

Appendix 1 to Item D1

Redevelopment of existing school site to provide a new Academy at The Skinners Kent Academy, Tunbridge Wells – KCC/TW/0434/2010

Executive Summary from the Submission by Sandown Park & Blackhurst Lane Local Community Group dated 25 January 2011 in response to the planning application:

Executive Summary

The SWP Community welcome and support the notion of the Academy with its focus on quality and enhancing the life time opportunities of young people.

The current Application for Planning Permission itself, and associated documents, highlights four major concerns for local citizens, each of which is dealt with in a subsequent section.

In particular we note that TWBC Environmental Services has said in its submission, that “the application completely fails to consider any impact that the school may have on its neighbours at any level”. A statement which highlights those four major areas of concern:-

Concern 1. The Quality of The Primary Planning Statement

(MFP/KAL/7595) and Planning Application and supporting material. There are a number of disturbing omissions and queries arising from the data submitted in support of the application. Additionally, the quality of information presented in a several areas (e.g. The Transport Assessment, The School Travel Plan, The Acoustic Assessment) is weak, does not reflect the situation on the ground and does not always support the conclusions reached in that element.

Some items were omitted from the Public Consultation exercise – notably the Biomass Heating facility and the outdoor amphitheatre. There is also some disturbing statistical manipulation e.g. the School Travel Plan (STP)¹ target of reducing students driven to the Academy alone is used extensively to justify an absence of transport mitigation measures. The STP forecasts a *proportional* reduction from 13% (of the current 318 students) in January 2010 to 8% (of the planned 1150 students) in 2012. Here it conceals a *substantive* increase in real numbers which more than double from 41 to 92. The use of unqualified percentages in this way distorts reality.

In actual fact, the number of car commuters will be much higher than this projection because nearly all of the 800 or so new students to be recruited will live well beyond the existing walking and cycling zones which are fully saturated. There is also “a Base Level” of 750 students cited in Transport Assessments, whereas the current school roll is only 42% of that figure.

Occasionally the submission enters Alice in Wonderland territory: the Transport Assessment creates a fallacious travel profile² of the projected 1150 students based on the travel arrangements and places of residence of 235 members of the *existing* student body³ This produces a projection of 506 walking students: i.e. according to the 2001 census 78% of the *entire* 11-18 year old population in SKA’s Sherwood Ward heartland (including those who

¹ The STP is not actually a plan since it lacks metrics, milestones and enforceable goals. It is more a social and educational manifesto.

² Table 6-8 of the Transport Assessment

³ Table 6-1 of the Transport Assessment extracted from the STP source data

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no longer attend school): this fallacious travel profile is then multiplied by an unsupported assumption in the STP (described elsewhere as a “hoped for improvement”) to include a new projection of Travel Modes to the Academy⁴.

There are widespread arithmetical errors in the Traffic Survey information. E.g. a total of 70 appears at the foot of a column where the data actually amount to 196 (more than double!), similarly 58 (should be 129), 71 (should be 109), 70 (should be 106) and 57 (should be 122). Buses and HGV traffic are unaccountably omitted from some totals. Presumably these survey data were fed into the computer models used in the Traffic Assessments⁵. Many of these traffic survey calculations are shown in unnumbered tables printed on unnumbered pages which renders them almost unusable. This is not a rigorous basis to support a Planning Application.

We have identified a total of 35 errors, inconsistencies, omissions and misleading statements in the Primary Planning Statement - these 35 points of fact show that this application is fundamentally flawed: it is based on incorrect student numbers, inaccurate transport assumptions, unsound survey results and naïve methodologies. These 35 items are summarised and tabulated in Section 3.0.

Concern 2. Absence Traffic and Parking Impact Mitigation. The Planning Statement (1.3.1) states quite erroneously that the site is accessed by two residential streets (Sandown Park and Blackhurst Lane) leading North from Pembury Road. This is simply not true: the only access from Pembury Road to SKA is via Blackhurst Lane. Sandown Park is an offshoot from Blackhurst Lane. Blackhurst Lane Crossroads is a recognised traffic trouble spot hosting frequent accidents as the damaged traffic barriers demonstrate. The Planning Statement 4.2.3 states that “the Blackhurst Corner Junction currently operates over capacity and does not function successfully”.

Blackhurst Lane is a bottleneck providing the only, narrow access and egress to the SKA site which is effectively located in a cul de sac. Despite the traffic volume increases concealed within the Traffic Assessment the Planning Application contains no Traffic Mitigation measures nor does the School Travel Plan (STP) on which the assessment relies heavily.

Yet Paragraph 2.6.24 of the Transport Assessment Addendum says “Were school children not to call the pelican crossing so frequently, then existing users of Blackhurst Lane would have *less* opportunity to exit ...” Here is cast iron evidence from the research supporting the Application that a traffic light based solution on the junction itself would contribute to easing congestion.

The Transport Assessment addendum expresses the hope that the School Travel Plan will address the anticipated increased volumes and no further mitigation is needed at present. This is not scientific planning, it is misplaced and unjustified optimism.

⁴ Table 6-15 of the Transport Assessment

⁵ This is known as GIGO in the computer world – Garbage In = Garbage Out

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Consideration of Transport Issues is inhibited by the plethora of documentation submitted to KCC by the applicants between 29th November and 16th December. These include The Transport Assessment, The Transport Assessment Figures & Appendix (which includes as its Appendix G the School Travel Plan which is cited extensively and authoritatively throughout this Application.) and The Transport Assessment Addendum submitted to KCC on 16th December 2010.

Paragraph 4.1.4 of the Transport Assessment Addendum states that Traffic Mitigation is the subject of ongoing discussion between SKA and KHS. We do not believe that this application can be determined whilst discussions which go to the heart of this application remain unconcluded and unreported.

Section 4.0 deals with Traffic & Transport Issues at greater length.

Concern 3. The Proposed All Weather Pitch and associated Floodlighting.

KCC would challenge its own guidelines⁶ if it were to permit the development of the All Weather Pitch and associated floodlighting proposal. These say "*The impact on the openness of the Green Belt, or on the character of the countryside, of floodlight towers or pylons should be a key factor in determining whether planning permission should be granted*"

Light pollution from the proposed floodlights and noise levels from people using these sports facilities will also violate TWBC Core policies 5.120 & 5.121 which acknowledge the rights of residents to quiet enjoyment of their properties.

Section 20 of the Planning Application form itself shows, that this floodlighting is not an educational requirement: it is common ground that, in educational terms, there is no requirement for the All Weather Pitch and Floodlighting system on Site 2 – this was to be strictly a commercial venture.

The proposal for floodlighting is the direct consequence of opening the facility for Community usage even though TWBC Core Policy 5.217 states that Tunbridge Wells is already well provided with such facilities: it certainly does not mention a requirement for more All-Weather floodlit pitches.

It is a cruel paradox that the predicted Noise Levels from the Pitches would exceed considerably the levels defined as acceptable for Academy Students according to the Acoustic Assessment. Accordingly, we wish to see the proposed construction of the AWP and the Floodlighting it entails removed from this application on the grounds of noise and light pollution and the threat to the residential amenity of the local neighbourhood. (Section 5.0 & Appendix B deal with this topic at greater length).

⁶ Kent County Council Planning Floodlighting Guidance Note 2006

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Concern 4. The Energy Centre & Storage Facility

Section 6.0 of Design & Access Statement refers to recognition of local sensitivities which clearly were not considered in the Biomass installation. It was omitted from the Public Consultation Exercise on 17th November 2010 and its potential for dust, ash, fumes and pollution is not addressed in the Environmental Study.

The Energy Centre is listed in the Planning Application Drawings (1229 PL 025) and referenced in the Planning Statement Design & Access Statement but this drawing is not available on the KCC Planning Website.

This late addition to the Planning Application involves a 4 metre high Biomass storage and heating facility in an industrial building surmounted by a 12 metre chimney located in an unscreened location on the edge of an established residential community. We are unclear why a 12 metre chimney is required since this is not a feature of other similar installations we have inspected.

There is no significant UK experience of operating this type of innovatory facility on such an industrial scale. The present suggestion to relocate this building elsewhere on the SKA site is welcomed but again we do not believe that this application can be determined whilst discussions which go to the heart of key issues remain unconcluded and unreported.

We would require any Planning Condition to prescribe that the Energy Centre be located and constructed in an unobtrusive manner consistent with the residential context and that satisfactory controls are imposed on transportation arrangements for fuel delivery and ash removal. (Section 6.0 deals with the Biomass topic at greater length)

Other issues of significant concern, are dealt with in Section 7.0. These include:-

- As stated, the School Travel Plan itself is not a reliable document for Transport Assessment purposes because it is statistically unreliable, relying on input from just 24 students – none of them owner drivers, and a “Hands Up” Student Survey. Crucially, the Travel Plan appears to rely on the travel practices and residences of 235 of the existing 318 locally based students, which clearly are not an indicator of how the planned 1150 students will choose to travel to and from their remote, but as yet, unknown home locations.
- To date the Contractors have not filed a Construction Plan. But it is clear that the format of any Planning Permission must hold them responsible and accountable legally, socially, morally and financially for the consequences of their proposed project. Section 7.1 describes the components we would require to be included in the Construction Plan.
- There is no evidence of a Risk Analysis or Contingency Plan to recognise and deal with potential hazards (e.g. fire, spontaneous

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combustion of Biofuel, lab explosions, Hungerford or Dunblane type incidents, construction accidents) on a site with a single congested access point.

- The Statement of Community Involvement (SCI) is of little value: it appears to be written as a morale booster for the sponsors. The consultation it reports took place before plans for the Biomass facility and Amphitheatre were known (these crucial items were not shown at the Exhibition) and neither were the floodlights on Site 2.

Moreover, the statistical analysis on which the SCI depends is invalid: it lumps together *all* respondent answers whereas the survey actually embraces two entirely separate and statistically distinct subject groups - possibly with opposing interests and views. These groups are those with connections to the school (37%) and local residents (63%).

We note that TWBC Environmental Services has said that “the application completely fails to consider any impact that the school may have on its neighbours at any level”. Which suggests that the SCI exercise was a complete sham.

- Additionally, in paragraph 4.1.6 of the SCI the analysis totally ignores the noise, traffic and parking concerns which elicited widespread write-in comments from an element of the surveyed population: any competent analyst recognises the importance of write-in comments but here, their significance which undermines the entire analysis is totally missing from the report.
- The intended usage and impact of the proposed Amphitheatre was not explained at the Public Consultation meeting and clarification is urgently required.
- There is evidence of Bats on Site 2 but no mandatory study has been undertaken.

1.1 Key Conclusions

The Planning Statement concludes that “It is therefore recommended to KCC as the relevant planning authority, for a positive decision.”.

But it is the view of the Sandown Park Local Community Group that the lack of quality, accuracy and completeness in this application mean that it is not a sufficient basis on which to base any such decision.

The entire application should be referred back to the applicants to be reworked and resubmitted with particular attention to the following components:-

- A realistic review of the Traffic Impact Assessment to ensure that appropriate weight is given to the forecast addition of 800 students from indeterminate locations beyond SKA's current recruitment area.

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- Inclusion of the conclusions of the current discussions on traffic mitigation referenced in 4.2.3 of the Planning Proposal Document
- The provision of full traffic mitigation measures at the Blackhurst Lane crossroads to relieve the existing (admitted) and projected overload. The existing submission contains no mitigation measures whatsoever.
- The School Traffic Plan to be reworked to account for the student increase referenced above to include explicit measures to address control of parking, drop off & collection arrangements. The data collection and processing exercise used to fuel this revised plan should be transparent and the underlying data made available for inspection at a new Public Consultation exercise.
- There is no justification or benefit in permitting either the AWP Floodlighting proposal or the Site 1 Games Area Location proposals to proceed. These elements of the application should be rejected.

The light and noise nuisance and loss of residential amenity suffered by nearby residents, including the physically disabled residents of the Seven Springs Leonard Cheshire Home, which the current plans would cause is totally unacceptable and this finding is underlined by the TWBC submission.

The existing noise and light nuisance from the Site 1 Multi Use Games Areas would be substantially exacerbated if the applicants were to relocate those areas nearer to the houses in Ospringe Close.

- The Environmental & Acoustic Impact statements should be reworked to take account of the existence of the Energy Centre and the potential public use of the Amphitheatre.
- Clarification of any proposals for Public Access to the Amphitheatre describing the nature and frequency of events and opening times, security, stewarding and parking arrangements.
- Plans for the Energy Centre should be resubmitted to show a location, design and format which is screened within the site and is compatible with the residential context in which it is placed. The notion of a 12 metre industrial chimney should be revisited since this does not appear at other Biomass sites.

We appreciate that KCC is committed to making a major success of the SKA project, particularly since this is a pilot and template for a new wave of academies to be run out across the County.

But this Planning Application represents a grave threat to those ambitions because it is incomplete, inaccurate, error strewn and unsound and it ignores the rights and interests of SKA's residential neighbours.

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Accordingly we advise and recommend that the Application be referred back so that all of these defects can be rectified. The Application should only be resubmitted when it has been the subject of a thorough and transparent Community Involvement Assessment Exercise in which the community is properly represented.

Subject to privacy considerations, the data from the any questionnaire used in this exercise should be made available to the community in its raw state.

The membership of the LCG includes the skill sets and experience required to administer and process such a consultation programme and we stand ready to assist in any way we can.

1.2 Submission Format

This submission is structured as follows: it may also be viewed on the Local Community Group website <http://sandownparklcg.pbworks.com/>.

- 1.0 Executive Summary
- 2.0 Background to Sandown Park / Blackhurst Lane Community
- 3.0 Major Problems Regarding the Planning Statement
- 4.0 Traffic Congestion & Parking Issues
- 5.0 The All Weather Pitch & Floodlighting
- 6.0 Energy Centre & Storage
- 7.0 Additional Factors
- 8.0 Vital Conclusions

Appendix A contains additional photographic evidence supporting this submission

Appendix B contains details of authorities, references and research relating to the All Weather Pitch & Floodlighting issues.

Attachment 1 lists the figures and diagrams used in this submission.