

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

Redevelopment of existing school site including the erection of a two storey academy building at Wilmington Academy – DA/12/14 (KCC/DA/0537/2011)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 April 2012.

Redevelopment of the existing school site including the demolition and retention of some existing buildings, erection of a two storey academy building and sports centre, provision of 92 car parking spaces, drop off, coach parking and cycle parking, creation of a new vehicular entrance from Common Lane, landscaping and associated ancillary works at Wilmington Academy, Common Lane, Wilmington - DA/12/12 (KCC/DA/0537/2011)

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

Local Members: Mrs Ann Allen

Classification: Unrestricted

Site

1. Kent County Council is seeking planning permission to construct a new facility for Wilmington Academy in Dartford, on the same site as the existing Academy. The application site, in the village of Wilmington on the edge of Dartford, was originally the grounds of Wilmington Hall, which became a school in the 1950's, before being demolished when the current school buildings were built in the mid 1970's. The current school buildings were divided in the 1980's to accommodate two schools, Wilmington Grammar School for Boys (WGSB) and Wilmington Academy. Wilmington Academy occupies the western side of the buildings, with WGSB to the east, although the Academy's Sports Hall is located on the WGSB site. The organisation of the whole site is further complicated by a third school, Wilmington Grammar Schools for Girls, who own a sports pitch in the south west corner of site and have rights of access through the Academy to reach it.
2. The whole of the application site is within the Metropolitan Green Belt around Dartford, and is formed of a series of north facing terraced slopes, with heavily wooded fringes around the perimeter. Built development on site is contained to the north/east, adjacent to Common Lane. Playing fields lie to the south and west of the buildings, stretching as far as Broad Lane and Turnagain Lane. The playing fields are designated as part of the Green Grid under Policy DD5 of the Dartford Borough Local Plan Review (2004), but the main school campus is expressly excluded. The northern part of the application site is sloping meadow, unsuitable for use as sports pitches, and the northern boundary is a heavily wooded steep embankment, leading up to a Public Right of Way (PROW). Many 'A' category trees are located on the application site, particularly in this northern section. To the north of the application site, beyond the PROW, residential properties in Manor Close and Tredegar Road back onto the site from an elevated position. A small number of facing properties are located in Turnagain Lane, and a row of properties are located opposite the existing site entrance on Common Lane, facing towards Wilmington

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Site Location Plan



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WILLMOTT DIXON
WILLMOTT DIXON
CONSTRUCTION

Wilmington Academy

VIEW FROM ABOVE COMMON LANE

14.12.11 NTS 2403-JW-250 P04

PLANNING SUBMISSION

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Redevelopment of existing school site including the erection of a two storey academy building at Wilmington Academy – DA/12/14



WILLMOTT DIXON
WILLMOTT DIXON
CONSTRUCTION

Wilmington Academy

VIEW OF ACADEMY FRONTAGE

18.12.11 NTS

2403-JW/251 P04

PLANNING SUBMISSION

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Redevelopment of existing school site including the erection of a two storey academy building at Wilmington Academy – DA/12/14



WILLMOTT DIXON
WILMINGTON ACADEMY
FOUNDATION

Wilmington Academy

VIEW FROM PLAYING FIELDS

07.12.11 NTS 2403-W-253 P03

PLANNING SUBMISSION

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Common. The split ownership on site means that the existing Academy has very little frontage along Common Lane, and access is shared with WGSB, with all vehicles entering the site at the eastern side of WGSB, following a one way system, to an exit adjacent to the Academy's main entrance. The total application site area is 8.45 hectares. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan, and would be referred to the Secretary of State for his consideration should Members be minded to permit. *A site location plan is attached.*

Background

Academy Status

3. Wilmington Academy has been operating as an Academy since 1 September 2010 in the buildings of the former Wilmington Enterprise College. The joint sponsors for this scheme are Kent County Council and the Leigh Academy Trust, with the lead sponsor being the Leigh Academy Trust. Wilmington Academy will form a Hard Federation with the Leigh Academy and Longfield Academy, sharing a single overarching governing body and one Chief Executive/Executive Principal. The Leigh Academy Trust has already built the Academy at Leigh in Dartford, which was completed in 2007, and Longfield Academy which was completed in 2011.

Proposal

4. This application has been submitted by Kent County Council Property and Infrastructure Support, and proposes the demolition of some the existing school buildings and the erection of a new academy and associated facilities. It is intended to demolish several of the existing facilities, and to erect two new school buildings (the main Academy building and a sports centre). 92 car parking spaces are proposed, including 7 disabled bays, 6 motorcycle parking bays, 1 mini bus parking bay, 4 coach bays, 146 bicycle spaces, landscaping works and associated circulatory access roads, including a new vehicular entrance off of Common Lane. The school roll would be maintained at 950 students.

The Wilmington Academy proposals comprise:

- Two new academy buildings of 7,150 sq m (gross), including a new four-court indoor sports hall;
- Retention of the art and music blocks, the post 16/Special Educational Needs (SEN) block, the hall, and the horticulture vocational unit;
- Existing outdoor sports pitches to remain as existing;
- Hard and soft play and social areas;
- New car parking provision, drop-off, circulatory access and pedestrian access;
- New vehicular entrance and access road;
- New strategic landscaping.

Accommodation

5. The development of the site masterplan has been directed by the requirement to provide the proposed new Academy buildings and all associated facilities within the existing site, to minimise the loss of playing field and to reduce the impact on the Green Belt. The location of the new buildings has been influenced by the overall balance of land use required on site, and crucially the provision of a new vehicular entrance and

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approach road, forming a new entrance plaza. The proposed main Academy building would form part of the secure boundary of the site, making the building approachable to the community, but also secure.

6. The site layout places the bulk of the new main Academy building on the footprint of the existing car park, and the new Sports Centre on the footprint of the existing administration building. The model for the Academy is the schools-within-schools model advocated by the Leigh Academies Trust and used by both Leigh and Longfield Academies. At Wilmington, a smaller school roll in years 7-11 allows for a two college model, compared with Longfield's three and Leigh's four. The two college teaching structure is represented by the two wings of the proposed main building. The two storey wings would contain science and technology specialist teaching spaces, with general teaching colleges above. The remaining teaching accommodation – music, art, drama, post-16 and SEN, would be contained within existing facilities requiring very little upgrade work.
7. It is intended that the site would be re-graded and banked to form a level plateau for the new building, with no net cut and fill export from site and limited use of retaining walls. The two storey main building would have a single main entrance, accessed off the new entrance plaza, which would be covered with a glazed canopy. There would be a direct view through the entrance to the playing fields beyond, and into each wing of the building, presenting a professional and welcoming image to visitors. General administration accommodation, dining facilities, a learning resource centre, science laboratory's, technology workshops, general teaching areas and circulation spaces are proposed within the main Academy building, spread over the two floors. The accommodation is designed to be flexible and open, with double height dining and learning spaces, open plaza areas, and traditional classrooms. Access to outside space and the playing fields beyond would be gained via each room on the ground floor, and from the first floor via a bridge linking over to the playing fields from the 'science college', and steps down from the 'technology college'.
8. A new sports centre is proposed on the site of the existing admin block once this block has been vacated. The intention is that the sports centre would be built relatively quickly, potentially using pre-fabricated components. The centre would accommodate four tennis courts, storage and changing facilities, a multigym and a lecture theatre. A separate community entrance to the Sports Centre is proposed, allowing the facilities to be used both during and out of school hours. An additional student entrance to the Sports Centre from within the secure site would ensure the safety of students accessing the facility. The existing external sports provision would remain untouched, including the sports pitches, multi use games area and basketball court. Provision is, however, made for improved access to these facilities. In addition, relocation of existing benches to a new area of hardstanding to the north of the basketball court would provide an area for spectator viewing.
9. Between the proposed Academy building and Sports Centre, a plant room/energy centre is proposed which would house general plant associated with the Academy and an electric switch room. This building would form part of the site's secure boundary line, in addition to the main Academy building and Sports Centre. The remainder of the secure boundary line would be formed of black weld mesh fencing at a height of 2 metres.

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Access and car parking

10. A new vehicle only entrance into the Academy is proposed to be created to the west of the existing main entrance along Common Lane. This would provide a dedicated one-way access road into the school for vehicles only, which would feed into the proposed car park and bus and coach drop off areas. All vehicles would enter the site via the new access route, which would join up with the existing on-site road system to the north of the proposed sports hall, with all vehicles exiting the site via the current access, which would continue to be shared with WGSB. Public facilities on site, such as the lecture hall, dining, learning resource centre and sports centre are proposed to be located at the front of the site where they would be easily accessed by the community, and served by the proposed access, car parking and drop off facilities.
11. The applicant advises that the proposed new entrance has been strategically positioned to avoid the remains of an old road bridge abutment along Common Lane (whilst the bridge abutment is not officially listed, it has been marked by a plaque as part of the Wilmington Heritage Trail and, therefore, is of local historical interest). Some of the existing brick wall and palisade fencing running along Common Lane would, however, need to be removed to accommodate the new entrance. The applicant advises that the amount of wall to be removed would be dependent upon how much land would be required to provide the access sightlines. The entrance works would be subject to a Section 278 Agreement with the Highway Authority, and would also require a series of Road Safety Audits to be undertaken to determine the detailed layout of the junction. The results of this would inevitably influence the length of wall requiring demolition, but the applicant estimates that the approximate range of wall that would need to be removed would be between 17 and 20 metres. Tree removal would also be required, to be outlined in more detail below.
12. A total of 92 car parking spaces are proposed across the site, to be made available to staff and visitors, 85 of which are located in a new car park to the north west of the main Academy building. This area is the lowest and flattest part of the site, which is existing 'meadow'. The car park has been designed around an existing mature London Plane, an 'A' grade tree, in order that the tree is retained. To reduce the impact of the car parking area on the Green Belt and the London Plane, and to enhance sustainable urban drainage (SUDS), it is proposed that only the main circulation roads are vehicular tarmac, with the car park constructed of a rigid plastic turf reinforcement system. In addition to 85 parking spaces, the proposed car park would contain 6 motorcycle parking bays and 1 mini bus parking bay. A further 7 designated accessible spaces, and a SEN drop off point, would be provided in front on the main Academy building, in the arrival plaza. This location would be outside of the main Academy entrance, and on an area of the site that is level, providing easy access for wheelchair users and those with mobility or sight impairment.
13. A bus and coach drop off area is proposed to be located to the front of the proposed Academy building, with 4 parking bays provided. The nearest two bays would be for pick up/drop off at the front of the main entrance, with a further two bays provided further north along the access road for busses/coaches to wait before moving to the front two to pick up/drop off students. The access route would also link to the bin store and a loading bay to facilitate refuse collection and kitchen deliveries. Emergency vehicular access to the playground would be provided via the access road and through a gated entrance between the proposed main building and plant room/energy centre. It is proposed that an element of parental drop-off would be permitted on site, within the car park and the four coach pick up/drop off spaces.

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14. The main pedestrian entrance would continue to be via the existing entrance on Common Lane, which is to be the vehicular exit point. The proposed new access on Common Lane would not be for pedestrian use. Cyclists could, however, use the proposed new access, or dismount and use the pedestrian entrance. 40 cycle parking spaces are proposed to be located between the sports hall and the main Academy building. A further 10 visitor cycle spaces are proposed to the front of the main building, in the arrivals plaza. An area for an additional 96 cycle spaces has been identified to the south of the proposed hard informal play area, and these spaces would be provided should sufficient demand be identified through ongoing monitoring and review of the School Travel Plan.

Design and appearance

15. The applicant advises that the new building form and massing has been carefully considered to 'sit comfortably' within the Green Belt context. The proposal is entirely two storeys, and from the sports pitches to the rear of the site only the upper level of the main Academy building and roofscape would be predominately visible due to the level changes on site, and the cut and fill that would be undertaken to form a level plateau for the building to sit on. The two college wings are proposed to have a flat roof around the perimeter, and a pitched rooflight in the centre to allow light into the learning plaza's below. The Sport's Centre is also proposed to have a flat roof, although roof plant is shown on the roofs of both buildings.
16. The proposed façade materials include local red multi bricks (Freshfield Lane Brickworks), and grey coloured insulated render. The applicant advises that the local brick, with plenty of variegated colour and texture, and the materials palette in general, reflect the existing warm colours and textures of the local setting, whilst providing robust and durable finishes. Window frames would be powder coated aluminium in a dark grey colour, and curtain walling would separate principal elements of each elevation. The applicant advises that the sweep of the main entrance and front elevation would be articulated with substantial openings, revealing the activity of the Academy within. The glazing would be shaded by bands of aluminium brise soleil (projecting fins which deflect direct sunlight from windows), aiding passive solar design and shading.
17. Externally, the new entrance and access road would, the applicant states, give the Academy a stronger identity within the community. Community facilities at the school, such as sports facilities, the lecture hall and learning resource centre, would be located in accessible locations to facilitate use by local community groups both during and after school hours. All community facilities could operate out of normal hours without compromising the security of dedicated teaching areas. The south facing spaces between the two college 'wings', and new landscaped 'social area' would offer social and informal outside space.

Ecology and Landscaping

18. A Ecological Scoping Survey was submitted with this application which was undertaken to identify the presence or likely presence of any notable protected species or habitats. The reports summary and recommendations consider that the presence/possible presence of nesting birds, hedgehogs, reptiles and common toad should be taken into account before and during development works. With regard to nesting birds, hedgehogs and the common toad, recommendations are made as to how works should proceed and what should be done should such species be discovered. However, with regard to reptiles, it is recommended that 'before work commences a presence/likely absence survey is carried out in the development area to be affected by the construction of the

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western wing of the building, and the proposed extended car park'. The report further recommends that if reptiles are found to be present then, depending on the size of the population, they should be relocated to a suitable area nearby. The applicant has confirmed that works have commenced on the reptile survey, with mats and tins laid down, and survey visits to commence in March should the weather be warm enough. The survey covers the undeveloped grassed/meadow area to the north of the application site (where part of the proposed western wing and car park would be located) and does not include existing playing fields, car parks, hardstanding or mown grass, as these areas are unsuitable for reptiles.

19. An Arboricultural Survey and Assessment was also submitted with the planning application, which identifies the type, size and value of the trees on site. A total of 86 individual trees, and 4 groups, were assessed within the survey, including 9 category 'A' trees and groups, 26 category 'B' trees, 50 category 'C' trees and 5 category 'R' trees, in accordance with BS5837 (2005) 'Trees in Relation to Construction'. None of the trees within the site are subject to a Tree Preservation Order. However, a number of the existing trees appear to be remnants of the landscape associated with Wilmington Hall. Of particular note are a large London Plane at the lowest point of the site (around which the car park has been designed), and a line of Lime Trees along the western boundary, and a Giant Sequoias.
20. Of the existing stock identified within the tree survey, the applicant advises that 2 category 'R' trees would be removed due to poor health based on recommendations in the tree report. One category 'A' tree, 5 category 'B' trees and 13 category 'C' trees would have to be removed to accommodate the development (21 in total). 9 of the trees proposed for removal would be located either within or too close to the proposed building footprint, and the remaining 12 would require removal to allow the new access to be created, along with the route through the site and associated earth works. The applicant further advises that, in addition to the individual trees, an approximate area of 510m² of woodland consisting of young trees and woodland shrub species would require removal to allow the proposed entrance and access road to be built. 320m² of dense woodland edge scrub would also need to be cleared to accommodate the construction of the proposed car park.
21. New tree planting (35 trees) is proposed to replace individual trees removed within the school grounds, and species would be chosen in relation to the trees they replace, or to compliment retained trees found elsewhere on site. Their location would be selected to provide structure and an appropriate setting for the different character areas on site, to improve biodiversity and to provide seasonal variation. The applicant states that the planting strategy proposed aims to maintain the open parkland character of the existing landscape. Open lawn areas with individual or small groups of trees are proposed. The existing trees to be retained would be protected during construction in accordance with BS5837: Trees in Relation to Construction.
22. The applicant advises that the hard landscape material palette has been selected to create a cost effective and robust scheme. Tarmacadam is proposed for carriageways and footways, with small unit pavers proposed for disabled parking and SEN drop-off outside the main entrance to the school. The car park would be surfaced in a plastic modular reinforcement system and finished in a combination of granular material for circulation routes, and grass seeded areas for parking bays. New galvanised steel cycle hoops are proposed for bike parking, whereas all other external site furniture would comprise of existing pieces. The wider site boundary would remain as existing, but the inner secure boundary would be secured with 2 metre high black weld mesh fencing, which the applicant advises would combine security with visual permeability.

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Security

23. The applicant advises that the principles of Secured by Design, as they apply to schools, have informed the design process. The proposed development would provide enhanced security to the site and school buildings, with the proposed new buildings themselves forming part of the secure line controlling access into the site, thereby limiting the extent of fencing. Access into the school and its grounds would be well overlooked by the proposed administration facilities, and the main buildings single point of entrance would make the control of access and egress easier and more secure. New weld mesh fencing is proposed to form an inner secure line, incorporating the Academy buildings and immediate external spaces. In addition, all site entrances would be controlled with surveillance, either natural or CCTV, and appropriate security lighting.

Lighting

24. The applicant advises that external lighting of the site would create attractive and safe lighting levels in keeping with the character of the landscape. The applicant considers that the specific choice of lighting, both in terms of fitting type and lighting levels, would address security throughout the site, be attractive and relate to the character of the scheme whilst avoiding light pollution to the surrounding community. Lighting would be designed in accordance with ILE Guidance Notes for the Reduction of Obtrusive Light, and would utilise high efficiency light sources to satisfy BREEAM requirements. Proposed lighting to the access road would provide 10 lux at ground level with a minimum uniformity of 0.4, lighting to the car park would provide 10 lux at ground level with a minimum uniformity of 0.25, and lighting to pedestrian only routes would provide 5 lux at ground level with a minimum uniformity of 0.25. All external lighting would be contactor controlled via a photocell and digital timer arrangement, with a manual override switch.

Sustainability

25. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. The applicant is proposing to deliver an energy efficient building through design, construction and operation, including heating and lighting control, and energy monitoring. Other matters such as specifying environmentally friendly and recycled building materials, the incorporation of low water use appliances and leak detection meters, natural ventilation and ecological enhancement measures have been outlined within the application documents. The submitted roof plans also identify areas for PV Cells and Solar Thermal Panels.

The application is supported by a Design and Access Statement, Planning Statement, Biodiversity Statement, Landscape and Visual Impact Assessment, Geotechnical Investigation and Contaminated Land Investigation, Drainage Assessment, Renewable Energy Assessment, Transport Assessment and Travel Plans, Arboricultural Survey/Assessment, Archaeological Desk Assessment, Flood Risk Assessment, Statement of Community Involvement, Noise Impact Study, Utilities Statement and Secured by Design Meeting Notes.

Reduced copies of the submitted drawings showing the site layout, elevations and access are attached.

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Planning Policies**26. The National Planning Policy Framework (NPPF)**

The new NPPF is planning policy guidance and a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF replaces the majority of the Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), although PPS10 relating to Planning for Sustainable Waste Management is currently retained.

The NPPF contains a presumption in favour of sustainable development. The new Framework refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society, achieving a sustainable economy; promoting good governance and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the planning system -- economic, social and environmental. These roles are mutually dependent. Within the over-arching roles there are 12 core principles that planning should achieve. These can be summarised as:

1. be genuinely plan-led;
2. a creative exercise in finding ways to enhance and improve the places people live their lives;
3. proactively drive and support sustainable economic development;
4. secure high quality design and a good standard of amenity;
5. take account of the different roles and character of different areas, including protecting Green Belts, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
6. support the transition to a low carbon future, taking account of flood risk and coastal change and encourage the reuse of existing resources and the development of renewable energy;
7. contribute to conserving and enhancing the natural environment and reducing pollution
8. encourage the effective use of land by reusing brownfield land, providing that it is not of high environmental value;
9. promote mixed use developments
10. conserve heritage assets
11. manage patterns of growth to make fullest use of public transport, walking and cycling and focus significant development in locations which can be made sustainable;
12. take account of strategies to improve health, social and cultural well being, and deliver sufficient community and cultural facilities and services to meet local needs.

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In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

The NPPF sets out the Governments objectives for promoting sustainable growth and prosperity, whilst planning for strong vibrant and healthy communities. Good design is identified as important for sustainable development, with the planning system expected to promote good design for all development. Green Belt protections are maintained within the NPPF (section 9), which carries forward the principles of PPG2, in that inappropriate development harmful to Green Belt should not be permitted. However, land within the Green Belt that has been developed in the past may be used for new development in some circumstances. Local Authorities are also required to enhance the Green Belt, by the introduction of paths, ecological enhancement and planting, for example. Paragraph 72 of the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools, ensuring that a sufficient choice of school places is available to meet the demand of existing and new communities. The Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible. The NPPF also sets out planning's important role in tackling climate change, protecting the natural environment, protecting and enhancing biodiversity, limiting noise and light pollution, and protecting the historic environment.

The Government is committed to the principles of the Green Belt and to maintaining tight planning controls over development on Green Belt land. It is expected that all planning applications for development in the Green Belt be subject to the most rigorous scrutiny, having regard to the fundamental aim of Green Belt policy as set out in the NPPF; that is to prevent urban sprawl by keeping land permanently open. The openness of Green Belts is considered to be their most important attribute and therefore there is a general presumption against inappropriate development, which is by definition harmful and should not be permitted, unless it can be justified by very special circumstances.

Policy Statement – Planning for Schools Development 15 August 2011

27. (i) The adopted **South East Plan 2009**:
- Policy SP5** Refers to Green Belts, supporting their retention.
 - Policy CC1** Seeks to achieve and maintain sustainable development in the region.
 - Policy CC4** Refers to sustainable design and construction.
 - Policy CC6** Refers to sustainable communities and character of the environment.
 - Policy CC7** States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of the development. Where this cannot be demonstrated the scale and the pace of the development will

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be dependent on additional capacity being released or the provision of new infrastructure.

- Policy T4** Refers to parking standards and the provision of adequate secure cycle parking.
- Policy NRM2** Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.
- Policy NRM5** Requires Local Planning Authorities and other bodies to avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.
- Policy NRM10** Measures to address and reduce noise will be developed at regional and local levels.
- Policy BE1** Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.
- Policy BE6** Management of the historic environment.
- Policy C5** Seeks to ensure better management of the rural-urban fringe.
- Policy S1** Supports measures for developing and shaping healthy sustainable communities, including community access to amenities such as parks and physical recreation activities.
- Policy S3** States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.
- Policy S5** Refers to cultural and sporting activities, and encourages local authorities and their partners to improve the overall standard of fitness, enhance cultural diversity and enrich the overall quality of life.
- Policy S6** Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.
- Policy W2** Encourages sustainable design, construction and demolition.

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. Members should also note that the Localism Bill has now been enacted; however the SEP remains in effect

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until such time as the Government complete the formal process of revoking the Plan.

(ii) The adopted (1995) **Borough of Dartford Local Plan:**

Policy S4 There is a presumption against development in the Metropolitan Green Belt, as defined in the Local Plan; continued protection will be given to the Countryside and its amenity value and recreation potential will be enhanced.

Policy S6 Encourages conservation and improvement of the existing built environment and the achievement of a high quality and standard of design in new development.

Policy GB2 Within the Green Belt there will be a strong presumption against permitting development other than which accords with Planning Policy Guidance Note 2.

Policy T19 Proposals for development will not normally be permitted where they are not appropriately related to the highway network and generate volumes of traffic in excess of the capacity of the highway network.

Policy B1 The following factors will be taken into account in considering development proposals:

- a) Proposed use, which should be appropriate for its location and should not have a detrimental effect on the local area through visual impact, traffic generation, noise or other factors.
 - b) Design, which should be of a high standard and respect and integrate with the surroundings. Particular attention should be paid to the mass, form and scale of the proposed development and its impact on the environment and neighbouring uses.
 - c) Materials, which should be of good quality, pleasing in appearance and durable.
 - d) Amenity of adjoining properties, particularly in the case of residential properties, should not be materially detracted from by development proposals. This includes the loss of daylight or sunlight, and overlooking from habitable rooms.
 - e/f) Access and parking.
- [.....]

(iii) Amended Second Deposit Draft (2004) **Dartford Borough Local Plan Review:**

Policy DD5 Seeks to protect the amenity and recreational value, visual quality, wildlife conservation and landscape value of the Green Grid.

Policy DD11 A high standard of design will be sought in all proposals. Planning Permission will be granted if the proposed development :

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- 1) Is compatible with neighbouring buildings and spaces or improves their surroundings in terms of scale, height, massing, materials and site coverage.
- 2) Incorporates a layout that respects the original topography of the site and retains trees, hedgerows and shrubs which are important landscape features.
- 3) Retains or enhances the privacy and amenity of the local area by reason of form, scale, height, outlook, noise and light intrusion or activity levels including vehicular or pedestrian movements.
- 4) Retains important buildings.
[.....]
- 9) Incorporates appropriate provision for the role of the car.
[.....]

Policy T7 Requires new developments to be served by adequate transport infrastructure and services.

Policy T11 New development is required to make adequate provision for vehicle parking, in accordance with adopted standards.

Policy T15 Requires adequate provision to be made for cycle parking.

Policy T16 Requires development to minimise the need for car borne travel.

Policy T17 Requires a Travel Plan to be produced for large scale development.

Policy T18 Requires a Transport Assessment to be produced for large scale development.

Policy GB2 The openness of the Green Belt defined in the proposals map will be preserved. Within the Green Belt inappropriate development, as defined, will not be permitted unless justified by exceptional circumstances.

Policy LRT7 Promotes the provision of sports and other facilities for dual use by schools and the wider community.

Policy LRT11 Seeks to resist proposals which would adversely affect the extent or quality of open spaces and reduce their value in terms of visual amenity, nature conservation, recreational functioning, or their contribution to the Green Grid.

Policy BE16 Requires outdoor lighting to use low energy fittings, have minimal light spill and glow, be at the minimum intensity necessary, respect the character and appearance of the area, not result in loss of privacy or amenity for nearby residential properties, not cause glare and light pollution, and to be designed and integrated into the development.

Policy NR16 Requires details of present and predicted noise levels to assess the impact of potentially noisy development proposals.

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Policy NR23 Requires development to be designed to give optimum energy efficiency, through its site layout and orientation, and through layout and design.

(iv) **Dartford Borough Core Strategy (2011)**

Policy CS13 Seeks to resist inappropriate development within the Green Belt, in accordance with PPG2.

Policy CS14 Reiterates the Council's stance with regard to creating a multifunctional, well managed, and high quality Green Grid and requires sites between 2ha and 20ha and to provide at least 20% of the site area as contribution to the Green Grid.

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

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

Policy CS22 Indicates the Council's support for community based sports and recreation facilities. Community sports and cultural facilities will be encouraged at major development sites, and existing facilities will be protected.

Policy CS23 Requires all new development to demonstrate that reductions in energy use through passive design and layout have been explored and applied where practical. Non-residential development over 1,000 square metres gross floor space to meet BREEAM 'Excellent' standard.

Consultations

28. **Dartford Borough Council** raises no objection to the application, and recommends the inclusion of suitably worded conditions in respect of:

- Contaminated Land;
- Construction Method Statement (to include details of wheel washing);
- Surface Water Drainage;
- Retention of parking spaces;
- Demolition of buildings that are to be demolished prior to occupation of the new buildings;
- Levels of any external lighting; &
- Landscaping.

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Wilmington Parish Council supports, in principle, the proposals to improve the quality of the Wilmington Academy site and the buildings, thus providing better facilities and opportunities for learning, from which hopefully an improvement in standards will result. On-site provision of a drop off/pick up area, and waiting bays for coaches, is welcomed.

The Parish Council does, however, have concerns regarding:

- The proposed loss of some 3 or 4 metres of the historic wall that faces Common Lane, which is a prominent feature on the street scene;
- The possible encroachment of the new building into the Green Belt, with the possibility of the existing footprint being exceeded;
- The visual impact the proposed car park could have on the openness of the Green Belt;
- The new traffic flow arrangements, with the creation of a new entrance point having the potential to give rise to serious road safety implications on Common lane, with particular concern over its position on the incline of the road.

The Parish Council also wishes to following to be taking into consideration:

- Consideration will need to be given to the movement of construction traffic as the junction with Common Lane/Broad Lane and the width of Broad Lane is not suitable for such vehicles;
- A condition should be imposed requiring the on-site provision of wheel cleaning facilities;
- A condition should be imposed to restrict movement on and off site of construction vehicles during the times students are arriving and leaving, with due account being taken that there are three other schools in the immediate vicinity.

Kent County Council Highways and Transportation comment as follows:

a) The increase in the capacity is from 850 to 950 students, plus an additional 4 staff. This would not appear to raise any serious capacity or safety concerns on the surrounding road network. Direct access for pedestrians is via a separate gate from vehicles, adjacent to the zebra crossing on Common Lane, and from there to the nearby residential areas and bus stops.

b) The provision of parking spaces within the site in a single location would seem the appropriate way of reducing the current rather confusing layout at the Academy, and reduce any internal conflicting movements between pedestrians and vehicles. It would appear that the layout offers more control over the parking and loading of school buses within the site.

c) I welcome the increase in secure cycle parking.

d) The forthcoming updated Travel Plan will need to clarify the targets and monitoring regime. At the moment the Transport Assessment can only use phrases such as "expected to be updated" and "it is assumed that the Plan will look to reduce car travel mode by at least 20%". The achievement of targets will depend on the Academy's future commitment to encouraging sustainable access to the site by both students and staff. There already appears to be a good level of walking and bus use on which to build.

In summary, I would have no objection to this proposal."

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Environment Agency states that the development would only be acceptable if planning conditions are included on any permission granted to require the submission of various components of a scheme to deal with the risks associated with contamination of the site, the submission of a verification report demonstrating completion of the remediation strategy regarding contamination of the site, and conditions requiring the development to be carried out in accordance with the approved Flood Risk Assessment (FRA), and controlling the infiltration of surface water drainage into the ground. Advice, guidance and informatives are also provided regarding drainage, contamination, watercourse, and fuel/chemical storage.

Sport England raises no objection to the application, as the development only affects land incapable of forming a playing pitch, or part thereof, and does not adversely affect existing provision on the site. It is recommended that the detailed design of the new sports facilities accords with Sport England's relevant design guidance on sports halls, in order to ensure that the facility is fit for purpose and of an appropriate quality.

The County Council's Biodiversity Officer advises that the recommendations made within the submitted Ecology Scoping Survey should be implemented, and the development carried out in accordance them. Much of the site has been assessed as of minimal ecological significance. However, the northern meadow area of the site has been identified as of potential suitability for reptiles and, therefore, a reptile survey is recommended. To comply with Government guidance, all surveys must be carried out prior to determination to ensure that all relevant materials considerations can be assessed in the determination of the application. By undertaking a reptile assessment before the planning decision is made, the applicant would also be able to ensure that any mitigation that is required is considered in the design of the scheme.

The County Council's Biodiversity Officer supports the applicant's intention to incorporate the retention of the undeveloped area of meadow, with the intention to enhance the grassland with a native wildflower mix. A condition of consent should require the submission of a Habitat Management Plan to ensure that the meadow is managed for its optimal wildlife value. Ecological enhancement measures should also be incorporated into the development.

Public Rights of Way: no comments received to date.

The County Archaeologist raises no objection subject to conditions being placed on any grant of planning permission requiring the securing of the implementation of a programme of archaeological work, the submission of foundation designs and details of below ground excavations, and the undertaking of a programme of historic landscape assessment, in accordance with written specifications and timetables.

The County Council's Landscape Advisor raises no objection to the application, and is generally happy with the applicant's response to previous queries and concerns raised. The only remaining concern is the extent of woodland vegetation lost, and the lack of mitigation for this. It is appreciated that there are budget constraints, but the Landscape Advisor considers that the cost of native woodland planting would be minimal in relation to the total cost of the scheme. A detailed scheme of landscaping should be submitted pursuant to planning condition, which should include details of replacement tree planting which must replace the key species lost (such as English Oak, Common Lime, Cherry and Maple), and detail tree protection methods in accordance with BS5837:Trees in Relation to Construction.

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The County Council's Noise Advisor comments as follows:

"The application would result in a total of 23 additional vehicle movements in/out of the school during the peak hour. The car park capacity is increased slightly by 8 spaces and moved north by approximately 30m. In addition, the access road to the school would be relocated to the north west of the school boundary.

The Applicant has employed Pace Consult Ltd to produce a Noise Assessment which considers the potential noise impact at nearby residential properties resulting from the above alterations. The Noise Assessment presents noise contour plots for the existing and proposed future scenario. These contour plots indicate that the proposals will not result in an adverse noise impact for nearby residential properties or those located on the local road network. I would agree with the approach and findings of the Noise Assessment, and therefore, would not object to this element on noise grounds.

Fixed Plant

I note that the Noise Assessment recommends that the rating noise level ($L_{Ar,T}$) from any fixed plant associated with the application should be 10 dB(A) below the existing background noise level at the nearest residential property. However, no reference is made to the proposed plant that would be installed, and although it is unlikely that any such plant would result in adverse impact, I consider it prudent that the following condition be set (N.B. this condition is less stringent than that proposed by the Applicant above):

At no time shall the noise rating level $L_{Ar,T}$ (free field), calculated in accordance with the method provided in BS4142:1997, attributable to the operation of all fixed plant installed at the premises exceed the background noise level $L_{A90,T}$ at any residential property."

Police Force Crime Prevention Design Advisor: no comment received to date.

Southern Gas Networks provided advice and guidance on development in proximity to gas mains, which has been forwarded to the applicant for their information and action.

I have also received representations from the following:

The Wilmington Society strongly objects to the application for the following reasons;

"1) Wilmington has many schools situated in the village and at starting and finishing the traffic is chaotic with the volume of traffic and parking on the pavements making it impossible and sometimes dangerous to get around the village especially with prams, buggies and wheelchairs. Several attempts at enforcement by the PCO's have not resulted in any improvement. So even with the proposed additional parking on the site we are convinced that it will not be used. We understand that this is not an expansion of the number of pupils but bring the number up to the permitted number which means another 100 pupils coming into Wilmington with all the resultant problems.

2) We understand that additional parking spaces are on Green Belt land and this is totally unacceptable.

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- 3) The new building will encroach on Green Belt land and this is unacceptable and will directly affect the Green Grid and the green areas of Wilmington.
- 4) The additional access point from Common Lane is unacceptable, this is a narrow lane and this entrance will cause safety problems with access to the site.
- 5) The removal of part of the historic wall is totally unacceptable, this is part of the Wilmington Heritage Trail is of historical interest and cannot be replaced.
- 6) As stated in the planning application the redevelopment of this site is for the benefit of the local population, if this is the case why would there be need for all additional parking as presumably local school children could be encouraged to walk to school.
- 7) The construction phase would cause even more traffic problems and environment problem to resident and pupils at Wilmington Grammar School for Boys.”

The London Green Belt Council objects to the application because it represents an unjustified erosion of the Green Belt, and comment as follows:

“The application recognises that the extension of the developed area, caused especially by the two college buildings and car park, constitute inappropriate development as defined by PPG2. It seeks to justify the inappropriate development on the basis of alleged very special circumstances. Bearing in mind the inherent harm of any inappropriate development in the Green Belt, it is our view that the case for very special circumstances has not been made out.

The application relies on the policy support for schools in the Draft National Planning Policy Framework (NPPF), in particular paragraph 127. However, the policy is in fairly general terms and cannot be taken automatically to override the Green Belt protection embodied in the NPPF. Paragraph 133 makes clear that the Government attaches great importance to Green Belts and subsequent paragraphs reproduce many of the core principles of Green Belt Policy as set out in PPG2. This gives effect to a firm commitment to maintaining the Green Belt in Coalition Agreement.

The NPPF, however, has not been adopted. The published draft attracted considerable criticism, much of which highlighted unresolved tensions and conflicts between various aspirational policies like paragraph 127 and policies to protect environment, Green Belt and the like. Until the Government has responded to the consultation, therefore, the NPPF is of limited value as a guide to policy.

In any case, the general policies give little guidance on whether very special circumstances exist in any given case. The question is whether it is essential for the development to be made in this particular case. The arguments put forward are unconvincing. They address the fact that it might be quicker and cheaper to proceed as proposed but there is little evidence to show that there has been an attempt to think of creative solutions to avoid encroaching on the Green Belt.”

Local Member

29. The local County Member, Mrs Ann Allen, was notified of the application on the 5 January 2012. The following comments have been received:

“Support the proposed improvements to the quality of buildings and facilities.

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I have concern over:

- Loss of 3 to 4 metres of the historic wall, which is a prominent feature in the village street scene;
- Encroachment into the Green Belt;
- The siting of the car park affecting visual amenities of the Green Belt;

Request:

- All construction traffic enter the site via Broad Lane;
- On site provision of wheel cleaning facilities;
- Construction vehicle movements restricted when pupils are arriving and leaving.”

Publicity

30. The application was publicised by the posting of 4 site notices, advertisement in a local newspaper, and the individual notification of 64 neighbouring properties. 7 neighbouring properties (those who submitted representations to the initial consultation) were notified of the receipt of additional supporting information on the 21 February 2012.

Representations

31. To date, I have received a total of 10 individual letters of representation from 7 local properties/residents.

A summary of the main issues raised/points made to date are set out below:

Siting and design

- The development is not considered to be an appropriate form of development within the Green Belt;
- The development should not be allowed within the Green Belt;
- Once the Green Belt land is used, its status will be lost forever;
- The development would result in the loss/reduction of a Greenfield/Green Grid site;
- The development should be delayed until more funding is available to enable the development to be built on the footprint of the existing buildings, with pupils housed in temporary accommodation throughout construction;

Access and car parking

- Concerns are expressed over the number of car parking spaces proposed;
- Car parking would be in the Green Belt;
- The car park would create noise nuisance to local properties;
- The car park would create light pollution, especially if open until 10pm;
- The new entrance would have a massive impact on people using the Public Right of Way, and parents and pupils travelling to and from school. Vehicles would be turning in closer proximity to the PROW, and closer to a 'blind bend' creating more chances of road accidents;
- The proposed new entrance is in a dangerous place, being half way up a narrow hill, on a bend;
- The proposed access would remove an area of 'historic wall', which is part of Wilmington's heritage being one of few parts of the magnificent Wilmington Hall which are still left, and should be left intact;
- What remains of the historic wall must stay, and the plans for the new access should be reworked to ensure that this happens;

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- A pedestrian crossing should be provided as part of this planning application, especially in proximity to the PROW;
- The development would increase the volume of local traffic within a residential area, on an already busy road, which is very congested around peak school times;
- Construction traffic using Common Lane would cause a severe nuisance to the village;
- Construction traffic should not use Hook Green Lane and the west end of Broad Lane;

Ecology and landscape

- Local wildlife habitats would be adversely affected, including habitats for owls, birds, bats and badgers;
- Car park lighting would affect nocturnal animals;
- A substantial area of grassland would be lost, and the replacement proposed to not sufficient;
- A large number of mature and beautiful trees would be removed;
- A surface water drainage channel runs through the site from Dartford Heath to Oakfield Park. This causes local flooding.

General amenity issues

- Boundary fencing should be as secure as possible, and maintained in the future;
- The development would affect the visual outlook from neighbouring properties;
- The development would increase noise breakout both during and outside of school hours;
- The development would de-value local properties;
- Possibility of noise and light pollution from the development, especially sports facilities;
- The development could increase air pollution in the rural area;

Discussion

33. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraphs 26 & 27 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 the Development Plan Policies, Government Guidance, including the new National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon the Metropolitan Green Belt and wider landscape, highway implications and access, landscaping, local residential amenity and whether the development is sustainable in light of the NPPF.
34. Policy BE1 of the South East Plan and Policy DD11 of the Dartford Borough Local Plan Review, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly relevant to this site which is identified within the Dartford Borough Local Plan as being within the Metropolitan Green Belt. Policy CS13 of the Dartford Borough Core Strategy seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances. Reference is made to PPG2 which has been replaced by the NPPF. The NPPF says “as with previous Green Belt Policy, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances”. The NPPF does not explain in any detail what ‘very special circumstances’ now means, but

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

Green Belt considerations

35. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is inappropriate in Green Belt terms. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to demonstrate why permission should be granted. Such development should not be approved, except in very special circumstances. It is, therefore, necessary to consider the impact of the development on the openness of the Green Belt and whether or not there are very special circumstances that would warrant setting aside the general presumption against inappropriate development.
36. 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 states that the primary reason for the proposed redevelopment scheme is the need to replace the rundown, outdated buildings with a modern multi-functional educational establishment. The redevelopment would enable the Academy to fully accommodate pupils to the existing capacity of 950, whilst realising the aspirations to raise educational standards and to create a community education hub. The redevelopment would also significantly improve the educational and sporting facilities at the Academy, which would benefit existing pupils, staff and the wider community. The provision of new development for schools is specifically supported in National Planning Policy, and the Government has pledged further support for school development in their DCLG Policy Statement Planning for School Development. Against this background of strong Policy support, I consider that the principle of redeveloping the Academy to provide a new school building and better sports facilities is acceptable. However, notwithstanding the established use of the application site, the proposed redevelopment of the Academy represents development which by definition is inappropriate development within the Green Belt. Before assessing the case of very special circumstances justifying the development upon the application site, alternative sites must first be considered.
37. It is recognised that the preferable policy position would be to locate the Academy development outside of the Green Belt. As the whole of the Academy site, and that of the adjoining Grammar School, is within the Green Belt, the only option to achieve development outside of the Green Belt would be to relocate the Academy to an alternative site elsewhere in the Borough. The applicant advises that relocating to an alternative site would present significant logistical and financial cost, not least from potential site acquisition which would add heavily to the Academy’s development costs. Due to cuts in the original funding budget, the proposed development has already been scaled back from a complete new build, to retaining buildings where possible to ensure that the most important elements of the Academy can be delivered as new build. The level of funding available through the Academies programme would, therefore, fall far short of that required to acquire and develop another alternative site, whether it be outside the Green Belt or not.

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38. In addition to the cost implications of acquiring an alternative site, such a step would also significantly delay the development programme and extend the time period for delivering the new Academy campus. The applicant advises that there is a pressing need to raise educational standards at the school, and the new Academy campus would play a critical role in achieving this. The programme for creating the Academy and securing the new campus is running to a tight time scale, with completion of the works due in March 2013. If a new site were to be acquired prior to the development commencing, this would add considerably to the development programme, which would, the applicant advises, have a negative impact on the 'ability to implement the educational model in its entirety and thereby raise standards'. In light of the information provided in support of the need to redevelop on the existing site, and in considering that the application site is an established educational campus, home to two schools, I see no other viable alternative than the redevelopment of the existing Academy Campus. Having accepted that the Academy could not be moved to another site, I consider that the applicants are left with only two options - to do nothing, or to provide new and improved Academy buildings on the existing site within the Green Belt.
39. As previously explained, the whole school site is within the Green Belt, although only the playing fields are designated as Green Grid within the Borough Local Plans. Any development on the site would, therefore, be development within the Green Belt. However, building upon the existing footprint could be a more acceptable alternative to encroaching upon undeveloped areas of the school site and this option needs to be considered. As outlined above, during the process of developing the strategy for the new Academy development, the Department of Education reviewed the funding allocated for the Wilmington Academy development, and reduced it significantly. The Academy were then forced to rethink the former wholesale development strategy to ensure that the funds available were focused on the areas which would bring about the most change and be of most benefit. Some of the existing school buildings will, therefore, remain, particularly those elements such as the horticultural units, which are recently designed and constructed. However, the provision of an element of new build is essential in achieving the standard of educational facilities required, and in providing an independent campus specifically for the Wilmington Academy.
40. At the heart of the design ethos for Wilmington Academy is the need to provide the 'two schools' structure, catering for approximately 475 students in each. At present, Wilmington Academy shares a split campus with WGSB. The main bulk of the Academies buildings are joined physically with the adjacent Grammar School, and the two schools share a main entrance and have adjoining playing fields and facilities. One of the key things for the Academy to achieve through the development process is their own sense of identity, with a presence from the site frontage. It would be difficult to successfully achieve this, and to create the 'two schools' structure within the Academy from the existing campus with so many buildings and facilities being joined to the adjacent school. In addition to the provision of a new building, the applicant advises that the division of entrance points and internal access routes is essential in providing Wilmington Academy with an individual presence and identity.
41. The potential to provide the required new elements of the Academy campus wholly within the existing developed part of the site has been explored by the applicant. However, the provision of a new building, access, car parking and access route could not be accommodated within the existing built footprint due to the confined size of the site, the existence of the adjacent Grammar School which limits development opportunities, and the need to provide accommodation for students and teaching during the construction period. The applicant advises that phasing a new campus on the existing developed part of the site would result in a cramped spatial layout and would be

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extremely difficult to implement without impacting negatively upon teaching and day to day management.

42. Having accepted that new build elements would be required, and that the redevelopment of the campus could not be contained within the footprint of existing built development, the impact of the development as proposed on the Green Belt needs to be considered as discussed. Prior to submitting this application the applicant undertook a feasibility study, reviewing various options for the redevelopment of the site. The development as now proposed was considered by the applicant to provide the best solution for the school, whilst minimizing the impact on playing field provision and the openness of the Green Belt. The applicant advises that the Academy development has been designed to ensure that harm to the openness of the Green Belt is minimised. The new Main Academy building housing the 'two schools' and the new sports centre have been designed to occupy a compact minimum footprint and to maintain the two storey height that prevails across the site. The applicant advises that the buildings as proposed present the minimum height and footprint needed to provide the schedule of accommodation, whilst delivering the transformational teaching and learning environment.
43. The proposed site layout and design maximises the use of the existing developed footprint as far as possible. The main Academy building and sports centre would be located primarily on the footprint of the existing Academy buildings to be demolished, and the existing car parking areas/hardstanding. The NPPF introduces support of development of previously developed land within the Green Belt in some circumstances, and by building upon existing areas of hardstanding, and upon the footprint of buildings to be demolished, the impact of the development on the openness of the Green Belt is minimised. The proposed Sports Centre would be well contained within the existing built development on site, adjacent to existing Academy buildings to be retained and WGSB accommodation, and sited upon the footprint of the demolished administration block. The height of the sports centre would not exceed that of surrounding built development, and the form and massing would be consistent with existing buildings on site. I do not consider that the Sports Centre would affect the openness of the Green Belt, and consider that this element of the proposal is in general accordance with the principles of Green Belt Policy. I therefore see no reason to refuse this element of the application on Green Belt grounds.
44. However, the built form of the main Academy building would extend beyond the current development footprint, into the area of grassland to the north west of the existing campus development. The applicant advises that the built development outside of the current developed footprint is essential in delivering a functional and efficient building layout, and that the building design has focused on minimising outward built form, scale and mass to mitigate the impact on the openness of the Green Belt. To assess the visual effect of the development, and to demonstrate the resultant degree of harm, the applicant has undertaken and submitted a Landscape Visual Impact Assessment (LVIA). The LVIA confirms that, although the proposed main Academy building would extend slightly further into the Green Belt than existing development on site, the proximity of the new buildings to the existing facilities means that the proposed development would still appear joined to, and integrated with, the existing building fabric, largely maintaining the open character of the surrounding landscape. In addition, the LVIA confirms that demolition of some of the existing buildings, and introduction of green space and landscaped areas in its place, would help to mitigate the extension of the proposed footprint into the Green Belt. It should also be noted that the proposed main Academy building would not extend significantly into the Green Grid, as identified in the Dartford Borough Local Plan. The existing green grid network around the built

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development in the area would, therefore, be maintained and would not be significantly adversely affected by the proposed built development on site.

45. The proposed car park and new access road would also be located within the Green Belt, to the north of the existing buildings on site, and again on the open grassland adjacent to the woodland buffer with Common Lane and residential properties to the north of the site. The suitability of the new access in terms of highway safety, and the impact of the proposed car park and access road on residential amenity will be discussed later in this report. However, the principle of locating the car park and access route within the Green Belt also needs to be considered, in addition to the impact of the proposed buildings. The applicant advises that the car park would be located as close as possible to the existing horticultural vocational unit (to be retained) and to the rest of the developed campus. The car park would also be located in the lowest part of the site and, as such, views from outside the site would be limited by the relief of the land and existing mature tree planting and boundary woodland. In addition, as detailed in paragraph's 12 & 22, the car park is proposed to be constructed of a rigid plastic turf reinforcement system, finished in a combination of granular material for circulation routes, and grass seeded areas for parking bays. When not in use, the car park would appear as an area of open grass and, apart from lighting columns/fixtures, which will be discussed later in this report, built development would be minimal and unobtrusive. In addition, the car park has been designed to retain the category 'A' London Plane, which would aid in maintaining the existing landscape value of this area of the site.
46. The proposed access point and associated road would result in the removal of 12 trees, and an area of woodland and woodland edge scrub. Tree removal and replacement planting will be discussed later in this report, as will the appropriateness of the new access in terms of highway safety. However, the access point and associated access road would follow the line of the edge of built development on site as far as is practicable, bearing in mind the level changes on site, minimising the extent of further intrusion into the undeveloped area of the site. As stated above, the proposed car park, would be surfaced using a rigid plastic reinforcement system, which would be grass seeded, and the car park would surround the existing London Plane. These measures would aid in mitigating the visual impact of the car park by maintaining the existing visual appearance of the site as far as is practicable. In terms of impact upon the Green Belt, I do not consider that the proposed access point, associated road, and car park would significantly impact upon the openness of the Green Belt, or conflict with the underlying principles of Green Belt Policy.
47. The applicants have demonstrated a case of need for new educational and sports facilities. Some of the existing buildings are in a poor state of repair and are not suitable to accommodate modern teaching methods and are, therefore, no longer fit for purpose. In my view, it would be difficult to dispute the case made, not only on the basis of the current condition but also the adequacy of the accommodation to meet changing education requirements and practice. I would therefore accept the education need for the new accommodation. The applicant concludes that overall, it is considered that the need for replacement facilities at the Academy, together with the provision of improved facilities for community use, demonstrate very special circumstances for overriding Green Belt policy constraints in this instance. Having accepted the need for the redevelopment of the Academy buildings, and accepting the need to redevelop on the existing Academy Campus, it has been necessary to consider whether the redevelopment could be retained upon the existing footprint of built development on site. I accept the applicant's argument that satisfactory built development could not be contained within the existing extent of built development, and consider that the

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proposed development option is the most suitable out of those considered at the feasibility stage. Whilst there is inevitably some impact on the Green Belt, the LVIA demonstrates that the presence of the new buildings, access road and car park would be contained within the immediate context of Academy development, and the effect on the openness of the Green Belt would be limited. The proposed layout represents the option which strikes the best balance between minimising intrusion into the Green Belt and providing sufficient accommodation and facilities to enable the Academy to deliver its educational model and operate successfully.

48. 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 amended policy following publication of the NPPF. The development would clearly be inappropriate development and by definition harmful. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute very special circumstances capable of outweighing harm, in this particular case. Furthermore, I accept that the particular siting and design of the proposals has been carefully considered to help mitigate the impact of the development on the functioning of the Green Belt. Accordingly, I do not consider that an objection on Green Belt grounds would be warranted. However, if Members were minded to grant permission, the Secretary of State for Communities and Local Government would have to be consulted before permission could be granted.

Siting and Design

49. Having accepted the siting of the proposed facilities in Green Belt terms, the siting must now be considered in terms of residential and local amenity. The siting and design of the development has met with objection from local residents. Aside from the Green Belt case, which has been discussed above, objection is raised on the grounds of residential amenity issues, particularly with regards to the siting of the access and car parking, visual outlook, and noise and light pollution. The access and parking elements of this proposal, and the implications of these with regards to residential amenity, including associated noise and light pollution matters, will be discussed later in this report. However, the implications of the buildings will be considered and discussed below.
50. Representations from local residents have commented that the development would affect the visual outlook from neighbouring properties. Members will be aware that the protection of private views across neighbouring land is not a material planning consideration, but the design of the building should be considered and discussed. Although it would be a large building, I do not have concerns over the general design as proposed, which is appropriate for the innovative uses of the internal space and the range of activities proposed. In addition, the massing of the development has been broken up by dividing the body of the main Academy building into two projecting fingers of accommodation, with a separate sports hall and other retained accommodation, rather than one large building. The levels of the site have also been considered in the design, with the first floor linked to the higher playing fields via a bridge, and to the lower amenity space by a stair case, which would double as external teaching spaces. The heights of the buildings have been kept to two storey in an effort to reduce their impact on the local landscape, and indicative details of materials have been provided to give a visual impression of the Academy. However, the final selection of external materials, including colour finishes, should be submitted for approval pursuant to planning condition. In addition, due to the distance to neighbouring properties, and the substantial level changes and existing woodland planting, I do not consider that the building itself would lead to any undue overlooking of neighbouring properties, or would be overbearing in nature.

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51. Residents have also expressed concern regarding lighting and noise pollution arising from the proposed buildings. External lighting of the building would be designed in accordance with ILE Guidance Notes for the Reduction of Obtrusive Light, and would utilise high efficiency light sources to satisfy BREEAM requirements. Again, due to the distance to neighbouring properties, and the substantial level changes and existing woodland planting, I do not consider that external lighting of the building would have a detrimental impact on the amenity of neighbouring residents. However, should permission be granted, I consider that further details of external lighting of the building should be submitted to ensure that appropriate levels are proposed, bearing in mind the Academy's Green Belt location. With regard to noise pollution, it should be noted that student numbers would not substantially increase and, therefore, the level and intensity of activity during the day would remain the same. The playing fields and external sports facilities would also remain as existing, and the proposed sports hall would be sited far enough from local properties, and well within the built up site, to ensure that sports activities would not generate undue noise disturbance. It should be noted that the County Council's Noise Advisor has no objection to the proposal, but recommends the imposition of a condition regarding noise generated from fixed plant. Subject to the imposition of that condition, and conditions regarding external materials and lighting, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the amenity of local residents or the locality and, therefore, would be acceptable.

Access and Car parking, including Heritage Implications

52. As detailed in paragraphs 10-14 of this report, the applicant is proposing to provide a new vehicle only entrance into the Academy site from Common Lane, to the west of the existing main entrance. 92 car parking spaces are also proposed within the site, 85 of which would be located within a new car park. This proposal has met with objection on the grounds of additional traffic generation, the suitability of the new access point, the impact of the new access in terms of loss of the historic wall and loss of trees, the siting of the car park, and the impact of the car park in terms of light and noise pollution. In addition to local residents, Wilmington Parish Council, The Wilmington Society and the Local Member, Mrs Ann Allen, have expressed concerns over these aspects of the development. The following section of this report will take these matters in turn.

Additional Traffic Generation

53. Wilmington, specifically the Common Lane area, is home to many schools which can create heavy and congested traffic in the village at the start and end of the school day. However, this is an existing problem, and one associated with all schools. It is important, however, to ensure that the local highway network would not be adversely affected by the development proposals at Wilmington Academy. The Academy has an existing capacity of 950 pupils, but at the moment only has 850 pupils on the school roll. It is the applicant's intention to get the school roll back up to full capacity, and the redevelopment of the campus would help facilitate this. The school's capacity is not, therefore, increasing over the 950 pupils which it could currently accommodate, but in reality the proposed development could increase the number of pupils on site by up to 100, with an additional 4 staff.
54. Kent County Council Highways and Transportation conclude that the expected traffic generated by the additional staff and pupils would not appear to raise any serious capacity or safety concerns on the surrounding road network. The applicant has undertaken and submitted a Transport Assessment (TA) in support of this application,

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which was initially 'scoped' by the Highway Authority. The traffic assessment element of the TA includes surveys and assessments of local traffic junctions, including Common Lane/Oakfield Lane, Parsons Lane/Oakfield Lane, and Common Lane/Broad Lane, in addition to the site access junction. Staff and pupil questionnaire surveys were also conducted to ascertain journey patterns for the school population, the analysis of which forecast an additional theoretical traffic increase of 57 one-way vehicle trips to the school gate in the morning (30 arrivals & 27 departures), and 39 one-way vehicle trips in the school afternoon peak (18 arrivals & 21 departures). The TA also adds a further scenario, which assumes successes from the School Travel Plan, and concludes that the new theoretical additional trips would be fully mitigated by the shift to other travel modes.

55. On the basis of the initial traffic forecast (without the aforementioned Travel Plan success), further junction analysis was then carried out to show the net change in junction flow predicted in 2012 and 2016. This confirmed that in 2012 an increase of 100 pupils and 4 staff would result in a 5.8% increase in turning movement flows in the worst case, at the Common Road/Parsons Lane junction. The TA advises that junctions further afield would see reduced increases as traffic disperses. In terms of the overall operation of the highway network, the submitted TA confirms that these increases would not materially affect the operation of local junctions and the local highway network. Notwithstanding this worst case assessment, the applicant is confident that Travel Plan success would be achieved, fully mitigating any increases in traffic. In any event, the school already has the capacity to cater for the 950 pupil population, and could increase to this number regardless of this planning application. Given the results of the TA, and the views of Kent County Council Highway's and Transportation, I am satisfied that the local highway network could accommodate any additional traffic generated as a result of this application, and see no reason to refuse the application on this ground. However, I consider that an updated Travel Plan should be submitted within six months of the date of occupation of the development, should permission be granted, and that the Travel Plan should thereafter be subject to ongoing monitoring and review.

Need for a new access

56. Having accepted that the local highway network would not be significantly adversely affected by any additional traffic generated by the development, the merits of the development proposals themselves must be assessed. First, the applicant is proposing to create a new access into the site off of Common Lane, to the west of the existing access. Before assessing the safety of the access point, and its impact on the historic wall and trees on site, it is important to ascertain the need for an additional vehicular entrance into the site.
57. The applicant advises that the provision of a new vehicle entrance on Common Lane resulted from initial discussions with the Highway Authority, and their desire for the Academy to resolve an existing problem with bus waiting space on site, and the apparent lack of on-site capacity for parent drop-off and pick-up. Observations confirmed that the current arrangement is not adequate to cater for the number of buses waiting at the site during the afternoon peak in particular, which leads to knock on queuing on Common Lane and, at times, blocking of that route. This application seeks to improve the current inadequate situation by providing 4 bus parking/waiting bays within the site, in addition to providing a single area of car parking. The applicant is also proposing that an element of parental drop-off would be permitted on site. The applicant advises that numerous options were considered with regard to site access, including the provision of the onsite improvements whilst using the existing access point, shared with WGSB. However, it became apparent that the WGSB buildings would

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constrain the site layout, and that in order to provide the necessary on-site facilities, a new access onto Common Lane would be required.

58. The provision of on-site bus waiting, car parking, and parental drop-off would aid in easing the existing congestion around the school at peak times, and is considered by the Highway Authority to be desirable. Kent County Council Highway's and Transportation consider that the provision of parking spaces within the site in a single location would seem the appropriate way of reducing the current rather confusing layout at the Academy, and reduce any internal conflicting movements between pedestrians and vehicles. It is also considered that the layout proposed offers more control over the parking and loading of school buses within the site. Due to the space constraints on site, these additional facilities could not be provided without the provision of a new access and, therefore, I consider that a sufficient case of need has been put forward to justify the need for an additional site entrance.

Safety of new access point

59. Local residents, Wilmington Parish Council and The Wilmington Society have all expressed concern over the siting of the proposed access in terms of highway safety. It is considered that the new entrance could affect those using the Public Right of Way (PROW) and/or those crossing Common Lane as the proposed entrance is close to a 'blind bend', that the entrance is in a dangerous place being half way up a narrow hill, and that a pedestrian crossing should be provided in proximity to the PROW. The applicant advises that the site constraints and build options mean that the only viable location for a new site entrance is to the north west of the proposal site. By providing an entrance here it allows a greater on-site loop to be created, off which parallel bus bays are proposed. It also allows adequate junction separation from the existing school entrance/exit point.
60. The applicant advises that in selecting the position of the access on Common Lane, design guidance set out in the Kent Design Guide was considered, which Kent County Council Highways and Transportation apply to proposals on 30mph streets. Common Lane is 'traffic calmed' with speed humps, and the applicant advises that observations on site confirm traffic speeds are at or around 20mph. Notwithstanding this, the applicant is required to provide at least 45 metres forward visibility (assuming a 30mph road) from a vehicle travelling east bound along Common Lane, to a vehicle waiting to turn right into the site. As an inbound only vehicular access, exit visibility splays are not required. The proposed entrance point would meet the required visibility standards and, therefore, there should not be an issue relating to blind bends, road gradient, and/or forward visibility to turning vehicles. In addition, the access geometry has been developed using swept path vehicle turning analysis to ensure that the size of vehicles requiring access could be properly accommodated (buses, coaches and delivery vehicles in this case). Should permission be granted, the entrance works would also be subject to a Section 278 Agreement with the Highway Authority, and would also require a series of Road Safety Audits to determine the detailed layout of the junction. Kent County Council Highways and Transportation raise no objection to the siting of the new access and, in light of the information supplied by the applicant with regard to visibility, I consider the access point to be acceptable in highway safety terms and see no reason why the junction would not operate safely in the future.
61. With regard to the suggestion that a pedestrian crossing should be provided as part of this scheme, it should be noted that the proposed new access is vehicular only, and that pedestrians would continue to access the site as they currently do, via existing zebra crossing facilities. Kent County Council Highways and Transportation have no concerns

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regarding pedestrian access/safety and confirm that direct access for pedestrians would be via a separate gate from vehicles, adjacent to the zebra crossing on Common Lane which links to residential areas and bus stops. In addition, a number of walking routes which serve the Academy and other local schools were identified within the Transport Assessment. Consideration was then given to the local road safety situation through a review of traffic accident data to ascertain whether any walking routes required further attention or mitigation on safety grounds. The Transport Assessment confirms that no traffic, cycle or pedestrian accidents were highlighted on Common Lane, including in the vicinity of the PROW (footpath DR118A). Given the current safe operation of walking routes, and the existing provision of crossing facilities adjacent to the Academy's pedestrian access point, I do not consider that further off site highway works are justified or required in this instance.

Impact of the new access in terms of loss of the historic wall and loss of trees

62. Having accepted the need for a new access, and the safety of the access point proposed, I consider it necessary to assess the further implications of the vehicular entrance with regard to loss of the historic wall and tree removal. First, with regard to the wall, it should be noted that the structure is not Listed, or within a Conservation Area, but the adjacent bridge abutment has been marked by a plaque as part of the Wilmington Heritage Trail and, therefore, is of local historical interest. Objections and concerns over the removal of the wall have been received from Wilmington Parish Council, The Wilmington Society, the local County Member and local residents. It should, however, also be noted that it is not proposed to remove the bridge abutment, but an adjacent area of brick wall, which is separated from the bridge abutment by a gap in the wall (due to collapse or past demolition) which is filled with galvanised palisade fencing.
63. The applicant proposes to remove a section of the brick wall, and a section of the steel palisade fencing, to provide the new access point into the site. The amount of wall to be removed would be dependent upon how much land would be needed to provide the access sightlines. As outlined above, the entrance works would be subject to a Section 278 Agreement with the Highway Authority, and would also require a series of Road Safety Audits to be undertaken to determine the detailed layout of the junction. This process would inevitably influence the length of wall requiring removal, but the applicant advises that the amount to be removed could be between 17 and 20 metres. As outlined above, the need for a new access has been accepted, and the access position as proposed is considered acceptable on highway safety grounds, but the applicant has, following receipt of objections, considered alternative locations in an effort to avoid removal of the wall.
64. Due to the siting the existing horticultural buildings, which are to be retained, the proposed access point could not be moved to the east as the position as proposed is adjacent to these buildings. The only option, therefore, would be to move the proposed access further west along Common Lane to the opposite side of the bridge abutment to that proposed, and to the south/east of the PROW. This area of the site boundary is currently secured with galvanised palisade fencing. However, there are a number of reasons why the applicant considers this alternative to be unacceptable, and these will be considered and discussed in the following paragraphs.
65. The northern boundary of the school site is constrained by steeply sloping topography. Land levels generally rise east to west along Common Lane, but the land also slopes away very steeply to the south of Common Lane, meaning that the further west one moves along Common Lane, the steeper the gradient of the land forming the Academy

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grounds become. The topography of the land along Common Lane, moving westwards, becomes more acute in terms of gradient. The sheer level of earth and ground works that would be required to create an access to the west of the bridge abutment would be significant and would far exceed that required for the access location as proposed. The ramifications of such earth and ground works would, the applicant considers, most certainly be to impose greater disruption and far heavier impact upon the landscape, with very little in the way of possible mitigation. An access point here would also encroach further into the Green Belt than that proposed, and would have a far greater visual impact, which would be more harmful to the landscape character of the area and its appearance.

66. In addition to the above, the land south of Common Lane and west of the brick boundary is an established woodland area containing a number of significant mature trees. Although the access as proposed would result in some tree removal, to be discussed later in this report, moving the entrance and access road further west would result in the potential removal of woodland of a far better quality and amenity value. This would not be acceptable bearing in mind the sites Green Belt location, and the landscape value and amenity value of the woodland on site. The applicant also advises that one of the reasons for locating the access road and new entrance in the position proposed was to ensure that the historic bridge abutment was retained and protected. Moving the road alignment further west could disturb existing embankments around the bridge abutment, potentially compromising the stability of the structure.
67. Lastly, as detailed above, the safety of the access point as proposed has been assessed and considered to be acceptable. Moving the access point further west would bring it much closer to the bend in the road at Common Lane, meaning that cars turning right into the site would not have the required level of visibility to cross safely, and cars travelling along Common Lane would not have the required visibility to see cars waiting to turn into the site. Relocating the access further west would, therefore, result in the access which would be unacceptable in highway safety terms, and would not be supported by Kent County Council Highways and Transportation. The County Planning Authority would, therefore, be unable to support the provision of an access in that position.
68. Having considered the applicant's reasoning for not being able to move the access road to the east or west, I consider that although regrettable that an area of wall would be lost, there is no other suitable alternative to that proposed. The wall is not listed and is not within a Conservation Area, meaning that it has very little protection in terms of Development Plan Policy. Although the NPPF makes reference to the effect of an application on a non-designated heritage asset, a balanced judgement is required having regard to the scale of loss and the significance of the heritage asset. As detailed above, there is no other suitable alternative to that proposed, and the wall is not, in my opinion, a significant feature of local heritage, bearing in mind that large sections have already been removed and replaced with palisade fencing. However, it is noted that the bridge abutment is of local historic interest, and I am satisfied that the development as proposed would not affect the abutment. In addition, the County Archaeologist requires that an historic landscape assessment be submitted pursuant to condition prior to commencement of development. I consider that the historic landscape assessment should include details of the wall proposed to be removed, so that its local historical value is recorded and documented. The applicant has considered the possibility of rebuilding the demolished wall further west in place of the existing palisade fencing. However, the applicant advises that upon closer inspection the applicant's construction team are not convinced that the wall is of sufficiently robust construction to enable it to be reconstructed in a new position, whilst retaining its existing character and

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appearance. In light of the above, I consider that the applicant has considered all options for the proposed access, and that the removal of the wall, although regrettable, is preferable to the implications of moving the access further west. Subject to the imposition of a condition requiring the submission of an historic landscape assessment, I see no reason to refuse the application on the ground of the loss of the historic wall. In addition, I consider that the bridge abutment should be protected throughout the duration of construction works and that this should be required by a condition of consent, should permission be granted.

69. In addition to removal of a section of historic wall, the new site entrance and access road would also result in the removal of trees and an area of woodland. Although this will be discussed in more detail below, it should be noted that the entrance works would result in the removal of 9 category 'A', 'B' or 'C' trees, and an approximate area of 510m² of woodland consisting of young trees and woodland scrub species. However, I am satisfied that the applicant has demonstrated that a new site access is required, and that the location as proposed is the best and most suitable position in terms of highway safety, and would offer the least impact on the openness Green Belt, would involve minimal level changes and associated earth works, and would result in the least tree removal and loss of woodland. I therefore conclude that the new entrance point into the Academy, and the associated access road, is acceptable, subject to the conditions outlined above, and see no reason to refuse this element of the planning application.

Car parking, including associated light and noise pollution

70. The proposed location of the car park within the Green Belt has already been discussed and accepted in paragraphs 45 & 46 of this report. However, the amount of car parking proposed has been queried, and local residents have expressed concern over potential light and noise pollution. With regard to the level of parking proposed, the applicant advises that this was calculated and justified using analysis of existing use patterns, increases in staff numbers and the maximum allowable parking as set out in Kent Vehicle Parking Standards. As detailed on paragraph 12 of this report, a total of 92 car parking spaces are proposed across the site, to be made available to staff and visitors, 85 of which are proposed within the new car park. The remaining 7 spaces would be designated accessible spaces, and a SEN drop off point, located in front of the main academy building. The limited increase in staff of 4 full time equivalent persons would, on its own, add a parking demand of only 3 additional spaces. There is a slight over capacity situation with parking on the existing site, which is also split into various areas across the site, making way finding difficult. This application would provide 14 spaces more than currently available on site, which the applicant considers to be adequate to cater for existing and future parking demand, whilst not encouraging staff to drive to school. Kent County Council Highways and Transportation consider that the provision of parking spaces within the site in a single location would seem the appropriate way of reducing the current and rather confusing layout and the Academy, and raise no objection or concern over the level of parking proposed.
71. In considering the above, I consider that an adequate level of car parking is proposed. However, should permission be granted, it would be appropriate to impose conditions of consent which would ensure the provision and future retention of the car parking, cycle parking, coach parking/waiting, access, and circulatory routes as proposed. In addition, as stated earlier in this report, I consider that an updated Travel Plan should be submitted within six months of the date of occupation of the development, should permission be granted, and that the Travel Plan should thereafter be subject to ongoing monitoring and review. Subject to these conditions, I see no reason to refuse this application on the grounds of access and car parking.

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72. However, the potential impact of the car park on the amenity of nearby residential properties in terms of light and noise pollution needs to be considered and discussed. With regard to noise, in response to the concerns received, the applicant undertook and submitted an updated Acoustic Report, which specifically mapped the likely noise levels resulting from traffic generation at the redeveloped Academy on a contour plan, showing levels both as existing and those predicated after the completion of the development. The Report was based on the predicted traffic levels from with the submitted Transport Assessment. The contour plan showed that noise levels would drop away quite quickly the further away from the new buildings and car parking area one moves. The updated Acoustic Report demonstrates that local residential properties would experience little or no change in the level of perceptible noise associated with the development. It should also be noted that the car park would be well screened by existing trees and woodland planting, and that the closest residential properties are at a higher level than the car park, mitigating any noise impacts. The County Council's Noise Advisor agrees with the approach and findings of the updated Acoustic Report, and has no objection to the application on noise grounds. I therefore see no reason to refuse the application on the ground of noise from the car park/access, and consider that the proposals would not have a detrimental impact on the amenity of local residents in terms of unacceptable levels of noise.
73. With regard to light pollution, the applicant advises that the external lighting of the site would create attractive and safe lighting levels in keeping with the character of the landscape. The applicant advises that the British Code of Practice for Road Lighting BS5489 Part 9, and CIBSE Lighting Guide LG6 state that car parks in the following two area groups should be provided with a maximum of 15 lux average illumination:
- E1 – National Parks and Areas of Outstanding National Beauty
E2 – Areas of low district brightness (rural areas)
- The application scheme proposes to provide 10 lux average illumination to the car parking area, below the level recommended in the appropriate guidance.
74. The column mounted luminaires (lanterns) would be the 'Dark Sky' type, with 0% upward light, to prevent light pollution to the night sky. The lanterns would also be selected to ensure beam angles are less than 70 degrees, again to reduce light pollution, and the height of the columns would be designed to ensure that glare would not affect neighbouring properties, with the addition of baffles/shields if deemed necessary. It is proposed that metal halide lamp sources are used which, the applicant advises, offer excellent colour rendering properties and produce a clear white light. The applicant further advises that this type of lighting would have an effect similar to moonlight, but would provide improved facial and environmental recognition, increasing the feeling of safety at low lighting levels.
75. The applicant advises that the car park would be operational during the opening hours of the Academy, which would extend into the evening to allow for out of hour and community use of the proposed facilities (community use to be discussed below). However, as outlined above, the indicative details of the lighting scheme demonstrate a specification that would provide lighting levels lower than the maximum levels recommended within the appropriate guidance, with the orientation and angle of lamps as such that lighting levels and light spill would be well contained and localised. The site topography and existing tree and woodland planting would also aid in mitigating the visual impact of the car park, including when lit. Therefore, I consider that, should permission be granted, final details of the lighting specification/scheme for the whole development, including the car park, access road, and the buildings, hours of operation

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and details of control mechanisms, should be submitted for the prior written approval of the County Planning Authority. Subject to the imposition of that condition, I am satisfied that the development would not lead to undue light pollution, and see no reason to refuse the application on this ground.

Public Right of Way

76. Although a Public Right of Way runs along the western and northern boundary of the application site, the County Council's Public Rights of Way Team have not commented on this application. I do not consider that the development would adversely affect the Public Right of Way in terms of its use, or views from the footpath, and therefore see no reason to refuse the application on this ground.

Landscaping and Biodiversity

77. As outlined in paragraphs 19-21 of this report, an Arboricultural Survey and Assessment was submitted in support of this application, which identified the type, size and value of the trees on site. Of the existing stock identified within the tree survey, the applicant advises that 2 category 'R' trees would be removed due to poor health based on recommendations in the tree report. One category 'A' tree, 5 category 'B' trees and 13 category 'C' trees would have to be removed to accommodate the development (21 in total). 9 of the trees proposed for removal would be located either within or too close to the proposed building footprint, and the remaining 12 would require removal to allow the new access to be created, along with the route through the site and associated earth works. The applicant further advises that, in addition to the individual trees, an approximate area of 510m² of woodland consisting of young trees and woodland shrub species would require removal to allow the proposed entrance and access road to be built. 320m² of dense woodland edge scrub would also need to be cleared to accommodate the construction of the proposed car park.
78. Although regrettable that mature trees and woodland planting would be lost as a result of this development, the applicant has made all reasonable efforts to retain Category 'A' trees, and minimise the extent of tree and woodland removal. The applicant has also submitted an Arboricultural Development Report, which sets out in detail the impact of the development on trees to be retained, and includes a preliminary Tree Protection Plan, which explains in greater detail how retained trees would be protected. As a part of this report, the layout of the car parking area was amended slightly to further ensure protection of the London Plane. In addition, as outlined previously in this report, the applicant has successfully demonstrated that the siting of the access, car park, and the proposed Academy buildings, are the most suitable in terms of impact on the Green Belt, encroachment into the undeveloped area of the site and highway safety. The applicant has also demonstrated that alternative locations for the access road would result in greater tree removal and loss of woodland than that proposed.
79. The County Council's Landscape Advisor is satisfied with the car parking layout around the London Plane, and recommends that any works required to the tree, such as the removal of deadwood, be undertaken by a suitably qualified arboriculturalist. It is also recommended that a raised kerb or timber knee rail be placed around the tree to protect the root protection area. These matters, I consider, should be incorporated into a detailed scheme of landscaping, to be submitted pursuant to condition, should permission be granted. In addition, it is recommended that further native woodland planting is incorporated into the landscaping scheme to compensate for the woodland planting lost to the development. However, the applicant states that additional planting has been fully considered as part of the overall landscaping scheme, but funding for the

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school is such that all resources must be directed towards providing the school development. The applicant considers that budget constraints are such that this element of landscaping cannot be provided without making significant cuts to essential parts of the scheme which are crucial to the delivery of the school development. Although regrettable, given the applicants other intentions with regard to replacement planting (see below), I consider that a reasonable balance must be made, and the delivery of the built development must be the first priority. I therefore would not insist on replacement woodland planting, but would advise by means of an informative that, should funds become available, woodland planting should be included within the landscaping scheme for the site.

80. The applicant is proposing new tree planting (35 trees) to replace individual trees removed within the school grounds, and advises that species would be chosen in relation to the trees they replace, or to complement retained trees found elsewhere on site. Their location would be selected to provide structure and an appropriate setting for the different character areas on site, to improve biodiversity and to provide seasonal variation. The applicant states that the planting strategy proposed aims to maintain the open parkland character of the existing landscape. Open lawn areas with individual or small groups of trees are proposed, in addition to retention and enhancement of the remaining area of meadow to the north of the site. The applicant also advises that existing trees to be retained would be protected during construction in accordance with BS5837: Trees in Relation to Construction. I consider that the new planting proposed would be of significant benefit to the site and locality, as well as helping to absorb the new development into its surroundings. This is particularly important given the site's Green Belt location.
81. The County Council's Landscape Advisor does not raise objection to this application, but does require further details to be submitted pursuant to condition, should permission be granted. A detailed scheme of landscaping and tree planting would be required pursuant to condition and, as requested by the County Council's Landscape Advisor, the scheme of landscaping would be required to include details of plant species, sizes and locations of planting, tree protection, works to the London Plane and the provision of a timber knee rail or raised kerb to protect to the RPA of the London Plane. The Landscape Advisor would then be consulted on the detailed landscape and planting proposal when submitted. In addition, a condition of consent would ensure that all trees to be retained are protected in accordance with BS5827: Trees in relation to construction. I consider this to be acceptable, and therefore, subject to the imposition of conditions, see no reason to refuse this application on landscape grounds
82. With regards to biodiversity issues, an Ecological Assessment was submitted with this application, which indicates that further survey work for reptiles is required. Ecological surveys are seasonal in nature and the winter months are not generally recommended or suitable for this type of survey work which is why the applicant could not submit the required further survey work with the planning application. However, the applicant recognises that the required survey should be done and, as such, has commenced the survey for reptiles and is expecting to submit the results in the next month or so, weather dependent. I consider that in this instance the required reptile survey, and details of any required mitigation, could be submitted pursuant to condition. Therefore, should planning permission be granted, details of further survey work with regard to Reptiles and any subsequent mitigation and required enhancements, would need to be submitted pursuant to condition prior to the commencement of development.
83. In addition, local residents have expressed concern that the development would adversely affect wildlife habitats. The submitted Ecological Scoping Survey has

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assessed much of the site as of minimal ecological significance, apart from the northern meadow area. This area of the site has the potential to provide a suitable habitat for reptiles, hence the requirement for further survey work. In addition, much of this meadow area would be lost to accommodate the proposed car park. However, the County Council's Biodiversity Officer supports the applicant's intention to incorporate the undeveloped area of meadow into the development, with the intention to enhance the grassland with a native wildflower mix. It is recommended that a condition of consent should require the submission of a Habitat Management Plan to ensure that the meadow is managed for its optimal wildlife value, and to ensure ecological enhancement measures are incorporated into the development. In addition, further conditions should ensure that the applicant adheres to the conclusions and recommendations made within the submitted Ecological Survey Report, that tree removal is not undertaken within the bird breeding season unless supervised by a suitably qualified ecologist, and that badgers are protected from construction activities. Subject to these conditions, and any required mitigation with regard to reptiles, I do not consider that the development would have an adverse impact on protected species and/or biodiversity.

Community Use

84. As outlined in paragraph 8 of this report, it is proposed that there would be community use of the school buildings and the associated sports facilities, a principle which is supported by Development Plan Policy and wider Government aspirations for extended school use and community activities. However, community use of the proposed facilities, and the implications of this, must be balanced against the impact upon the amenity of neighbouring properties. Therefore, in order to protect the amenities of local residential properties, it would be appropriate for details of community use to be submitted for approval pursuant to planning condition. These details would need to include proposed hours of use for indoor and external facilities, a pricing policy, details of access by non-school users/non-members, management responsibilities and a mechanism for review. The submitted details would be subject to consultation with relevant consultees to ensure that the proposed community use would not have a detrimental impact on the amenities of the locality. Once considered acceptable and approved, the community use of the facilities would be required to strictly adhere to the hours of use and details given. Subject to the imposition of such a condition, I consider that community use of the development would not have a significantly detrimental impact upon the amenities of the locality.

Flood Risk Assessment, drainage and contaminated land

85. The Environment Agency raises no objection to this application subject to the impositions of conditions. In accordance with the principles of Development Plan Policy the applicant has submitted a Flood Risk Assessment (FRA) with this application. The Environment Agency is satisfied with the content of the FRA, and states that should permission be granted, a condition of consent should require the development to be carried out in accordance with the approved FRA. That would ensure that drainage at the site was acceptable, and that the development would not lead to an increased risk of flooding. The Environment Agency also require the submission of various components of a scheme to deal with the risks associated with contamination of the site, the submission of a verification report demonstrating completion of the remediation strategy regarding contamination of the site, and conditions controlling the infiltration of surface water drainage into the ground. Therefore, should permission be granted, conditions would be imposed covering the matters raised above. That would ensure that the development would not result in an unacceptable level of pollution, in accordance

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with the principles of Development Plan Policy. In addition, the Environment Agency's advice and guidance regarding drainage, contamination, watercourse, and fuel/chemical storage could be covered by an informative.

Archaeology

86. An Archaeological Desk Assessment accompanied this planning application. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, conditions of consent should be imposed. It is requested that no development takes place until the applicant has secured the implementation of a programme of archaeological work, and undertaken a programme of historic landscape assessment, in accordance with written specifications and timetables. In addition, a further condition would require the submission of foundation designs and details of below ground excavations. I consider that the suggested conditions would be an appropriate requirement in ensuring an acceptable level of evaluation and mitigation of the archaeological potential of the site. Therefore, subject to the imposition of the required conditions, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Secured by Design

87. The applicant advises that the principles of Secured by Design, as they apply to schools, have informed the design process. The proposed development would provide enhanced security to the site and school buildings. Some of these matters, such as perimeter fencing and security lighting, would need careful consideration to ensure they were applied in a balanced way so that, for example, the visual appearance of the site was not compromised by inappropriate fencing. They would otherwise accord with Development Plan Policy in respect of providing a safe and secure environment. If planning permission is granted these matters would be dealt with in the drawing up of the detailed design drawings and, in part, by planning condition i.e. details of lighting and fencing.

Sustainable construction

88. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. As outlined in paragraph 25, the building would include a number of sustainable features and I consider that the applicant has given sufficient information within the planning application to demonstrate how the rating of 'Very Good' would be achieved. I therefore consider it sufficient and acceptable to condition that the development achieve at least a 'Very Good' rating, but not to request the submission of further details in relation to this. In particular, the developers are already tasked with meeting the exacting design standards demanded of them by the Academy funding process and any planning controls in this regard could be duplicating, and potentially conflicting with, such requirements.

Construction

89. 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 and demolition in order to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also normal on school sites for contractors to be required under the

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terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.

90. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures and details of any construction accesses. Local residents, Wilmington Parish Council, The Wilmington Society and the local County Member have all expressed concern over the construction access, and the route construction vehicles would take when entering the site, with various options preferred by different parties. The applicant has confirmed that an existing construction access (retained for site maintenance) on Broad Lane would be used for the initial set up and limited enabling works, after which the proposed new vehicular access on Common Lane would be used. The applicant also confirms that wheel wash facilities, banksmen, site speed limits and agreed lorry routes would be enforced. Unfortunately, the construction of a large scale development does inevitably cause local disturbance and access for construction vehicles is often a cause of concern. However, I consider that the Construction Management Strategy would aid in mitigating the impact, and would enable the Highway Authority and the Borough Council to agree lorry routes and access arrangements prior to the commencement of development. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy
91. In addition to the above, should permission be granted, conditions of consent would ensure that dust, noise, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

92. This proposal has given rise to a variety of issues including the need for very special circumstances to justify inappropriate development in the Green Belt and the impact of the proposed development on the openness of the Green Belt. However, I consider that very special circumstances have been demonstrated in this particular case for overriding Green Belt policy constraints in terms of the education need for replacement and improved school accommodation, the lack of alternative sites and the mitigation proposed by the applicant with regards to the visual impact on this part of the Green Belt. 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 local residential amenity or the local highway network, and would accord with the principles of sustainable development as set out in the NPPF. On balance, therefore, subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies and the guidance contained in the NPPF. Therefore, I recommend that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision, permission be granted subject to appropriate conditions

Recommendation

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

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally;
- details of all external lighting, including hours of operation;
- control of noise from fixed plant;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- measures to protect trees to be retained;
- habitat management plan/biodiversity enhancement strategy, including monitoring and management;
- protection of badgers from construction activities;
- submission of Reptile Survey and subsequent mitigation;
- no tree removal during the bird breeding season;
- development to accord with the recommendations of the ecological survey;
- development to be carried out in accordance with the details of fencing, gates and means of enclosure, including colour finishes, as detailed within the application;
- archaeological works including an historic landscape assessment (to include the wall to be demolished), details of foundation designs and below ground excavations, and a programme of archaeological works.;
- protection of the bridge abutment throughout the period of construction works;
- demolition of all buildings proposed to be demolished prior to occupation of the development;
- Secured by Design principles to be adopted;
- a BREEAM rating of 'Very Good' to be achieved;
- details of community use relating to use of the indoor and outdoor facilities, including hours of use;
- submission of an updated Travel Plan within six months of occupation, and thereafter ongoing monitoring and review;
- provision and retention of car parking, coach parking/waiting, cycle parking, access, circulatory routes and turning areas;
- development to be carried out in accordance with the FRA;
- further works with regards to contaminated land;
- control of surface water drainage;
- noise restrictions on fixed plant;
- 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 management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

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

- Account should be taken of Environment Agency's advice relating to drainage and soakaways, contamination, watercourses and fuel/chemical storage;

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- Replacement woodland planting should be provided at the site, should funds become available;

Case officer – Mary Green

01622 221066

Background documents - See section heading
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