

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

Change of use from agricultural land to playing field, for
Judd School, Tonbridge – TM/15/121 (KCC/TM/0435/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 8 April 2015.

Application by Kent County Council as Education Authority and The Judd School for the proposed change of use from agricultural land to recreational playing field to serve The Judd School, together with associated ancillary development including access, parking and hard landscaping works at land off Lower Haysden Lane, Tonbridge – TW/15/21 (KCC/TM/0435/2014).

Recommendation: Permission be granted subject to conditions.

Local Member: Mr C. Smith and Mr R. Long

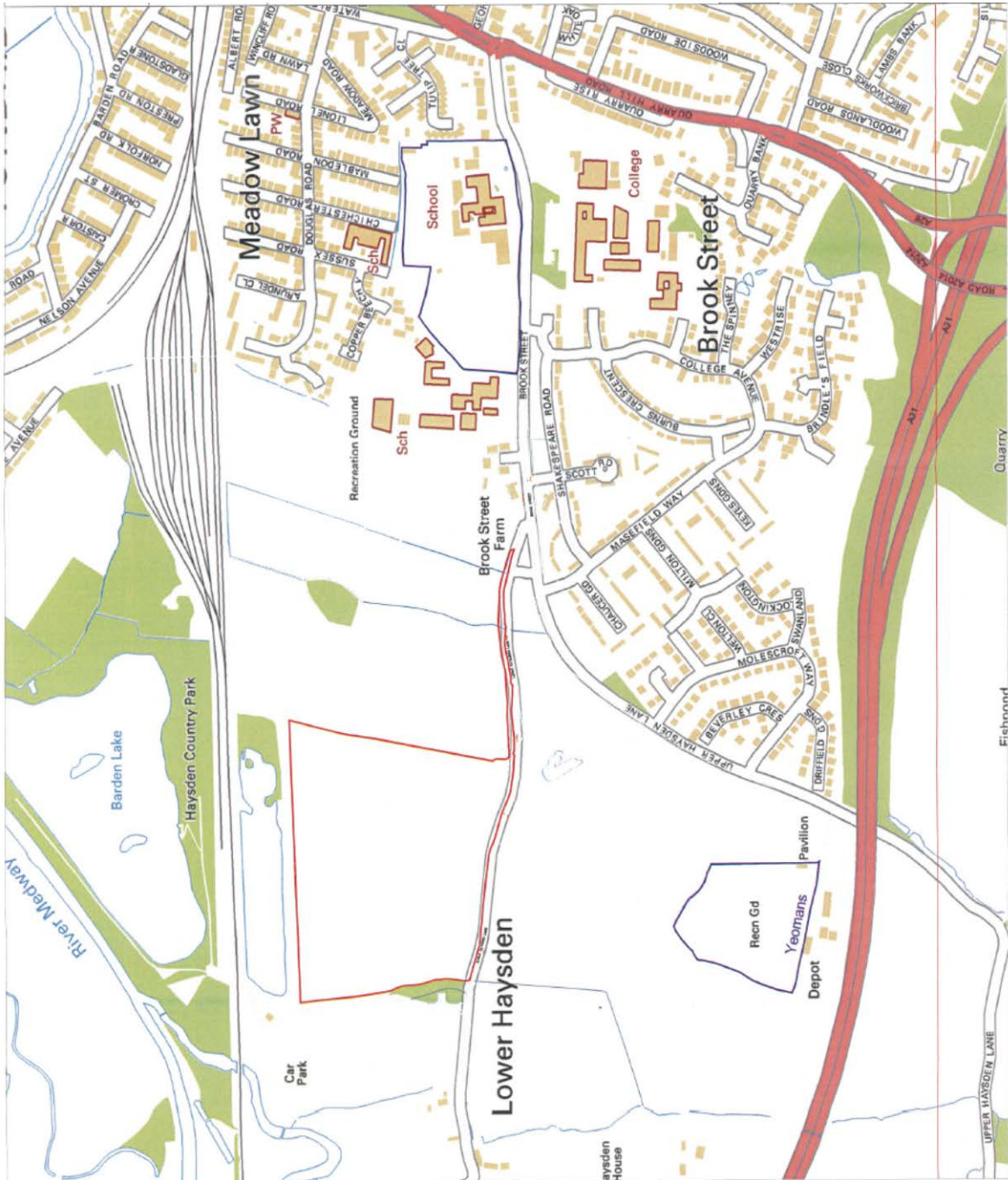
Classification: Unrestricted

Site

1. The Judd School is located to the north of Brook Street, to the south west of Tonbridge town centre. The school is a voluntary aided Boys Grammar School, with 1038 students at the current time.
2. The application site is located approximately 850 metres to the west of Judd School, accessed via Lower Haysden Lane, and measures approximately 10.5 hectares in area (26 acres). The application site, which is roughly square shaped and relatively flat, comprises agricultural land (pasture) entirely within Judd School's freehold ownership. The site boundaries are formed of mature hedgerows, with further open agricultural land to the east, Lower Haysden Lane and further agricultural land to the south, and the access road to Haysden Country Park to the west. To the immediate north of the application site lies Haysden Country Park, a designated Local Nature Reserve, which incorporates fishing lakes and parkland. The hamlet of Lower Haysden lies to the west of the application site, with the closest residential property being approximately 100 metres away from the western site boundary. The closest properties to the east of the application site are approximately 300 metres from the eastern site boundary.
3. The application site is within the Metropolitan Green Belt. In addition, the entire site (excluding the south east corner) falls within Flood Zone 2, and a small area of the north west of the site falls within Flood Zone 3. The River Medway lies 200 metres to the north west of the application site at its closest point, and sites within Flood Zone 2 and 3 represent locations where there is a 'medium' and 'high' risk of flooding respectively. The application site is not subject to any other landscape/planning designations, and there are no Listed Buildings or Conservation Areas in close proximity to the site. It should be noted that a large proportion of the fields to the east of the application site, between the site boundary and the boundary the urban area of Tonbridge, are designated as 'Safeguarded Land' under Policy CP4 of the adopted Core Strategy. 'Safeguarded Land' is excluded from the Green Belt so that they could remain available to meet the long term development needs of the area. In this case, the sites will not be released before 2021, and only then if there is a shortfall in housing land relative to housing targets. *A site location plan is attached.*

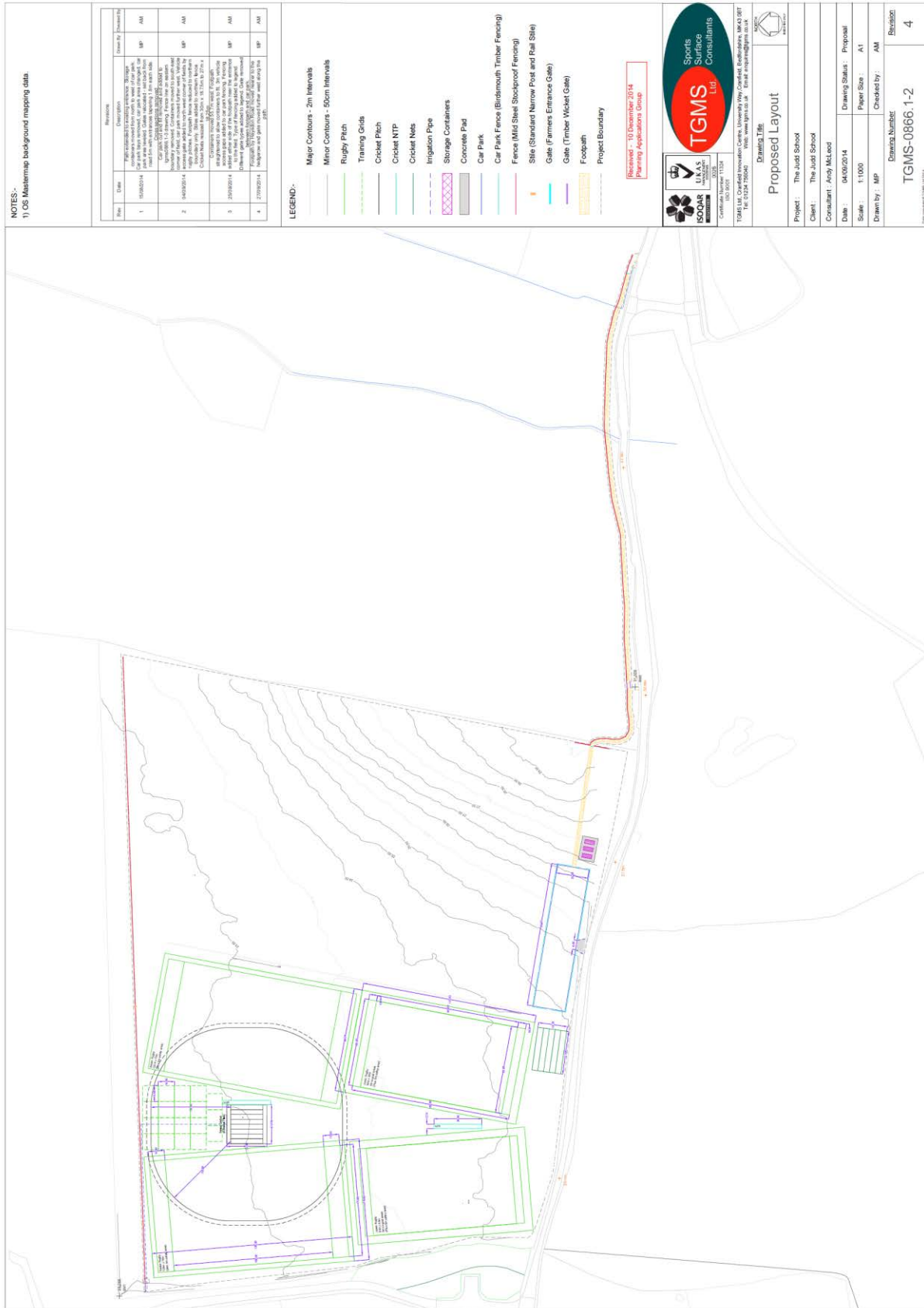
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Site Location Plan



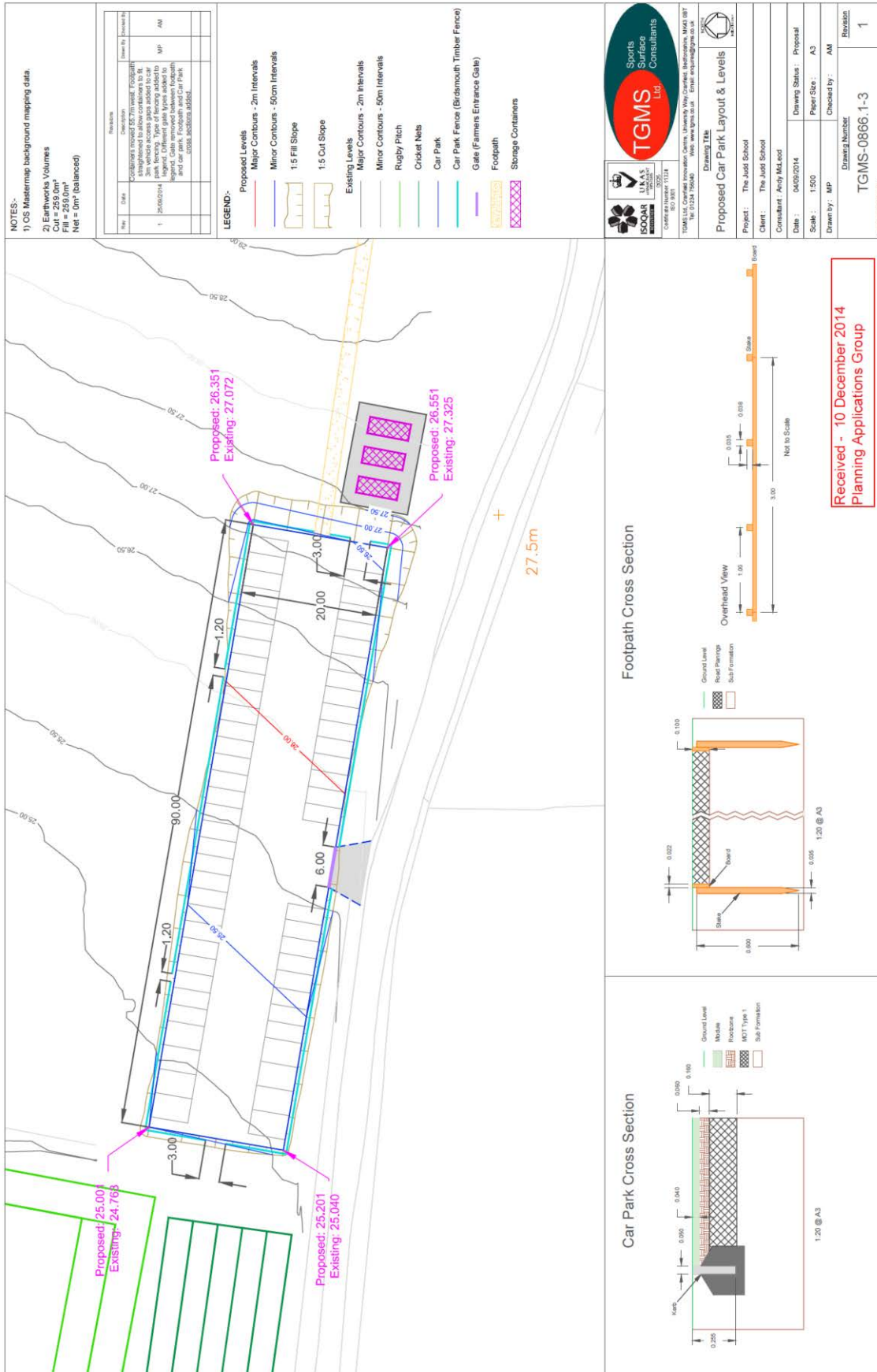
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Proposed Site Layout



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Proposed Car Park Layout



Proposed Gates and Fencing (stile no longer proposed)

Standard Narrow Post and Rail Stile

Mild Steel Stockproof Fencing

Birdsmouth Timber Fencing

Timber Wicket Gate

Farmers Entrance Gate

Scale 1:25 @ A1

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Proposed Storage Containers



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Background and Relevant Planning History

4. Judd School currently make use of its on-site playing field, as well as an off-site playing field known as Yeomans located approximately 850-900 metres to the south west of the school. The Yeomans playing field belongs to Kent County Council and has been used by Judd School since the 1930's to provide additional outdoor recreation space. I am advised by the applicant that the School has been actively seeking to acquire additional playing fields since 1996, an aspiration which is reflected in Tonbridge and Malling Borough Council's Local Development Framework within which land adjacent to Yeomans is allocated for additional playing field for Judd School under Policy S1. However, I am further advised that all approaches to land owners have been re-buffed until now.
5. The applicant advises that the Department for Education (DfE) minimum area for 'team game playing field' for a school with a 1200 students is 52,000m² (5.2 hectares/12.8 acres). However, the DfE further consider that pitches should not be used for more than 7 hours each week. Since the School uses its existing 59,400m² (5.94 hectares/14.6 acres) of total playing field area at least twice that amount in the winter and 6 times as much in the summer, more playing field space is required. It is estimated that a total playing field area of 178,000m² (17.8 hectares/43 acres) would be required to meet the requirements of the DfE, leaving a shortfall of 118,000m² (11.8 hectares/29 acres).
6. Recent planning applications at the Judd School include the following:
 - TM/12/629 – Construction of a new car park and refuse/recycling enclosure.
 - TM/09/1913 – Widening of western vehicle access and replacement gates.
 - TM/07/3622 – Two mobile classrooms at the back of the Sports Hall.
 - TM/06/3847 – Two metal storage units at one office unit.
 - TM/06/3682 – New mathematics and geography building containing 12 classrooms.
 - TM/06/1325 – Synthetic surfaced multi use games area.
 - TM/05/3315 – Widening of existing driveway and repositioning of existing car parking.

The application site itself does not have any planning history.

7. I am also in the process of separately considering an application for the expansion of Judd School from 4 to 5 forms of entry (application reference KCC/TM/0038/2015). The application proposes the demolition of an existing kitchen and part of the dining space and reinstatement of the former external facade, erection of a part two and part three storey building, provision of 9 additional car parking spaces and associated landscaping works. It is likely that that application will be reported to Members for consideration at the May 2015 Planning Application's Committee meeting.

Proposal

8. This application proposes the change of use of an area of agricultural land (currently pasture) to form a recreational playing field to serve the Judd School. As outlined above, the application site is located approximately 850 metres/929 yards to the west of Judd School, accessed via Lower Haysden Lane, and measures approximately 10.5 hectares in area (26 acres). Ideally, the applicant would wish to acquire an area of land equivalent to the shortfall referred to in paragraph 5 above, but the application site is only 1.3 hectares/3 acres under the desired total area. It is proposed to develop the western half of the application site initially, with the eastern half to be developed in the future

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(possibly subject to a separate planning application). It is proposed to provide the following within the western half of the site:

- 2 senior rugby pitches;
- 2 junior rugby pitches;
- 1 cricket pitch (capacity for up to 8 wickets); &
- Cricket nets.

The cricket nets would comprise 5 lanes, with total dimensions of the facility being 4 metres (height) x 17.5 metres (width) x 20.7 metres (length). It is proposed to locate the nets close to the southern site boundary, to the west of the proposed car parking area.

Access and car parking, including pedestrian access

9. A new vehicular access to serve the playing field is proposed to be created off Lower Haysden Lane with a visibility splay of 2.4 metres by 59 metres (7.8ft by 193.5ft). The access is proposed to enter the eastern half of the application site, and would lead to a car park which would cater for approximately 60 cars and 3 minibuses. The car park is proposed to run along the southern site boundary, and would measure 20 metres (65.6ft) in width and 90 metres (295 ft) in length. A gravel surface is proposed, with a low level fence rail to demarcate the edges of the car park and contain vehicles within its boundaries. Coaches would not be permitted to use the car park at any time. The School are considering allowing sixth formers to use the car park during exam periods (summer months only) in order to minimise the demand for on street car parking around the main School site.
10. A dedicated footpath link is proposed, running from the junction of Lower Haysden Lane with Brook Street/Upper Haysden Lane to the car parking area within the application site. The footpath would run across the southern end of the adjoining fields to the east of the application site ('Safeguarded Land') to the north of the existing hedgerow/boundary. The footpath would enable pupils to walk to the site without having to walk in Lower Haysden Lane itself, and there is a potential for a future upgrade and extension of the footpath to provide a pedestrian link between Brook Street and Haysden County Park for members of the public (when the 'Safeguarded Lane' is developed). The footpath would be surfaced with road plainings, and would be bound by the existing hedgerow to the south and a 1.1 metre (3.6ft) high steel stock proof fence to the north. Timber gates would secure access at each end of the path.

Level/Frequency of Use

11. The proposed playing fields would be used by the school for rugby from September to April, and cricket from May to July. In general, the fields would be used during the week for P.E (games afternoons), and for matches against visiting schools on mainly Wednesday afternoons and Saturdays. There would be no community use of the playing fields, with the pedestrian and vehicular accesses secured when the site is not in use by the school. The proposed playing field would be used in addition to the existing Yeoman's field, although it is not expected that the level of use would increase by extending the sports facilities - except that there may be two additional rugby matches on a Saturday on 1 or 2 occasions a year. The additional facilities would enable a rotation of pitch use, rather than the overuse that currently occurs.
12. The use of the existing Yeomans field, and therefore the expected use of the proposed playing fields at the application site are as follows:
 - Games Afternoons
 - maximum of 150 pupils;
 - no vehicular traffic (no spectators or visiting teams);

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Wednesday afternoon Cup Games

- Up to 200 spectators for a senior match, 100 maximum for a junior match;

Saturday Matches

- 4 games with a maximum of 160 players, with less than 100 spectators. This occurs approximately 11 times a year;

- 1st XV match against Skinners School (main rivals) can attract 1000 spectators and about 200 cars but this only occurs once every 2 years.

It should be noted that these figures are maximum figures and relate solely to rugby fixtures/use. Cricket fixtures/use in the summer months involves much lower numbers of players and spectators.

13. The School estimate that the Saturday matches (160 players, less than 100 spectators) attract 60 cars and 3 minibuses, hence the car parking provision proposed. It should be noted, however, that the existing Yeoman's playing field has no parking facilities, with vehicles parking in nearby residential streets or at the school grounds.

Storage

14. It is proposed to provide three green metal storage containers to the east of the car parking area. Each container would measure 2.4 metres (7.8ft) in height, 2.4 metres in width and 6.1 metres (20ft) in length, and the three containers would be located on a concrete base.

Landscaping and Fencing

15. A small amount of hedgerow would need to be removed to facilitate the creation of the vehicle access, visibility splays and footpath link. It is proposed to provide replacement native hedgerow planting elsewhere on the site boundaries where the hedgerow needs to be maintained/enhanced. A traditional agricultural metal 5 bar gate is proposed at the vehicle site access, set back from the highway verge, to prevent unauthorised use. 1.3 metre (4.2ft) high timber gates are proposed at each end of the footpath link. 1.1 metre (3.6ft) high stockproof fencing is proposed to the north of the footpath link, and to the full extent of the northern boundary of the application site. No further fencing is proposed, with existing hedgerows demarcating and securing the site boundaries.

Earthworks and Drainage

16. As stated above, the site is relatively flat and is currently left to pasture. The applicant would mow the site, rotivate the topsoil and thereafter grade the topsoil to minimise undulations and depressions. Stone separation would remove all stones greater than 2cm in diameter from the upper 10cm of soil. Stones and any plant waste/excess soil would be disposed of off-site. Lateral and catchment drains would thereafter be installed across the site, with sand drains and pipework covered and concealed, draining from south to north. A soakaway would be installed to the north of the site in addition to a pump and sump system which, in combination, would provide sufficient storage such that a combination of surface water drainage and groundwater could be stored and discharged at appropriate flow rates. The site would thereafter be seeded with a suitable drought tolerant seed mixture. Irrigation, fertilization and management (weeding, mowing etc) would thereafter be undertaken by the applicants.

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Lighting

17. For the avoidance of doubt, no floodlighting is proposed, nor is lighting to the car park or footpath link proposed.

The application is accompanied by a Planning, Design and Access Statement, Transport Statement, Preliminary Ecological Appraisal, reptile Survey, Dormouse Survey Report, Hedgerow Survey, Flood Risk Assessment and a Specification for Construction & Drainage.

Planning Policy Context

- 18.(i) **National Planning Policies** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

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

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the great importance the Government attaches to Green Belts, with the fundamental aim of Green Belt Policy being to prevent urban sprawl by keeping land permanently open;
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government's commitment to halt the overall decline in biodiversity;
- promoting sustainable transport;

In addition, Paragraph 72 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted*

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(ii) **Policy Statement – Planning for Schools Development** (15 August 2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

(iii) **Tonbridge and Malling Borough Core Strategy September 2007:**

Policy CP1 Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all.

Policy CP2 Sustainable Transport: New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.

Policy CP3 Metropolitan Green Belt: National Green Belt policy will be applied generally to the west of the A228 and the settlements of Snodland, Leybourne, West Malling and Kings Hill, and to the south of Kings Hill and east of Wateringbury.

Policy CP6 Separate Identity of Settlements: 1) Development will not be permitted within the countryside or on the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside or from adjoining settlements; 2) Any development that is considered acceptable in terms of this policy should maintain or enhance the setting and identity of the settlement, and in the countryside, be consistent with Policy CP14.

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Policy CP11 Urban Areas: States that development should be concentrated within the confines of the urban areas which include Tonbridge. Development adjoining these urban areas will only be permitted where there is an identified need and there are no suitable sites within the urban areas/ Priority will be given to the use of previously developed land.

Policy CP14 Development in the Countryside: In the countryside development will be restricted to (a) extension to existing settlements in accordance with Policies CP11 or CP12; or (b) appropriate replacement or extension to an existing dwelling; (c) necessary development for the purposes of agriculture or forestry; (d) limited expansion of an existing employment use; (e) development that secures the viability of a farm; (f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability; (g) affordable housing which is justified as an exception under Policy CP19; (h) open recreation uses together with associated built infrastructure; or (i) any other development for which a rural location is essential.

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

Policy CP24 Achieving a High Quality Environment: 1) All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance, be designed to respect the site and its surroundings; 2) All development should accord with the advice contained in Kent Design, By Design and Secured by Design, and other supplementary Planning Documents and, wherever possible, should make a positive contribution towards the enhancement of the appearance and the safety of the area; 3) Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted; 4) The Council will seek to protect and enhance existing open spaces; 5) The environment within river corridors will be conserved and enhanced.

Policy CP25 Mitigation of Development Impacts: Development will not be permitted unless the service, transport and community infrastructure necessary to serve it is either available, or will be made available by the time it is needed. Development proposals must therefore either incorporate the infrastructure required as a result of the scheme, or make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed, by means of conditions or a planning obligation.

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(iv) **Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010:**

Policy CC1 Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate passive design measures to reduce energy demand.

Policy CC3 Sustainable Drainage: Requires the provision of sustainable drainage systems (SUDS) appropriate to the local ground water and soil conditions and drainage regimes. Where SUDS are not practical the proposal should incorporate alternative means of surface water drainage to ground watercourses or surface water sewers.

Policy NE2 Biodiversity: The biodiversity of the Borough, and in particular priority habitats, species and features, will be protected, conserved and enhanced.

Policy NE3 Impact of Development on Biodiversity: 1) Development that would adversely affect biodiversity or the value of wildlife habitats will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement; 2) Proposals for development must make provision for the retention of habitat and protection of its wildlife links; 3) Where development is permitted the Council will impose conditions, where necessary and appropriate, to minimise disturbance, protect and enhance ecological conservation, contribute towards the objectives of Kent Biodiversity Action Plan, ensure appropriate management and monitoring, and the creation of new or replacement habitats.

Policy NE4 Trees, Hedgerows and Woodland: The extent of tree cover and the hedgerow network should be maintained and enhanced.

Policy SQ1 Landscape and Townscape Protection and Enhancement: Proposals for development are required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD. All new development should protect, conserve and where possible enhance (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity; (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.

Policy SQ8 Road Safety: 1) Before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure is in place or is certain to be provided; 2) Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network; 3) Development proposals should comply with parking standards; 4) appropriate mitigation measures shall be provided where required before a development is occupied.

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Policy DC6 Rural Lanes: In the consideration of development proposals which are in the vicinity of, or served by, rural lanes, permission will only be granted where: (a) the development conserves and enhances the value of the lane in terms of its landscape, amenity, biodiversity, historic or archaeological importance; and (b) any proposed alterations to the lane are the minimum necessary to serve the proposal in terms of highway safety.

Consultations

19. **Tonbridge and Malling Borough Council** raises no objection subject to:

- The 'alternative footpath option' to be pursued to provide a safe pedestrian route along the entire length of Lower Haysden Lane, to the entrance of Haysden Country Park, with full public access;
- Further discussion needs to take place between the TMBC Leisure and the School regarding access to the toilet facilities at Haysden Country Park. It is understood that this would be on a trial basis to start with to monitor the situation, and an agreement needs to be reached with regard to possible increased cleaning and maintenance;
- The proposed alteration to local water management by the installation of an active drainage system should not have a negative impact on the lake to the north of the site and, in turn, the adjoining Country Park;
- The effect of the development on any trees on the boundary with Lower Haysden Lane should be addressed;
- The possibility of using the existing access to Haysden Country Park, as opposed to creating an alternative access should be addressed; and
- The School should be made aware that the part of the proposed footpath that runs along the southern boundary of the adjoining safeguarded land may need to be altered in the future depending on how the land is developed.

Kent County Council Highways and Transportation raises no objection to the proposal and comment as follows:

"I note that essentially for normal day to day operations this proposal will provide alternative sports facilities for Judd School games periods with access being undertaken via a proposed new off-road footpath. I also note that coaches would not be permitted to use the car park and community use is not expected. I consider should this application be approved that it would be helpful to include the exclusion of coaches and community use as conditions to any approval notice. It is further considered that construction of the off road footpath proposed should be completed and available for use prior to any sports field activity commencing.

I confirm that I consider that the location of the access proposed is acceptable providing acceptable visibility splays. Maintenance of boundary hedges for the benefit of users may periodically be necessary although it is considered that the location of the access with the alignment of the road provides naturally available visibility splays. Gates should be set at least 5.5m back from the edge of the carriageway. The bound apron surface proposed should be at least 6m back from the edge of the carriageway to reduce migration of loose materials (gravel) onto the highway.

Should this application be approved the applicant would need to contact the Highway Authority in order to establish appropriate construction details for the access including its integration with the existing Lower Haysden Lane carriageway. On Wednesday afternoons and Saturdays (off-peak periods) it is anticipated that

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spectators would attend matches and a 60 space car park, previously not available elsewhere, would be available to accommodate car parking. On occasions larger attendance would be expected when Judd School competes with particular rival teams. It is expected that for matches and periods where high attendance is anticipated, Judd School would manage and make arrangements with opponents and parents as necessary in order to ensure that alternative provisions are available which prevents overspill and/or obstruction on Lower Haysden Lane. To this end it is considered that it would be helpful if Judd School could submit a Management Plan or elaborate on any procedures that may already be practiced for extraordinary events. It is further considered that to allow for any necessary enforcement the implementation of a rural clearway (no stopping or waiting) on the section of Lower Haysden Lane between its junction with Upper Haysden Lane and the access to Haysden Country Park, should be implemented.”

The applicant has subsequently submitted a Management Plan for traffic and parking arrangements, and has confirmed acceptance of the conditions outlined above in the views from Highways and Transportation.

Highways and Transportation further comment as follows:

“I am grateful for the further information that has been provided regarding the current and intended management of spectators at Judd School sporting fixtures. It is understood that during the week and for the majority of Saturday fixtures attendance would be self-contained within the facilities proposed. I am grateful for the confidence given however regarding the school’s communication and management systems to monitor and control larger attendance to higher profile fixtures. I note the expected use of the school car park which is available on Saturdays and the policy to permit mini-buses only on Lower Haysden Lane with full size coaches restricted to Brook Street only where there are suitable lay-bys available for picking up and dropping off. I also note the proposed use of parking monitors when needed.

In the light of the recognition of these responsibilities and the school’s excellent communications and directions for spectators, I am satisfied that implementation of a rural clearway zone, funded by the School, will not be required as part of any approval to this planning application. I note from other documentation the School’s acceptance of other conditions proposed and on behalf of the Highway Authority I write to confirm therefore that I have no objection to this application.”

Environment Agency raises no objection to the proposal and further considers that, as it is understood that no land-raising is proposed in the floodplain, no further comments are required.

Kent Wildlife Trust raises no objection to the principle of the proposal, but considers that for harmful impacts on local wildlife to be avoided, a series of measures must be implemented. These measures include:

- Action to avoid disturbance to breeding birds;
 - No floodlights to be installed;
 - Introduction of an ecological management regime for all field margins;
 - Positive managements of all hedgerows and, given the presence of dormice, a 5m buffer zone between the development and the hedgerows;
 - Avoidance of the roots of the mature Oak Tree alongside the proposed site access.
- If the County Council is minded to grant planning permission then these measures should be secured by planning conditions.

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Natural England advises that the proposal is unlikely to affect any Nature Conservation Sites, and has no comment to make with regard to impact upon 'protected landscapes'.

The County Council's Biodiversity Officer raises no objection to the application and comments as follows:

"We are satisfied that the mitigation detailed within the planning application is sufficient to determine the planning application. However if planning permission is granted we advise that a detailed mitigation strategy is required as a condition of planning permission.

The hedgerow survey identified that the hedgerows are classed as important under the hedgerow regulations. If planning permission is granted, sections of the hedgerow will be removed to enable access to the site. To mitigate for this impact it is suggested that gaps within the hedgerows are planted up - we advise that only plant species recorded within the existing hedgerow are used. We also suggest that dormouse bridges are created across the access points to minimise the loss of connectivity across the site.

Bats

The proposed development site is adjacent to Haysden Country Park which is known to be used by foraging/commuting bats. As such it is likely that bats will be present within the proposed development site. From reviewing the submitted information it appears that no artificial lighting (including floodlighting) is proposed for the development. Based on the understanding that no artificial lighting is proposed for the development we are satisfied that there is no requirement for bat activity surveys to be carried out.

Enhancements

As a result of reviewing the site plan it appears that there is limited space to incorporate ecological enhancements. However we recommend that bird and bat boxes could be included within the hedgerows."

The County Council's Landscape Advisor comments as follows:

"Where development is needed within a sensitive site, such as Green Belt, an expectation upon the applicant to produce a high quality application in terms of landscape and visual amenity is not unreasonable. Furthermore appreciating the reasons underpinning Green Belt designation and the surrounding land uses of this site – a country park, where people go to experience the countryside, it's views and wildlife – also supports, in our view to the need to consider landscape and visual amenity at this site.

Whilst we do not see a significant negative impact being derived at this site, opportunities remain to minimise impacts that are undoubtedly created, and these have not all been realised.

In particular the containers being used, which by their very nature will look incongruous, whether painted green or not. Painting any structure green almost never helps it to 'blend in' as green paint can never reflect the variety of greens found in nature nor how they change. A simple agricultural-inspired storage building would be a much more suitable. The storage containers do not 'enhance

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landscapes or visual amenity’ and they have the potential to negatively impact upon local visual amenity.

Ensuring the appropriate location of replacement hedgerows will help to alleviate any impacts – importantly ensuring they contribute to wider connectivity.”

Public Rights of Way (PROW) confirm that PROW MU48 runs up the western boundary of the application site, but would not affect/be affected by the proposed development.

The granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the highway Authority. Should any temporary closures be required, then the PROW team would process such requests on the basis that;

- the closure is paid for by the developer;
- the duration of the closure is kept to a minimum;
- alternative routes are provided for the duration of the closure; and
- six week’s notice of the requirement of a closure is given by the developer.

The County Council’s Country Parks Team no comments received to date.

The Upper Medway Internal Drainage Board has also commented on this application. Their views are as follows:

“Despite that applicant indicating on the application form that surface water would be disposed of by means of Soakaways, the proposal actually includes plans to discharge surface water runoff into an adjacent ditch. As the Board’s consent is likely to be required for this, I would be grateful to receive further information in respect of this. Should the Council be minded to approve this application, it is requested that details of drainage be made subject to an appropriate condition requiring separate approval. In order to ensure that downstream flood risk is not increased by this development, runoff rates from the site must be restricted to no greater than those of the existing Greenfield site.”

Local Member

20. The local County Members, Mr Chris Smith and Mr Richard Long, were notified of the application on the 9 January 2015.

Publicity

21. The application was publicised by the posting of 4 site notices, advertisement in a local newspaper, and the individual notification of 25 neighbouring properties.

Representations

22. To date, I have received 4 individual letters of representation from local residents. A summary of the main issues raised/points of objection is set out below:

Highways/Access

- Object to an increase in traffic flow as the lane was not built for excess traffic;
- Cars already speed up and down the lane to reach Haysden Country Park;

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- The Transport Assessment has not taken into consideration the traffic flow to Haysden Country Park at weekends;
- Dogs walkers and horse riders use the lane, and increased traffic would be a danger to pedestrians and others;
- Wide deep ditches run along the side of the lane, making it hard to pass in places;
- The lane would be turned into a muddy lane of vehicles going backward and forward whilst the development was in progress;

Landscape

- The proposed development is adjacent to a Country Park and the site is within the Green Belt. It is also [*wrongly*] suggested that the site is within an Area of Outstanding Natural Beauty;
- The development would be an eyesore and would completely alter what is now a beautiful entrance to Haysden Country Park;
- Lower Haysden is a rural hamlet, and this application would change for worse the hamlet, and the lane that leads to it;
- Such a shame to ruin this area of natural countryside, which is loved and used by all the residents of south Tonbridge and many more visitors from miles around;

General Matters

- Where will the water run-off go when the fields are covered in concrete? The area is already prone to flooding;
- The loss of more fields and hedgerows would have a catastrophic impact on local wildlife;
- Surely there is a site closer to Judd School that could be used?
- The development would have a detrimental effect on all fields surrounding the site, used for livestock including sheep and horses;
- There would be an increase in human noise and potentially light pollution should this development go ahead.

A Local Borough Councillor, Mr David Cure, has also commented on the proposals, forwarding views to various Local and County Councillors, in addition to Officers at Tonbridge and Malling Borough Council and the County Council. His views are as follows:

“This application for an additional Four Rugby Pitches on land off Lower Haysden Lane, Tonbridge and the Country Park is incomplete, by which I mean, can one imagine 120 players plus referees, linesmen and spectators having no toilet facilities nearer than the school building? There is a suggestion that as a temporary measure they could use the Country Park’s public toilets. Just imagine public reaction when they confront this problem?

This application should have made provision for a pavilion and floodlighting, and not the stealth planning application which is before you. I ask you to take a close look at this application.

I am also concerned at the lack of notice to users of the Country Park and the band of hard working volunteers.”

Discussion

23. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 18 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the

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Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF), and 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, and whether the development is sustainable in light of the NPPF.

Green Belt and wider landscape considerations

24. Tonbridge and Malling Borough Core Strategy Policy CP1 seeks to conserve and enhance the environment and requires developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Local Plan as being within the Metropolitan Green Belt. Core Policy 3 of the Tonbridge and Malling Core Strategy seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances. Core Policy 14 also states that development within the countryside should be restricted to certain acceptable uses only.

25. The NPPF, section 9, paragraph 80 states that the Green Belt serves five purposes:

- a. to check the unrestricted sprawl of large built up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The NPPF goes on to state (paragraph 89), that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists a number of exceptions to this assumption. One such exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, so long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. This is supported by Core Strategy Policy CP14 which states that open recreation uses, together with associated built infrastructure, are an appropriate form of development within the countryside.

26. This application proposes to provide facilities for outdoor sport, on an area of existing pasture. The development proposals include the provision of a gravel car park for 60 cars and 3 minibuses, 3 storage containers, and a limited amount of 1.1 metre high stock proof fencing. The existing hedgerows that bound the site would be retained and maintained as the site boundary, and once graded and seeded, the site would be open grassland, much as it is now. I consider that the development would preserve the openness of the Green Belt, and would not conflict with the purposes of including land within the Green Belt, as listed in paragraph 25 above. In my view the development falls within the exceptions listed in paragraph 89 of the NPPF, in that the proposals seek to provide facilities for outdoor sport and outdoor recreation, whilst not conflicting with the purposes of including land within the Green Belt. For these reasons, the County Planning Authority considers the development to be an appropriate land use within the Green Belt, as defined within the NPPF.

27. Notwithstanding the above, the applicant (although having also concluded that the proposals fall under the definition of appropriate development within the Green Belt) have set out a case of Very Special Circumstances to justify the development in case of any perception that the proposal represents inappropriate development. These special circumstances will be briefly outlined and discussed in the following paragraphs.

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28. First, the applicant considers the educational need to be an overriding special circumstance to justify development within the Green Belt. Great emphasis is placed within the NPPF and the associated Policy Statement – Planning for School Development on the need to ensure that adequate measures are made by local authorities to support the provision of adequate school facilities where a need is identified. In the Government's view the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government considers that there is a strong presumption in favour of state funded schools, as expressed in the National Planning Policy Framework and reflected in the Policy Statement for Schools. Planning Authorities should give full and thorough consideration to the importance of enabling such development, attaching significant weight to the need to establish and develop state funded schools, and making full use of their planning powers to support such development, only imposing conditions that are absolutely necessary and that meet the tests set out in Circular 11/95.
29. As evidenced in paragraph 5 of this report, there is a strong case of need for the school to secure additional playing field provision. The applicant advises that the Department for Education (DfE) minimum area for 'team game playing field' for a school with a 1200 students is 52,000m² (5.2 hectares/12.8 acres). However, the DfE further consider that pitches should not be used for more than 7 hours each week. Since the school uses its existing 59,400m² (5.94 hectares/14.6 acres) of total playing field area at least twice that amount in the winter and 6 times as much in the summer, more playing field space is required. It is estimated that a total playing field area of 178,000m² would be required to meet the requirements of the DfE, leaving a shortfall of 118,000m² (11.8 hectares/29 acres).
30. In addition to the need for the additional playing field, the applicant further considers that the proposals would reduce the pressure on the need to (over)use and expand the playing field at Yeomans. That existing playing field possesses several limitations, whereas the application site represents a fresh site with sufficient opportunity to adequately cater for the shortfall in playing field provision. Other than the poor quality of the playing pitches, the most sufficient limitations at the Yeomans site relate to land ownership and car parking. The Yeomans site is currently leased by the County Council, and the neighbouring land which is allocated within the Local Development Plan as land for expansion of the Judd playing fields is privately owned and not available on the market, meaning that there is no realistic or viable prospect of expanding that site. In respect of car parking, there is no car parking at the Yeomans site, meaning that parking occurs in local residential roads which has consequences on local traffic flow, in addition to being a nuisance for local residents. In considering the above, I am satisfied that releasing the pressure on using and expanding the Yeomans site represents a valid 'Very Special Circumstance' in the justification of this proposal.
31. Lastly, I, and the applicant, accept that the proposals would lead to an intensification of use of the site and that the ancillary development would introduce some new structures into the site. In this regard, it is acknowledged that the proposals may lead to, albeit on a very small scale, increased impact on the openness of the Green Belt compared to the existing situation. However, a carefully thought out site layout is proposed, with new 'build' elements comprising the cricket nets, storage containers and car park confined to as close as practicably possible to the southern boundary of the site. The wider landscape implications of these built structures will be discussed later in this section of this report, but in Green Belt openness terms, the structures would be contained within

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a small area of the site, and be well screened by existing vegetation. In addition, the built elements are essential infrastructure to support the proposals but have been kept to a minimum. I therefore consider that the proposals have been sensitively considered to have a minimal impact of the functioning and openness of the Green Belt.

32. Having accepted that the proposed development is, by definition, appropriate, and having further accepted that the proposals would not conflict with the purposes of including land within the Green Belt, I consider that an objection to the proposals on Green Belt grounds would not be warranted in this case. Nevertheless, the applicant has further set out a case of very Special Circumstances which supports the needs for the proposals, and further supports to the acceptability of the development within the Green Belt. However, the general landscape implications of the proposals need to be considered and discussed.
33. Local residents have expressed concern that the proposed development would be an eyesore and would completely alter what is now a beautiful entrance to Haysden Country Park. It is important to note that it was suggested by a local resident that the application site is within an Area of Outstanding Natural Beauty, this is not correct. With regard to the visual impact of the proposals, I would advise that these would be minimal. The site is currently left to pasture, and is a green open field. Upon completion of the development, the open nature of the site would be retained, and the site would remain as a green field, albeit more managed and with a different use. In addition, the proposals seek to minimise any changes to the surrounding hedgerow, with only 2 small areas removed to create appropriate entrance points for vehicles and pedestrians. The boundaries of the site would therefore remain as existing, again minimising any visual impact.
34. As outlined in paragraph 15 of this report, a traditional agricultural metal 5 bar gate is proposed at the vehicle site access and 1.3 metre high timber gates are proposed at each end of the footpath link. 1.1 metre high stockproof fencing is proposed to the north of the footpath link, and to the full extent of the northern boundary of the application site. No further fencing is proposed, with existing hedgerows demarcating and securing the site boundaries. These gates and fencing types are agricultural in nature, and completely appropriate for the environment within which they are proposed. The fencing along the northern site boundary would be viewed against the existing vegetated boundary beyond, and would be barely visible when viewed from Lower Haysden Lane. In addition, the fencing to the north of the footpath link would be set behind an existing hedgerow, and at 1.1 metres (3.6ft) in height would be significantly lower than the hedge.
35. With regard to the car park and new vehicular access, the access is proposed to enter the eastern half of the application site, and would lead to a car park which would cater for approximately 60 cars and 3 minibuses. The car park is proposed to run along the southern site boundary, and would measure 20 metres in width and 90 metres in length. A gravel surface is proposed, with a low level fence rail to demarcate the edges of the car park and contain vehicles within its boundaries. A tarmac/bound surface would link the car park to Lower Haysden Lane (as required by the Highway Authority), but this would link naturally to the road surface and would not, in my view, look out of character with the lane, which already has access points to various properties and fields extending from it. The gravel/permeable type 1 car park surface would be fit for purpose, appropriate for the rural location and, in addition, temporary in nature and naturally draining. The car parking area would be screened by the existing hedgerow and, in my view, would have a limited visual impact, especially when not in use.

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36. Lastly, the applicant is proposing 3 storage containers on the site. It is this element of the proposal that has met with concern from the County Council's Landscape Advisor. It is suggested that the containers would look incongruous, whether painted green or not. It is suggested that a 'simple agricultural inspired storage building' would be more appropriate. The applicant advises that the storage containers are a necessary practical requirement. Storage at the site needs to be able to withstand the elements with minimum maintenance, and be secure and vandal proof as the site is remote from the school and only in use at limited times. To this end, the containers are fit for purpose. The applicant advises that they would provide a sheltered area on-site for 1st aid, in addition to storage for rugby posts, balls, cricket equipment and ground maintenance equipment. Although a permanent building maybe more desirable in visual and landscape terms, the Green Belt implications would need to be assessed, and such a building may not provide the secure storage that is required. The storage containers proposed by the applicant would be well screened by existing vegetation and of a scale appropriate for the site. Although not ideal, on balance and in this instance I consider that the storage containers would not have a significantly detrimental impact on the wider landscape.
37. In summary therefore, I consider that the proposals represent appropriate development within the Green Belt, and I further accept that the proposals would not conflict with the purposes of including land within the Green Belt. An objection to the proposals on Green Belt grounds would not be warranted in this case. Even so, the applicant has set out a case of Very Special Circumstances which supports the need for the built components of the proposals, and further supports the acceptability of the development within the Green Belt. In addition the development, in landscape terms, would have a limited visual impact and would not have a detrimental impact on the approach to Haysden Country Park or the wider landscape. Built development has been kept to a minimum, and what is proposed is appropriate to the rural location of the application site. I therefore conclude that the proposals are acceptable in Green Belt and also wider landscape terms, and see no reason to object to the proposals in these regards.

Landscaping and Biodiversity

38. In addition to the wider landscape implications of the proposals, as discussed above, the localised impact of the proposals on existing trees and hedging needs to be considered. A Hedgerow Survey was submitted with this application, which confirms that only 2 small sections of the hedgerow surrounding the application site are proposed to be removed, one section to create the vehicular access and one to create the pedestrian access link. An Oak Tree next to the proposed site entrance would be retained and protected throughout the works, and should permission be granted such protection would be covered by a condition of consent. In addition, the hedgerows would be maintained and enhanced, and a 5 metre buffer between the development and the hedgerow would be maintained, as required by Kent Wildlife Trust.
39. The hedgerows are important in terms of their ecological value, as well as their landscape value, and the County Council's Biodiversity Officer and Landscape Advisor both recommend that any gaps within the hedgerows are planted up, and that bird and bat boxes could be included within the hedgerow. The County Council's Biodiversity Officer is satisfied that the mitigation detailed within the planning application is sufficient to determine the planning application. However, should planning permission be granted, it is advised that a detailed mitigation strategy is required as a condition of planning permission. Therefore, should permission be granted, I recommend that conditions of consent require the submission of a detailed planting scheme to include replacement hedge planting and species, and the submission of an ecological mitigation and

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management plan for the site, which should detail management of the hedgerows to maintain and enhance their ecological value, including the provision of bird and bat boxes, and possible dormice bridges. Further conditions of consent would require the development to be undertaken in strict accordance with the recommendations of the submitted hedgerow survey and ecological surveys. Subject to the conditions outlined above, I see no reason to refuse this application on the grounds of impacts on trees/hedges and consider that the proposals would not have a detrimental impact on Protected Species and wider ecological matters.

Parking and Highway issues

40. As outlined in paragraph 22 of this report, local residents have raised objection to the proposal on the grounds of increase traffic flow in Lower Haysden Lane. It is further stated that the Lane could not accommodate additional traffic in considering its use as an access to Haysden Country Park, and its use by pedestrians and horse riders. Before commenting on the proposals before us, it should be noted that Tonbridge and Malling Borough Council state that the possibility of using the existing access to Haysden Country Park, as opposed to creating an alternative access, should be considered. First, the Country Park access road is also off of Lower Haysden Lane, so its use would not change the amount of traffic using Lower Haysden Lane as a result of these proposals. Secondly, such an access would need to extend into the application site from the Country Park access road, which would result in the removal of a significant number of trees which would not be acceptable. In addition, moving the access point would result in the relocation of the car park, and a complete redesign of the pitch layout. This would not be acceptable in my view, as the car parking area would be far more visually prominent in such a revised location. Lastly, the adjacent land that would be required to create such an access is not in the applicant's ownership. Given that Highways and Transportation have no objection to the access point as proposed, and in considering the planning issues that such a revised access point would generate, I see no overriding reason to pursue this suggestion further.
41. As detailed in paragraphs 11, 12 & 13 of this report, the proposed playing fields would be used by the school for Rugby from September to April, and Cricket from May to July. In general, the fields would be used during the week for P.E (games afternoons), and for matches against visiting schools on mainly Wednesday afternoons and Saturdays. There would be no community use of the playing fields, with the pedestrian and vehicular accesses secured when the site is not in use by the school. The use of the existing Yeomans field, and therefore the expected use of the proposed playing fields at the application site, is as follows:
- Games Afternoons
- maximum of 150 pupils;
 - no vehicular traffic (no spectators or visiting teams);
- Wednesday afternoon Cup Games
- Up to 200 spectators for a Senior match, 100 maximum for a Junior match;
- Saturday Matches
- 4 games with a maximum of 160 players, with less than 100 spectators. This occurs approximately 11 times a year;
 - 1st XV match against Skinners School (main rivals) can attract 1000 spectators and about 200 cars but this only occurs once every 2 years.
42. It should be noted that the figures above are maximum figures and relate solely to Rugby fixtures/use. Cricket fixtures/use in the summer months involves much lower numbers of players and spectators. The School estimate that the Saturday matches (160 players, less than 100 spectators) attract 60 cars and 3 minibuses, hence the car

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parking provision proposed. It should be noted, however, that the existing Yeoman's playing field has no parking facilities, with vehicles parking in nearby residential streets or at the school grounds.

43. As can be seen from the above, and as noted by Highways and Transportation, normal day to day use of the site would be for school games lessons, and would not attract vehicular movements, with pupils accessing the site via Brook Street (as they currently do to access the Yeomans site) and the proposed footpath link. Should permission be granted, a condition of consent would require the completion and availability of the footpath link prior to first use of the facility, and its subsequent retention. That would ensure safe pedestrian access to the site.
44. With regard to vehicular access, and use of the car park, this would only occur on Saturdays and Wednesday afternoons in general. The School are also considering allowing sixth formers to use the car park in summer months (during exams) in an effort to alleviate existing issues with pupils parking in local roads. The car park proposed would provide sufficient car parking spaces to accommodate the number of vehicles expected at the site, and Highways and Transportation have no objection to the parking facilities proposed. Further, it is noted that the School currently play the same number of matches proposed at the application site at their existing remote playing fields, Yeomans. However, that site has no parking facilities at all, with visiting teams and spectators parking at the school site or in neighbouring residential streets. In addition, the School have a Management Plan in place to ensure that any matches that generate significant numbers of spectators, such as the match against Skinners School, do not result in parking on Lower Haysden Lane. This plan has been accepted by Highways and Transportation, who further consider that the School provides excellent communication and directions for spectators. The submission of the Management Plan has negated an initial recommendation from Highways and Transportation that the applicant implement a 'Rural Clearway' to prevent parking on Lower Haysden Lane. In addition, such large events occur very rarely, with the Skinners School match for example being once every 2 years.
45. In considering the limited amount of days that vehicles would access the site, the fact that on site car parking is proposed which is a significant improvement over the existing situation, and that the applicant manages events to a very high standard, I do not consider that the proposal would have a detrimental impact on the local highway network, specifically Lower Haysden Lane. I would further suggest that the application would improve the existing situation, as cars would no longer park on local residential roads when attending matches as they currently have to do when visiting the Yeoman's site.
46. With regard to the car park itself, Highway and Transportation consider the location of the access point to be acceptable, subject to a condition requiring the provision and maintenance of appropriate visibility splays of 2.4 metres by 59 metres. In addition, Highways and Transportation consider that the access gates should be set back at least 5.5 metres from the edge of the carriageway, and that the bound apron surface should be at least 6 metres back from the edge of the carriageway to avoid the migration of loose material (gravel) onto Lower Haysden Lane. The applicant has designed the scheme in accordance with these requirements. I therefore consider the siting and design of the car park to be acceptable and fit for purpose. Should permission be granted, a condition of consent would require the car park to be provided and operational prior to first use of the playing fields, which would ensure that vehicles associated with the development would not park on local roads, specifically Lower Haysden Lane.

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47. Highways and Transportation also note that coaches would not be allowed to access the car park, and should permission be granted that would be controlled by planning condition. Further, the applicant is happy to accept a condition excluding any community use of the facility, as requested by Highways and Transportation. Should permission be granted, conditions of consent would cover these matters. Subject to the imposition of the conditions outlined above, I do not consider that the proposals would have a detrimental impact on the local highway network, and further consider the on-site facilities to be designed to the appropriate and required standards.

Pedestrian Access

48. As detailed in paragraph 10 of this report, a dedicated footpath link is proposed, running from the junction of Lower Haysden Lane with Brook Street/Upper Haysden Lane to the car parking area within the application site. The footpath would run across the southern end of the adjoining fields to the east of the application site ('Safeguarded Land') to the north of the existing hedgerow/boundary. The footpath would enable pupils to walk to the site without having to walk in Lower Haysden Lane itself, and there is a potential for a future upgrade and extension of the footpath to provide a pedestrian link between Brook Street and Haysden County Park for members of the public (when the 'Safeguarded Lane' is developed). The footpath would be surfaced with road plainings, and would be bound by the existing hedgerow to the south and a 1.1 metre high steel stock proof fence to the north. Timber gates would secure access at each end of the path.
49. Tonbridge and Malling Borough Council state that the School should be made aware that the part of the proposed footpath that runs along the southern boundary of the adjoining safeguarded land may need to be altered in the future depending on how that land is developed. As can be seen from the application details, the applicant is well aware of the safeguarded land and, having proposed a temporary footpath surface, is also well aware of a potential future need to realign the footway. The Borough Council also suggest that the upgrade and extension of the footpath to provide a pedestrian link between Brook Street and Haysden Country Park for members of the public be pursued. However, the applicant cannot be expected to provide a Public Right of Way, and the upgrade and extension of the footpath is something that the School have suggested could be undertaken at such time as the neighbouring safeguarded land is developed, subject to agreement with all relevant landowners. That option can be pursued in the future as and when further residential development occurs, and is not something that is proposed or should be provided as part of this application.

Drainage

50. The Environment Agency raises no objection to the application and further consider that, as no land-raising is proposed within the floodplain, no further comments are required. However, the Borough Council states that the installation of an active drainage system at the site should not have a negative impact on the lake to the north of the site, and the Country Park. Local residents have further stated that the area is already prone to flooding, and query where rain water would go when the site is 'covered in concrete'. First, as outlined in paragraph 3 of this report, the entire site (excluding the south east corner) falls within Flood Zone 2, and a small area of the north west of the site falls within Flood Zone 3. The River Medway lies 200 metres to the north west of the application site at its closest point, and sites within Flood Zone 2 and 3 represent locations where there is a 'medium' and 'high' risk of flooding respectively. It is therefore accepted that the site is prone to flooding, it is in the floodplain, and subsequently a Flood Risk Assessment has been submitted in support of the application.

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51. The development, as an open recreation area, is defined as a functional flood plain compatible use. I therefore have no objection to the principle of the development within the floodplain. With regard to the application exacerbating flooding, the whole site, apart from the small concrete pad under the storage containers and the apron at the car park entrance, would be permeable. The site would be grass in the main, with a small area of gravel in the case of the car park. The applicant is proposing to install drainage in the site to ensure that the pitches do not become waterlogged, and to prevent pooling of water on the site. Lateral and catchment drains would be installed across the site, with sand drains and pipework covered and concealed, draining from south to north. A soakaway would be installed to the north of the site in addition to a pump and sump system which, in combination, would provide sufficient storage such that a combination of surface water drainage and groundwater could be stored and discharged at appropriate flow rates. The proposals under normal conditions would not have any impact on the Country Park to the north, as drainage would be to ground as is currently the case.
52. However, the sump and pump system would have an outfall to the ditch on the western side of the application site. The drainage system would, under intense rainfall conditions, result in an increase in the flow of water in the ditch. However, the applicant advises that there is a holding chamber in the pump and sump system, and a large storage capacity within the system itself. The Upper Medway Internal Drainage Board note the proposals to discharge surface water runoff into the ditch, in addition to the soakaway, and state that their consent is likely to be required for this. I therefore advise that an informative be added to any planning permission requiring the applicant to undertake discussions with the Upper Medway Internal Drainage Board, and seek any necessary approvals from them. In addition, to further satisfy the recommendations of the Drainage Board, should permission be granted further details of drainage, specifically any outfall to the adjacent ditch, should be submitted for the written approval of the County Planning Authority, in consultation with the Upper Medway Internal Drainage Board. This would ensure that downstream flood risk would not be increased by this development by ensuring that runoff rates from the site would be no greater than the existing. Subject to that condition, I am satisfied that the drainage of the site is acceptable.

General Matters

53. Suggestion is made by objectors that there would be lighting on the site, specifically floodlighting. I can confirm that there would be no artificial lighting on the site, including lighting of the car park. For the avoidance of doubt, should permission be granted I consider that a condition of consent should be imposed to ensure that no floodlighting and/or car park/security lighting could be installed on site without the prior written permission of the County Planning Authority. It is also suggested that noise generated by use of the site would impact on residential amenity. However, the hamlet of Lower Haysden lies to the west of the application site, with the closest residential property being approximately 100 metres away from the western site boundary. The closest properties to the east of the application site are approximately 300 metres from the eastern site boundary. These properties are, in my view, a sufficient enough distance away from the site, further separated from it by planting and screening, to not be significantly adversely affected by any noise generated from use of the site.
54. Tonbridge and Malling Borough Council (TMBC) suggest that further discussion needs to take place between TMBC Leisure and the School regarding access to the toilet facilities at Haysden Country Park. The Borough Council state that they understand that such use would be on a trial basis to start with to monitor the situation, and agreement

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needs to be reached with regard to possible increased cleaning and maintenance. This is not something which is outlined within the planning application, but the applicant has advised that a trial use of the toilets has been agreed, and further discussion would be undertaken regarding cleaning and maintenance. A Local Borough Councillor has suggested that use of the adjacent Country Park toilets would not be acceptable, and provision should be made on site for a pavilion with such facilities. However, this is not a matter for the Planning Authority, and is an agreement that the applicant and TMBC Leisure has come to as a separate issue. It has been agreed to trial and monitor the situation, and should TMBC Leisure wish to cease such an agreement then that is for the School to manage.

Construction matters

55. Given that there are nearby (not directly adjacent) residential properties, and Haysden Country Park to the north of the site, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction to protect local 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. In addition, given the rural nature of Lower Haysden Lane, and its use as an access to Haysden Country Park, I consider it appropriate that details of a full 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 parking, details of wheel washing/cleaning facilities, details of how the site access would be managed to avoid conflict with vehicles on Lower Haysden Lane and details of the construction access. 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. In addition, should permission be granted, conditions of consent would ensure that dust, 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

56. This proposal has given rise to a variety of issues, including the appropriateness of the development within the Green Belt, the impact of the proposed development on the openness of the Green Belt, the impact on the wider landscape, plus highway and access implications and general amenity issues. However, I consider that the development constitutes appropriate development within the Green Belt, as defined in the NPPF, and that the playing field and its associated facilities would not have a significantly detrimental impact on the openness of the Green Belt. I do not consider that the development would conflict with Green Belt Policy and/or the functioning 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 the wider landscape, the local highway network or residential amenity, and would accord with the principles of sustainable development as set out in the NPPF. 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 permission be granted subject to appropriate conditions

Change of use from agricultural land to playing field, for Judd School, Tonbridge – TM/15/121 (KCC/TM/0435/2014)

Recommendation

57. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- the standard time limit for implementation;
- the development to be carried out in accordance with the permitted details;
- the completion and availability of the footpath link prior to first use of the facility, and its subsequent retention;
- the completion and availability of the vehicular access and car park prior to first use of the facility, and its subsequent retention;
- provision and maintenance of the visibility splays;
- no coaches to use the car park;
- no community use of the facility;
- tree/hedge protection measures and the development to be undertaken in accordance with the recommendations of the Hedgerow Survey ;
- the submission of a detailed planting scheme to include replacement hedge planting and species;
- the development to be undertaken in accordance with the recommendations of the Ecological Scoping Survey;
- the submission of an ecological mitigation and management plan for the site, which should detail management of the hedgerows to maintain and enhance their ecological value, including the provision of bird and bat boxes, and possible dormice bridges;
- further details of drainage, specifically any outfall to the adjacent ditch, to be submitted for the written approval of the County Planning Authority, in consultation with the Upper Medway Internal Drainage Board
- no floodlights or car park/security lighting to be installed on site without the submission of a full detailed planning application;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- the submission of a Construction Management Strategy, including the location of site compound and operative parking, wheel washing/cleaning facilities, and details of the construction access & management of the site access to avoid conflict with vehicles using Lower Haysden Lane;
- measures to prevent mud and debris being taken onto the public highway.

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

- The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained.
- The applicant is to undertake discussions with the Upper Medway Internal Drainage Board, and seek any necessary approvals from them with regard to surface water drainage.

Case officer – Mary Green	03000 413379
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Background documents - See section heading
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