

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

New sports facilities comprising 2 multi use games areas & 2 all-weather floodlit pitches on the existing school playing fields, and change of use of an area of land to grass playing field at Sevenoaks Grammar Annexe/Trinity School, Seal Hollow Road – SE/21/891 (KCC/SE/0045/2021)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 November 2021.

Application by Kent County Council for new external sports facilities - comprising 2 multi use games areas & 2 all-weather floodlit pitches on the existing school playing fields, and change of use of an area of land to the east of the school site to grass playing field, together with associated landscaping and access work at Sevenoaks Grammar Annexe/Trinity School site, Seal Hollow Road - SE/21/891 (KCC/SE/0045/2021)

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

Local Members: Mr R Streatfeild & Mr R Gough

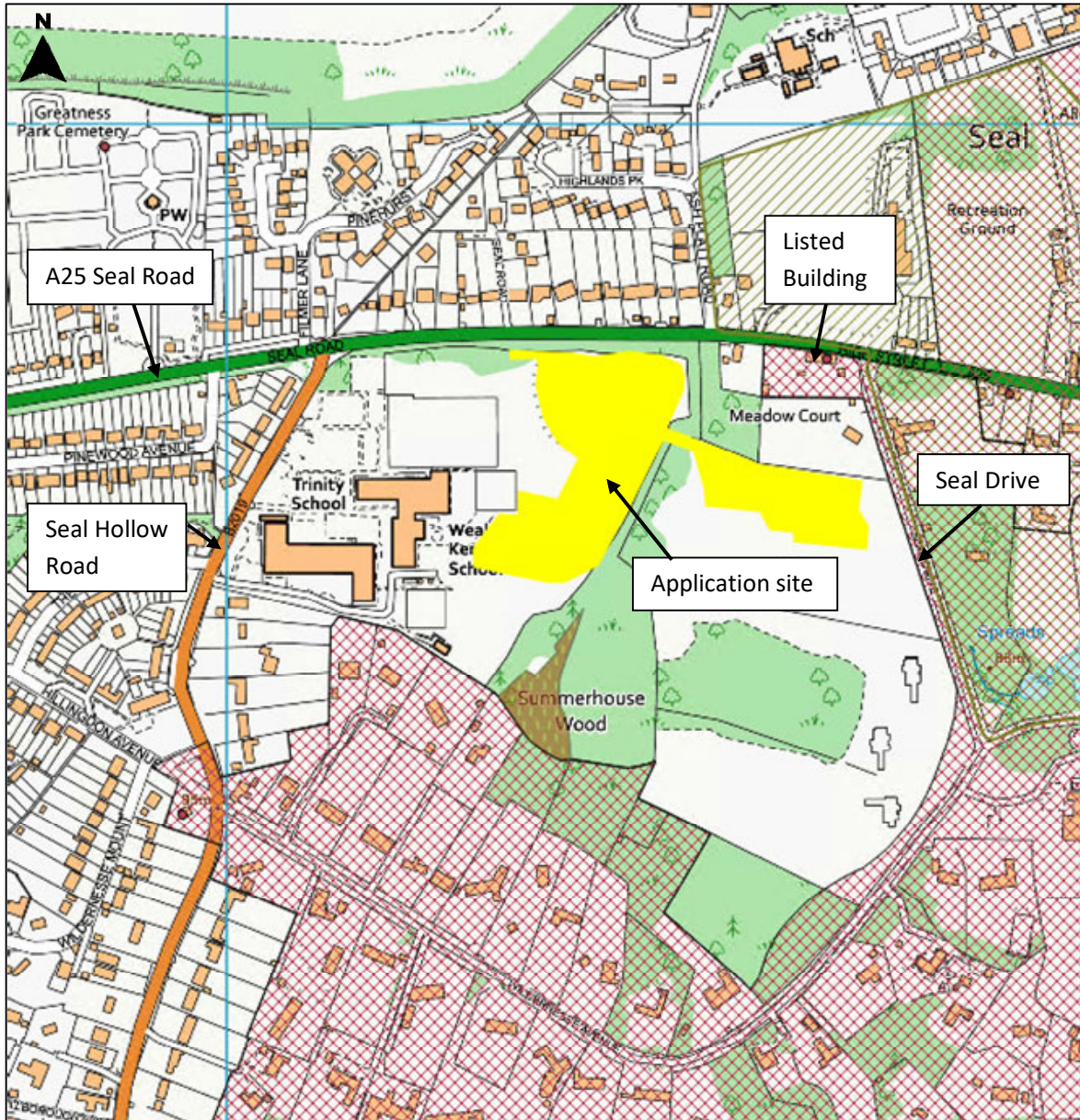
Classification: Unrestricted



Site

1. Trinity School, Weald of Kent Grammar Annexe and Tunbridge Wells Grammar School for Boys Grammar Annexe share the application site which is situated on the east side of Sevenoaks just over a mile from the town centre, on the site of the former Wildernesse School/Knole (East) Academy. The 11.8 hectare site lies on the southern side of the A25 Seal Road, which is a main arterial route into and out of Sevenoaks from the east, and on the eastern side of Seal Hollow Road (B2019). The whole of the site is located within the Metropolitan Green Belt, and outside of the settlement confines of Sevenoaks. Trees and hedgerows line the boundaries of the site, which in the most part are dense and mature. The northern site boundary abuts the A25 Seal Road, with facing residential properties located to the northern side of that road. Seal Hollow Road lies to the west of the site, again with facing residential properties located to the far side of the road. The southern boundary of the site abuts the boundary of the Wildernesse Conservation Area, with properties in Wildernesse Avenue backing onto the site.
2. To the east of the school site there is a heavily wooded area (a section of which is classified as ancient woodland), an open area of grassland, and residential properties in Wildernesse Avenue/Seal Drive (both private & gated roads). It is that open area of grassland which is included in this application, with a proposed change of use to grass school playing field (see paragraphs 7 & 17). The area to the east of the field, including Seal Drive is also within the Wildernesse Conservation Area. Three residential properties are located to the north of the field, one of which (not directly adjacent to the site) is listed and also included within the Conservation Area. Seal Drive is also the boundary of the Kent Downs Area of Outstanding Natural Beauty (AONB). For the avoidance of doubt, the application site is not within the Conservation Area or the AONB.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Site Location Plan



-  Conservation Area
-  Ancient Woodland
-  Listed building
-  Area of Outstanding Natural Beauty (AONB)

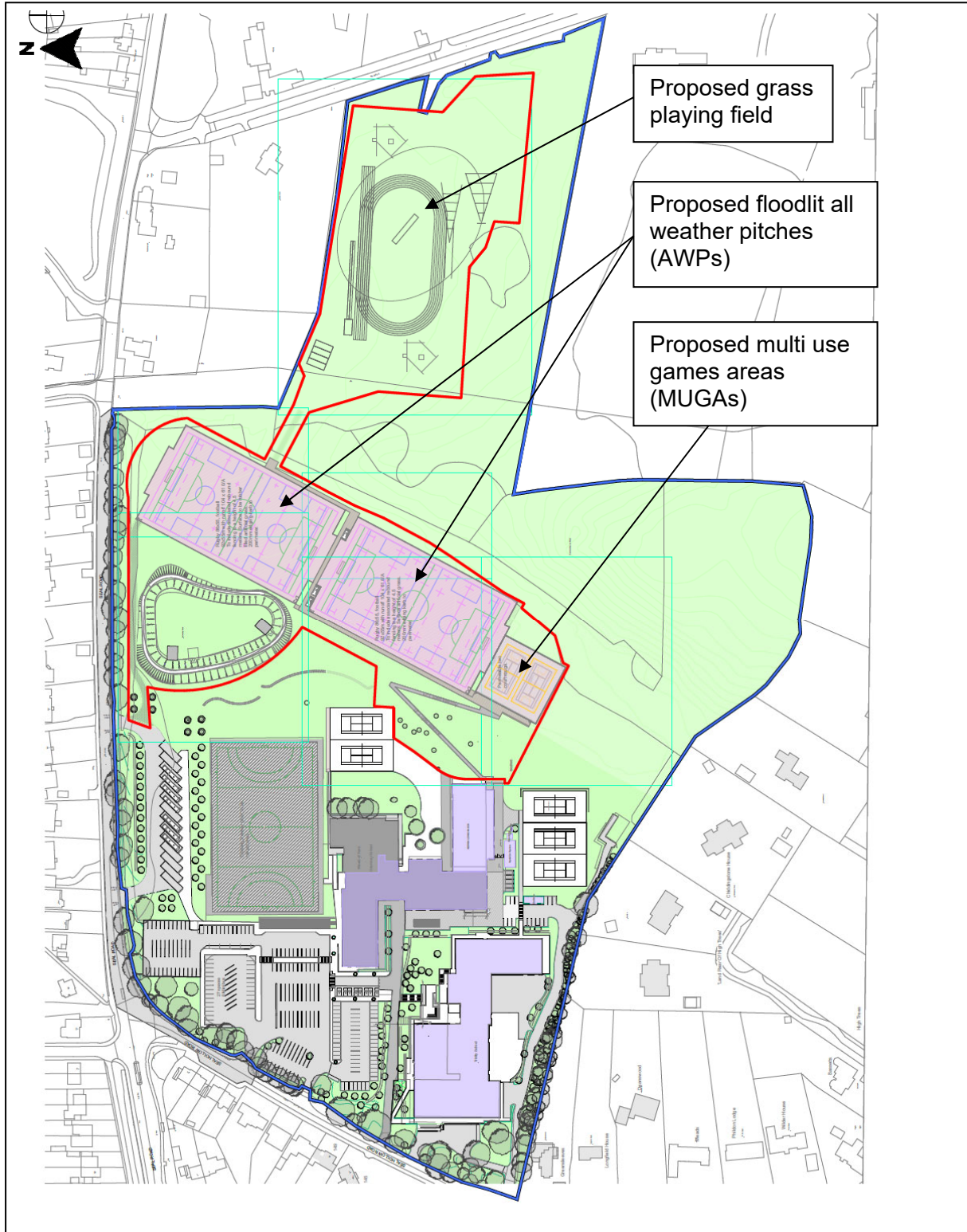
New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Existing Site Plan



New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Proposed Site Plan



New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

3. The existing school buildings are all located to the western half of the school site, Trinity School occupying the southernmost building, with the two Grammar Annexe Schools occupying the other. Pedestrian and vehicular access to the site is from Seal Hollow Road to the west, leading to the main car park (shared by all 3 schools). A dedicated school bus pick up/drop off loop is located to the north of the site, accessed via the A25 Seal Road. Located between the bus loop and the Grammar Annexe building is an existing floodlit pitch. The eastern half of the site accommodates grass playing fields, with a drainage balancing pond to the north. The existing floodlit pitch and playing fields, in addition to internal school facilities, are available for community use.
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/Relevant Planning History/Case of Need

5. The entire site was redeveloped in 2016 following the granting of planning permission references SE/14/13 and SE/15/2417. The table below summarises the main recent and relevant planning history at the site:

Application Reference	Description	Decision
KCC/SE/0375/2013 (SE/14/13)	Proposed redevelopment of the former Wildernesse School site: proposed demolition of existing school buildings retention and refurbishment of existing Sports Centre, erection of two new secondary schools (a 6 form of entry Sevenoaks Grammar Annexe and a 4 form of entry Trinity School), introduction of new vehicular and pedestrian accesses, rearranged and extended car park to provide 242 car parking spaces and dedicated child drop off/collection and bus zones, relocation of existing tennis courts into two new Multi Use Games Areas and associated detailed landscape works	Approved 11/07/2014
KCC/SE/0249/2015 (SE/15/2417)	Section 73 application to vary six planning conditions from planning permission reference SE/14/13 (conditions 23, 27, 28, 29, 30 and 31) to enable the development to be built and completed in two phases	Approved 14/12/2015
KCC/SE/0095/2018 (SE/18/1726)	Proposed 2 form of entry expansion of the Trinity School involving reconfiguration of existing school building, two extensions to the existing building (additional floor on rear single storey wing and 3 storey block extension to the front of the building), new dedicated child drop-off/pick-up bus layby accessed off of Seal Road/A25, reconfigured parking layout including 14 additional staff parking spaces and 2	Approved 15/02/2019

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

	additional visitor spaces, new MUGA, additional hardstanding playground area and landscape works.	
KCC/SE/0142/2020 (SE/20/2151)	Planning application for proposed design amendments to permission reference SE/14/13 (as subsequently amended under S73 permission reference SE/15/2417) involving additional storey and associated design alterations to Phase 2 of the Grammar Annexe building, and associated landscape works	Approved 21/10/2020

6. Following the sites redevelopment, Trinity School and half of the Grammar Annexe building were constructed, with the Grammar Annexe occupied by Weald of Kent Grammar as a 3FE girl’s school. As set out above, the Trinity School was subsequently expanded by a further 2 Forms of Entry (FE), bringing the total site capacity to 12FE. A further application to amend the design of the remaining half of the Grammar Annexe was approved last year, enabling Tunbridge Wells Grammar School for Boys to set up a 3FE Grammar Annexe at the site. That part of the building is now nearing completion.
7. In 2020, I am advised that Kent County Council, as the Education Authority, entered into a bid process to acquire an additional 9 acres of land situated immediately to the east of the existing school site. This land is now in the freehold ownership of the County Council, and is the subject of the ‘change of use to grass playing field’ element of this application, for use by all three schools.
8. In determining application reference SE/18/1726 (2FE expansion of Trinity School) we were advised that the site had just sufficient land to provide adequate sports facilities for all three schools, but this was reliant on a very close integration of sports and physical education curricula across the three users. The purchase of the additional land referred to in paragraph 6 above would enable the applicant to completely redesign and rebuild the sports facilities on offer for all three schools, providing vastly improved sporting facilities.
9. The applicant also refers to Sevenoaks District Council’s Playing Pitch Strategy document, which sets out recommendations for outdoors pitch facilities in the District. The document identifies a need for additional full size all weather pitches within Sevenoaks (the town, as well as the wider District), supporting a wider community need for the proposed facilities. This is expanded upon in the discussion section of this report.

Additional/Amended Information Following Initial Submission

10. Following the submission of this application, the applicant has submitted additional and amended information regarding the relocation of the proposed storage containers, clarification regarding hours and level of community use, additional lighting, noise, ground stability, arboricultural and ecology surveys/reports, inclusion of acoustic fencing, and clarification regarding access matters, specifically access to the new area of playing field and the location of the construction access.

It is the amended proposal that will be discussed throughout this report unless otherwise stated.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Proposal

11. This application has been submitted by Kent County Council Property and Infrastructure and proposes to provide new external sports facilities for use by all three schools on the Sevenoaks Grammar Annexe/Trinity School site. These facilities are proposed to include 2 multi use games areas & 2 all-weather floodlit pitches on the existing school playing fields, and change of use of an area of land to the east of the school site to grass playing field, together with associated landscaping and access work. Details of each element of the proposal are set out below.

All weather floodlit pitches

12. Two all-weather floodlit pitches (AWP) are proposed to be located to the north east of the existing grass playing field, orientated north east to south west. The AWP's are designed to club standard for both rugby and football to enable the facilities to be let out to sports clubs (see paragraphs 19 & 20 below), measuring 104m by 61m each. The pitches would be surfaced in a long pile 3G finish, which I am advised is designed to offer similar playing characteristics to playing on natural turf. Each pitch would be laid out with football markings (91m by 55m), cross pitch practice marking for 5 and 7 a side matches, and rugby markings (86m by 55m), each with the required run off.
13. A 4.5metre high black weld mesh fence would enclose each of the AWP's. Gated pedestrian access would be located to the western side of the pitches, linking with the pedestrian access route from the school buildings. A gated emergency & maintenance vehicle access is located to the northern corner of the AWP's, with a reinforced grass access track joining with the existing bus drop off loop.
14. A 2.4metre high timber acoustic fence is proposed along the northern and part western boundary of the northern most AWP. This would be located behind the proposed weld mesh fencing to avoid balls hitting the timber fencing.
15. The AWP's are proposed to be floodlit with 14 12metre high lighting columns, with an average illuminance of 220lux. Energy efficient LED luminaires are proposed, with no upward lighting and directional optics to minimise light spill. Lighting columns are located so that the optics are facing inwards to further limit light spill and, LED technology provides 'good colour rendering' and is UV free which is foraging bat friendly. The lighting scheme has been designed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' and 'Guidance Notes for The Reduction of Light Pollution'. This ensures that once installed, light spill and back light around the sports pitches reduces rapidly to avoid any detriment to local amenity and wildlife.

Multi Use Games Area

16. To the immediate south of the proposed AWP's, two Multi Use Games Areas (MUGAs) are proposed, bringing the total to 7 MUGAs across the site. The MUGAs would be surfaced in permeable tarmac and marked out for netball, basketball and tennis, whilst also being used during school break times for informal play. 2.8metre high black weld mesh fencing would enclose the MUGAs, with gated access to the west, linked to a proposed permeable bonded gravel footpath which would enable access to the facilities from the school buildings. The MUGAs would not be floodlit, and would not be available for community use.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Change of use of an area of land to the east of the school site to grass playing field

17. As set out in paragraph 7 above, the County Council has purchased an area of open grassland to the immediate east of the school site, and it is proposed to use this area to provide seasonal grass pitches to support the sports facilities proposed on the main site, and also to replace those lost by the siting of the AWP and MUGA. Some minor regrading/seeding would be required, but boundary planting and fencing would remain as existing. The area is expected to be marked out for athletics and cricket in the summer months, and football and rugby in the winter (not full size pitches). Apart from the proposed siting of cricket nets to the north west of this field, there is no other built development proposed. In the north west corner of the field a pedestrian access would be created from the main school site through a natural break in the existing tree line. This would be surfaced with a reinforced grass system.

Storage containers

18. Three shipping containers are proposed to be placed on site for the storage of sports equipment. These are to be located on the main school site, on the pathway dividing the proposed two AWP.

Community Use

19. Community use of the proposed floodlit AWP and the grass playing pitches to the east is proposed to complement the existing community use of the schools' facilities. The hours of community use are proposed as follows:

ALL WEATHER PITCHES (AWPs)

Every month of the year as follows:

5pm to 9pm (Term Time Weekdays)

10am to 9pm (Non-Term Time Weekdays)

10am to 8pm (Term Time and Non-Term Time Weekends)

NEW GRASS FIELD TO THE EAST OF THE SITE

May to September as follows:

4pm to 6pm (Term Time Weekdays)

8am to 6pm (Non-Term Time Weekdays)

8am to 6pm (Term Time and Non-Term Time Weekends)

October to April as follows:

No community use during Term Time Weekdays

8am to 4pm (Non-Term Time Weekdays)

8am to 4pm (Term Time and Non-Term Time Weekends)

MULTI USE GAMES AREAS (MUGAs)

No community use.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

20. As can be seen from the proposed hours of use above, use of the grass pitches would be restricted by lack of an all-weather surface and lack of artificial lighting, meaning it could not be used in inclement weather and in hours of darkness. The two MUGAs are not proposed to be used out of school hours. The AWP's would be available to hire out of school hours by local sports groups and teams, with full size football and rugby pitches provided. The grass playing field cannot accommodate full size pitches so would be used for more informal activities and practice/warm up.

Access, including construction access

21. As mentioned above, pedestrian access to all the proposed sports facilities would be via the school buildings/main car park, including access by community users out of school hours who would use the onsite car park. A new footpath is proposed from the school buildings to the MUGAs and AWP's, which would be surfaced in a permeable bonded gravel. This would join with a pathway around the AWP's, which would join with the reinforced grass pathway leading to the proposed playing field to the east. There would be no community use/pedestrian access to any of the facilities from the A25 Seal Road, or from Seal Drive.
22. Access by emergency and maintenance vehicles to the AWP's would be via a reinforced grass access track which would run east west along the northern site boundary between the AWP and the existing bus drop off loop. With regards to the grass playing fields to the east, access to this area by emergency and large maintenance vehicles from the main school site would not be achievable following completion of the AWP's. It is therefore proposed that an existing vehicular access to the site via Seal Drive is used for emergency and maintenance vehicles only. The applicant anticipates that such maintenance access would involve use three times a month during summer, twice a month for remaining seasons.
23. The applicant has submitted a Construction Management Strategy with the application with this application which includes details of the construction access, amongst other matters. It is proposed that construction access would be via the A25 using the existing school bus drop off loop access. Access times would be controlled to avoid peak school times, and parking for site contractors would all be on site in the existing site compound (currently being used in association with the construction of phase 2 of the Grammar Annexe).

Landscaping

24. Two trees are proposed to be removed to facilitate the proposed development, both of which are located on the boundary between the existing school site and the adjacent land proposed to be used as playing field. The access path between the two sites would be located in a natural break in this treed boundary, but the two trees are required for removal to create a safe access of sufficient width. In addition, the construction access route from the bus park to the development area, which would pass to the north of the existing drainage balancing pond and to the south of the northern site boundary, would result in the cutting back of a small section of the boundary planting. All other boundary trees are to be retained, and the development would maintain a 15m buffer zone around the area of Ancient Woodland to the south of the proposed MUGAs.

Technical Reports

25. This application is accompanied by a number of technical and specialist reports, including a Planning and Heritage Statement, Transport Statement, Statement of

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Community Involvement, Noise Impact Assessment, Lighting Assessment, Flood Risk Assessment and Drainage Scheme, Archaeological Desk Based Assessment, Ecological Surveys, Arboricultural Reports & Tree Protection Plans, and a Construction Management Plan.

Planning Policy Context

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

- (i) **National Planning Policy Framework (NPPF) July 2021** and the **National Planning Policy Guidance** (March 2014), sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, 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;
- Taking a positive approach to applications that make more effective use of sites that provide community services such as schools, provided this maintains or improves the quality of service provision and access to open space and making decisions that promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions;
- Ensure that planning policies and decisions provide the social, recreational and cultural facilities and services the community needs, by planning positively for the provision and use of shared spaces and community facilities such as sports venues or open spaces to enhance the sustainability of communities and residential environments;
- Ensure that planning policies are based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. Through access to high quality open spaces and opportunities for sport and recreation, an important contribution to the health and well-being of communities can be achieved;
- Ensure that planning policies and decisions should aim to achieve healthy, inclusive places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs through the provision through the provision of sports facilities;

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

- Ensure that existing open space, sports and recreational buildings and land, including playing fields, are not to be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;
- Planning policies and decisions should prevent unacceptable risks from pollution and land instability and should ensure that new development is appropriate for its location;
- Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from the development, whilst recognising that development will often create some noise;
- Encourage through good design and planning policies the requirement to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 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
- Meeting the challenge of climate change and flooding and incorporating SuD's;
- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation;
- Development should not result in the loss or deterioration of irreplaceable habitats, such as ancient woodland;
- 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;
- Conserving and enhancing the natural environment, including the conserving and enhancing of Areas of Outstanding Natural Beauty;

In addition, Paragraph 95 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.*

- (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.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

(iii) Development Plan Policies**Sevenoaks District Core Strategy: Adopted February 2011:**

- Policy LO1** - Requires new development to be focused within the built confines of existing settlements.
- Policy LO2** – Seeks to control development within Sevenoaks and seeks protection of the setting of the urban area and the distinctive character of the local environment. New developments in the Sevenoaks Urban Area should respect the physical and community identity of adjoining settlements and prevent further coalescence.
- Policy LO8** – Seeks to maintain the extent of Green Belt, and conserve and enhance the countryside, including the distinctive features that contribute to the special character of its landscape and its biodiversity. The distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings, will be conserved and enhanced.
- Policy SP1** – Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity. The Districts heritage assets (including Conservation Areas) and their settings will be protected and enhanced.
- Policy SP2** - Sets standards for sustainable design and construction.
- Policy SP9** - Support the development of infrastructure facilities required to resolve existing deficiencies.
- Policy SP10** - Seeks the retention of open space, sports and recreational facilities, including outdoor sports facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.
- Policy SP11-** Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity.

Sevenoaks Allocations and Development Management Plan (February 2015)

- Policy SC1** - States that a positive approach should be taken in considering planning applications to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The District Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.
- Policy EN1** - 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

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

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 -** 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 -** Proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- Policy EN5 -** The Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection in relation to landscape and scenic beauty.
- Policy EN6 -** Proposals for lighting that affect the outdoor environment should not have a harmful impact on the amenity of nearby residential properties. Any impact on the night sky should be minimised through time-limited and user activated lighting, the alignment of lamps, provision of shielding and selection of appropriate lighting type and intensity. There should be no harmful impact on privacy or amenity for nearby residential properties and the proposal should preserve or enhance the character or appearance of any Heritage Asset which may be affected. Any potential impacts on wildlife should be avoided or adequately mitigated where avoidance is not possible. Where these criteria are met, proposals incorporating the use of low energy lighting should be encouraged.
- Policy EN7 -** Proposals which meet the following criteria will be permitted: a) development would not have an unacceptable impact when considered against the indoor and outdoor acoustic environment including existing and future occupiers of the development and the amenities of existing and future occupants of nearby properties; and b) development would not result in unacceptable noise levels from existing noise sources that cannot be adequately mitigated.
- Policy GI2 -** Change of use or redevelopment of Green Infrastructure, Open Space, Sport or Recreation sites within the urban confines of towns and villages, and redundant school playing fields will not be permitted unless the applicant demonstrates that: • the open space is surplus to requirements; and that there is no need for an appropriate alternative community, sports or recreational use, or • the loss will be mitigated by equivalent replacement provision (in terms of quality, quantity and accessibility) or • the development is for alternative sports/recreational use. Supporting development will be permitted where it is appropriate and ancillary to the use of the site as a community playing field or sports

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

pitch. There should be no significant adverse impact on the character of the local environment and any potential loss of biodiversity interests should be mitigated. Proposals for built development on redundant school playing fields in the Green Belt, other than for essential facilities for outside sport and recreation will be refused

Policy GB8 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 - 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.

Green Belt Supplementary Planning Document (SPD) (February 2015) provides detailed guidance on the implications of applying for planning permission for development located within the Green Belt. The guidance will help to ensure consistency in decision making when determining planning applications in the Green Belt. The SPD provides additional information to assist with the interpretation and implementation of policies set out in the Core Strategy and Allocations and Development Management Plan (ADMP).

Consultations

27. **Sevenoaks District Council** raise no objection to this application subject to conditions being considered regarding:

- details of the hours of use for the pitches and floodlights,
- details of a Community Use Agreement being implemented,
- details of all landscaping and boundary treatments, including retained & additional landscaping,
- details of a travel plan being provided,
- further details of any emergency vehicle access arrangements; and
- details of the colour and any additional landscaping to screen the storage containers

Sevenoaks Town Council recommended approval subject to the following conditions being incorporated into any permissions, otherwise recommend refusal:

- the container storage are only granted temporary permission of no more than 18 months;
- control of hours of use of the facilities;
- floodlighting to be installed so as to minimise light pollution;
- construction traffic not to queue and/or access or leave the site during the morning and evening "travel to work" rush hours and also not do so during the morning and evening school rush hours;
- implementation of measures to improve safe access for walkers and cyclists to the new sports facilities; and
- implementation of a parking scheme for the area, to ensure local residents can park safely, and to avoid visitor parking in dangerous areas.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Seal Parish Council raise objection to the application and comment as follows:

The Parish Council's comments apply to the area proposed for seasonal grass pitches on the land acquired next to Seal Drive, which are largely within Seal Parish. The land is within the Green Belt and is adjacent to the Wilderness Conservation Area which is joined to the Seal Conservation Area. The Parish Council does not object to the change of use from agricultural field to seasonal grass pitches for the schools provided this does not involve structures, fences, lighting or access that would be inappropriate in the Green Belt or would harm the setting of the Conservation Areas and listed buildings or harm the amenity of nearby dwellings.

The Parish Council objects to possible vehicle access to the grass playing fields from Seal Drive and the A25. Seal Drive is a private road that marks the boundary of the Conservation Area, and the Parish Council objects to use of the existing field gate to access the seasonal grass pitches even on an occasional basis. A metal access gate is located on the A25 which is not in use, is concealed by trees, and is located where the speed limit is 40mph. It is almost opposite Ash Platt, which is an access to the expanded Seal Primary school, and a new access to a large care home. Maintenance vehicles are likely to be slow moving and include towed equipment. The Parish Council objects to the use of the metal gate access from A25 unless visibility splays are provided and the speed limit is reduced to 30mph between Seal Hollow Road and Seal High Street.

The Parish Council also seeks planning conditions to:

- restrict the use of the grass pitches to seasonal grass pitches for the use by the schools (no community use);
- prevent the future development of fences, lighting, buildings and other structures on the grass pitches;
- limit the use of the AWP's to no later than 21:00 on weekdays and 20:00 at weekends; and
- Installation of tree protection measure during construction.

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

"The Transport Statement considers likely trip attraction for the letting use of the proposed all weather pitches and MUGA court via the industry standard TRICS database which contains usage for other similar existing school facilities. Table 4.2 (p5) indicates the proposals are likely to generate 16 vehicle movements (total arrivals and departures) during the weekday highway network peak hour of 5-6pm and 35 vehicle movements at peak use outside of the highway network peak. It is accepted that such trip levels can be accommodated in respect of highway capacity and safety.

Car parking provision on the site (258 spaces including 13 disabled) is considered sufficient to accommodate car journeys outside of school times. There are 100 cycle parking spaces.

It is understood that emergency and maintenance vehicle access for the proposed playing fields will be via an existing access point on Seal Drive which is a private access only road. As this is an established access and usage remains limited to what is currently possible this is considered acceptable.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

I note that construction traffic would use the bus park for deliveries and restrict movements to avoid the bus movement times of 0745-0900 and 1500-1615 and parking by construction vehicles would have no impact on the day to day use of the site and cause no disruption to the schools. Subject to these matters being covered by condition I have no objection on highway grounds.”

Environment Agency has assessed the application as having a low environmental risk, and therefore has no comments to make. Advice and guidance is provided to the applicant regarding sustainable development, land contamination and controlled waters.

The County Council’s Flood Risk Team (SuDs) raises no objection to the application subject to the imposition of a condition requiring the submission of a verification report, pertaining to the Surface Water Drainage Scheme details submitted with the application, prior to first use of the development.

Sport England raise no objection to this application, subject to the imposition of conditions requiring the following:

- No use of the development until certification of the Artificial Pitch surface (to FIFA and World Rugby Regulation Standard) and confirmation that the facilities have been registered on the Football Association’s Register of Football Turf Pitches has been provided to the County Planning Authority;
- Submission and approval of a Community Use Agreement prior to first use of the development;
- Control of hours of use of the floodlighting (until 9pm Monday to Friday and 8pm at weekends);
- Submission of an assessment of ground condition details, and any required mitigation, prior to the commencement of any works relating to the grass playing field to the east; and
- Submission and approval of a Management and Maintenance Scheme for the facilities prior to first use of the development.

The County Council’s Biodiversity Officer raises no objection to the application subject to the imposition of conditions and comments as follows:

“The submitted ecological surveys have detailed the following are present within the site/surrounding area:

- Grass snake and slow worm within the eastern field
- Suitable habitat for roosting, foraging and commuting bats
- Badger sett within the adjacent woodland
- Area of Ancient Woodland to the South of the site
- Area of semi improved neutral grassland (not priority habitat quality) within the eastern field
- Dormouse population found within the school grounds as part of a previous survey.
- Potential for foraging/commuting/roosting bats within the site
- Potential for Great Crested Newts to be present within the site.

We advise that we are satisfied that sufficient surveys have been carried out as part of this planning application. We advise that if planning permission is granted there is a need for a detailed mitigation and enhancement strategy to be submitted and we would expect the strategy to include the following information:

- Details of the reptile receptor site

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

- Details of how the remaining grassland within the eastern field would be enhanced
- Details of ecological enhancement features within the wider site

In addition, details of a woodland management plan, setting out how the woodland on site would be managed to benefit biodiversity, should be submitted pursuant to condition.”

Natural England confirm that they have no comments to make on the application,

The County Council’s Landscape Advisor raises no objection to the application, and comment as follows:

“The review of the submitted landscape plans indicates that there would be no considerable effects on the Kent Downs AONB. The proposed Development would retain the existing boundary vegetation. This would maintain a dense visual buffer towards the AONB and would limit visual effects arising as a result of the proposed development. The proposed planting typologies would be in keeping with the existing baseline. Within the eastern extent of the Site along the north-eastern boundary, an area of whip planting is proposed which would add to the existing line of boundary vegetation

The review of the submitted landscape plans shows that there would be no anticipated effects on the greenbelt designation. The proposed development would not increase the sprawl of built-up areas and would not result in neighbouring towns merging together. The proposed development would retain the site’s existing boundary vegetation. The proposed all-weather sports pitches would be located on/near existing sports facilities. The planting typologies proposed on the landscape plans would be in keeping with the existing baseline condition.

The Planning and Heritage Statement discusses likely impacts to the Conservation Area based on landscape design, which is considered appropriate. It is considered that the proposal will not have any significant adverse impact on the neighbouring Conservation Area or Grade II listed Home Cottage in line with the Allocations and Development Management Plan 2015 Policy EN4 and associated guidance in the NPPF.

The proposed works are located outside the 15m Ancient Woodland Buffer and therefore are not considered to have a negative impact on the arboricultural features of the Ancient Woodland.

The Tree Survey Report and Tree Protection Plan provide sufficient information to confirm that the impacts on trees within and adjacent to the site would be acceptable.”

NB. The Landscape Advisor has based the Ancient Woodland assessment on current Government Standing Advice. However, on the 15th September the Environment Bill passed through the Report Stage in the House of Lords. During that Reading, Baroness Young of Old Scone, successfully put forward an Amendment which, amongst other things, would require all Ancient Woodlands to be protected by a 50m buffer if the Bill is enacted in its current form unless there are ‘wholly exceptional circumstances’. The amendment still has to go through the Third Reading in the House of Lords and then be considered by the House of Commons. Therefore, although not yet law, is it possible that this increased

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

protection could be in place before planning consent is granted and the new development would be within this 50m buffer.

The County Council's Noise Advisor raise no objection to the application and comment as follows:

"The assessment methodology and criteria used by applicants Acoustic Advisors is that of Sports England (SE) 'Design Guidance Note 'Artificial Grass Pitch (AGP) Acoustics – Planning Implication 1', which is appropriate for the proposed development. No omissions have been identified and the assessment is in line with credited and recognised guidance. Mitigation measures proposed are appropriate and the risk of adverse impacts arising as a result of the development are negligible.

Based on the information provided within the Noise Impact Assessment we do not consider noise to be a constraining factor in the determination of the planning application."

The County Council's Lighting Advisor raises no objection to the application, and comments as follows:

"The designers have assumed an Environmental Zone of E1 which is quite stringent based on the location of the site and a classification of E2 would still be acceptable which is for semi-rural areas and is less stringent. However, the design generally meets the requirements for E1. Nevertheless, it should be noted that within Table 2 of *BS EN 12193:2018*, there is a requirement for E1 Zones to meet a luminaire intensity of 2500. The proposed luminaires appear to indicate that they can provide an intensity up to 3000 which is above the acceptable levels under *BS EN 12193:2018*. The requirement for E2 is 7500 and so the 3000 proposed is likely acceptable as it is within the requirements for E2.

The lighting report illustrates the spread of lighting across the different areas and the immediate surroundings. Of particular interest is the impact on the adjacent properties to the north, north of the A25. Illuminance of the edges of the front gardens of some of these properties is shown but the levels are 1lux or less. This is acceptable in accordance with the *ILP Guidance Notes for the reduction of obtrusive light* and *Table 2 of BS EN 12193:2018* where 2 lux or less is deemed acceptable. It should also be noted that the lux levels do not spread to the properties themselves and so the impact is likely to be minimal. The associated trees which line both the northern boundary of the site and the southern boundary of the adjacent gardens will also help to further minimise any impacts as these are not accounted for in the modelling.

The proposed luminaires are LED and so will not only be energy efficient but also reduce the possible impact to the surrounding area and associated wildlife. They also meet the desired correlated colour temperature and colour rendering index (CRI) values indicated in *CIBSE LG4: 2007 Sports Lighting* (between 4000K and 6500K and over 65 respectively). The luminaire heads are proposed to be fitted to ensure minimal spill to the surrounding area (angle of less than 70 degrees) and provide 0% upward light discharge, all of which will minimise sky glow. Back shields are proposed on the on the heads on the eastern side of the sports pitches which would help reduce backlighting into the adjacent trees. All

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

the above measures indicate that the proposed luminaires are deemed to be acceptable.

The designers have proposed 12m high columns for the Sports Pitches which are the highest within the range permitted by *CIBSE LG4: 2007 Sports Lighting*. The taller height would reduce the amount of spill and back lighting from the column, so would reduce the impact to the surrounding area.

The Planning and Heritage Statement discusses likely impacts to the Conservation Area based on lighting design, which is considered appropriate. It is considered that the proposal would not have any significant adverse impact on the neighbouring Conservation Area or Grade II listed Home Cottage in line with the Allocations and Development Management Plan 2015 Policy EN4 and associated guidance in the NPPF.

It is understood that the proposed lighting strategy would use lighting columns which reduce light spill and back lighting and that sky glow would be limited. In addition, the proposed development would retain the existing boundary vegetation. This would maintain a dense visual buffer surrounding the site and would limit effects on the adjacent Kent Downs AONB and the Green Belt.

Overall, the design is deemed to be acceptable, and the proposed lighting is unlikely to have a significant impact on the immediate surrounding area based on the results proposed. To maintain the proposed lux levels depending on the dirt accumulation of the area it is recommended an annual cleaning of the luminaries is undertaken as part of the maintenance.”

The County Council’s Conservation Architect comments as follows:

“I concur that the proposals would not be clearly visible from the Conservation Area, mainly because of the distances combined with the extent of soft landscaping separating the proposed facilities from the heritage asset. The proposed sports pitches have been intentionally located to the far north of the site, towards the A25 and the existing light sources, to reduce the overall impact of the scheme.

In this case, therefore, the proposal is unlikely to have a significant negative impact on the setting of the Conservation Area.

Our main concern is the potential result of light pollution to the areas adjoining the southern and eastern boundaries of the application site, resulting from new floodlighting. We recommend that this issue is taken seriously and is accurately modelled in order to fully understand any harmful impacts on neighbouring areas, prior to permission being granted.”

The Kent Downs AONB Unit confirm that the application should be tested against the purpose of the AONB designation, to conserve and enhance the AONB, as set out in the NPPF. The site lies immediately adjacent to the AONB boundary and impact on the Kent Downs AONB would primarily be the visual effect of the physical works and, in particular, the impact of the proposed floodlighting on the dark night skies of the AONB.

The AONB Unit are disappointed to note that neither the Planning Statement nor the Design and Access Statement addresses this issue as required under Policy EN5 of the Sevenoaks Allocations and Development Management Plan. All light pollution, no matter

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

how small, contributes to the general erosion of dark night skies in the AONB and the urbanisation of the rural landscape. As well as having an adverse visual impact, the spillage of light can be disturbing to wildlife.

In the event that planning permission should be granted for the development then the Unit requests that conditions be placed on the consent controlling the design of the lighting and its hours of use in accordance with the recently updated Guidance Note for the reduction of Obtrusive light 2021 (Institute of Lighting Professionals). It is also recommended that the colour of materials for hard surfacing and structures also be controlled by condition and chosen taking into account the Kent Downs AONB Guidance on the selection and use of colour in development.

The County Council's Archaeological Officer no comments received to date.

Wilderness Residents Association make comment on the application as follows:

“There is still some lack of clarity in the proposals around the way in which the new playing field is to be accessed by the public, emergency services and maintenance vehicles. In our view, the internal route from the all-weather pitches to the new playing field should be used for all vehicular access. Access from Seal Drive should only be in truly exceptional circumstances. This should be a condition of planning. We also do not understand how emergency services will access the field from Seal Drive when the access to the field should be fully secure i.e. locked at all times.

Community use access of the proposed artificial surface facilities will be via the existing main school vehicle access off Seal Hollow Road. Please note, all community access should be via the main school. There should be no access to pedestrians or vehicles via Seal Drive. This should be a condition of planning.

We believe that it should be a condition of planning that no permanent structure (including any form of storage) is erected on the new playing field.

We do hope that, as part of the consultation, the applicant has written to all houses which border the school grounds and new playing field so that they are all aware of the proposals.

In respect of the hours of usage, we would urge you to pay particular notice to the comments of residents who are immediate neighbours of the school and playing fields. We would expect the permitted hours of use to be formalised as a condition of planning.”

Local Member

28. The former local County Member for Sevenoaks Town, Mrs Margaret Crabtree, and the Member for Sevenoaks North and Darent Valley, Mr Roger Gough, were notified of the application on the 23 March 2021. Following County Council elections, Mr Richard Streatfeild, the newly elected County Member for Sevenoaks Town, was notified of the application on the 12 May 2021.

29. Mr R Streatfeild and Mr R Gough were further notified of the submission of additional and amended information on the 13 September 2021.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Publicity

30. The application was publicised by an advertisement in a local newspaper and the posting of 10 site notices in the local roads bordering the site. All those that wrote in regarding the application were also notified of the submission of additional and amended information (as set out in paragraph 10).

Representations

31. In response to the initial publicity, 10 letters of representation were received from 8 local properties, including a letter on behalf of 2 local residents from a planning consultant and an online comment from the Sevenoaks Bicycle User Group.
32. In response to the notification of the submission of additional and amended information, a further 4 letters were received. A summary of the main planning issues raised/points of objection is set out below:

Amenity Matters

- The proposed development would generate light pollution and glare, adversely affecting the amenity of neighbouring residents and the local area;
- The 12metre high lighting columns would be widely visible in the local area;
- The proposed development, especially use out of school hours, would result in noise pollution and adversely affect the amenity of local residents;
- The submitted noise assessment concludes that ‘the vast majority of noise sensitive receivers would be below the ‘Lowest Observed Adverse Effect Level (LOAEL)’, an admission that some receptors may not be. The development should proceed, but the onus is on the applicant to mitigate newly created noise which may generate adverse effects on residents. An acoustic fence where the new AWP’s are closest to residential boundaries would resolve this (*N.B The application was subsequently amended to include the provision of an acoustic fence*);
- The proposal would intrude upon resident’s enjoyment of their properties and gardens;
- The proposed cricket nets should be relocated away from the site boundary, which borders a residential boundary;
- The grass playing fields should not be available for community use out of school hours;
- Hours of use of the facilities should be strictly controlled by planning condition;

Highway and Access Matters

- Parking restrictions, a lowered speed limit and improved pedestrian and cycle facilities are required in the area surrounding the school site;
- The Seal Drive access should not be used for any access to the facility, including by emergency and maintenance vehicles;
- Emergency and maintenance vehicles should access the new playing field to the east via the main school site;
- The access gate into the site from Seal Drive should be locked at all times;
- The southern most access to the school site from Seal Hollow Road should not be used to access these facilities out of school hours;
- All community access should be via the main school, accessed via Seal Hollow Road, and parking made available on site;

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Green Belt, Landscape, Heritage and Ecological Matters

- The application constitutes inappropriate development within the Green Belt;
- Fencing and floodlighting are significant urbanising features;
- The development would adversely affect the character and appearance of the adjoining Conservation Area;
- The development would adversely affect the setting of the neighbouring Area of Outstanding Natural Beauty;
- The development would have a detrimental impact (mainly due to the lighting and noise) on local wildlife;
- No permanent structures should be erected on the new area of playing field to the east (including any form of storage);

Land stability/drainage

- The field to the east proposed to be used as playing field contains drainage pipes for several houses, in addition to being an area of local flood attenuation;
- The field to the east proposed to be used as playing field contains at least 2 sink holes which have opened up in recent history.

Other

- Concern is expressed that the County Council can be the Applicant and determining Planning Authority;
- The application should be called in by the Secretary of State to ensure issues are treated impartially;
- The justification for the need for floodlighting is not for school use by commercial purposes outside of normal school hours;
- The facilities should be for school use only;
- The field to the east should be fenced and secured to prevent unauthorised access;
- The proposal constitutes gross overdevelopment of the site;
- The local area is already well served by sports facilities, including flood lit facilities available for community hire;
- The application has been poorly advertised and neighbours have not been notified;
- The area to the east of the school site proposed to be used as playing field is subject to restrictive covenants;

Discussion

33. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 26 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF) and the Planning for School Development Policy Statement, and other material planning considerations including those arising from consultation and publicity. Issues of particular relevance include impact upon the Metropolitan Green Belt, impact upon the local and wider landscape including the adjacent Area of Outstanding Natural beauty (AONB), impact upon local Heritage Assets including the adjacent Conservation Area, general amenity matters including light and noise pollution, highway implications and access, and whether the development is sustainable in light of the NPPF.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Green Belt Considerations

34. Development Plan policies seek 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 GB8 of the Sevenoaks District Core Strategy, seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances.
35. The NPPF, section 13, paragraph 138 states that the Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - 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”. Paragraph 149 of the NPPF states that construction of new buildings should be regarded as inappropriate within the Green Belt and goes on to list exceptions to this. Paragraph 149 b) of the NPPF lists the following as an exception:

‘the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it’

36. As set out in paragraphs 11 to 25 of this report, this application is proposing to provide new external sports facilities for use by all three schools on the Sevenoaks Grammar Annexe/Trinity School site, including 2 multi use games areas (MUGAs) & 2 all-weather floodlit pitches (AWPs) on the existing school playing fields, and change of use of an area of land to the east of the school site to grass playing field. The Green Belt implications of the development are discussed below, with the proposal split into two areas, the proposed new grass pitches to the east of the main school site, and the works proposed on the main site.

Proposed new grass pitches to the east of the main school site

37. As set out above, the provision of ‘appropriate facilities, in connection with the existing use of land or a change of use, for outdoor sport’ is considered to be appropriate development within the Green Belt. This is on the provision that the sports facilities would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it (as set out in paragraph 35 above).
38. As detailed in paragraph 17 of this report, the newly purchased area of land of the east of the existing school site is proposed to be used to provide seasonal grass pitches to support the sports facilities proposed on the main site, and also to replace those lost by the siting of the AWP and MUGA. Some minor regrading/seeding would be required, but boundary planting and fencing would remain as existing. The area is expected to be marked out for athletics and cricket in the summer months, and football and rugby in the winter (not full size pitches). Apart from the proposed siting of cricket nets to the north west of this field, there is no other built development proposed.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

39. Local residents, Seal Parish Council and Wildernesse Residents Association have requested that, should permission be granted, a condition of consent be imposed ensuring that no built development (fencing, storage buildings etc) can be erected on this area of the site. Such a condition would also ensure that the openness of the site was retained, meaning that the change of use of the site from open grassland and grass playing field would not conflict with the purpose of including land within the Green Belt. I therefore consider that a condition of consent should be imposed removing all permitted development rights for this area of the site. Should the applicant wish to erect any fencing or built development in the future this would then require the submission of a planning application which would have to be considered on its own merits at such time.
40. Subject to the above condition, I am satisfied that the change of use of this area of field to form playing field would not materially impact upon the openness of the Green Belt, nor conflict with the purposes of including land within the Green Belt. Minor levelling and seeding would need to be undertaken, and the lining out of pitches, but these works would not impact upon the openness of the site. Cricket nets are proposed to be located to the north west of this site, adjacent to the boundary (the amenity impacts of these are discussed later in this report) but I do not consider that the introduction of these nets would alter the character of the site or impact upon the openness.
41. In considering the above, I am satisfied that the change of use of the open grass field to playing field, and associated limited levelling and seeding works, would constitute appropriate development in the Green Belt. The removal of permitted development rights for this field would also ensure that any future development on this site would have to be the subject of a planning application, to be considered on its own merits at that time. This would ensure that fencing and small built development could not be erected under permitted development, thereby protecting the openness of the site. Subject to that condition, I am satisfied that this element of the proposal would preserve the openness of the Green Belt and would not conflict with the purposes on including land within the Green Belt, in accordance with the aims and objectives of the NPPF and Development Plan Policy.

Proposed MUGAs and AWP's on the main school site

42. The proposed MUGAs and AWP's are also clearly facilities for outdoor sport and recreation, so could be argued to also fall under the definition of appropriate development within the Green Belt. However, in my view, the proposed fencing, lighting and surfacing, are urbanising features which could have an impact on the openness of the Green Belt, potentially conflicting with the purposes of including land within it. Therefore, by virtue of the criteria set out in the NPPF, I consider this element of the proposed development to be inappropriate in Green Belt terms. On this basis the development has been advertised as a departure from the Development Plan and if Members were minded to grant planning permission, the application would need to be referred to the Secretary of State for his consideration.
43. 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.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

44. 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 educational and community need for the development;
 - ii) The provision of improved facilities; and
 - iv) The quality of the design and level of mitigation proposed would ensure that the impact on the openness of the Green Belt would be limited.

Each of these 'very special circumstances' as put forward by the applicant are considered and discussed in the following section of this report.

The educational and community need for the development (MUGAs and AWP's)

45. As outlined in paragraph 26 of this report, great emphasis is placed within planning policy generally and specifically in paragraph 95 of the NPPF, on the need to create, expand or alter schools. 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 Policy Statement – Planning for Schools Development (15 August 2011) also sets out the Government's commitment to support the development and expansion of state funded schools to adapt and improve their facilities. There is a presumption in favour of the development of state funded schools and their facilities expressed in both the NPPF and the Policy Statement – Planning for Schools Development.
46. The applicant considers that the educational need for adequate sports facilities to serve the secondary schools on the site is driving this proposal and should be attributed significant weight in assessing the proposals. As referred to in paragraph 8 of this report, in determining application reference SE/18/1726 (2FE expansion of Trinity School) we were advised that the site had just sufficient land to provide adequate sports facilities for all three schools, but this was reliant on a very close integration of sports and physical education curricula across the three users. The provision of the additional land to provide additional and replacement grass playing field, has enabled the applicant to completely redesign and propose a rebuild of the sports facilities on offer for all three schools, providing vastly improved sporting facilities.
47. Linked with the provision of improved facilities (discussed below), the applicant considers that there is a strong case for all three schools located on site to secure additional and appropriate provision of external sports facilities within a sustainable location. The proposal would provide additional, modern, fit for purpose artificial surface pitches to the benefit of all three schools on the site, representing an opportunity to significantly improve the quality and variety of sport and recreation facilities available to the existing schools. The additional facilities would also negate the need for careful and restrictive timetabling between the three schools as there would be sufficient sports facilities on site for use by more than one school at a time. This would be a significant improvement over the current situation.
48. The planning statement also outlines what the applicant considers to be other significant education benefits of this application. To summarise, this includes opportunities to secure habitat and forest school learning within the boundaries of the wider education site, especially in light of the acquisition of additional land to the east. In addition, I am advised that the three Schools are looking at options to make the facilities available to

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

the Royal Society for Blind Children (RSBC), as part of their Health and Well-being Club programme.

49. In addition to the education need, the applicant has set out a case of local community need for the all-weather facilities. The applicant advises that the Sevenoaks Playing Pitch Strategy (a Sevenoaks District Council document although not part of the Development Plan) sets out a need to increase the provision of AWP's across the District, specifically for up to 5 full size pitches, with an identified need for two located in Sevenoaks Town. There is also an identified need to address football pitch capacity issues. Accordingly, in addition to there being an education need for the proposals, there is also a wider need for appropriate external sports facilities that would be of significant benefit to the local community and sports clubs. The proposed floodlit AWP's in this planning application would provide brand new and modern sports facilities that would be available for community use (discussed later in this report) which would meet some of the recommendations of the Playing Pitch Strategy.
50. Sevenoaks District Council, who raise no objection to this application subject to conditions, considered this issue in its Officer delegated report, which concluded that although the Sevenoaks Playing Pitch Strategy has not been reviewed for a number of years, when it was last reviewed a deficit in pitch provision was identified. The report goes on to state that the proposed community use of the AWP's would be of benefit to the local community and sports pitch provision within the District, and that this positive impact should 'hold significant weight'. This of course must be balanced against the other material considerations discussed throughout this report.
51. Based on the above, in my view, it is evident that the three schools on site and the wider community would benefit from the provision of increased all weather sports facilities. Support for the development and improvement of facilities at state funded schools is heavily embedded in the NPPF, the Planning for School Development Policy Statement, and local Planning Policy, as is the need to plan positively for community facilities and sports provision, and I consider that the need for the development should be given significant weight in this instance.

Provision of improved facilities (MUGA and AWP)

52. As detailed above, this application would enable the applicant to provide additional sports facilities on the site, which would meet the needs of the three schools and also the wider community, and is development that supports and enables healthy lifestyles, as encouraged by the NPPF and Planning Policy. The application would also provide sports facilities of an improved quality.
53. The applicant states that the existing playing fields suffer from severe water logging during the winter season, which makes it unsuitable for any kind of sport activities. The proposed AWP's and MUGA's would remedy this issue by providing an all-weather surface that can be used throughout the year. Further, as set out in paragraph 12 of this report, the AWP's are designed to club standard for both rugby and football to enable the facilities to be let out to sports clubs. Sport England require a condition of consent to be imposed, should permission be granted, requiring 'no use of the development until certification of the Artificial Pitch surface (to FIFA and World Rugby Regulation Standard) and confirmation that the facilities have been registered on the Football Association's Register of Football Turf Pitches has been provided to the County Planning Authority' (discussed later in this report). This condition would ensure that the AWP's are of a vastly improved standard and quality than the grass pitches currently available. Further, not only would the AWP's provide Rugby and Football facilities, but

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

the MUGAs would be marked out for tennis, netball and basketballs, securing a greater variety of external sport facilities.

54. Having considered the above, I am of the view that the proposal would offer improved sporting facilities across the site, not only of a higher standard but also a greater variety, supporting the curricula needs of the three schools on site, in addition to the wider community. Such provision is supported by the NPPF which seeks the provision of community and sports facilities to achieve healthy, inclusive and sustainable communities.

Impact on the Openness of the Green Belt (MUGAs and AWP)

55. As set out above, the proposed MUGAs and AWP are facilities for outdoor sport and recreation, so could be argued to fall under the definition of appropriate development within the Green Belt. However, in my view, the proposed fencing, lighting and surfacing, are urbanising features which could have an impact on the openness of the Green Belt, potentially conflicting with the purposes of including land within it. The layout and detailed design of the proposals are therefore key in mitigating the impact of the development on the openness of the Green Belt
56. The applicant advises that through pre-application consultations with officers and local stakeholders, the site layout has been carefully thought out to mitigate any impact from the proposal on the openness of the Green Belt when compared to the existing use of the site. First, the proposal does not require any alterations to the wider site's existing extensive boundary landscaping. This would help maximise the screening afforded to the site and ensure that the site would continue to be restricted of clear view from surrounding areas.
57. In addition, the new 'build' elements, such as floodlighting, fencing and small storage containers, have been carefully positioned to be as inconspicuous as possible within the context of the site and wider landscape character. Overall, this would help to reduce the visual impact of these features compared to locating them more centrally within the site, which would potentially lead to a more incongruous presence. The most significant new feature proposed, in my view, would be the floodlighting columns serving the artificial pitch facilities. The new AWP are located adjacent to the north eastern boundary of the existing playing field, adjacent to the existing bus park zone, in close proximity to the existing floodlit MUGA and south of the A25 Seal Road. The bus park is lit with column lighting, and the A25 Seal Road has street lighting to each carriageway. From this perspective, the floodlighting columns would not be an abnormal feature within the site and its immediate vicinity.
58. It is also important to note that the proposed development, whilst having urbanising features such as a fencing and surfacing, is an outdoor sports facility and would not be introducing any further buildings onto the site. The AWP and MUGAs would also be sited on the main school site, which is an established educational campus, and would not impact upon the boundary planting and screening which demark and screen the site from the surrounding area.
59. 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 AWP and MUGAs would be contained within the immediate context of the existing development on site, 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

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

the Green Belt and providing sufficient sporting facilities to enable the three schools on site to deliver the curriculum and operate successfully.

Summary – Very Special Circumstances/Green Belt Considerations

60. It should be borne in mind that open sports facilities, and limited ancillary development, are a defined appropriate use within the Green Belt. It could be argued, therefore, that the development as proposed is appropriate, and I accept that this is the case for the proposed new grass pitches to the east of the main school site. However, in considering the provision of fencing, surfacing and floodlighting associated with the AWP's and MUGAs, I am of the opinion that those elements of the proposal represent inappropriate development within the Green Belt and have assessed the development as such.
61. Overall, I accept the applicant's assessment and application of Green Belt Policy as set out in the submitted documentation, and I have considered this in the context of the Development Plan Policy and the NPPF. The development is inappropriate development for the purposes of Green Belt consideration and is, therefore, by definition harmful. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute 'very special circumstances' capable of outweighing harm, in this particular case. Furthermore, I accept that the particular siting of the proposals has been carefully considered to help mitigate the impact of the development on the functioning and openness of the Green Belt. Accordingly, I do not consider that an objection on Green Belt grounds would be warranted in this particular case. However, if Members were minded to grant permission, the application would need to be referred to the Secretary of State for Levelling Up, Housing & Communities for consideration before permission could be granted.

Impact upon the adjacent Area of Outstanding Natural beauty (AONB) and local Heritage Assets including the adjacent Conservation Area

62. As set out in paragraphs 27 and 32 of this report, concern is also expressed regarding the impact of the proposed development on the character and appearance of the neighbouring Conservation Area, and the setting of the North Downs Area of Outstanding Natural Beauty (AONB). The impact of the proposal on the setting of a nearby listed building must also be considered. As outlined in paragraphs 1 and 2 of this report, and shown on the plan on page 2, the Wildernesse Conservation Area boundary runs along the southern boundary of the school site, and also runs to the east of the site, following Seal Drive to the east of the proposed new grass pitches. Seal Drive also marks the boundary of the AONB. A listed building is located to the north east of the site, on Seal Road.
63. First, with regard to the field to the east of the site, proposed to be converted to playing field, I do not consider that this element of the proposal would have an adverse impact on Heritage Assets or the adjacent AONB. As discussed above, no built development is proposed on this area of the site, and the field would remain as open grassland. The boundary treatment would remain as existing, and no urbanising features, such as lighting, surfacing or fencing would be introduced here as part of the development, and nor could they be in the future due to the removal of permitted development rights (as discussed above). Although this element of the proposal would directly abut the boundaries of the AONB and Conservation Area, and be to the south of the Listed Building, as there is no built development here and the nature of the site would not be altered, I do not consider that this element of the proposal would have an adverse impact on the character and appearance of the Conservation Area or the AONB, or the setting of the Listed Building.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

64. The AWP and MUGAs would not physically abut the boundary of the AONB or the Conservation Area, but the development associated with the all weather facilities, primarily the floodlighting, could affect the setting of these designated heritage and landscape assets. With regard to the AONB and eastern Conservation Area boundary, the playing field to the east of the site separates these boundaries from the proposed AWP and MUGAs which, in my view, provides a significant degree of separation. Existing boundary and tree planting would further screen any direct views of the proposal from the AONB. The County Council's Landscape Advisor also concludes that the development would have no considerable effect on the AONB. However, it is noted that the Kent Downs AONB Unit raised concern regarding the impact of the proposed floodlighting on the dark skies of the AONB. Likewise, the County Council's Conservation Officer concluded that the proposals would be unlikely to have a negative impact on the setting of the Conservation Area due to the distances involved and extent of landscaping, but expressed concern over any potential light pollution.
65. First, it is important to note that the proposed AWP would not be located within the intrinsically dark landscape, but on the edge of Sevenoaks Town, within a residential area, on an existing school site which has an existing floodlit AWP and external security and car park lighting, and adjacent to the A25 Seal Road which is also lit. Further, as set out in paragraph 15 of this report, energy efficient luminaires are proposed, with no upward lighting and directional optics to minimise light spill. The lighting scheme has been designed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' and 'Guidance Notes for The Reduction of Light Pollution', which would ensure that once installed, light spill and back light around the sports pitches would reduce rapidly to avoid any detriment to local amenity and wildlife. The impact of the proposed lighting on the amenity of closest residential properties is discussed later in this report, but I am satisfied from the information provided by the applicant the light spill from the proposed development would have no direct impact on the AONB or the Conservation Area as lux levels drop to zero within a short distance of the pitch boundaries.
66. Further, with regard to 'dark skies' and glare from the proposal, the primary concern of the AONB unit, the County Council's Lighting Advisor considers that, due to the design of the lighting scheme, sky glow would be limited. The luminaire heads are proposed to be fitted to ensure minimal spill to the surrounding area (angle of less than 70 degrees) and provide 0% upward light discharge, all of which would minimise sky glow. Back shields are proposed on the lights on the eastern side of the sports pitches which would help reduce backlighting into the adjacent trees. The 12 metre high lighting columns would further reduce the amount of spill and back lighting by ensuring lighting was focused and directional. In considering the location of the site, surrounding development and local environs, and taking into account the technical comments received from our Lighting Advisor, I am satisfied that the proposed development would not have a significant adverse impact on the character and appearance of the adjacent Conservation Area or the setting on the AONB, in accordance with the underlying principles of the NPPF and Development Plan Policies. As requested by the AONB Unit, hours of use of the lighting, amongst other matters, would be limited and controlled by planning condition. These matters will be discussed in the following section of this report in considering impact on general amenity matters.

General amenity matters including light and noise pollution, hours of use

67. As set out in paragraph 19 of this report, community use of the proposed floodlit AWP and the grass playing pitches to the east is proposed to complement the existing

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

community use of the schools' facilities. For ease of reference, the hours of community use are proposed as follows:

ALL WEATHER PITCHES (AWPs)

Every month of the year as follows:

5pm to 9pm (Term Time Weekdays)
10am to 9pm (Non-Term Time Weekdays)
10am to 8pm (Term Time and Non-Term Time Weekends)

NEW GRASS FIELD TO THE EAST OF THE SITE

May to September as follows:

4pm to 6pm (Term Time Weekdays)
8am to 6pm (Non-Term Time Weekdays)
8am to 6pm (Term Time and Non-Term Time Weekends)

October to April as follows:

No community use during Term Time Weekdays
8am to 4pm (Non-Term Time Weekdays)
8am to 4pm (Term Time and Non-Term Time Weekends)

68. As can be seen from the proposed hours of use above, use of the grass pitches would be restricted by lack of an all-weather surface and lack of artificial lighting, meaning it could not be used in inclement weather and in hours of darkness. The two MUGAs are not proposed to be used out of school hours. The AWP's would be available to hire out of school hours by local sports groups and teams, with full size football and rugby pitches provided. The grass playing field cannot accommodate full size pitches so would be used for more informal activities and practice/warm up.
69. Proposed use of the facilities out of school hours has met with objection from local residents on amenity grounds, primarily the potential noise and light pollution that could be generated by use of the AWP's in the evenings and at weekends. It is also suggested that the grass pitches to the east of the site should not be available for community use.
70. With regard to the grass pitches to the east, as set out above, community use of this area of the site would be limited to between 4pm and 6pm on weekdays during term time, and 8am and 6pm on non-term time weekdays and on weekends during the summer months. No term time weekday use is proposed in the winter months (October to April), and non-term time weekday and weekend use would be limited to between 8am and 4pm. Inclement weather would further limit any such use, as would hours of daylight. Further, as advised by the applicant, this area of playing field is not of sufficient size to accommodate full size pitches so would be primarily used for warm up space and training, in addition to athletics in the summer months. Use would be sporadic, with the community use of this area of the site being ancillary to the use of the AWP's (i.e., warm up and training). As can be seen from the application drawings, a limited number of properties border this area of the site, although the properties themselves are not directly on the boundary. All boundary planting would remain as existing, screening the proposed playing field from the local area. The County Council's Noise Advisor is satisfied with the proposals and considers any noise impact would be negligible.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

71. In my view, the limited hours of community use proposed here are acceptable and would not have a significantly detrimental impact on the amenity of neighbouring residents in terms of noise disturbance. Hours of use would be controlled by condition, and subject to that, I see no reason to refuse this part of the application on amenity grounds. The location of the cricket nets, proposed to the north west of this area of the site, has been questioned by a resident and an alternative site suggested which would move them away from a residential boundary. The applicant has considered the suggested alternative but it would impede access to the playing field from the main school site. However, the applicant has agreed to look at alternative locations on the main school site, and has requested that this matter be resolved by the imposition of a planning condition. Therefore, should members be minded to permit, I consider that a condition of consent should be imposed requiring the applicant to submit final details regarding the location of the cricket nets for approval prior to their placement on site.
72. With regard to the AWP, it is the intention that that facility be available for community use from 5pm until 9pm on term time weekdays, 10am to 9pm on non-term time weekdays, and 10am to 8pm on weekends. I am advised by the applicant that these hours would accord with existing community use on site, specifically the existing flood lit pitch. Local residents have expressed concern that the floodlighting would generate light pollution and glare, adversely affecting amenity. The impact of the proposed lighting on the wider landscape and local heritage assets has been assessed above, however, the impact of light spill on local properties must also be considered. It must be noted that the floodlighting would only be required in hours of darkness, so in summer months the lighting is unlikely to be required.
73. As set out in paragraph 15 of this report, the AWP is proposed to be floodlit with 14 12metre high lighting columns, with an average illuminance of 220lux. Energy efficient LED luminaires are proposed, with no upward lighting and directional optics to minimise light spill. Lighting columns are located so that the optics are facing inwards to further limit light spill and the lighting scheme has been designed to be in accordance with the 'Guidance Notes for The Reduction of Light Pollution'. This would ensure that once installed, light spill and back light around the sports pitches would reduce rapidly to avoid any detriment to local amenity.
74. The lighting design has also taken account of the Institute of Lighting Professionals (ILP) guidance (2021) on the reduction of obtrusive light which (in addition to other guidance) categorises the environment into five zones relative to the type of lighting environment, ranging from E0 (Dark) to E4 (High District Brightness). The applicant has assessed the school as being within Environmental Zone of E1, which the County Council's Lighting Advisor considers to be quite stringent based on the location of the site. It is considered that a classification of E2 would still be acceptable which is for semi-rural areas and is less stringent. However, as confirmed by our Lighting Advisor, the design generally meets the requirements for Environmental Zone E1.
75. The lighting report illustrates the spread of lighting across the different areas and the immediate surroundings. Of particular interest is the impact on the adjacent properties to the north, north of the A25. Illuminance of the edges of the front gardens of a small number of these properties is shown but the levels are 1lux or less. This is acceptable in accordance with the *ILP Guidance Notes for the reduction of obtrusive light* and *Table 2 of BS EN 12193:2018* where 2 lux or less is deemed acceptable. It should also be noted that the lux levels do not spread to the houses themselves and so the impact is likely to be minimal. The associated trees which line both the northern boundary of the site and the southern boundary of the adjacent gardens would also help to further minimise any

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

impacts as these are not accounted for in the modelling. The closest residential property to the east of the site is some distance away from the 1lux contour line and, again, boundary planting, which is particularly dense here, is not factored into the modelling.

76. It is acknowledged that the floodlighting may be seen from local properties, but in considering the above, and the technical advice provided by our Lighting Advisor, I am satisfied that the lighting design is acceptable, and that the proposed lighting would be unlikely to have a significant impact on the amenity of local residents. In view of the above considerations, I am satisfied that in operation the scheme would be acceptable and its design accords with Local Plan Policy EN6 and the NPPF requirement to limit the impact of light pollution on local amenity. Should permission be granted, I consider that conditions should be imposed to ensure that the floodlights are installed in accordance with the submitted details (including the back shields to the eastern luminaires), that they are tested prior to use to demonstrate that to be the case and any necessary adjustments made, and that the floodlights are extinguished when the AWP's are not in use. In addition, hours of use of the floodlighting would be controlled by planning condition, to accord with those proposed in the application. Subject to these conditions, I would not raise an objection to the proposed floodlighting scheme on the grounds of adverse light pollution and residential amenity.
77. With regard to noise generation, as a result of initial comments from our Noise Advisor and a letter of objection from a neighbouring resident, the application was amended to include the provision of an acoustic fence. As set out in paragraph 14 of this report, a 2.4metre high timber acoustic fence is proposed, sited to the north of the northern most AWP, and to the east between the north east corner and the half way line. An updated Noise Impact Assessment was submitted following inclusion of the fencing, and the County Council's Noise Advisor has considered and assessed this. It is considered that the assessment methodology and criteria used by the applicant's Acoustic Advisors is that of Sports England (SE) 'Design Guidance Note 'Artificial Grass Pitch (AGP) Acoustics – Planning Implication Guide', which is appropriate for the proposed development. No omissions were identified by our Noise Advisor and I am advised that the assessment is in line with credited and recognised guidance. It is concluded that the mitigation measures proposed are appropriate and the risk of adverse impacts arising as a result of the development are negligible.
78. In considering the technical advice we have received from our Noise Advisor, I am satisfied that, subject to the installation of the noise barrier, the development as proposed would not have a detrimental impact on the amenity of local residents with regard to noise, and therefore see no reason to refuse the application on this ground. However, I recommend that a condition of consent be imposed, should permission be granted, to require the acoustic barrier to be installed prior to first use of the AWP's.
79. Lastly, in considering the above, and the specialist advice we have received from our technical advisors, I am satisfied that the proposed hours of community use proposed by the applicant are acceptable in this instance, especially as they accord with existing community use on the site. Further, the NPPF supports the provision of community and sports facilities to achieve healthy, inclusive and sustainable communities. As required by Sport England, the District Council, and other local interested parties, the hours of community use would be controlled by planning condition and limited to those set out in paragraph 67 above. Further, in accordance with the requirements of Sport England and the District Council, the submission of a formal Community Use Agreement would be required pursuant to planning condition, to be approved prior to first use of the development. Subject to the conditions set out above, I am satisfied that the proposed

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

community use of the development would not have an unacceptable impact on the amenity of local residents with regard to associated lighting and noise generation.

Sport England conditions

80. In addition to the Community Use Agreement discussed above and the controlling of the hours of operation of the floodlighting, Sport England require the imposition of further conditions to ensure that the pitches are constructed to the highest possible standard and also to ensure that the facilities are thereafter managed and maintained. First, with regard to the grass pitches to the east, Sport England consider that details of an assessment of the ground conditions, and any required mitigation, should be submitted for approval prior to commencement of development on that area of the site. Further, with regard to the AWP and MUGAs, prior to first use of these facilities Sport England consider that certification of the Pitch Surface (to FIFA and World Rugby Regulation Standard), confirmation of registration on the Football Associations Register of Football Turf Pitches, and details of a Management and Maintenance Scheme for the facilities should be submitted for approval by the County Planning Authority. The applicant has agreed to these conditions. I therefore consider that, should permission be granted, conditions of consent be imposed to cover the above matters to ensure that the facilities are constructed to the highest standards, and thereafter managed and maintained.

Highway implications and access

81. As set out in paragraph 21 of this report, community users of the proposed development would access the AWP, MUGAs and grass playing pitches via the main school site access on Seal Hollow Road. Car parking provision (258 spaces) is considered sufficient to accommodate the car trips to the site out of school hours. The level of out of hours community use and the access arrangements have not met with objection from Kent County Council Highways & Transportation (H&T), who are satisfied that the local road network can accommodate the trip rate generated by community use of the facilities. I therefore see no reason to refuse this application on the grounds of traffic generation and associated access issues, subject to the imposition of a condition requiring community users of the facilities to access the site via the main site access on Seal Hollow Road, and car parking to be open and available for use at all times whilst the facilities are being used by community users.
82. A local resident has requested that the southern most vehicular access to the site from Seal Hollow Road is not used for access out of school hours. That access is used by staff of Trinity School, and limited delivery access. There is no reason that that access would be used to access the community facilities out of hours, as is currently the case with existing community use on site. However, as set out in paragraph 81 above, a condition of consent would require all community users to access the site via the main school entrance only.
83. Bearing in mind the above, and the fact that the proposal would not generate additional school traffic and use out of hours is considered to be acceptable on highway grounds, I see no reason to impose the suggested conditions (from local residents, and interested parties, including Sevenoaks Town Council) regarding the need for parking restrictions on local roads, the lowering of the speed limit around the site, or the need for access improvements. In my view, such conditions would not meet at least two of the six tests for the imposition of planning conditions - namely such conditions would not be necessary or relevant to the development being permitted.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

84. With regard to Sevenoaks District Council's suggested condition regarding the need to submit an updated Travel Plan, this application has no implications on school traffic or how pupils travel to and from the site. The Community Use Agreement, as discussed above, would include details of access out of school hours, the School Travel Plan would not be expected to include such information. Further, from looking at the Council's online Travel Plan Database (Jambusters), Trinity School's Travel Plan was updated in June 2021. The Grammar Annexe is already required to submit a Travel Plan prior to occupation of phase 2 of the development, which is nearing completion (see paragraph 6). I therefore see no reason to require the submission of a Travel Plan in association with this application.
85. As can be seen from paragraph 31 of this report, and as supported by Seal Parish Council and the Wildernesse Residents Association, local residents express concern regarding access to the site from Seal Drive. Further, the Parish Council also raise concern regarding potential use of an existing but disused access from the A25. With regard to the latter, I am advised that there were initial thoughts regarding the use of that access for construction vehicles. This however met with concern from the Highway Authority and subsequently all construction traffic is now proposed to enter and exit the site via the existing bus pick-up/drop-off zone, also accessed from the A25. Construction activities and associated conditions are discussed later in this report, but use of the bus pick-up/drop-off zone is accepted by the Highway Authority. The disused access from the A25 would not be used for any access to the proposed facility during both construction and operation phases.
86. With regard to the Seal Drive access, as set out in paragraph 22 of this report, it is proposed that an existing vehicular access from Seal Drive is used for emergency and maintenance vehicle access to the proposed new grass playing fields to the east of the school site only. The applicant anticipates that such maintenance access would involve use three times a month during summer months and twice a month for remaining seasons. Access by emergency and maintenance vehicles to the AWP's and MUGAs would be via the main school site, and this has not met with objection.
87. The applicant has looked at alternatives to the use of the Seal Drive access, but once the AWP's are completed, access to the grass playing fields to the east of the main school site by larger maintenance vehicles would not be achievable. There is no scope to move the pitches to facilitate such access due to other site constraints such as the Ancient Woodland to the south and the existing drainage balancing pond to the west. I am therefore satisfied that use of the existing access from Seal Drive is the only safe and practicable option for emergency vehicles and larger maintenance vehicles to access this area of playing field. I note that the Highway Authority also have no objection to the use of this access. Therefore, subject to the imposition of a condition controlling the use of the Seal Drive access to use by emergency and maintenance vehicles only, I do not consider that such limited use would have an unacceptable impact on the amenity of residents of Seal Drive or to the local highway network.

Landscaping, Materials and Ecological Matters

88. In addition to the wider landscape impacts of the proposed development, as discussed above in this report (in relation to the Green Belt and AONB), it is important to consider the impact of the development upon trees on site and existing and proposed landscaping and planting. As set out in paragraph 24 of this report, two trees are proposed to be removed to facilitate the proposed development, both of which are located on the boundary between the existing school site and the adjacent land proposed to be used as playing field. In addition, the construction access route would

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

necessitate the cutting back of a small section of the northern boundary planting (internal to the school site) to achieve the necessary road track width. All other boundary trees and planting on site would be retained, and would be protected on site throughout the construction phase in accordance with the submitted tree protection details. The County Council's Landscape Advisor is satisfied that the submitted information confirms that impact on trees within and adjacent to the site would be acceptable. However, to ensure that the tree protection measures are in place prior to commencement of the development, I would recommend that a suitably worded condition be imposed upon the consent in that regard.

89. The applicant has also submitted a proposed soft landscaping scheme which includes details of wild flower meadow planting and seeding, native tree and hedge planting, and details of the seeding that would be undertaken on the area of grass playing field. I am satisfied with the details submitted and do not consider that further information is required pursuant to planning condition. However, should permission be granted, I consider that a condition should be imposed requiring the approved landscaping scheme to be implemented within the first planting season following completion of the development. Subject to the above conditions, I am satisfied that the development would be acceptable in landscaping terms.
90. As a point of note, the development has been designed to maintain a 15metre buffer zone around the area of Ancient Woodland to the south of the proposed AWP/MUGAs. As confirmed by our Landscape Advisor, the development as proposed would not therefore have a negative impact on the arboricultural features of the Ancient Woodland. As noted in paragraph 27 of this report, the Landscape Advisor has based the Ancient Woodland assessment on current Government Standing Advice.
91. However, on the 15th September the Environment Bill passed through the Report Stage in the House of Lords. During that Reading, Baroness Young of Old Scone, successfully put forward an Amendment which, amongst other things, would require all Ancient Woodlands to be protected by a 50m buffer if the Bill is enacted in its current form unless there are 'wholly exceptional circumstances'. The amendment still has to be considered by the House of Commons, and as yet is not enacted. However, I would advise that I would make the same recommendation should the bill have been enacted, and would advise that the need for the development, limited impact on openness, and lack of scope for moving the pitches due to constraints such as the drainage balancing pond and the need to retain the planting along the northern site boundary, would constitute 'wholly exceptional circumstances' in this case.
92. With regard to material finishes, the AWP's would be surfaced in an artificial 3G surface, designed to imitate grass, and the MUGAs with tarmac, both secured by black weld mesh fencing. Access paths and the emergency/maintenance access road to the north of the AWP would be finished with a reinforced grass system which would appear visually as a grass surface. The AONB Unit requested these details be controlled by condition. Therefore, should permission be granted, I consider a condition of consent should be imposed requiring the development to be constructed in accordance with the submitted details. Further, although it is requested that the proposed shipping containers, to be used for storage, are screened and only given a temporary permission, I consider that given the location of the containers adjacent to the AWP fencing on the main school site, and the need for permanent storage, that a permanent permission is acceptable in this instance and that no further screening is necessary.
93. With regard to local wildlife and ecological matters, local residents have suggested that the development would have a detrimental impact on local wildlife. This application is

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

accompanied by a number of Ecological Surveys, assessing the impact of the proposed development on Badgers, Reptiles, Dormice, Amphibians, Birds and Bats, including their habitat. Natural England and the County Council's Biodiversity Officer raise no objections to this application and are satisfied that sufficient surveys have been carried out as part of this planning application. However, as required by the County Council's Biodiversity Officer, should planning permission be granted there is a need for a detailed mitigation and enhancement strategy to be submitted to include details of the reptile receptor site, details of how the remaining grassland within the eastern field would be enhanced and details of ecological enhancement features within the wider site. In addition, details of a woodland management plan, setting out how the woodland on site would be managed to benefit biodiversity, should be submitted pursuant to condition. Should permission be granted, the above matters would be covered by suitably worded planning conditions.

94. I am therefore satisfied that the development as proposed would not have a significantly detrimental impact upon protected species and/or their habitat. Further, the submitted reports contain recommendations and details relating to biodiversity enhancement measures, the completion of which would benefit the wildlife value of the site. Therefore, subject to the imposition of conditions outlined above, I am satisfied that the development would not have a detrimental impact on local wildlife.

Drainage and Land Stability

95. As set out in paragraph 32 of this report, local residents have expressed concern that the field to the east of the site, proposed to be used for playing field, contains drainage pipes for several houses, in addition to being an area of local flood attenuation. Further it is suggested that the field contains several sink holes. First, with regard to drainage and drainage pipes, very minor levelling works are proposed to this area of the site, and the presence of service pipes would be assessed by the applicant/contractor when undertaking this work. The field would remain as a grass field, and is expected to be affected by inclement weather in winter months and during periods of heavy rain. The application would therefore maintain the status quo in that regard. With regard to the AWP's and MUGAs, a Sustainable Surface Water Drainage Scheme (SUDs) has been submitted with this application and consulted upon. Both the Environment Agency and the County Council's Flood Risk Team (SuDs) raise no objection to this application. The Flood Risk Team require the submission of a verification report relating to the SUDs Scheme prior to first use of the development. Subject to the imposition of that condition, I am satisfied that drainage of the site would be both sustainable and effective.
96. With regard to the suggestion that the field also contains sink holes, the applicant has commissioned and submitted a Sinkhole Trial Pitting Investigation Report. The report states that the apparent sinkhole feature relates to a poorly backfilled previous excavation or large trial pit, as opposed to settlement as a result of natural causes. To help mitigate potential risks, the report recommends that the former pit be re-excavated and backfilled appropriately, undertaken by a suitable qualified professional. The applicant has confirmed that these works would be undertaken. I am therefore satisfied that the recommendations of the report, which will be completed by the applicant, would ensure that this issue was not an ongoing risk.

Construction Matters

97. 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 of construction to protect residential amenity. I recommend that works should be undertaken only

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

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. As required by the Highway Authority, the contractors would be required to manage construction traffic/deliveries to avoid peak school times to minimise conflict with school traffic, specifically the buses using the pick-up/drop-off zone. This would also be controlled by a suitably condition.

98. The applicant has submitted a detailed Construction Management Strategy in support of this application, which includes the location of the site compound and operative/visitors parking, details of site security and safety measures, wheel washing facilities, dust suppression measures, noise mitigation, tree protection measures, and details of the construction accesses via the school bus loop, amongst other matters. The Highway Authority are satisfied with the submitted details and do not require the submission of any additional information regarding construction activities. Therefore, should permission be granted, I consider it appropriate to impose a condition requiring the construction of the development to be undertaken in accordance with the submitted and approved Construction Management Strategy.

Other matters

99. As referred to in paragraph 32 of this report, the area to the east of the school site proposed to be used as playing fields is subject to restrictive covenants. This is not a planning matter so is not a consideration in the determination of this application.
100. Local residents have expressed concern that the County Council can be the Applicant and the determining Planning Authority. The power to determine planning applications such as this is governed by Regulation 3 of the Town and Country Planning General Regulations 1992. This requires the County Council to determine such planning applications as long as the development is to be carried out by (or on behalf of) the County Council or jointly with another named party. The development may be on land within the County Council's ownership, or any other land. Planning legislation gives the County Council no choice as to whether to determine the application or not. This is the same planning process that is followed by every local authority seeking to carry out development. Notwithstanding this, in this instance this application will be referred to the Secretary of State for Levelling Up, Housing & Communities for consideration on green belt grounds should Members agree with the recommendation in paragraph 104 of this report.
101. Lastly, the Wildernesse Residents Association and local residents question the extent of the applicant's pre-application consultation and also consider that the application has been poorly advertised. With regard to the applicant's pre-application consultation with the local community, this is not a formal planning requirement, but something the applicant takes upon themselves to undertake. However, the submitted Statement of Community Involvement sets out the pre-application consultation undertaken by the applicant and summarises responses. With regard to advertisement of the application, the County Planning Authority has advertised the application in a local newspaper and posted 10 site notices in the roads bordering the site. This is in accordance with the Planning Authorities adopted Statement of Community Involvement and also compliant with the legislative publicity requirements for planning applications.

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

Conclusion

102. This application seeks the provision of new external sports facilities for use by all three schools on the Sevenoaks Grammar Annexe/Trinity School site, including 2 multi use games areas (MUGAs) & 2 all-weather floodlit pitches (AWPs) on the existing school playing fields, and the change of use of an area of land to the east of the school site to a grass playing field. The 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 wider landscape and well as local residential amenity. 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 and sited 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 amenity of local residents or the wider landscape, and would accord with the principles of sustainable development as set out in Development Plan Policies and the NPPF. In addition, support for the improvement of school facilities is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy.

103. Therefore, subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies and the guidance contained in the NPPF, and is sustainable development. Therefore, I recommend that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, permission be granted subject to appropriate conditions.

Recommendation

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

- the standard 3 year time limit for implementation;
- the development to be carried out in accordance with the permitted details;
- removal of permitted development rights to the field to the east of the main school site;
- tree protection fencing/measures to be installed on site prior to commencement of the development and thereafter retained throughout the construction period;
- approved landscaping scheme to be implemented within first planting season following completion of the development;
- the development be undertaken in accordance with the recommendations contained within the submitted protected species reports regarding protection and enhancement measures;
- submission of a detailed mitigation and enhancement strategy to include details of the reptile receptor site, details of how the remaining grassland within the eastern field would be enhanced and details of ecological enhancement features within the wider site;
- submission of a woodland management plan, setting out how the woodland on site would be managed to benefit biodiversity;

Item D1

New external sports facilities at Sevenoaks Grammar Annexe/Trinity School, Sevenoaks – SE/21/891 (KCC/SE/0045/2021)

- access for all community users of the facilities to be via the main site access on Seal Hollow Road and car parking on site to be available for use by community users at all times;
- use of the Seal Drive access to be by emergency and maintenance vehicles only;
- no use of the development until certification of the Artificial Pitch surfaces (to FIFA and World Rugby Regulation Standard) and confirmation that the facilities have been registered on the Football Association's Register of Football Turf Pitches has been provided to the County Planning Authority;
- submission and approval of a Community Use Agreement prior to first use of the development;
- hours of community use limited to those specified within the application;
- the acoustic barrier to be installed prior first use of the All Weather Pitches;
- lighting levels not to exceed those specified within the application;
- hours of use of the floodlighting to accord with those set out in the application (i.e. extinguished by 9pm on weekdays and 8pm on weekends)
- lighting to be installed in accordance with the submitted details and specification unless otherwise approved in writing by the County Planning Authority, and checked on site prior to the first use and any necessary adjustments made;
- extinguishing of floodlighting when pitch is not in use;
- the submission of final details regarding the location of the cricket nets for approval prior to their placement on site;
- submission of an assessment of ground condition details, and any required mitigation, prior to the commencement of any works relating to the grass playing field to the east;
- submission and approval of a Management and Maintenance Scheme for the facilities prior to first use of the development;
- submission of a verification report relating to the SUDs Scheme prior to first use of the development;
- the construction of the development to be undertaken in accordance with the submitted and approved a Construction Management Strategy;
- 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;
- construction access to be controlled to avoid arrivals and departures during the AM PM peak school times.

Case officer – Mary Green

03000 413379

Background documents - See section heading
--