

Public Interest Case

Sports Facilities on the Wildernesse (Seal Hollow Road) Campus

Background

The Wildernesse School was an 8 Forms of Entry (FE) secondary school for boys situated on the site of the old Wildernesse Farm. The school closed in July 2010 and although the buildings were past their useful life, they were utilised by the Knole Academy for two years while their own school site was being expanded.

The Wildernesse School site was developed in 2016 for a new 4FE Trinity School and for a 3FE satellite expansion for the Weald of Kent Grammar School for girls. In 2017, Trinity school expanded to 6FE. It was always the intention that a boy's grammar school would be co-located at the site as well. In September 2021, this intention was realised when Tunbridge Wells Grammar School for Boys opened a 3FE satellite on the Campus.

Site Size & Constraints

The site survey conducted in 2019 indicated that indicated that the gross site area of the Wildernesse Campus, for a pupil population of the site of 2,400 (12FE) was just within the range for a 12FE site according to Building Bulletin 103. However, the net area was below that suggested, because large areas were not suitable for formal sporting facilities, being habitat areas or protected woodland.

Curriculum studies indicated that although challenging, the three schools could offer a relatively balanced sports curriculum on the site, but it was understood that the availability of facilities was dependent on weather, avoiding over-use, maintenance and very carefully managed scheduling. It was not an ideal situation, but the schools felt that it was manageable with the use of external hired facilities and with the two Grammar schools bussing students to the school main sites in Tonbridge and Tunbridge Wells.

The opportunity to acquire The Land gave rise to the potential to increase the available space available to create new sports facilities. This allowed for new grass sports area and permitted the creation of two additional all-weather artificial pitches.

The Land on Seal Drive

The opportunity to increase the total sports area was identified when land adjacent to the school was offered for sale by the Royal Society for Blind Children.

To the Council's knowledge land and has never been developed, while it was maintained by the former owners, the Council is not aware of any particular historic usage. The land is private and not open to members of the public.

The land is entirely within the Metropolitan Green Belt. The Council's intention was for the land to be used for sports and other educational purposes, with no permanent buildings being erected in line with planning policy guidance relating to the Green Belt.

There is a strong public interest case for the establishment of playing fields on this formerly unused, land. According to the Department for Education, more than 400 school playing fields have been sold or re-purposed since 2001. The creation of two new pitches is therefore in the interests of the students and wider community.

Education Provision in Sevenoaks

This chapter considers whether it was necessary and desirable to establish new secondary provision in Sevenoaks, and whether there is council support.

The need for additional secondary school places in Sevenoaks District has been well publicised in the annual Kent Commissioning Plans since the first Commissioning Plan was published in 2012. The 2012 plan stated:

“The number of Year 7 places in secondary schools in Sevenoaks is 510. Forecasts indicate an increase in Year 7 intakes for the next seven years. The increase is exacerbated by corresponding increases in the forecasts for year 7 students in Tunbridge Wells and Tonbridge, where half of Sevenoaks children travel to receive their education. As demand increases in these areas, Sevenoaks pupils will find their ability to access a secondary education of their choice becoming challenged.”

This has been a consistent message in every subsequent plan.

The aspiration to create specific Grammar provision in Sevenoaks district has been a KCC ambition since 2012, when a parental petition was presented to Kent County Council on 29 March 2012 which asked the following:

“We the undersigned petition the council to establish a grammar school in Sevenoaks.

Sevenoaks does not have a grammar school at present. Instead, every day, 1150 Sevenoaks children travel to grammar schools in Tonbridge and Tunbridge Wells, a round trip of up to 25 miles. Many of these children spend up to two hours commuting each day from a young age. This has a negative effect on their learning, on their opportunities for hobbies and sport, on their opportunities to develop friendships, and on the time they spend with their families.

The County Council responded by determining:

“The recommendation is that in response to an ePetition, Kent County Council pursues proposals to provide 2FE of selective secondary provision for boys, 2FE of selective secondary provision for girls and 2FE of mixed non-selective provision for students resident in the Sevenoaks south area, that would meet legal requirements.”

This was subsequently increased to 3FE for both boy’s and girl’s Grammar provision due to continuing reports of increased demand.

At that time, there were no alternative sites for new schools due to much of Sevenoaks being designated as Metropolitan Green Belt (93%), and the cost of buying more than seven hectares of new land, compared to the more cost-effective opportunities by reusing the Wildernesse site.

The evidence for the need for these new schools is clear and consistent, coupled with the local and council desire for some of these places to be Grammar places, is underpinned by the full Council decision of 12 March 2012.

School Sporting Curriculum Needs

Three schools now use the Campus. Trinity School (6FE all-ability, co-educational school), Weald of Kent Grammar School (3FE satellite, selective, girls) and Tunbridge Wells Boys Grammar School (3FE satellite, selective, boys). All three schools have robust sporting curricula, including outdoor sports such as hockey, football, cricket, athletics and rugby.

KCC has consulted extensively with the three schools to ensure that the facilities being proposed will be appropriate for each school's curriculum.

The existing provision includes a single all-weather pitch that has reached the end of its lifespan and needs replacement. The remainder of the land that can be used for sports is limited and would be heavily used, even rendering them unusable in wet weather.

The acquisition of the land on Seal Drive, and the increase in available land, creates the potential for an additional two new all-weather pitches. This will enable KCC to provide an all-weather pitch to each school, with a different playing surface, depending on the school preference and curriculum. The pitch surfaces are different for hockey, football and rugby, reflecting the demands of each sport.

“Third generation or 3G artificial grass pitches are recognised as durable, safe, year-round playing surfaces, able to withstand intensive use and all kinds of weather. They mean more people can benefit from all the associated social and health benefits of physical activity.” Sport England Statement

Depending on the season and the curricula of the schools, the new grassed areas will be marked out for rugby or football, and in summer, athletics and cricket. There is also potential for several smaller training areas, such as marked squares for rugby or football, football goals, rugby kicking posts, cricket nets, softball squares, etc. The additional land would also offer opportunities for cross country running around the perimeter, offering a total running distance of more than 1.5km, through a challenging mix of vegetation, gradients and direction changes. A summary of the intended new sports offer on the Campus is as follows:

- Two 4-court indoor sports halls.
- Seven MUGA (Multi-Use Games Areas) marked for tennis, netball, basketball, five a side football and other sports.
- One all-weather pitch surfaced for hockey
- One all-weather pitch surfaced for football or hockey

- One all-weather pitch surfaced for football or rugby
- Levelled grassed areas for use with summer and winter markings, to facilitate:
 - Winter
 - Two grassed football / rugby pitches.
 - Training squares.
 - Summer
 - Cricket wicket and field
 - Athletics track
 - 100m straight sprint track.
 - Long jump and field athletics areas for javelin, discus & shot.
 - Two rounders squares.
- Cricket nets
- Cross country circuit, approx. 1.5km

The loss of daylight in winter months, coupled with the potential for grassed areas to be unusable in wet weather, means that the all-weather pitches will be heavily used and will require lighting to get maximum use by the students.

The benefit to the three schools and the community cannot be overstated, with the capability to offer a wide sport curriculum being the main benefit.

Benefit of Sports in schools

The importance of daily physical activity has been known for many years, but the challenge in a world of fast food and sedentary screentime has never been greater. According to HM Government statistics indicate that one third of children are overweight or obese by the time they leave primary school, and according to Sport England¹, only 17.5% of children meet the Chief Medical Officers' ²guidance for how much activity children should be doing.

Three government departments (Department for Education (DfE), Department for Digital, Culture, Media and Sport (DCMS), and Department for Health and Social Care (DHSC) have collaborated to ensure that sport and physical activity are an integral part of both the school day and after-school activities, so that all children have the opportunity to take part in at least 60 minutes of physical activity every day. The creation of the School Sport and Activity Action Plan (July 2019)³ is designed to promote sport and physical activity and advert the importance of sport in improving children's physical and mental wellbeing, and help them to develop important skills like teamwork and leadership.

The creation of new grassed pitches will therefore be entirely in line with existing Government policy, and mindful of the advances that the country has made in the last ten

¹<https://www.sportengland.org/know-your-audience/data/active-lives>

²<https://www.gov.uk/government/publications/physical-activity-guidelines-uk-chief-medical-officers-report>

³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/848082/School_sport_and_activity_action_plan.pdf

years in all areas of sport and physical recreation, can only encourage more and more students to take up a sport or fitness activity to at least, hobby level.

Community Sports and Physical Activity

The primary purpose of the new pitches and facilities are to enable the three schools to fulfil their sports and physical education curriculum separately and without impacting on the neighbouring schools. However, such facilities will require constant maintenance, with an understanding that the all-weather pitches will eventually need to be re-laid, periodically. The cost of this can often run into hundreds of thousands of pounds and therefore the schools need a mechanism by which they can ensure the requisite funding is available at the appropriate time, without their delegated budget being negatively affected. It is proposed that the majority, if not all, of these expenses can be offset by permitting the hire of facilities by community and sporting groups, with such charges being re-invested into the maintenance and development of the sports facilities.

Before embarking on this project, KCC needed to consider whether there was sufficient interest from the community to hire the new facilities. KCC conducted extensive consultation with sporting bodies and sports clubs, nationally and in Kent.

National and county sporting bodies, such as Sport England, Kent Cricket and the Football Association were supportive, but by far the most interest came from local sports clubs, particularly hockey and football. Early communication indicates that the three all-weather pitches would be widely used by the local community.

The ambition is to achieve accreditation for the all-weather pitches to club standard for Rugby Football Union, Football Association and England Hockey.

A Joint User Agreement between the three schools will outline the offer to local sports clubs as well as groups of individuals, to hire the sports facilities at times when they are not in use by the schools. A Community User Agreement will be made with Sevenoaks District Council to ensure that the facilities are made available whenever possible.

The benefit to the local community, for individuals, groups and clubs is therefore significant. The facilities will therefore not only benefit the students during their curriculum and for after school activities but will provide huge benefits to the local community to increase sports and physical recreation.

Sevenoaks District Council

KCC has collaborated with Sevenoaks District Council to part fund the establishment of the new sporting facilities.

KCC put in a Community Infrastructure Levy (CIL) bid to Sevenoaks District Council, to enable the proposal to be fully funded. Sevenoaks District Council considered the matter during the CIL Funding Board meeting. Every aspect of the project was considered, not only the benefit to the three schools, but also the benefits to the people of Sevenoaks.

The result was that Sevenoaks District Council felt the bid fulfilled their award criteria. The bid was determined to be providing for the demand for more local sporting facilities which meets the requirements, aspirations and shortfalls indicated in Sevenoaks District Council's Playing Pitch Strategy Full Analysis⁴ and the Allocations and Development Management Plan.⁵

This indicates that at a more local level, Sevenoaks District Council recognise the benefits of the project and support the aims.

Sevenoaks Town Council

KCC have contacted Sevenoaks Town Council, who were able to provide us with a statement from the town Mayor that they support the project.

Facilities for Blind Children

The local history of provision of care and teaching for blind and partially sighted children at Dorton House through the Royal Society for Blind Children, is one that KCC would like to perpetuate. To this end, the three schools would be willing, by prior arrangement, to make available such sports or forest school facilities that might be of use to the RSBC as part of their Health and Well-being Club⁶ programme.

All sports facilities will be fully accessible according to the provisions in the Equality Act 2010 and the RSBC have expressed an interest in working with us to make sporting facilities more blind-friendly. This demonstrates that KCC is committed to working with organisations that provide services to young people with disabilities.

Environment, Ecology and Habitat

Our feasibility study indicates that the site is a habitat, or potential habitat for many types of flora and fauna, but of particular note, Turtle Dove, Twite, Yellow Dove, Lapwing, bats and amphibians. These would be of tremendous interest to the Forest School and as study material for biology and humanities students.

KCC and the schools would seek to preserve these habitats and would consider further action to enhance and create new habitats.

As a general principle, KCC would seek to preserve the existing woodland as much as possible whilst creating new sports provision. KCC believes that the woodland adds to the education offer from the three schools.

⁴ https://www.sevenoaks.gov.uk/download/downloads/id/1533/os004_playing_pitch_strategy_-_main_report_april_2018.pdf

⁵ https://www.sevenoaks.gov.uk/info/20069129/current_local_plan/248/allocations_and_development_management_plan

⁶ <https://www.rsbc.org.uk/get-our-help/live-life-go-further/>

There are trees benefitting from 'Tree Preservation Orders' on the site. KCC would not seek to get a TPO reviewed, unless it was a danger. As part of a detailed survey, KCC will appoint an Arboriculturist to advise.

The new sports facilities will not compromise the habitat areas, and in fact, will augment them by adding additional woodland to the overall habitat land area. KCC have demonstrated that this project will improve the ecological footprint in the area.

Community Engagement

KCC has involved the community at every stage of the project. In addition to the statutory planning consultation work, KCC has reached out to local resident groups, to explain the project and worked with them to limit or mitigate negative impacts.

There have been three key areas of discussion. Pitch lighting, out of school hours use and permanent building on the new land.

The three all-weather pitches will have state of the art directional lighting installed to enable the schools to fully utilise the facilities, both during curriculum time and after school, for clubs and practices. Lighting will also enable the facilities to receive accreditation from the National sporting bodies for football, rugby and hockey.

However, following discussion with local councillors and residents, the lighting has been designed to ensure that light pollution and light spill have been minimised. KCC has held discussions with Parish and District Councillors to explain the designs, and has appointed consultants to create light maps and models that show the impact of the new lighting. Indications are that the impact of the new lighting will be negligible because the A25 road already has LED street lighting.

The out of hours usage has been integrated with the planning application to ensure that all views and opinions can be captured. As part of the planning application process the impact on surrounding properties was assessed, including any noise disturbance, the planning application encapsulated mitigation measures including usage limitations to contain usage to specific times of the day and evening.

KCC has also consulted with KCC Highways to ensure that the existing road network can manage any additional traffic.

Finance

As stated above, the maintenance of the new sporting facilities is intended to be fully funded by the community hire charges. This has the effect on not being an additional charge on school or KCC budgets.

Summary

This paper is written to provide context around the public interest case for the overriding the restrictive covenants pursuant to section 203 of the Housing and Planning Act 2016.

The land is undeveloped and has never been used for the residential purposes referred to in covenants. KCC's intended purpose for the land facilitates the establishment of new grassed sporting areas; a use that does not compromise the constraints of the Metropolitan Green Belt.

The argument for new education provision has been made annually for the last nine years. Sevenoaks residents need the places that have been created, and the KCC policy for more Grammar places has been fulfilled. The sports facilities that are currently on offer, while adequate, do not permit the three schools to offer a wide sports and physical activity curriculum. In addition, such a curriculum could potentially be further constrained by weather or surface water.

The benefit of sports and physical activity for young people is well evidenced in several national organisations and supported by three departments of HM Government. That benefit is extended by this project, to the local community, with guarantees that facilities will be available for individuals, groups and clubs to hire when not in use by the schools. This includes consideration to provide facilities to blind young people.

The project has been supported and co-funded by Sevenoaks District Council and has received support from Sevenoaks Town Council. In addition, KCC has reached out to residents and worked to allay concerns that they have had in respect of usage and design.

KCC has fully considered the local ecology and will take steps to preserve and enhance habitat areas. Finally, the project will require no public funding for its maintenance.

KCC Officers therefore consider that the public interest case is robust and that the Cabinet Member should agree to overriding the restrictive covenants in relation to the site.

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