along with the required signage to warn motorists as they approach from a darkly lit hill downwards to the crossing.
- 2) Resurfacing of PROW DR118A - the current surface is loose which makes it difficult for parents to push prams over this surface, and difficult to use by disabled residents and elderly. WSS ask that this is resurfaced to a smoother finish.
- 3) Signage should be increased at the entrance and exit points to Common Lane to include roundels in the road and vehicle activated signs on both Old Broad Lane and The High Road to identify Wilmington as a school safe zone. Currently we have little signage to denote the 3000 pupils in and around this area.
- 4) There are major items that have been overlooked and it is very disappointing to note that the section on Pupil Travel in 5.2 and 5.3 of the Transport Assessment, has not been updated and revisited since our last concerns highlighted in 2015. The Travel Survey data at the Academy of which, 134 pupils participated in, assume on travel for the total attendees at the school which there is currently 1034 and is to be increased to 1323 pupils. Therefore, the response rate is only slightly over 10% for pupils and a 50% response rate from the teachers which is a poor representation. A larger percentage of data would allow a true representation and WSS ask that these surveys are committed to being reviewed again to highlight the traffic and parking issues suffered locally. WSS feel that no assumption can be made on sustainable travel and parking requirement until this data is collated.
- 5) Parking is not sufficient for parents who collect their children. Parent parking in roads surrounding the schools is still a major issue and has been overlooked

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again in the mitigation. Parents who wish to drive to school create traffic, nuisance parking and have nowhere safe to sit and wait for their children. The support to govern parents parking illegally is limited by Dartford Borough Council (DBC) and the Police due to resources. Parents continue to contravene parking restrictions and block elderly resident driveways and leave little room for emergency vehicles. WSS have asked DBC to support residents with additional warden visits and to provide data identifying how efficient current processes and procedures are by way of ticket's given. This is impacting local roads and the community are highly concerned about the added pressure on traffic, safe parking, air quality and road infrastructure.

- 6) Please note that WSS residents are collating feedback on the negative safety impact of the schools in the surrounding roads and especially where the new Academy walkway exit is situated on Tredegar Road. Parents are using Tredegar Road and Wilmington Court Road as a drop off area which results in the cars speeding through this narrowly parked road. (*NB – a document titled Wilmington Resident Feedback was submitted by WSS on 30 January 2017 which includes the results of a door to door survey and collates feedback/letters sent to WSS regarding these applications*).
- 7) WSS strongly feel that the mitigation offered above should have been implemented years ago on grounds of safety and aside from any expansions. Whilst we would welcome the above measures we feel that for safety to be delivered, it must be at the cost of further expansion with no real understanding of the true impact on roads and communities as the data collated is based on a handful of people replying to transport surveys at the Academy.

The mitigation will offer some solace to the issue at hand and we appreciate the effort that has been made to overcome those issues, but the village and residents are at breaking point.”

**Local Member**

20. The local County Member, Mrs Ann Allen, was notified of the application on 23<sup>rd</sup> January 2018 and the amended details on 25<sup>th</sup> May 2018.
21. The two Dartford Borough Council Members for the ward of Wilmington, Cllr Eddy Lampkin and Cllr Derek Hunnisett, were also notified of the application on 25<sup>th</sup> January 2018 and the amended details on 25<sup>th</sup> May 2018.
22. The County Member and the two Borough Councillors raise objection to this application and the accompanying application at Wilmington Academy (KCC/DA/0353/2017) and comment as follows:

“In replying to the above consultations we have considered both applications together as they jointly impact on the community and should therefore be considered as one application in as far as they impact on the community. Our objections however should also be separately recorded against each application.

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We acknowledge the work already undertaken by Kent County Council, the Schools and Wilmington Safer Streets to improve the safety for both students and other road users, and those as now proposed in these applications in an attempt to further mitigate traffic impact and road safety issues. The proposed measures in the applications, particularly at the WGSG, are most welcomed.

However, we contend that the plans for extensions remain contrary to the Dartford Borough Council Development Policies Plan (adopted July 2017) Policy DP3 which states that -

*Development will not be permitted where the localised residual impacts from the development on its own or in combination with other planned developments in the area, results in severe impacts on one or more of the following:*

- a] road traffic congestion and air quality*
- b] safety of pedestrian's cyclists and other road users.*
- c] excessive pressure for on-street parking*

The planned developments at Wilmington Academy and WGSG impact on all 3 (a, b and c) and are therefore in conflict with the Borough Council's Adopted Local Plan.

I quote from submitted Transport Assessment for the Academy proposal:

*"Conclusion of transport assessment, page 40. 10.1.2, 10.1.5 and 10.1.2 in particular... 300 more students...98 more car trips in the morning...70 in the afternoon... 'should not have any residual impact in terms of transport'*

In addition to that assessment, a further 22-25 car trips are shown in the WGSG Transport Assessment. We therefore do not accept the conclusion of the Transport Assessment.

We would also remind Officers/Members that the Academy shares the same site as the Wilmington Grammar School for Boys and is within 100m of Wilmington Primary School, both of which also impact on local residents and the narrow residential roads of Wilmington.

We therefore do not agree with the conclusion that these expansions would not have any residual impact on the area - the Transport Assessment for the WGSG application states "it is recognised that some parts of the local area are subject to congestion before and after the school day as a consequence of the number of pupils arriving and leaving".

This is further evidenced by the very large number of resident objections to the highway impact of these applications on the surrounding community.

Although some of the safety concerns of residents have been addressed (we support Wilmington Safer Streets comments as submitted on those matters) the severe traffic impact of the extensions on the community has not been overcome.

We therefore strongly object to the application in that the proposals still represent



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an unacceptable over-development in what is a rural setting, would have an adverse effect on the community, and have unacceptable transport impacts being contrary to CS15 /CS16 and Policy DP3 of the Dartford Development Policies Plan.”

23. In response to the consultation for the amended plans and documents Councillors Eddy Lampkin, Derek Hunnisett and Ann Allen commented as follows:

“To save repetition we would refer you to the Parish Council reply in respect of this application to which we wish to confirm our full support to the concerns expressed. We are similarly pleased to note the improvement in on-site parking provided. We therefore ask that our support to the concerns raised by Wilmington Parish Council be noted.”

**Publicity**

24. The application was publicised by the posting of 3 site notices, an advertisement in the local newspaper, and the individual notification of 32 neighbouring properties and and/or individuals that submitted written representations on the previously withdrawn planning application (DA/16/929 (KCC/DA/0090/2016)).

**Representations**

25. In response to the publicity 37 letters of representation have been received from 31 local addresses. There were 3 letters of support and the other 34 all raised objections. Due to the fact the Academy application was submitted at the same time as the Girls Grammar School application (and the proposed expansions for these schools have a joint impact on the wider area), the majority of the comments received were directed at both planning applications.
26. The key points raised by local residents with regard to this application are summarised as follows:

Highway/Access Matters

- Common Lane is a narrow lane, too narrow for vehicles to pass, resulting in buses and large vehicle having to mount the pavement;
- At peak school times the pavements are heavily used due to the amount of schools in the immediate locality;
- Pedestrians, including pupils, have been hit by buses/coaches as they have mounted the kerb;
- The pavements on Common Lane are narrower than the recommended width in places, and are only on one side of the road;
- None of the proposed mitigation addresses the dangerous issue of vehicles mounting the pavement to pass each other;
- The junction of Parsons Lane and Oakfield Lane is not suitable for large coaches and buses. Traffic has to come to a stand still to allow them to exit as they have to use both sides of the road;

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- Buses should be banned from Common Lane and a bus/coach park provided on Oakfield Lane, or at the least the road should be made one way to prevent vehicles having to pass each other;
- The roads around the Wilmington Schools are already chaos at peak school times, and literally at grid lock;
- There are 3 Secondary Schools, a Primary School and a Nursey all accessed from Common Lane, the road and the village cannot accommodate anymore;
- The village of Wilmington cannot support 3 Secondary Schools so pupils are bussed in or brought by car, few pupils are within walking distance;
- Those that can walk/cycle to school often don't as it is too dangerous;
- Pupils have recently been hit by vehicles when crossing Common Lane. It won't be long until there is a fatality;
- Common Lane is already a dangerous road at peak school times, expansion of the Academy would only make this worse;
- The recently introduced 20mph speed limit on Common Lane is not policed so is ignored. Repeater signs, additional road signs and road markings are required to draw drivers attention to the lower speed limit;
- Recently completed highway works/improvements are welcomed and gratefully received but are not enough to mitigate the impact of existing traffic yet alone any increase;
- All the proposed improvements would benefit car drivers not children walking or cycling to school;
- Parents and sixth formers park dangerously and in some cases illegally, blocking access for local residents, and more importantly emergency services;
- Paths are blocked by parked cars, resulting in people (including Primary School Children) having to walk in the road;
- Additional onsite car parking is required to enable parents to drop off and pick up pupils;
- The bus drop off loop would result in the loss of the informal parking that currently occurs here providing approximately 15 spaces, therefore overall situation would be worse;
- Additional parking restrictions should be put in place in the village to prevent parents parking during the morning and afternoon peak;
- Recently introduced parking restrictions are not enforced so are ignored. Rather than introduce more stringent restrictions which would have a negative impact on local residents as they would not be able to park in the evenings/weekends, increase and improve the policing and enforcement of the restrictions that are already in place;
- The recently constructed footway link within the Academy site, to the rear of the school, and PROW resurfacing has resulted in parents dropping off/picking up pupils in Tredegar Road, Wilmington Court Road and Manor Close. The problem has just been moved from Common Lane to other local roads;
- The Transport Assessment refers to data collected in 2016, and in June which is exam time, so is out of date and inaccurate;
- There is inadequate signage on Common Lane to warn drivers of children crossing;
- The Schools need to educate pupils on safe cycling, and safe crossing of roads;
- The roads would not be able to cope with construction vehicles;

**Other Matters**

- Overdevelopment of the site meaning a lack of space for children at recreation times;

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- Classroom block will be a dominant structure, out of keeping with the other school buildings;
- Concerned about potential felling of more trees;
- Do not want the sports hall to have any public use;
- The village is becoming overdeveloped which is ruining its rural character and destroying the community;
- The scale of the development is totally out of character with surrounding properties and the Green Belt location;
- There are no special circumstances put forward in this case that would outweigh harm to the Green Belt;
- The application does not meet the requirements of local and national Planning Policy and Guidance, including the NPPF and the recently adopted Dartford Development Policies Plan, especially Policy DP3;
- The proposal would have a severe negative impact on road traffic congestion, air quality, safety of pedestrians, cyclists and other road users, and would result in excessive pressure on on-street car parking. Policy DP3 of the Dartford Development Policies Plan states that development will not be permitted if its impacts on one or more of the above. This proposal impacts on all of the above;
- The further expansions of the Wilmington Schools represent an unacceptable overdevelopment of a rural village;
- The applications for development and expansions of the Wilmington Schools should be considered together, not in a piecemeal fashion;
- The residents of Wilmington have not been considered at all, and the proposals have not been sufficiently advertised;
- Air pollution is already high in the area, this will only get worse should these expansions be approved;
- The development would increase noise pollution in the village;
- Litter and antisocial behaviour is already an issue, and with an increase in pupil numbers would only get worse
- Local residents are often verbally attacked by those parking anti-socially when asked to move.

Support

- Whole heartedly support the construction of new facilities for local schools;
- Moved into the area 23 years ago and the schools have always been there. The impact of them has been minimal, and the proposed development would result in very little change in that regard;
- Believe the proposal offers the best solution available within the confines of the location.

In response to the re-consultation an additional 4 letters of representation were received and the key points raised are summarised below:

- Local infrastructure is not adequate to support the existing pupils at Wilmington Grammar School for Girls and other nearby schools, let alone expansion at this school, especially in the context of concurrent expansion plans at the Academy;
- The local roads are impassable during school drop off and pick up times and the number of cars parked on the roads is dangerous;
- The new plans make some positive promises but they are little more than good

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intentions;

- The expansions mean more cars, more buses, more coaches more construction traffic, more builders cars etc.;
- No reason for granting a coach park on green belt land;
- The access off Parsons Lane for the coach park is unsuitable for such a purpose;
- Impact on wildlife in the area;
- A new school in a better location is required rather than extending the existing school in Wilmington.

**Discussion**

27. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 18 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.
28. This application is being reported for determination by the Planning Applications Committee due to the objections and views raised by the District Authority, Parish Council, Ward Members and the neighbour representations received. In my opinion, the key material planning considerations in this particular case are the principle of development in this location in relation to the Green Belt and the need for school places; the siting and design of the proposed extension in terms of its built form; the highway and traffic implications of the school expansion on the surrounding roads and the cumulative impact of this expansion and that proposed at Wilmington Academy. Other matters such as biodiversity, surface water drainage and sustainability will also be covered in the report.

**Principle of Development**

29. The school site lies within the Green Belt, where Policy DP22 of the Dartford Development Plan states that inappropriate development will only be approved by Very Special Circumstances and Policy CS13 of the Core Strategy states that inappropriate development will be resisted through development control decisions. The aims of the Dartford Green Belt policies reflect the guidance in the NPPF (paragraph 87) which states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC). The NPPF advice, which is echoed at the local level, is that 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.
30. Paragraph 89 of the NPPF states that Planning Authorities should consider the construction of new buildings as inappropriate in the Green Belt, but provides a number of exceptions where development may be acceptable. It is considered that the most pertinent exceptions applicable to this scheme are:

- (3) the extension or alteration of a building provided that it does not result in

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disproportionate additions over and above the size of the original building”.

- (6) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Policy DP22 of the Dartford Development Plan reiterates the exceptions of the NPPF and also states that where proposals for infilling or redevelopment of previously developed sites are being considered, those that meet the following criteria would be permitted:

- (a) proposals should not have a greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development. Developments that lead to over-intensification of the site will not be permitted.

- 31. In my opinion the school has already benefited from various extensions, including a two storey extension to the front of the school, and therefore this proposed extension in combination with those already permitted would be considered as disproportionate compared to the original building and would therefore not meet exception (3). Furthermore the amount of development being proposed, and its location on an open area would, in my view, also mean the application would not accord with exception (6) of the NPPF or Policy DP22 of the Development Plan. It must therefore be deemed as inappropriate development in the Green Belt and this view is reiterated by the comments received from Dartford Borough Council.
- 32. It therefore needs to be considered whether there are any Very Special Circumstances which exist, which would allow for the setting aside of the general policies of restraint in the Green Belt. The application is supported by a Planning Statement where the applicants have set out what they consider the Very Special Circumstances to be.

Very Special Circumstances

- 33. The argument put forward by the applicants has a three-fold approach – the need for the development, the lack of alternatives, and the minimum required. The need for the development centres on the educational need, backed up the Government’s aims that there should be a sufficient choice of local school places to meet the needs of existing and new communities. The Educational Need has been outlined by the KCC Area Education Officer for North Kent, who states that the Wilmington and South Dartford urban areas have been seeing an upsurge in demand for secondary school places. The indigenous demand has been created by changing demographics in the area, and this has been combined with demand from the large and medium scale housing development in the area. The deficit of secondary school places in the Dartford Urban Area was forecast to be from 2018, but the unexpected closure of Hextable Oasis Academy (which was outside the control of KCC) meant the need for additional places arose in 2015.
- 34. The additional need for secondary school places has been mitigated in the short and medium term by the introduction of just under 8 forms of entry across the District. These

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have occurred at:

- (1) Dartford Grammar School for Girls – bulge intake of 20 additional pupils per year;
- (2) Leigh UTC – new 4FE school
- (3) Wilmington Grammar School for Girls – 1FE uplift
- (4) Wilmington Academy – 2FE uplift

However, even with the expansions having been undertaken, the Area Education Officer states that there is still barely sufficient capacity, and this creates no scope for parental choice or preference.

- 35. The 2018–2022 Kent Commissioning Plan provided forecasts that indicated an increase in the demand for secondary school capacity. Furthermore, this increased demand showed no signs of reducing over the forecast period. The surplus/deficit of places for both year 7 and for all year groups is below.

Figure 1

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-19	-61	-107	-180	-186	1,735
Year 7-11	7,913	362	306	150	-19	-341	-576	8,735

However, these forecasts only include limited moderation to take into account the new housebuilding that is taking place in Dartford Borough. Much of the demand from these developments will be met by a new school in Ebbsfleet, in northern Dartford. However, the demand shown in Figure 1 above, plus further demand generated from ongoing large-scale development outside of the Ebbsfleet Garden City, must be met through the utilisation of bulge year groups within existing Secondary Schools until a new school can be provided in Northern Dartford.

- 36. The Grammar School has been submitting increased cohorts since 2016 on a temporary basis, and forecasts for the Borough of Dartford support the view that without this permanent expansion the Borough would fail to meet its statutory obligations to provide sufficient school places in the area. This school expansion is one of a number that are necessary for the Dartford Area, and if it does not proceed the deficit of places will worsen because of the limited options for alternative expansions in the Dartford Area. Furthermore, recognition must be given to the fact that Kent is a Local Authority with a selective education system, and when providing additional places in Secondary Schools, commissioners need to be mindful of the need to maintain the proportionality between selective and non-selective school places where possible.
- 37. It must therefore be noted that the projected deficits in Secondary School places have been calculated with the 1FE expansion to Wilmington Grammar School for Girls already included within the capacity figure shown in the second column of Fig.1. This means that if the expansion planning is refused, for each of the Year 7 numbers in the table the deficit will increase, with corresponding pressure on total 7-11 roll, as shown in Figure 2:

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Figure 2

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-49	-71	-137	-210	-216	1,735
Year 7-11	7,913	362	216	50	-169	-551	-906	8,735

38. Wilmington Grammar School for Girls has been targeted for expansion due to the increased demand in Dartford Town and surrounding areas, meaning there is very little choice for parents; that the school sits very close to the area of greatest need; the size of the existing school being adequate to support the expansion; and it having a good Ofsted rating and support from the governors and head teacher.
39. In terms of the lack of alternatives the applicants acknowledge that it would be preferable to locate new development outside of the Green Belt from a planning policy stance, but as the whole site at the Grammar School falls within the Green Belt this could only be achieved by relocating elsewhere within the Borough. A number of alternative options were considered to accommodate the demand for school places, including the former Hextable school site. This site was discounted because the Swanley/Hextable area is amply served by the Orchard Academy, therefore it wouldn't serve the area of most need. It would require children to travel further to attend the school, and given that the most expedient route to Hextable from Dartford runs through Wilmington, would exacerbate the travel issues experienced here as well as in Heath Side and Joydens Wood. Furthermore the accommodation on this site is very dated and would have required a significant investment, making it less viable and cost effective than the current proposals. It should also be noted that even if the former Hextable site could be used, or an alternative new site found to operate a new school, Government legislation only allows for the opening of a new Free School on the site. To establish a new free school is a lengthy process and as the demand is critical there would not be sufficient time to set up such a school to meet the existing need.
40. The Council have two new 8FE schools due to be constructed within the next 3-4 years at Stone Lodge and Alkerden (Ebbsfleet Garden City) but again neither are due to be in place to meet the current demand. Given the lack of an acceptable alternative that can be provided to meet the existing shortfall problems, the proposals at Wilmington Grammar School for Girls are considered by the applicants as the optimal solution.
41. The applicants have stated that if the application were not approved, and the School reverted to a 4FE School, there would be a number of implications. Firstly for the short to medium term the County Council would not be able to meet its statutory duty of providing a school place for every young person in the area; secondly there would be a negative impact on local families and children's potential educational performance through children having to travel much further to school each day. By 2019 there would be a deficit of more than 3FE of secondary provision and this could not be covered by introducing bulge years in existing schools, and WGSG would be left with much large cohorts in 4 of its year groups with insufficient and inadequate accommodation to enable the school to provide the best educational opportunities for the students. Finally the planned highway mitigations that are incorporated into this scheme and which have been designed as part of the two applications at WGSG and Wilmington Academy would

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not be undertaken to the detriment of the existing situation.

42. The third string of the argument put forward is that the scheme represents the minimum amount of development required. The existing buildings fall short of the amount of space required for a 5FE secondary school, and therefore careful consideration has been given to accommodating an additional form of entry on site. The applicants state that the minimum amount of space has been proposed in the new building, combined with consideration of internal alterations to enable the scheme to accord with Building Bulletin for Schools 103, and that the new block has been designed to respond to the existing buildings and external spaces on site.
43. The proposed development involves not only the new building to the north of Parsons Lane, but also the coach drop off loop and parking facilities to the south of the road. In terms of the appropriateness of this part of the development in terms of Green Belt policy, it should be noted that under the NPPF exceptions, the provision of local transport infrastructure that requires a Green Belt location are not considered inappropriate provided they preserve the openness of the Green Belt. Given that the school falls within the Green Belt and that the coach and parking facilities are required to serve the school development, it is considered that this part of the scheme would accord with the exceptions. The hardsurfacing required to form the coach loop and parking would all be provided at ground level and I can see no reason why this would affect the openness of the Green Belt. Notwithstanding this view, the coach loop forms part of a comprehensive package of highway mitigation measures (which are discussed in detail later in this report) which would be integral to the provision of the additional form of entry at the school. It could also be argued that the Very Special Circumstances outlined earlier about the need for the school places at WGSG would also apply to this element of the proposal.
44. Finally, and to consider the impact on the Green Belt as a whole, the application needs to be considered in terms of the impact of the development on the openness of the Green Belt. 'Openness' has been described as an 'absence of development' irrespective of the degree of visibility of the land in question from public vantage points. Therefore, any development will have an impact on openness and the degree to which that impact is either acceptable or unacceptable will be a matter of fact and degree based on the merits of each case. Local Plan Policy DP22 sets out what is considered to amount to other harm in the Green Belt and, in relation to openness, this includes the extent of intensification of the use of the site, and the impact on visual amenity or character taking into account the extent of screening required.
45. Given the description of openness above, it must be accepted that should permission be given there will some impact on the openness of the green belt. However, the new classroom block would be sited in close proximity to the existing three storey building on the northern side of Parsons Lane and the development would be seen within the context of this and the other school buildings on site. This would, in my view, reduce the impact on the extension in visual terms, and limit the effect on the 'openness' of the Green Belt. The proposed block would have a compact footprint which would avoid spreading the development across the site and would consolidate the built form in one place. Whilst the development would 'intensify' the use of the site through the 1FE expansion, it should be noted that this is an existing education facility and the uplift in pupil numbers has been taking place since 2016, with students currently taught in



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mobile classrooms to address the shortfall in space on site. In my view, the intensification of the built form on site would not be to such a degree that a refusal of the scheme would be warranted.

46. Due to the compact and innovative design of the classroom block, with the sports hall included and the MUGA on the roof, the school would not need to construct the sports hall that was given permission by Dartford Borough Council in 2014. This was due to be sited on the southern side of Parsons Lane in the location of the proposed coach loop and parking spaces. This building was justified by DBC as development in the Green belt against their own planning policies and the NPPF, yet would have resulted in development being intensified on the southern side of Parsons Lane. By incorporating the sports hall into the current proposals, the need to build the separate sports hall is removed. In this way the built form could be contained amongst the other classroom buildings, and the land south of Parsons Lane used for the added benefit of providing highway mitigation works, which would have a limited impact on the openness of the Green Belt.
47. As noted earlier, Dartford Borough Council have raised an objection to the application on the grounds that it would represent inappropriate development in the Green Belt, but they state that it would be for the County Council to decide if the Very Special Circumstances put forward in terms of the need for secondary school places, outweighed this harm. Furthermore on green belt grounds they have concerns that the proposal would result in an intensification of the use of the site and adjacent land, reducing the area of the site that is open. The guidance is conflicting in that on one hand the NPPF (backed up by local Policies) seeks for the green belt to be protected, yet on the other that great weight needs to be given to the need to create, expand and alter schools. Where the two elements overlap, as in this case, a balancing exercise has to be undertaken.
48. Overall, and taking on board the views of the District Council, 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 Policies and the NPPF. The development is inappropriate development for the purposes of Green Belt Policy consideration and is, therefore, by definition harmful to the Green Belt. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute 'Very Special Circumstances' capable of outweighing harm, in this particular case. I accept that the carefully designed extension and its siting in relation to the existing school, plus the removal of the need to construct the permitted sports hall on the southern side of Parsons Lane would mitigate the impact of the development on the functioning and openness of the Green Belt. Accordingly, I consider that an objection on Green Belt grounds would not 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 before permission could be granted, to enable him to adjudicate on the Green Belt ramifications of the proposed development.

**Siting and Design of the Extension**

49. The proposed addition to WGSG would be a modern building with a roughly square footprint providing a 4 court sports hall with associated changing facilities, 5 classrooms,

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a tech room, various group rooms, offices and a viewing gallery for the sports hall at the first floor level. In addition a roof top MUGA would be provided enclosed by 3m high cladding and topped with ball stop netting to a maximum height of 4m (i.e. 1m above the top of the cladding). The walls would be constructed from white render panels, with elements of steel grey and wine red panelling to highlight sections and provide interest and detail. The classrooms would be well lit by natural light through the dark grey aluminium framed windows and the sports hall would benefit from high level translucent wall panels. The classroom block would have a curved standing seam roof, and the changing block a flat zinc roof. The external staircases would be enclosed by trespa cladding and the MUGA would be enclosed by 3m high hit and miss trespa cladding in steel grey and wine red. The existing school buildings are varied in their architectural style and materials used, and it is considered that the proposed classroom block would pick up on some of the surrounding elements and materials, resulting in a building which would complement the site. Due to the ball court netting and panelling, the scheme would effectively be a three storey building, however, it is considered that the scale of the extension would not be out of place on site, and the lower ground floor level would help to soften the impact in terms of overall height. In addition, the hit and miss nature of the trespa panels and the ball court netting would have a more lightweight appearance and would lessen the impact of these elements, where views through the materials would be possible.

50. The extension would be located in the north-eastern corner of the site and would result in the loss of two of the existing four ball courts. The proposals, however, include a new 4 court indoor facility and the MUGA on the roof, and therefore in overall provision terms the School would still enjoy ample ball court space. Sport England were consulted on the application and have confirmed that as adequate re-provision of facilities would be made through the proposals, they have no objection to the development. In order to address the shortfall whilst construction takes place, the Phasing Statement submitted with the application confirms that a temporary ball court would be provided on the site of the coach loop and parking area whilst the building is being constructed.
51. The building would be tucked inside the existing chain link fence along the eastern boundary and would therefore not affect the boundary treatment along this side of the site, nor would it impact on the existing substation just outside the site in the north-eastern corner. Along the northern boundary four trees would be removed to accommodate the building, but the remainder of this scrubland and tree boundary would be retained. Beyond the northern boundary lies Oakfield Lane and beyond this the Heath, which is an open grassed area which sits between the Lane and the A2. Concern has been raised by Dartford Borough Council that the removal of the trees along this boundary and the siting and height of the classroom block would affect the visual character of the area, especially views from the Heath back towards the site. Although their comments are noted, in my opinion the proposed development would, if seen from the Heath, be viewed in the context of the existing three storey school building behind it and whilst it may be visible it would not be a new building in its own right, but part of an established education site. I would therefore consider any visual impact to be minimal on the wider landscape setting and therefore not harmful to any great extent. Landscape matters in general are covered later in the report.
52. Given the location of the building, tucked into this corner of the site, it would be some distance away from any neighbouring properties, therefore unlikely to cause any amenity

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issues for these residents. The closest properties to the classroom would be those sited to the west of the school, between the school boundary and Common Lane. The distances involved between these houses and the new development would be extensive and it is considered that the scheme would not unreasonably affect them. The only potential impact to these properties would be during the construction of the building where it is proposed for the construction traffic to enter the site via the lane to the west of the school which also serves these properties. The Construction and Phasing document submitted in support of the application states that the access road would be resurfaced and upgraded in order to withstand the weight of the construction traffic which would use the road for the duration of the project, and on completion of the works the road would be resurfaced with a wearing course of tarmac. In addition the document states that any damage caused to the existing surfaces during construction would be made good. It is therefore considered that although the residents might experience temporary disruption with contractors vehicles using this access, the road would be made good during and after the event, and in the long term there would be no lasting impact. A condition could be imposed to ensure compliance with the Phasing Document in this respect, as part of a Construction Management Plan.

53. The sports hall and roof top MUGA would be for the School use only. In determining the previous application for the sports hall to the south of Parsons Lane, Dartford Borough Council considered that the site would not have been able to provide the required amount of car parking to allow members of the community to use the facilities and this situation has not changed, therefore no community use is proposed as part of this application. The MUGA is not proposed to be lit and to protect the amenity of neighbouring properties and impact on the wider area it is considered that lighting would have been inappropriate in this instance. A condition which requires the School to apply for any lighting they may wish to install in the future has been proposed to enable the County Planning Authority to have control over this situation. A Noise Impact Assessment was submitted to accompany the application, which considered the impact of noise that might be generated by children using the roof top MUGA, and this demonstrated that there would be no significant impact on residential amenity. Dartford Borough Council have confirmed that they have no objection to the application in noise terms.
54. To the south of Parsons Lane, the application proposes the widening of the existing access next to The Manor (to 10.5m wide) and the creation of a new coach turning and drop of loop, plus an additional 12 staff car parking spaces. The coach parking spaces would be provided either side of a formal access road (3 on either side) and the additional 12 parking spaces would be accessed at the end of the turning loop, with 6 on each side. A footpath link would run along the edge of the coach bays and extend as far as the staff parking area on the southern side, to provide safe access from here to the school site for pedestrians. This element of the scheme will be addressed in detail in the following Highways and Traffic section of the report. In addition to the parking provided here, the amended scheme also includes acoustic fencing which would run around the perimeter of the site by the parking spaces and turning loop, where this meets the end of the residential gardens for houses to the south. It is considered that this fencing (which would be 2m high) would be sufficient to alleviate any disturbance which might be experienced through noise of cars and coaches parking and turning in this area for those living in these properties, especially as this area is right at the end of the gardens which are at least 60m long.

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55. The existing footpath which runs through the WGSG southern side of the site, linking Parsons Lane and Common Lane (by the entrance to the Boys Grammar School) would be cleared and where necessary enhanced to make a safe route through from one road to another, as an alternative to having to walk along the pavements of these two roads. Again more detailed comment on this element will follow, but in terms of overall layout it is considered that this would be acceptable and beneficial to the site as a whole.
56. It is therefore considered that from a design and siting point of view, and taking into consideration any possible impact on residential amenity from the works themselves, the scheme would be acceptable and in accordance with Policy DP2 of the Dartford Development Plan.

**Highway and Traffic Implications of the School Expansion**

57. As set out in the background section of this report, the applicants have been working towards finding an acceptable solution for the proposed expansion of WGSG and Wilmington Academy in highway and transportation terms since the submission of the previous applications in 2016 highlighted the existing problems experienced in Wilmington as a result of the number of schools in close proximity to each other. It was clear that in order for any expansion to be acceptable work was required to improve the existing situation in highway terms, and then enhance it again in order to cope with additional pupil numbers in the area. During 2017 a number of measures were introduced on the local highway network which were a combination of actions by Kent County Council and Dartford Borough Council to address existing issues on Common Lane along with mitigation for the temporary expansion at Wilmington Academy. These include:
- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site (a survey on 27 March 2018 indicates the success of this footpath as a total of 161 students were counted using this new route),
  - the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A,
  - the schools and nearby properties have been required to cut back overhanging vegetation to reduce the likelihood of large vehicles overrunning the footway,
  - carriageway white line markings have been refreshed,
  - a 20mph speed limit has been introduced,
  - a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane
  - parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking, and
  - an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.
58. This sums up the situation as it stands at present, but the expansion of the Grammar School and the Academy will continue year on year until complete, and further works will be required to compensate for these pupils in highway terms should permission be given. Looking at The Grammar School as an individual site the following matters

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should be taken into account. The application was supported by the submission of a Transport Statement and the further submission of a Transport Statement Addendum in May 2018, and these are the documents considered by the Highways and Transportation Officer, alongside the proposed mitigation plan which formed part of these documents.

59. The Grammar School site only provides for staff parking on the site and this situation would not change under the current proposals. The existing parking arrangements on the northern part of the site would be retained as existing, whilst the informal parking area on the southern side of Parsons Lane would be remodelled to form the new coach drop off loop and at the end of this loop, 12 additional parking spaces would be provided for staff parking. The cars parked in this area are at present making use of a piece of land which is not designated for parking, and the applicants note that the parking here could have been extinguished at any time if the previously approved sports hall were to be constructed. Nevertheless, there would be a displacement of cars from this area - some would be owned by staff who could utilise the new 12 spaces, whilst those belonging to students would be forced to relocate to the road. As part of the STP it is intended that the School will discourage all students from driving to the school, to reduce this displacement as well as parking on surrounding roads in general. Parking is available along Parsons Lane outside of the marked bus bays and surveys undertaken by the applicants have shown that a number of spaces are generally free here to accommodate those who choose to ignore the advice not to drive. The Highways and Transportation Officer has confirmed that the number of additional spaces would comply with the Dartford Local Development Framework Parking Standards (2012) and would be acceptable in this regard, and proposes a condition be added to any consent to ensure these parking spaces are permanently retained.
60. The on road bus bays would be relocated slightly further along Parsons Lane as part of the off-site mitigation plans to allow for the widening of the access for the bus drop off loop. The bus loop, as described earlier in the report, would allow for the privately run coaches organised by parents of the Grammar School children to enter the site to drop the pupils off (onto pedestrian footpaths which run either side of the loop) and then turn within the site and exit back onto Parsons Lane. The widening of the access would allow the coaches to enter and leave without any conflict and there would be space within the site for 6 coaches to be accommodated at any one time, with 3 parked on each side of the central access road. The benefit of removing these coaches from Parsons Lane would allow other traffic to flow along the lane without being impeded by stationary coaches, and furthermore would allow the children to alight in a safe area away from the main road.
61. The works that are also proposed on this southern part of the site involve the improvement and maintenance of an existing footpath link which runs from this area down towards Common Lane. The footpath is in a reasonable state at present but works would be undertaken to ensure it is safe to use in all weather, and to extend the path across the grass at the southern end of the site and create a new gated entrance in the fence line to allow access onto Common Lane. This access point would link in with the existing zebra crossing outside the Boys Grammar School. This proposal is an important improvement in highway terms as it would allow all the grammar students (boys and girls) to walk between the 2 sites without having to walk along Common Lane, thus significantly improving safety. This would address a key concern raised by

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Highways and Transportation in 2016 that there should be no increase in the number of pupils using the footpath to the north of Common Lane, which is often mounted by buses and large vehicles that struggle to pass each other due to the restricted carriageway width. It is important that this link be in place as early as possible and the applicants have stated that they would be able to provide this prior to construction starting for the new building, should permission be given. A condition to secure this is suggested.

62. As a result of the requirements for mitigation in the area for the combined impact of this development and that at the Academy, a number of off-site highway and transportation mitigation measures are proposed. The key elements comprise:
- an amendment to the existing build out on Parsons Lane to provide an improved 'raised table' traffic calming and pedestrian crossing feature;
  - 18 additional staff parking spaces within the Wilmington Academy car park;
  - hatched white lining and double yellow line parking restrictions at the Parsons Lane/ Common Lane junction to discourage inappropriate parking without impeding large vehicles such as buses from turning;
  - additional yellow line parking restrictions are proposed on Parsons Lane, between Common Lane and WGSG entrance and on Common Lane, including additional bollards, in the vicinity of the access points to the Academy to discourage inappropriate parking;
  - proposed table top shared surface would be constructed at the point where Public Right of Way DR118A meets Common Lane to replace an existing speed hump to reduce vehicle speeds and increase the safety for pedestrians crossing Common Lane; and
  - a widening of the access to Wilmington Grammar School for Boys to enable easier access.
63. These improvements (alongside the other measures previously implemented as part of the temporary expansion of the Academy and by the local authorities outside of the planning process) are considered by Highways & Transportation to be sufficient to mitigate the impact of the proposed expansion of the Grammar School and the Academy in respect of new infrastructure. The works would need to be conditioned to ensure that they are provided in a reasonable timescale in relation to the School works, to ensure they are in place to mitigate for the additional pupils. With regard to the works along Parsons Lane, these would be undertaken in association with the construction of the coach loop (as the new raised table would need to link in with the revised access arrangements) and this part of the Grammar School proposals would be undertaken as the last phase of works once the new building is finished.
64. For all of the remaining off-site highway mitigation measures proposed, where they are on the public highway, they would be subject to a Stage 1 Safety Audit and any issues raised by the auditor would need to be taken into account as part of any planning permission. Therefore, as required by Highways and & Transportation, I would suggest that should permission be granted, a condition of consent be imposed requiring the completion of the off-site infrastructure shown on the submitted plans (Drawing11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension at the school. Further, as required by the Highways Officer, an additional condition should be imposed requiring the provision of new poles and globes at the zebra crossing at the Academy/ WGSB exit on to Common

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Lane, to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane. Subject to these conditions, I am satisfied that highway safety matters would not be significantly exacerbated by this application to a level to warrant refusal of the application under policy guidance and the NPPF.

65. Alongside the physical mitigation an updated School Travel Plan has been produced and submitted for the Grammar School. The Travel Plan is put forward in the Transport assessment as a key element of the mitigation measures, particularly in terms of the junction assessments, where a 10% reduction in total school traffic flows (with trips transferring primarily to bus and coach journeys) is assumed to result from the successful implementation of the plan. The Highway Officer states that the School must 'own' the plan, they must publicise it on their web site, actively implement it and regularly review and update it. To assist schools with this, KCC has a comprehensive range of initiatives including road safety awareness and training, responsible parking initiatives, travel plan writing and monitoring packages and grant schemes to support the introduction of measures. Given the traffic pressures from parent parking on Parsons Lane, WGSG should consider participating in KCC's Responsible Parking Initiative at <http://www.responsibleparking.co.uk/>. The Travel Plan does commit WGSG to provide at least one member of staff to oversee traffic and pedestrian movements on Parsons Lane, and further collaboration is proposed with bus operators and with the other local schools. It is hoped that these aspects, particularly co-ordination with the other Wilmington schools, especially the Academy in respect of enabling their students to access the Grammar School coach services, can be expanded upon given the need to take collective action to address common issues.
66. Given the importance of the Travel Plan to the mitigation of the highway impacts of this proposal, Highways and Transportation has requested a contribution of £1,000 per year for 5 years to ensure adequate auditing, oversight and ongoing staff resourcing support. This money would be used by Highways and Transportation, so that they can devote staff time to monitoring and helping the School and Academy manage arrangements effectively on and off site, to help deliver the travel plan targets. It is accepted that this contribution can cover both the WGSG and the Academy Travel Plans. In this particular instance, given the sensitivity and complexity of the local issues and the importance of the Travel Plan in reducing car use to ensure that the expansions would not adversely impact upon local road/junction capacity, the Education Authority has agreed to this contribution. As monetary contributions cannot be required by planning condition, a Memorandum of Understanding is required, signed by H&T and the Education Authority, to agree this contribution. Therefore, the recommendation in this report is made subject to receipt of this Memorandum of Understanding. Further, should permission be granted, as required by H&T, a condition of consent would require the submission and approval of an updated Travel Plan within six months of occupation, authorised by the school management team as a specific school policy, and monitoring/ auditing of the Travel Plan for a period of 5 years. The Travel Plan must be subject to annual updates with the funding secured (as above) used to ensure adequate resourcing to audit and oversee this process.
67. In this case, on balance and in considering the level of mitigation proposed, I am satisfied that this development would not significantly exacerbate existing highway and access matters, including safety concerns to a level to warrant refusal under policy guidance and the NPPF. The NPPF, the Policy Statement Planning for Schools

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Development, and Development Plan Policies heavily promote the provision of school places and consider that there is a presumption in favour of development unless impacts resulting from the development would be severe. Highways and Transportation have no objection to this application subject to a contribution towards Travel Plan monitoring, to be secured by a Memorandum of Understanding, and subject to the imposition of conditions as set out above. Subject to these, I am satisfied that in this instance, the proposal would not have a significantly detrimental impact on the local highway network and therefore see no overriding reason to refuse the application on this ground.

**Other Matters****Construction**

68. A condition requiring the submission of a full Construction Management Plan (CMP) for written approval, prior to commencement of development is considered appropriate and has been requested by the Highways and Transportation Officer. He states that construction works would need to be carefully planned and managed to ensure the safety of pupils, staff and residents. The CMP should include amongst other matters that no traffic movements, including deliveries, should occur at school start and finish times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; and the provision of wheel washing facilities. Given that there are neighbouring residential properties to the site, if planning permission is granted it is considered appropriate to restrict the hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays). This could also be included in the CMP.

**Biodiversity**

69. The application was supported by the submission of a Preliminary Ecological Appraisal (PEA) and following the consultation process with the County's Biodiversity Officer this document has been revised (June 2018) and supplemented with an additional Bat Emergence Survey report and additional photographic evidence of the footpath through the site. The report has carried out a survey of the land on the southern side of Parsons Lane which would be used for the coach park and turning loop to assess the potential for this area to support any protected species including reptiles, invertebrates, owls, breeding birds, bats, amphibians and any other terrestrial mammals. In respect of mammals, amphibians, owls and invertebrates no further survey work was found to be required. With regard to breeding birds it was noted that any clearance should be undertaken outside of the breeding bird season (1<sup>st</sup> March to 31<sup>st</sup> August) but that if this timeframe couldn't be avoided then inspection by a qualified ecologist should be undertaken before works commenced. This advice can be provided through an informative.
70. The proposals involve the removal of a scots pine tree (noted as T8 in the arboricultural report) which had suitable bat roosting features within it, and as such there was a need to undertake bat emergence surveys for consideration prior to the determination of the application. These have been undertaken and the results submitted (June 2018) and considered by the Biodiversity Officer, who concurs with the findings that no bats were seen to be roosting in the tree. However, because the tree does provide suitable bat



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roosting features, it needs to be removed under a precautionary approach, where it is cut down in sections (ensuring the woodpecker hole is within the middle of one section), then the tree left in situ for 24 hours after which time it can be disposed of. The trees to be removed on the northern part of the site (along Oakfield Lane) have not been surveyed for bats but do not appear to have any suitable features for roosting within them, and there would be sufficient space retained to mitigate any potential impacts. Given this the Biodiversity Officer suggests the imposition of a condition which would require the submission of a bat mitigation strategy to be submitted for written approval before the trees are removed. Finally, with regard to bats, it is advised that the applicants be made aware of the Bat Conservation Trusts guidance with regard to any new lighting on site that might have a negative effect on bats.

71. In terms of reptiles the PEA found that there should be a precautionary approach to clearing the vegetation within the car parking area and identified a location for a receptor site. The areas are not adjacent to each other therefore the reptiles cannot be “pushed” in to the receptor site, however as the area of vegetation to be lost is small and it is adjacent to retained areas of vegetation it is accepted that the approach suggested in the PEA is appropriate for this site. In addition to the methodology proposed the Biodiversity Officer advises that an ecologist must carry out a fingertip search within this area once the vegetation clearance has been carried out – this will enable any reptiles captured to be moved to the receptor site. Furthermore it is recommended that wood piles are created out of the felled trees to enhance the receptor site for reptiles. The habitat either side of the footpath through the site is also suitable for reptiles, therefore should the pathway need to be widened as part of the development the precautionary reptile mitigation in the PEA must also be implemented to minimise the risk to reptiles during construction works. The conditions requested by the Biodiversity Officer have been included within the recommendation.
72. Finally, the application provides opportunities for ecological enhancements to be incorporated on site and the report makes a number of recommendations which the Biodiversity Officer considers should be implemented if approved, and once again, these can be secured by condition. It is therefore considered that the scheme would comply with paragraphs 109 and 118 of the NPPF, Policy DP25 of the Dartford Development Policies Local Plan.

**Landscape**

73. The application was supported by the submission of an Arboricultural Report, Arboricultural Impact Assessment and Tree Survey Plans, which outlined the trees that would need to be removed from the site to accommodate the proposed development. On the northern side of Parsons Lane, where the new classroom block and sports hall would be built would require the removal of four trees along the northern boundary of the site with Oakfield Lane, which include two turkey oaks, a holly tree and a pine. The trees tend to form a continuous belt, with some instances of larger trees that are classified separately. Three of the trees are graded as category C (low quality trees which are considered as insignificant in terms of their amenity value) with the pine being graded as a B category tree. Whilst it would always be preferable to retain established and mature trees, it is considered that because of the way the trees here form a continuous belt, the removal of these four trees (none of which are grade A, nor prominent in their own setting) would have a limited impact on the wider appearance of

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the area. The remainder of the tree belt would be enclosed by tree protection fencing for the duration of the development and a condition can be imposed to require this. It is also considered necessary to require the applicant's to submit a construction method statement for works that would occur within the root protection areas of trees to be retained, and again this could be secured through a suitably worded condition.

74. On the southern side of Parsons Lane the development of the coach drop off loop and parking spaces would require the removal of six trees. Five of these are located close to the existing entrance to the site, whilst the 6<sup>th</sup> lies along the southern boundary of the site. The trees to be removed are a holly, yew, oak, scots pine, Atlantic cedar and a bay tree. This part of the development site is more wooded in appearance and with the exception of the bay, the groups of trees which surround the site away from the entrance would all be retained and protected by tree protection fencing. The Atlantic Cedar and the tall Scots Pine are considered to be good specimens in themselves, but the access to the coach park would not be possible without their removal. Given the importance of providing the highway mitigation measures discussed above to alleviate problems along Common Lane and Parsons Lane, it is considered that their loss would be justified as the scheme would have an overall benefit to the wider village of Wilmington
75. In order to compensate for the tree loss on both parts of the site, a condition is proposed requiring a landscape scheme to be submitted indicating the species and location of native tree planting elsewhere within the site, and the maintenance of these trees for a period of 5 years after planting. Subject to this, the tree protection condition and the method statement condition it is considered that the scheme would be acceptable overall in landscape terms and would accord with Policies DP2 and DP25 of the Dartford Development Policies Local Plan.

**Flood Risk & Drainage**

76. The application was supported by the submission of a Flood Risk Assessment which shows that the proposed extension falls within Flood Zone 1, the zone least vulnerable to flooding. As such it meets the aims of the sequential test by providing the development within an area with the lowest probability of flooding. In flood risk terms the proposal is therefore considered acceptable. Details of the proposed drainage were also included in the report and the County's Flood and Water Management Team have assessed these details. They state that they have no objection in principle to the application which proposed to use soakaways for surface water drainage, however further ground investigation would be necessary to confirm the design arrangements. Therefore, should permission be granted they have requested the imposition of conditions to secure the submission of a detailed sustainable surface water drainage scheme to be agreed in writing prior to development commencing; that the extension shall not be occupied until an operation and maintenance manual has been approved in writing; and that where infiltration is proposed this will only be permitted in an area which would not result in a risk to controlled waters.

**Contamination**

77. The Environment Agency were consulted on the application as the site is within Source Protection Zone 3 underlain by Secondary and Principal aquifers. The application was supported by the submission of a Ground Investigation Report and a Phase 1 Ground

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Contamination Desk Study. The Environment Agency state that they have no objection to the proposed development provided suitably worded conditions are added to any consent which restrict penetrative foundation designs to areas where there would be no risk to groundwater; a means of dealing with any contamination found on site that hadn't been previously identified; and that infiltration of surface water into the ground should only be permitted with the express consent of the County Planning Authority.

**Sustainability**

78. The applicant advises that sustainable design has been integrated into the building concept. An area on the roof plan (between the curved classroom roof and the fencing for the rooftop MUGA) has been identified for an array of photo-voltaic panels. 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. 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.

**General Amenity and Other Matters**

79. Other than off-site traffic, highway safety and access matters, the only concerns raised regarding general amenity matters relate to a potential increase in air pollution, and the exacerbation of existing problems regarding anti-social behaviour and the dropping of litter. With regard to design and residential amenity, I am satisfied that the development proposed would be sufficiently distant and screened from local properties to avoid any direct adverse impact. With regard to air pollution, the application site and surrounding locality is not within an Air Quality Management Area so is not an area of poor air quality. I am of the opinion that the resulting increase in vehicle movements associated with the expansion of the Girls Grammar School would have a minimal impact on local air quality, especially in considering that school traffic has 2 daily peaks, 5 days a week during time term only, and see no reason to refuse the application on this ground. With regard to litter and anti-social behaviour, although regrettable, these matters are outside of the remit of the Planning Authority.
80. The local community also consider that the applications for the expansion of various schools in Wilmington should be considered as a whole, and not dealt with in a piecemeal fashion. However, the County Planning Authority can only process applications for school developments where the County Council is applicant. In this instance therefore, developments at Wilmington Grammar School for Boys and the local Nursery are considered by the Borough Council as the County Council is not promoting the development. Further, the two sites that we are dealing with at County level, Wilmington Academy and Wilmington Grammar School for Girls, are two separate schools and we cannot process one application that spans two sites. The highway implications of these proposals have, however, been considered as a whole, and the cumulative impact is considered in the determination of this application. Staff may have been recruited by the Grammar School and places offered to pupils for September 2018, and a Planning Authority cannot prevent that, but that is not something that affects the planning process or in any way should suggest a pre-judgement by the Planning Authority.

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**Conclusion**

81. This proposal has given rise to a variety of issues, including the need to demonstrate 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 highway network, along with a need to ensure that there is a sufficient choice of school places available to meet community needs. I consider that Very Special Circumstances have been demonstrated in this particular case for overriding Green Belt policy considerations and I consider that the development would not affect the openness 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, or the amenity of local residents, and would accord with the principles of sustainable development as set out in Development Plan Policies and the NPPF. In addition, support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for secondary school places in the Dartford area.
82. In my view 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 and subject to a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan.

**Recommendation**

83. I RECOMMEND that the application BE REFERRED to the Secretary of State for Housing, Communities and Local Government as a departure from the Development Plan on Green Belt grounds, and that SUBJECT TO his decision and SUBJECT TO a Memorandum of Understanding regarding the required monetary contribution to ensure monitoring of the Travel Plan that PLANNING PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- the standard 5 year time limit for implementation;
  - the development to be carried out in accordance with the permitted details;
  - the submission and approval of details of all materials to be used externally;
  - the submission of a landscaping scheme, including additional tree planting, soft landscaping, hard surfacing, and ecological enhancements;
  - tree protection methods, as shown on the submitted drawings, to be adopted to protect trees to be retained;
  - that Tree T8 (Scots Pine) be cut down and removed in sections to protect the potential for bats to be roosting within it;
  - the submission of a bat mitigation strategy for written approval prior to the removal of any trees on site;

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- the development be carried out in accordance with the reptile mitigation strategy as set out in the PEA and that a fingertip search for reptiles be undertaken upon completion of the vegetation clearance;
- any widening of the footpath on site to be undertaken in accordance with the precautionary reptile mitigation strategy set out in the PEA;
- Completion of the on-site infrastructure (footpath link) shown on the submitted plan (drawing number 11231T-03) prior to the commencement of the construction works relating to the new building and its permanent retention thereafter;
- Completion of the off-site infrastructure shown on the submitted plans (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension;
- Provision of new poles and globes at the zebra crossing at the Academy/ WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane
- the submission and approval of an updated Travel Plan within six months of occupation, authorised by the school management team as a specific school policy, and monitoring/ auditing of the Travel Plan for a period of 5 years, within which there will be annual updates with funding secured for KCC Highways (MoU) to ensure adequate resourcing to audit and oversee this process;
- provision and permanent retention of the 6 coach bays and 12 parking spaces shown on the submitted plans within 6 months of the occupation of the building;
- access to be maintained to the drop off loops and bus parking areas within the school site;
- measures to prevent the discharge of surface water onto the highway;
- the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of development, and the written approval of such a scheme and its on-going maintenance prior to occupation of the extension;
- the submission and approval of a maintenance manual for the sustainable drainage scheme prior to occupation of the extension;
- no infiltration of surface water drainage into the ground other than with the approval of the County Planning Authority;
- if during development contamination not previously identified is found to be present, then no further development shall take place until a remediation strategy has been agreed with the Council;
- no piling or penetrative foundation methods be used on site without prior written consent of the County Planning Authority;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- the submission and approval of a construction management strategy prior to the commencement of the development, including details of the 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 peak school times, details of any construction accesses; hours of construction; and compliance with the Phasing Strategy;
- The rooftop MUGA shall not be lit without the prior written consent of the County Planning Authority.

## Item D6

### **New two storey teaching block and sports hall with rooftop MUGA, drop off loop for 6 buses and 12 parking spaces at Wilmington Grammar School for Girls, Parsons Lane, Wilmington – DA/18/94/CPO (KCC/DA/0002/2018)**

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

- Wilmington Grammar School for Girls should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.
- The registering with Kent County Council of the School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>
- To ensure that works to trees are carried out outside of the breeding bird season and if this is not possible that an ecologist examines the site prior to works commencing;
- That the applicants be aware of the Bat Conservation Trusts guidance with regard to lighting on site.

Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: See Section Heading

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**Appendix A**

Received - 26 June 2018  
Planning Applications Group



**Kent County Council**  
Planning Applications Group  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

**Highways and Transportation**  
Ashford Highway Depot  
4 Javelin Way  
Ashford  
TN24 8AD  
Tel: 03000 418181  
Date: 26 June 2018

**Application - KCC/DA/0002/2018**

**Location - Wilmington Grammar School for Girls, Parsons Lane, Wilmington, Dartford, Kent, DA2 7BB**

**Proposal - Erection of a two storey teaching block and sports hall with roof top MUGA to accommodate an additional Form of Entry (4FE to 5FE); provision of a drop-off loop for 6 buses; 6 additional car park spaces; rearrangement of the existing hard surfaced games court together with a temporary games court during construction works, associated landscaping, upgraded footpath link and ancillary highways works**

Dear Helen

Thank you for asking for my views relating to the application for the expansion of Wilmington Grammar School for Girls (WGSG).

As highlighted in all KCC Highways responses to planning applications at the Wilmington schools (most recently in respect of Wilmington Academy) all of the expansions need to be considered collectively, alongside continuing 'organic' growth outside of the need for planning permissions, and a comprehensive package of highway and safety mitigations are needed responding to our concerns previously highlighted.

**Local Highway Network/ Travel Patterns**

The WGSG is accessed from Parsons Lane and Common Lane, both of which are unclassified roads with relatively narrow footways only to the north side for much of their lengths. The site is very close to Wilmington Academy, Wilmington Grammar School for Boys, Wilmington Primary School and Wilmington Day Nursery via Common Lane. The footway on Common Lane has some narrow sections down to 1.65m, which is a concern given the large number of pedestrians using it at school peaks. The footway width is 1.54m north of Parsons Lane. The footway on Parsons Lane is of similar 'below standard' dimensions and similarly suffers from overgrowing vegetation. Measurements of the width of the carriageway of Common Lane range from 5.3m to 5.7m between the Academy and Parsons Lane. In practice it is difficult for buses/coaches and lorries to pass each other, and buses have been seen overrunning the

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footway when passing each other, sometimes in close proximity to pedestrians - the majority of whom are children and adolescents.

The main vehicle access to WGSG on Parsons Lane is gated and for staff only. There are separate gated access points for pedestrians to either side. Yellow zig zag school keep clear markings are provided on both sides of the carriageway near to the access.

The footway on Parsons Lane connects with footways on Common Lane and Oakfield Lane. Pedestrians are able to cross Oakfield Lane at a pelican crossing and Common Lane near to the Academy at a zebra crossing. Additionally, PROW footpath DR105 provides a poor-quality link between Parsons Lane and Common Lane and the newly improved DR118A links Common Lane through to Tredegar Road.

Parsons Lane has 3 bus/ coach bays to the east of the WGSG access and, by virtue of a prohibited entry from Oakfield Lane, it operates as 'one way only' for much of its length. There are also bus stops on Common Lane to the north of Parsons Lane where pupils from the Wilmington schools congregate on the narrow footway.

There are a number of school-only and local bus services in the area and WGSG also benefits from a number of private coach services which transport pupils to and from both Grammar schools. These vehicles follow a loop via Common Lane and the Wilmington Grammar School for Boys and then to WGSG and out to the north along Parsons Lane.

There is no provision on the WGSG site for pupil pick up and drop off. Instead this takes place along Parsons Lane and Common Lane. During school peak periods the local highway network is heavily congested and the footways are similarly full. As with most schools, the afternoon peak is worse due to longer vehicle dwell times as parents wait to pick up their children which can block through traffic.

A pupil travel survey was undertaken in 2016 asking pupils how they travelled to school which showed the following mode shares: walking: 37 (5%), car drop off/pick up: 210 (26%), car share/ lift with others: 47 (6%), bus: 330 (41%), coach: 168 (21%). No children were recorded as cycling. 804 pupils completed the survey which is a 92% response rate. Of staff journeys there were 74 (88%) travelling by car and 5 (6%) shared a car journey, 3 walked and 2 cycled. All staff completed the survey.

A further pupil travel survey was undertaken in 2018. This showed the following mode shares: walk: 31 (5%), car: 210 (30%), car share/ lift with others: 46 (7%), bus & coach: 406 (59%). 695 pupils completed the survey which is an 80% response rate.

**Road Safety**

Road casualty incidents have been investigated for a 3 year period to 31<sup>st</sup> March 2017. In the vicinity of the school and nearby roads there were 10 crashes resulting in slight injuries across a range of light, weather and road surface conditions. 4 of these involved pedestrians including 2 on Leyton Cross Road, 1 on Oakfield Lane and 1 on Common Lane. On Oakfield Lane a vehicle hit the rear side door of a parked car trapping a passenger in the door. On Leyton Cross Road one involved a pedestrian running into the path of a vehicle and the other a pedestrian struck by a vehicle



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overtaking a stationary bus. Our records prior to this period (reported in previous consultation responses) and post this period show similar types of collisions occurring. More recently one incident involved a pupil from Wilmington Academy being struck by a car when crossing Common Lane and another involved a pedal cyclist on Oakfield Lane, albeit not directly related to the schools.

These incidents illustrate the problems associated with busy roads, parking pressures, high numbers of pedestrians and relatively narrow footways, and the need, where any increase in the number of child pedestrians is likely, to comprehensively investigate measures which would provide alternative pedestrian routes, wider footways and reduced inappropriate parking.

**Recent Highway/ Footway Improvements**

During 2017 a number of measures were introduced on the local highway network, including as mitigation for the temporary expansion at Wilmington Academy, as well as actions by the County Council and Dartford Borough Council to address existing issues on Common Lane and in the vicinity. These included:

- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site (a survey on 27 March 2018 indicates the success of this footpath as a total of 161 students were counted using this new route),
- the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A,
- the schools and nearby properties have been required to cut back overhanging vegetation to reduce the likelihood of large vehicles overrunning the footway,
- carriageway white line markings have been refreshed,
- a 20mph speed limit has been introduced,
- a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane
- parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking, and
- an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.

**Trip Generation**

It is proposed that the WGSG be expanded to accommodate up to 150 additional pupils increasing the school roll from 871 to 1,021 and staff would consequently increase by 5 from 84 to 89. The mode share data from the 2016 travel survey has been used to

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derive both the current and the new total number of journeys on the highway network resulting from the school.

The current school total number of vehicle trips is estimated at 529 (302 arrivals, 228 departures) in the morning peak between 8am and 9am and 455 (228 arrivals, 228 departures) in the afternoon school peak between 3pm and 4pm

The expanded school total number of vehicle trips is estimated at 612 (345 arrivals, 267 departures) in the morning peak between 8am and 9am and 533 (267 arrivals, 267 departures) in the afternoon school peak between 3pm and 4pm.

Taking the current vehicle trip rate from the expanded school trip generation, the additional number of vehicle journeys on the network has been estimated at 83 (43 arrivals, 39 departures) in the morning peak between 8am and 9am and 78 (39 arrivals, 39 departures) in the afternoon school peak between 3pm and 4pm.

This total additional number of vehicle trips is considered a robust 'worst case' estimation by the Transport Consultants in that it assumes a 100% attendance rate and does not account for any pupils or staff arriving or departing outside of the peaks or part time staff.

The consultants also consider a further 10% reduction in the total number of school car trips could be achieved through the implementation of an updated School Travel Plan. 10% of these vehicles are then taken off of the additional number of vehicle journeys on the network from the proposed expansion.

In this case, the 10% reduction applied to the total number of car trips generated by the school is taken off of the additional number of vehicle journeys on the network resulting in a new additional vehicle trips estimate of 22 (9 arrivals, 13 departures) in the morning peak between 8am and 9am and 25 (13 arrivals, 13 departures) in the afternoon school peak between 3pm and 4pm.

By applying the original mode share proportions to the proposed expanded school role, the number of students travelling by bus would increase by 61 and the number of students travelling by coach by 31. The number of these trips would further increase depending on the success of the School Travel Plan, as discussed above in terms of reductions in car journeys.

**Impact**

Traffic counts and queue observations have been undertaken for weekday 7am -10am and 2pm – 6pm time periods on 7 June 2016 at Wilmington Academy/ Boys Grammar exit on to Common Lane, Parsons Lane/ Oakfield Lane and Leyton Cross Road/ Oakfield Lane. Background traffic growth factors have been applied to the count data to provide a 2021 future assessment year. The additional growth in vehicle movements from the expansion of WGSG has been added to this. Further, sensitivity testing has been undertaken adding the proposed expansion of the Academy to provide a comprehensive picture.

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The most significant impact by 2021 is at the Parsons Lane exit onto Oakfield Lane where there is an 5.5% increase in traffic predicted in the am peak and an 6.4% increase in traffic in the school pm peak. With the addition of the proposed Academy expansion traffic, these figures increase to 8.4% and 9.7% respectively. The junction most impacted by the expansion of the Academy and WGSG together is the Academy/ Boys Grammar exit onto Common Lane where there is an 8.7% increase in traffic predicted on the exit arm for the am peak and 12% at the school pm peak.

With the impact of the School Travel Plan the residual traffic impact at the Academy/ Boys Grammar exit is reduced to 3.8%. This finding underlines the importance of securing and implementing an effective School Travel Plan.

Junction modelling has been undertaken by the Transport Consultants in order to determine the Ratio of traffic Flow to Capacity (RFC) and average queue length expressed in Passenger Car Units (PCU). RFC's of over 0.85 indicate a junction is operating above practical capacity. Leyton Cross Road/ Oakfield Lane in the morning peak is shown to be over practical capacity in 2021. The Leyton Cross Road arm has a RFC of 0.92 and average queue of 9 PCU and the Oakfield Lane (East) arm has a RFC of 0.91 and an average queue of 8 PCU. Addition of the WGSG traffic increases RFCs slightly to 0.94 and 0.93 and average queues to 12 and 10 PCUs respectively. Addition of the Academy traffic increases RFCs to 0.96 and 0.95 and average queues to 14 and 13 PCUs respectively. Implementation of the School Travel Plan brings the results back to a similar level of congestion and delay projected for 2021 without the school expansions.

It should be noted that these junction modelling results are a summary over a one hour period. As observed and in line with other school sites, significant queues and congestion will quickly develop within the peak hours at the start and end of the school day and also dissipate relatively quickly compared to other parts of the network.

It is also noted from site observations that 'link' constraints, from parked cars and buses/ large vehicles on local roads can be more significant than junctions in terms of the efficiency of the highway network.

Whilst not shown to be over capacity, the close proximity of the zebra crossing to the Common Lane/ Academy/ Boy's Grammar Exit and the number of children using it, which is likely to increase with the expansions, must impact on the results. However, staff monitoring and control of the crossing at peak times, as proposed in the concurrent Academy Application, should help mitigate this impact. This staff presence, which has already been observed in operation from site visits, does clearly benefit the operation of the junction.

Dartford Local Development Framework parking standards (2012) apply to developments in Dartford district. These require 1 space per 15 pupils and 1 space per 2 classes. The proposed 150 pupil uplift and 5 additional classes equates to a requirement of 7.5 spaces. As previously outlined, staff car travel to work was surveyed at 88% and so, assuming a similar car mode share for the expanded school, the 5 additional staff would require 4.4 parking spaces. This application provides for 12 parking spaces.

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The impact of the additional journeys on foot on the already congested footways in the area, particularly on Common Lane where the footway widths are limited by a substantial retaining wall to the north and carriageway widths are below 6 metres is a concern. As discussed the need to address this pedestrian safety issue including creating alternative routes away from Common Lane remains a key issue which has partly been addressed via mitigation for the temporary expansion of the Academy.

The impact of the additional journeys by public service vehicle must also be considered, both in terms of capacity as well as impact of any additional large vehicles on Common Lane. As well as several public bus services, the Wilmington Grammar Schools benefit from locally arranged coach services. As this is a bespoke, well established arrangement, it is considered reasonable to assume that the additional demand for journeys by bus can be accommodated on the vehicles themselves or by extra coaches. The provision of additional bus/coach waiting facilities which will reduce the number of journeys on Common Lane as well as additional footway capacity away from Common Lane is a key issue needing to be addressed in order to support and encourage sustainable journeys to the Wilmington Schools.

**Mitigation**

Mitigation measures have been developed in consultation with local stakeholders and the local authorities and public consultations have been held at WGSG and the Academy. These measures are illustrated on drawing 11231-T-03 P6. The key elements comprise:

- an amendment to the existing build out on Parsons Lane to provide an improved 'raised table' traffic calming and pedestrian crossing feature;
- a new bus/coach drop off and turning area on WGSG land to the south of Parsons Lane with dedicated bays for 6 buses/coaches as well as 12 additional staff car parking spaces for WGSG staff;
- 18 additional staff parking spaces within the Wilmington Academy car park for Academy staff;
- a new footpath route between Parsons Lane and Common Lane linking the 2 schools which crucially will provide a 'traffic free' alternative to the footway along Common Lane
- hatched white lining and double yellow line parking restrictions at the Parsons Lane/ Common Lane junction to discourage inappropriate parking without impeding large vehicles such as buses from turning;
- additional yellow line parking restrictions are proposed on Parsons Lane, between Common Lane and WGSG entrance and on Common Lane, including additional bollards, in the vicinity of the access points to the Academy to discourage inappropriate parking;

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- a new table top junction on Common Lane at the exit of footpath PROW DR118A to replace an existing speed hump to reduce vehicle speeds and increase the safety for pedestrians crossing Common Lane; and
- a widening of the access to Wilmington Grammar School for Boys to enable easier access for buses.

These improvements (alongside the other measures previously implemented as part of the temporary expansion of the Academy and by the local authorities outside of the planning process) are considered sufficient to mitigate the impact of the proposed expansion of WGSG in respect of new infrastructure.

All measures, where they are on public highway, should be subject to a Stage 1 Safety Audit and any issues raised by the auditor would need to be taken into account as part of any planning permission.

The proposals are presented by the Transport Consultants as a comprehensive mitigation package for the Wilmington Schools which will need to be considered in terms of how they are to be delivered through the planning process which relates to each school individually. This is especially the case in terms of the bus/coach drop off and footpath proposed on WGSG land which is necessary to mitigate the impact of the expansion of the Academy.

**School Travel Plan**

Alongside the physical mitigation an updated School Travel Plan has been produced for the Wilmington Academy.

The Travel Plan is put forward in the Transport Assessment as a key element of the mitigation measures, particularly in terms of the junction assessments where a 10% reduction in total school traffic flows (with trips transferring primarily to bus and coach journeys) is assumed to result from the successful implementation of the plan. It is therefore essential that an effective Travel Plan be adequately secured as part of a planning condition and its impact monitored and measured as part of the KCC Jambusters resource at <https://jambusterstoms.co.uk/>

The WGSG must 'own' the plan, they must publicise it on their web site, actively implement it and regularly review and update it. To assist schools with this, KCC has a comprehensive range of initiatives including road safety awareness and training, responsible parking initiatives, travel plan writing and monitoring packages and grant schemes to support the introduction of measures.

Given the traffic pressures from parent parking on Parsons Lane, WGSG should consider participating in KCC's Responsible Parking initiative at <http://www.responsibleparking.co.uk/>. The Travel Plan does commit WGSG to provide at least one member of staff to oversee traffic and pedestrian movements on Parsons Lane. Further collaboration is proposed with bus operators and with the other local schools. It is hoped that these aspects, particularly co-ordination with the other Wilmington schools, especially the Academy in respect of enabling their students to

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access the Grammar school's coach services, can be expanded upon given the need to take collective action to address common issues.

Given the importance of the Travel Plan to the mitigation of the impact of the WGSG expansion, KCC Highways will require a contribution of £1,000 per year for 5 years to ensure adequate auditing, oversight and ongoing staff resourcing support. It is accepted that this contribution can cover both the Academy and WGSG Travel Plans

**Construction**

The construction works will need to be carefully planned and managed to ensure the safety of pupils, staff and residents. No traffic movements should occur during school starting and finishing times. Parking areas for construction staff should be identified together with turning and unloading areas for delivery vehicles.

**Planning Conditions**

In light of the above, the following Highways conditions should be secured as part of any planning consent:

- Completion of the off-site infrastructure shown on the submitted plan (Drawing 11231T-03), subject to stage 1 safety audit and inclusion of any recommendations, within 6 months of the occupation of the extension;
- In addition to the above it is recommended that new poles and globes be provided at the zebra crossing at the Academy/ WGSB exit on to Common Lane to match the brightness of those at the new crossing recently installed by KCC Highways further along Common Lane;
- Completion of the on-site infrastructure (footpath link) shown on the submitted plan (drawing number 11231T-03) prior to the commencement of the construction works relating to the new building and its permanent retention thereafter;
- Submission of a Construction Management Plan for approval by the Planning Authority to include the following: routing of construction and delivery vehicles to/from the site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries; provision of wheel washing facilities and temporary traffic management/ signage;
- Access needs to be maintained to the new bus/ coach drop off and turning area within the school site to reduce congestion on Parsons Lane and Common Lane;
- Provision and permanent retention of the 6 bus/coach bays and 12 car parking spaces shown on the submitted plan within 6 months of the occupation of the extension;
- Provision of measures to prevent the discharge of surface water onto the highway;

## Item D6

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- Within 6 months of occupation of the extension, the submission of an updated School Travel Plan by WGSG, authorised by the school management team as a specific school policy, for approval by the Planning Authority and monitoring/auditing of the Travel Plan for a period of 5 years, within which there will be annual updates with funding secured for KCC Highways to ensure adequate resourcing to audit and oversee this process.
- The WGSG should be required via an 'informative' to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the footway.

On the basis of the detailed assessment of the impact of the proposed expansion of the WGSG contained within the Transport Assessment for this planning application, and the above measures being adequately secured, I can confirm that KCC Highways do not have reason to object in accordance with the National Planning Policy Framework.

Yours sincerely

David Joyner Transport & Development Manager – West Kent

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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

- |                        |   |
|------------------------|---|
| DA/13/206/R17, 21 & 27 | Submission of details pursuant to conditions 17 (Aftercare Scheme), 21 (Archaeology) and 27 (Ecological Mitigation Strategy) of planning permission DA/13/206.<br>Joyce Green Quarry, Joyce Green Lane, Dartford, Kent, DA1 5PN<br>Decision: Approved                                   |
| GR/17/9994             | Certificate of Existing Lawful Development for the continued use of land as a port facility for the unloading and loading, storage, trans-shipment and distribution of aggregates on a 24/7 basis.<br>Red Lion Wharf, Crete Hall Road, Northfleet, Kent, DA11 9AA<br>Decision: Approved |
| TW/18/894              | Proposed change of use from woodland to form an extension to the existing Wastewater Treatment Works to be occupied by a vehicle turning head,<br>Hawkhurst North Wastewater Treatment Works, Heartenok Road, Hawkhurst, Cranbrook, TN18 5EY<br>Decision: Permitted                     |

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

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

Background Documents – The deposited documents.

- |           |   |
|-----------|---|
| AS/18/493 | Addition of a Games Court with ramped access within the boundary of the approved scheme for the new Primary School for the John Wallis Academy (planning consent reference AS/17/236).<br>The John Wallis Church Of England Academy, Millbank Road, Kingsnorth<br>Decision: Permitted |
|-----------|---|

- CA/18/1117 To erect a fixed umbrella 6m x 6m in the school playground to create shade for the children at playtimes and to provide some shelter for parents at drop-off and pick-up times.  
Westmeads Community Infant School, Westmeads Community Infant School, Cromwell Road, Whitstable  
Decision: Permitted
- DA/18/569 Demolition of existing teaching block, library and garages to be replaced by a new single storey teaching block, containing 4 classrooms including a food technology classroom, library, shared teaching spaces, storage and toilet facilities. Hard play areas to be reconfigured and new soft play areas with canopies to be introduced. The provision of a two storey mobile classroom unit to be used during and up to the completion of the building works. There is no proposed change to the school roll.  
Darenth Community Primary School, Green Street Green Road, Dartford  
Decision: Permitted
- DO/17/751/R5 & R6 Submission of details of landscaping, fencing and boundary treatment (condition 5) and biodiversity enhancement (condition 6) pursuant to planning permission DO/17/751.  
Dover Grammar School for Girls, Frith Road, Dover  
Decision: Approved
- MA/17/504553/R13 Details of School Travel Plan pursuant to condition (13) of planning permission MA/17/504553.  
Langley Park Primary Academy, Edmett Way, Maidstone  
Decision: Approved
- SE/18/1121 Demolition of existing detached modular classroom building and erection of single storey detached classroom building to provide 2 40msq teaching spaces.  
Ide Hill CE Primary School, Sundridge Road, Ide Hill, Sevenoaks  
Decision: Permitted
- SE/18/1228 Demolition and replacement of existing swimming pool plant room, replacement of existing pool paved surround and existing pool enclosure fence.  
Chevening (St Botolph's) CEP School, Chevening Road, Chipstead, Sevenoaks  
Decision: Permitted
- SW/16/504626/RA Non-material amendment including changes to windows, solar shading, ventilation and material finishes.  
The Sittingbourne Community College, Swanstree Avenue, Sittingbourne  
Decision: Approved

E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

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Background Documents –

- *The deposited documents.*
  - *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
  - *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Screening Schedule 2 Projects*
- (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:-

None

- (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 2017 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

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

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
- *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

None

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