

**Proposed new academy and associated facilities at Longfield Academy – DA/09/193**

A report by Head of Planning Applications Group to Planning Applications Committee on 26 May 2009.

Erection of a new academy, re-provision of outdoor playing pitches, new 6 court MUGA, 159 car parking spaces, drop off zone, landscaping and associated ancillary works at Longfield Academy, Main Road, Longfield - DA/09/193

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

**Local Members:** Mr B. Bassam and Mr D. Brazier

**Classification:** Unrestricted

**Site**

1. Kent County Council is seeking planning permission to construct a new academy on the site of the former Axton Chase School, recently re-named Longfield Academy. Longfield Academy is located on the eastern edge of Longfield between a main railway line to the south and the B260 (Main Road) to the north. The application site comprises playing fields to the east of the existing school buildings, which are terraced at various levels. About 40% of the application site fronts onto Main Road, adjoining residential properties at either end and facing residential properties on the opposite side. The remaining part of the site adjoins a further residential property, and various healthcare and educational premises, and at the eastern end grazing/scrub land. The adopted Dartford Borough Local Plan and the Dartford Borough Local Plan Review show the site to be within the Metropolitan Green Belt. The latter plan shows the existing developed part of the school site identified as a Major Developed Site within the Green Belt allocated for housing and associated development (this is not part of the application site). 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 her consideration should Members be minded to permit. *A site location plan is attached.*
2. The existing school site accommodates a variety of buildings in terms of scale, most of which were constructed during the late 1960's. The school buildings are confined to the western half of the site and are typical of their period, most are in a poor state of repair and have an outdated specification. The existing buildings are a variety of heights, up to four storeys, with the highest being approximately 14m higher than the existing site levels. The total existing site area is 16.2ha and it is proposed that the western 6ha of land would be sold off for residential development, for which Dartford Borough Council granted outline planning permission on the 24 May 2006. That would leave 10.2ha of land for the proposed academy building and associated facilities.

**Background**Academy Status

3. Longfield Academy has been operating as an Academy since September 2008 in the buildings of the former Axton Chase School. The lead sponsor of this scheme is the Leigh Academy Trust. Longfield Academy will form a Hard Federation with the Leigh Academy, sharing a single overarching governing body and one Chief Executive/Executive Principal. The Trust will be the sole legal body responsible for both

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Leigh and Longfield Academies, under two co-sponsors: Kent County Council and the University of Kent. The Leigh Academy Trust has already built the academy at Leigh in Dartford, which was completed in 2007.

Previous Outline Planning Permission

4. An Outline Planning Permission was granted on the 24 November 2005 for a new secondary school incorporating two special schools and community facilities on the site, which lapsed in November 2008. A group of Planning Application Committee Members visited the application site on the 19 July 2005 to acquaint themselves with the proposals and the issues raised by that application. The application was subsequently considered by Members of the Planning Applications Committee on the 16 August 2005 when Members resolved to grant outline planning permission, subject to conditions, following referral to the Secretary of State as it was also a Departure application.

Current proposal - amendments

5. When originally submitted the current planning application proposed floodlighting to the Multi Use Games Area (MUGA). Following initial consultation strong objection was raised to the floodlighting element of the proposal, and also to the proposed vehicular entrance to the east of the site and the proximity of car parking to neighbouring properties. Noise, light and air pollution were all raised as points of objection to these elements of the proposal, as was the detrimental impact on the amenity of neighbouring residents. As a result of these points of concern and objection, the applicant submitted amendments to the proposed scheme. The eastern access road was relocated further to the west, screening was increased and lighting modified to the car parking area, as well as the introduction of restrictions on use of areas of the car parking. In addition, the floodlighting to the MUGA was omitted, and the MUGA slightly relocated to allow for additional screening.
6. As part of the determination of the current application, a group of Planning Application Committee Members visited the site on the 21 April 2009, at which time the amended application (as outlined above) was discussed (notes attached as Appendix 1). Following the Members Site Visit, the applicant has submitted further amendments to the proposed scheme in response to the continuing concerns raised by local residents at the meeting. 11 car parking spaces adjacent to the proposed eastern site entrance have been relocated, the eastern entrance has been moved a further half metre to the west, planting and landscaping (including bunding) has been increased, the MUGA has been moved approximately 3 further metres to the south-west and the parking design modified to increase the buffer zone between the development and nearby properties. It is this revised proposal which will be outlined in detail below. However, the further amended proposal has only recently been sent out to consultation so it should be noted that consultee responses and letters of representation summarised within this report relate to the original application, and the first of the amended proposals, and not the further amended details. Any further comments received will be reported verbally to the Committee.

**Proposal**

7. This application has been submitted by Kent County Council Children, Families, Health and Education, and proposes the demolition of the existing school buildings and the erection of a new academy and associated facilities. It is intended that the new building



# Item D3

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NO.	REVISION	DATE
1	ISSUED FOR TENDER	15/09/2019
2	REVISED TO REFLECT COMMENTS FROM THE CLIENT	20/09/2019
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 GROUND FLOOR PLAN  
 DATE: 15/09/2019  
 2/23 - 0800  
 PG 01

PROPOSED GROUND FLOOR PLAN











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would be constructed on the eastern side of the site, on the lower plateau of the playing fields fronting Main Road, by late 2010. The existing Axton Chase buildings on the western side of the site would then be vacated and that area of the site released to a private developer for residential development. The Academy currently has 903 students on roll, including 135 in the sixth form. The new school proposals comprise:

- A new academy of 10,828 sq m (gross) for up to 1,150 pupils, including a new four-court indoor sports hall;
- A new 6 court Multi Use Games Area (MUGA) – *the application no longer includes floodlighting*;
- An integrated dedicated Autism Unit named Spectrum;
- New senior, medium and junior grass playing pitch provision to meet DfES and Sport England standards, including community use;
- Hard and soft play social areas;
- New car parking provision, drop-off, circulatory access and pedestrian access point;
- New plaza and combined pedestrian and cycleway along Main Road;
- New strategic landscaping.

#### Accommodation

8. A key aim of the project is to facilitate community use of the Academy's facilities. The performance hall, sports centre, gallery and dining hall have all been positioned in the layout where they can most easily be accessed by the community. For community learning, and extended school provision, the learning spaces of the Academy such as the classrooms and specialist centres would all be available outside normal school hours, subject to appropriate management. Externally, aside from the 6 court MUGA and the sports pitches, which would be used extensively by the community out-of-hours, the new design includes an expansive plaza off Main Road, which has the potential to be used like a village square for community events.
9. The proposed Academy would be formed of three 'colleges', with students allocated a college on arrival in Year 7. The three colleges would be supported by two specialist centres supporting the Academy's specialisms of Science and the Arts. On a daily basis students would spend about 70% of their time in the College, where all of the general teaching would be accomplished. The remaining 30% of the time would be spent in the various specialist, performance and sport spaces.
10. The new Academy would accommodate 1,150 pupils, aged 11-19 (6 forms of entry and 250 post 16). Essentially the site would accommodate the new academy building, parking for 159 cars and 20 cycles (with provision for future expansion), parental and coach drop-off, a six court MUGA, playgrounds and external grassed pitches. The proposed site masterplan locates the building in the centre of the lower terrace of the main site, accessed via Main Road. A new pedestrian plaza would extend from the road to the entrance of the building. The building frontage is conceived as a single sweeping element, set approximately 40 metres back from Main Road, behind the existing tree line. The main entrance to the site, cycle parking and the plaza would be located at the western end of the site, and the MUGA, sports hall and car parking located to the eastern side. Car parking would also be provided to the front of the academy building, as would pick-up and drop-off facilities. Existing playing fields to the south would be retained.

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Access and car parking

11. The intention is for the pedestrian plaza to provide, when the school would be in use, a run-off/milling space for students before they reach the road, and outside school hours to potentially be a community facility for events such as fetes. This semi-public space would be open when the Academy is open, ensuring that the building would feel a part of the community. The tree line along the main road frontage would be retained, and would be augmented by additional planting to form a green edge.
12. Two new vehicular access points are proposed. The main entrance, for visitors and parent drop-off, would be located immediately to the east of the entrance plaza, to the centre of the site's frontage with Main Road. The second vehicular entrance would be located to the east of the site, and would be used as a staff entrance and the 'in' for coaches and deliveries. This eastern entrance would be approximately 18 metres from the boundary with the nearest residential property. Coaches and deliveries would then exit the site through the visitor entrance which would avoid the need for any dedicated turning area on site. 5 dedicated coach drop-off spaces would be provided with the nearside closest to the building so children could be dropped off and collected without the need to cross the car park. The applicant has confirmed that the Academy would manage the site access on an informal basis so that for out of school hours use the car parking would be predominately accessed through the western entrance.
13. 159 car parking spaces are proposed, including 12 disabled parking spaces. The car parking area would be located between the building frontage and Main Road, and between the MUGA and the rear of two properties on Main Road. However, the applicant advises that the car parking adjacent to the MUGA would not be used under typical circumstances out of school hours and this would be managed by a physical barrier. In addition, lighting to this area of the car park would be at a lower level than the remaining car parking, and would be on a separate lighting circuit so that it does not need to be illuminated with the remainder of the car parking when not in use. This car parking area would be located approximately 23 metres to the south of the rear elevation of the closest residential property, and would be separated by existing planting, proposed planting and bunding. The Academy would, on occasion, need to utilise all the parking and both the eastern and western site entrances, on parents evenings for example. However, this is envisaged to be an exception, and that for the majority of evenings, solely the western entrance and car parking would be used after school hours.

Design and appearance

14. The two storey building has been designed so that the community facilities such as the sports hall, theatre and dining area are located along the northern frontage, where they would be both visible and accessible to the community. The Colleges and specialist teaching spaces would be provided to the south of the building, in three separate 'fingers' of accommodation, which open to the landscape. The idea is that during the day the building would form the secure boundary to the site, with the area to the front being semi-public. Between each of the Colleges on the south side of the building a courtyard would be located, which would open up to the landscape beyond and contain curriculum spaces. The first floor of the two storey building would be directly linked to the upper terrace of the site by three small bridges, which again double as curriculum spaces.
15. The applicant advises that the design of the school building has been carefully considered to sit comfortably within the semi-rural village context. The building would be

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entirely two storey in height, and the form of the frontage to Main Road follows the curve of the road. A gently pitched roof is proposed, which has been designed to incorporate the mass of the Sports Hall within it. The maximum height of the building would be approximately 12 metres. The Colleges to the rear would have a flat roof around the perimeter and a pitched roof in the centre, with clerestory glazing to let light into the centre of the building. From the upper level of the sports pitches, the applicant advises that only the upper level of the building and roofscape would be visible, with a terraced bank concealing the lower level.

16. The frontage of the building would be clad predominately in a local brick with plenty of variegated colour and texture. A zinc grey coloured roof is also proposed. The Colleges on the south side of the building have a different context, form and purpose and this would be reflected in their elevational treatment. A regular structural grid would define a proportioned series of openings, which would contain a mix of glass and coloured panels. The glazing would be shaded by bands of aluminium brise soleil (projecting fins which deflect direct sunlight from windows). Each of the principal pieces in the composition would be separated by extents of curtain walling. Window frames would be powder coated aluminium in a warm dark grey colour.
17. The MUGA would be located to the east of the site, adjacent to the external pitches, internal sports hall and changing facilities. The 6 Court MUGA would support a variety of hard surfaced sports, and would be intrinsically linked with the sports hall and changing facilities. In addition, between the MUGA and the school buildings an area of hard playground would be located. The existing sports pitches to the upper terrace remain as they currently do, with only some minor alterations to markings and orientation. The proposed landscape plan has sought to maximise the sports provision on site, whilst maintaining the existing tree lines and landscape features

#### Ecology and Landscaping

18. An Ecological Assessment was submitted with this application which was undertaken to identify the presence or likely presence of any notable protected species or habitats. A badger sett was identified on the site. However, it is not expected that this would be affected by the development. Bird and bat habitat was identified in the existing mature trees, predominately to the southern boundary of the site, which would be retained. No evidence of bats was found in the existing buildings. Broad leaved woodland is of particular importance and is identified for protection in the Local BAP Habitat Plan. Both areas of this woodland on the site would not be affected by the development proposals.
19. An Arboricultural Survey and Assessment was also submitted with the planning application, which identified that types, size and value of the trees on site. Due to the size of the site, the value of many of the trees relates to their grouping in forming the boundaries of the site. Under BS5837: Trees in Relation to Construction, the trees on site are predominately Category B and C which, the applicant advises, reflects the general age and species of the trees planted within the site. A few have been noted to be removed to aid in the development of those trees surrounding them. The trees adjoining Main Road consist predominately of Norway maple, beech and lime, and these are identified as being of a high importance to the community as a whole in helping to screen the school and would, therefore, be retained (apart from where new access would be provided). Trees which straddle the level changes on site are predominately field maple, horse chestnut, sorbus and silver birch. Some of these trees would have to be removed to accommodate the proposed building. However, trees to the southern and eastern boundaries are considered an essential part of the boundary structure and would be retained, and additional planting would be provided to the

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existing boundaries which are currently bereft of established landscape features. The existing trees to be retained would be protected during construction in accordance with BS5837: Trees in Relation to Construction.

20. As outlined above, an entrance plaza, external courtyards and hard play areas would be provided. The hard surface strategy for the site consists of materials which are robust, easily maintained and can withstand heavy pedestrian footfall. As part of the master planning strategy, high quality public furniture would be located predominately in the entrance plaza and hard play areas to the east of the school buildings. Within the internally secured grounds of the school additional furniture would be provided through informal benches, coloured to associate with each of the three Colleges.

#### Security

21. Due to the nature of the site, management and security is a significant issue. However, the Academy wishes to be able to offer an attractive and safe environment, balancing the desire for improved security with the need to retain a welcoming appearance. There currently exists numerous styles of fencing and security barriers, which the applicant advises are in various states of disrepair. It is proposed to provide an internal secure fencing boundary, linked to the school frontage, which would create a manageable area for the Academy which could be secured to monitor access during core school hours. A secondary line of secure fencing, with pedestrian and vehicle gates, would run along the northern boundary of the site fronting Main Road, which would be managed by the Academy and opened during operational hours and then secured at night and during the holidays. The principles of Secured by Design, as they apply to schools, have informed the design process.

#### Lighting

22. 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. A detailed lighting scheme would provide up-lighting to highlight the building facades and main entrance, directional lighting as pedestrians cross the entrance plaza and appropriate lighting to the car park. The MUGA would not be floodlit.

#### Sustainability

23. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. It is proposed that the building would include a number of sustainable features including a ground source heat pump, solar water heating panels and the use of insulation to secure a thermal performance 15% beyond current standards.

*The application is supported by a Design and Access Statement, Biodiversity Statement, Geotechnical Investigation, Renewable Energy Assessment, Transport and Travel Plans, Arboricultural Survey, Archaeology Statement, Flood Risk Assessment, Noise Impact Assessment, Alternative Site Evaluation, External Lighting Statement and BREEAM Pre-Assessment.*

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

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**Planning Policies**

24. 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 Planning Policy Guidance note 2 (PPG2); 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.
25. The adopted **South East Plan 2009**:
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|-------------|---|
| 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 SP5  | Refers to Green Belts, supporting their retention.  |
| 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.   |
| Policy NRM4 | Refers to sustainable flood risk management.  |
| Policy W2   | Sustainable design, construction and demolition.  |
26. **The Kent & Medway Structure Plan 2006** (These policies remain in force until 6 July 2009):
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| Policy SP1 | Seeks to conserve and enhance Kent's environment and to ensure a sustainable pattern of development.   |
| Policy SS2 | Within the Green Belt there is a general presumption against inappropriate development.  |
| Policy SS6 | Seeks to improve the built and natural environment, the functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs.  |
| Policy EN8 | Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an |

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important nature conservation resource can be adequately mitigated and/or compensated.

Policy EN9 Tree cover and the hedgerow network should be maintained. Additionally, they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.

Policy QL1 Seeks to ensure that all development is well designed and of a high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area, will not be permitted.

Policy QL11 Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy TP3 States that the local planning authority should ensure that development sites are well served by public transport, walking and cycling.

Policy TP15 States that development which generates significant increases in traffic, especially heavy goods vehicles, will not be permitted if it is not well related to the primary and secondary road network, or if it would result in a significantly increased risk of crashes or traffic delays, unless appropriate measures to mitigate the effect of the development have been secured.

Policy TP19 States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

Policy NR5 The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion. Development should be planned and designed to avoid, or adequately mitigate, pollution impacts.

Policy NR10 Development will be designed to avoid the risk of flooding. Where development is necessary in areas at risk of flooding it should be designed and controlled to mitigate the impact of flood risk.

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

Policy S2 Encouragement will be given to the provision of community facilities.

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- 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 or Structure Plan Policy MGB2.
- 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 off 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.
- [.....]
- Policy CF3 The Council will encourage and support the provision of social, community, educational and cultural facilities and infrastructure to meet the current and future needs of the Borough.

**28. Second Deposit Draft (2002) Dartford Borough Local Plan Review:**

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



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- 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 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. In addition, planning permission will only be granted where it is demonstrated that the use is viable and is likely to remain so for the foreseeable future.

Policy CF2 New, additional, or replacement utilities infrastructure shall be sited and designed so as not to harm the environment or appearance of existing developed areas, new developments, the Green Belt and other open land.

**Consultations**

*It should be noted that the consultee responses summarised below relate to the initial proposal and/or the first amendments unless otherwise stated, and not the recently received further amendments as described in paragraph 6 above.*

29. **Dartford Borough Council** has commented as follows:

“The Borough Council notes that the site is in the Metropolitan Green Belt and that it is part of a wider site which has been in educational use for many years. PPG2 and Structure and Local Plan Policies on the Green Belt will therefore be relevant and the County Council will no doubt give full consideration to these.

These issues need to be weighed against the considerable benefits that the Borough Council sees arising from the proposed facilities. As well as the enhanced education provision, the Borough Council is encouraged to see the community benefits that can arise from this proposal. The Council notes the facilities proposed which are capable of public use and would encourage the County Council to incorporate these for public benefit within the development. In order to be successful, it is essential that the new facilities provide a strong link to the existing village community. The Borough Council would be happy to discuss ways in which this can be achieved.

As well as the nature of the facilities proposed, the design of the proposed buildings is equally important. The Borough Council is satisfied that the design of the buildings is appropriate for their location and will make a positive contribution to the area.

I note that the siting of the multi use games area has caused considerable concern locally and as originally proposed, those concerns were justified. The removal of the floodlighting and the resiting of the MUGA and car parking are considerable improvements. The Borough Council considers that conditions should be imposed requiring bunding and landscaping in this area to ensure that residential amenity is safeguarded.”

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**Longfield and New Barn Parish Council** initially requested additional information from the applicant with regard to lighting, screening of the MUGA, acoustic fencing, community use, cycle parking and measures to prevent congestion. In addition, the Parish Council considered it important that a 'green walk way' along Main Road from the Academy to Langafel School (to the east on Main Road) be provided to encourage safer routes to the education sites for pedestrians. The Parish Council also enquired as to whether or not the existing Landscape Services Depot, currently housed on the old Axton Chase site, would be sited within the new development.

*The applicant has submitted the additional information requested by the Parish Council, which has been forwarded to them for information and comment. Further views from the Parish Council are awaited.*

**Southfleet Parish Council** – no comments received to date.

**Hartley Parish Council** has no objection to the application but would like to express its disappointment that there appears to be no provision for the community, in particular the youth, although there is a recognised needs for such facilities in the area.

**Environment Agency** raises no objection subject to conditions requiring that the development be carried out in accordance with the approved Flood Risk Assessment and that a scheme to deal with the risks associated with contamination of the site shall be submitted and approved. In addition, advice and informatives are provided regarding drainage, fuel/chemical storage, contamination and Ground Source Heat Pumps.

**Area Transportation Manager** raises no objections to the proposal in respect of highway matters. However, it is requested that the cycle parking provision be reviewed annually and increased as necessary. The aim should be to have at least 20% or 10 cycle spaces free, whichever is the lesser (to avoid over provision and wasted resource) at the start of each academic year.

**Sport England** raises no objection to the application subject to the imposition of conditions. On balance, it considers that the information provided by the applicant (including commitments to community use, sports development and improvements to the playing pitches) demonstrates sufficient overall benefit to sport to justify the development under Sport England Policy exception criterion E5. It should be noted that this conclusion is finely balanced, and that although Sport England does not object to the principle of the proposed development, this is subject to any planning permission be conditional on the following matters:

1. Playing pitch layout;
2. Protection of existing playing fields;
3. Community use; and
4. Future protection of the new playing fields.

Should the County Council be minded to approve this application without the specific conditions specified by Sport England, their initial objection to the application would be maintained.

**South East England Development Agency (SEEDA)** supports this application and considers that the development would assist in delivering 'Smart Growth'. In addition, SEEDA consider that the application is in general well aligned to the Regional Economic Strategy. It is noted, however, that only 20 secure cycle spaces would be provided. In light of the number of staff and students attending the Academy, it is considered that the provision of additional secure cycle parking would compliment Target 8 of the

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Regional Economic Strategy which seeks to 'reduce road congestion and pollution by improving travel choice'.

The former **South East England Regional Assembly (SEERA)** considers that the proposed development would not materially conflict with or prejudice the implementation of the Regional Spatial Strategy (RPG9 and Alterations) or the Secretary of State's Proposed Changes to the Draft South East Plan (July 2008). It is suggested that the County Council impose conditions covering transport and a travel plan, sustainable construction, design, noise and air pollution, and biodiversity.

**CABE:** no comments received to date.

**The County Council's Biodiversity Officer** states that two scoping surveys were carried out for this application, one carried out by the Kent Wildlife Trust in 2005, and another by URS in 2008. Both recommended further surveys for Reptiles, Bats and Badgers, but these surveys do not appear to have been carried out. The County Council's Biodiversity Officer considers that the surveys will need to be undertaken and that details of the surveys, and any subsequent mitigation and enhancement, should be submitted pursuant to a suitably worded planning condition(s). The submitted timetable which details the timeframes within which the required surveys would be undertaken should be tied into the condition(s).

In addition, it is recommended that where possible trees with a high potential for roosting bats should be retained. Bat bricks, tiles and boxes should also be incorporated into the design of the new school. A mitigation and enhancement strategy should also be submitted which should cover the whole of the development site.

**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, and a programme of building recording, in accordance with written specifications and timetables.

**The County Council's Landscape Advisor** comments as follows:

"Whilst in principle we have no objection to the proposals, we make the following recommendations:

- The applicant amends the proposed material of the roof to better reflect surrounding building materials and colours. A green, or living, roof would be appropriate.
- A detailed landscape plan is submitted which includes details of proposed species, sizes and densities.

**The County Council's Noise Advisor** comments as follows:

"Subject to the condition below, I consider that this proposal would not result in adverse noise impacts arising at nearby noise sensitive properties.

*'The rating level emanating from all fixed plant associated with the site, when assessed in accordance with BS 4142, shall be at least 10 dB below the existing background noise level ( $L_{A90,T}$ ) at any nearby noise sensitive premises.'* "

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**The County Council's Lighting Advisor** comments as follows:

“The lighting levels shown on the latest drawings indicate that there would be very low levels of spill light outside of the site, ignoring the effect of existing and proposed natural screening from trees. Also, the luminaires proposed are of a type where the light source is concealed from direct view. The lighting proposals are therefore approved.”

*It should be noted that the County Councils Lighting Advisor did not raise objection to the floodlighting specification/scheme originally proposed.*

**Network Rail** no comments received to date.

**Southern Water** has no observations to make.

In addition, the **Local Member of Parliament, Dr Howard Stoate** expressed serious concerns regarding the location of the six floodlit courts and the impact that this would have on the neighbouring properties. Objection was raised to the initial proposal on the grounds of light pollution, increased noise level and the potential invasion of privacy for residents. Concern was also expressed regarding the close proximity of the proposed car park to neighbouring properties, on the grounds of loss of privacy and increase risk of air and noise pollution.

Dr Stoate advises that despite the (pre-site visit) amendments to the scheme, the issue of the MUGA and location of the proposed car park continue to be an area of great concern for local residents.

**Local Members**

30. The local County Member, Mr B. Bassam, and the adjoining local County Member Mr D. Brazier, have been notified of the application. No views have been received.

**Publicity**

31. The application was publicised by the posting of 4 site notices, advertisement in a local newspaper, and the individual notification of 118 neighbouring properties. The first revision made to the application was publicised by the individual notification of 33 neighbouring properties, including all of those who made representations on the original proposal. The second of the revisions made to the application was publicised by the individual notification of 15 neighbouring properties.

**Representations**

32. As of Monday 11 May 2009, I have received a total of 29 individual letters of representation from 8 local properties, all of which relate to the initial proposal and/or the first set of amendments. A summary of any letters of representation received after this date will be reported verbally to Members on the day of the Committee Meeting.

A summary of the main issues raised/points made to date are set out below. In addition, a copy of all of the letters received will be tabled to Members on the day of the Committee meeting:

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Siting and design

- The proposed development is vast and would ruin the village of Longfield;
- The development is not considered to be an appropriate form of development within the Green Belt;
- Very Special Circumstances must exist to warrant the development of the Academy on the green field parts of the site, all of which is within the Green Belt;
- The sale of land and, therefore, its non availability as part the Academy development, should not constitute any special circumstance;
- It is the lower part of the site which local residents and visitors to the area appreciate as the Green Belt;
- The school should be re-built on the existing footprint of the school buildings. Land should not be sold off for housing, this is wholly inappropriate;
- The proposed development would result in a loss of playing fields;
- The proposed development is clearly prominent, conspicuous and is of such a scale that it would fail to maintain the open character of the area and would be detrimental to visual amenity;
- An alternative site for the development should be sought, and further information on alternative sites should be provided;
- Why is so much development needed? Are all the facilities to be provided on site required?
- Recent studies have identified a surplus of playing field land in Dartford. Therefore, some of the pitches could be removed and the site layout redesigned;
- The facing bricks are the wrong colour, they should be red;
- The School should be built further back from the road;
- Concern is expressed that the school building is too close to properties to the west of the site, resulting in over shadowing and a loss of light, as well as noise pollution and a loss of privacy;
- A number of windows in the school would overlook neighbouring properties and gardens;
- The flat roof section of the building is 'hideous';
- Consideration should be given to sustainable forms of development;
- The existing main sewer drainage capacity must be updated;
- The electrical sub-station and bin stores, adjacent to the sports hall, should be relocated within the site, away from residential properties;
- The cycle parking area should be moved to the north-west corner of the site in order that it does not obscure the view and block the light to the adjoining residential property;

The MUGA and floodlighting

- The omission of the floodlighting is welcomed;
- Floodlighting of the MUGA is unacceptable, would be intrusive and would result in significant light pollution. In addition, extended hours of use as a result of the floodlighting would generate noise pollution, and adversely affect residential amenity;
- The location of the MUGA would have a detrimental impact on the health and wellbeing of local residents, as well as privacy;
- Longfield is a rural area within the Green Belt – Floodlighting is not appropriate;
- Any hard surfaced courts should be a considerable distance from neighbouring properties to ensure that neighbouring residential amenity is not adversely affected, and a significant landscaped buffer zone should be provided;
- The MUGA should be located behind the proposed building. If this cant be done the MUGA should be completely removed from the application;
- Moving the MUGA 2metres to the south and the planting of trees would not overcome residents concerns with regards to noise and disturbance;

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Community use

- This proposal would result in an intensification of use of the site;
- Courts/pitches should just be for student use and not let out to the general public;
- Community use of the facilities would have an unacceptable impact upon the amenity of local residents, would create unacceptable levels of noise, and would generate additional traffic in evenings and weekends;
- During the school day use of outside pitches is supervised. During the evenings and weekends what measures would be taken to ensure that foul language by spectators and participants does not become a nuisance?
- Any planning permission should firmly state a closing time for the sporting facilities, 9.30 – 10.00pm would be a reasonable time;
- A closing time for the function hall and internal facilities should be specified;
- The use of the Plaza for fetes etc should be subject to stringent operating restrictions, or a separate planning application;

Access and car parking

- Car parking is too close to residential properties and would create noise, light and air pollution, having a detrimental impact on residential amenity;
- If the car parking layout stays as proposed, two properties (no 84 and 86 Main Road) would be surrounded by roads and car parking, effectively putting them in the middle of a roundabout;
- Car parking should be removed from the eastern end of the site and located in part of the plaza area;
- The restriction on use of the area of car parking adjacent to the MUGA is fine in principle but who would enforce this, and who would close the barrier after school hours;
- Where would the barrier be located?
- The eastern access point is still too close to residential properties and should be relocated within the site. It is also located too close to a bend in the road;
- Buses/coaches and cars using the proposed entrance points would generate noise and air pollution;
- The eastern access point should be for staff and coaches only, and not a general entrance or exit as it is located dangerously close to a bend in the road;
- The eastern access point should be closed out of school hours and not used for community use;
- Main Road is a very busy road which has current problems with congestion and speeding vehicles. This development would severely increase the traffic problems in the area;
- Traffic calming measures should be put in place, including an extra pedestrian crossing;

Ecology and landscape

- Local wildlife habitats would be adversely affected;
- Additional screening and tree planting should be provided, some of which should be evergreen;
- Bunding and additional planting between the car park area adjacent to the MUGA and residential boundaries is welcomed, but what is to stop people sitting or standing on the bunds?

General amenity issues

- CCTV must not invade the privacy of residential properties;
- No buildings should be constructed to the rear of 84 or 86 Main Road;
- The hard surfacing of land could lead to flooding issues for local residents;

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- Boundary fencing should be as secure as possible;
- The development would reduce the security of neighbouring properties;
- It is considered that some of the key professional reports submitted with this planning application have important failings. It is considered that these inadequacies result in the reports not properly establishing the full extent of probable light and noise pollution. These failings include a failure to consider that existing tree screening is deciduous and not evergreen, an under estimate of the number of participants and spectators using the MUGA, the reports are very generalised and do not consider the effects of noise reflection/propagation for atmospheric conditions, additional traffic noise is not considered, noise levels in residents gardens are not considered, light pollution caused by diffusion or scattering in mist and fog, and reflection from low clouds and the MUGA surface itself is not addressed and light pollution and the effects of uplighting the school are not addressed.
- Concern is expressed that the development is being designed to conform to Sport England's requirements and not those of the local community;
- A number of special care apartments have just been built on Brickfield Farm, to the east of the development site. The impact upon these bungalows must be considered;
- Many local residents are retired and purchased their properties for peace and quiet and a rural location. This development would ruin that;
- No objection is raised to the building of a new school, but this proposed development has gone way past that and to an extreme. Little consideration has been given to local residents;
- This is a 'new' application and is completely different to the outline consent;

**Conflict with other legislation**

- Objection is raised under the Human Rights Act, Section 6, Article 8 which states that residents have a right to enjoyment of private and family life. The law requires Planning Authorities to consider Article 8 in the determination of planning applications. It is considered that the development would constitute a statutory nuisance;
- The Human Rights Act 1998 incorporates into domestic law many of the provisions of the European Convention of Human Rights. Protocol 1 Article 1 relates to the substantive right of peaceful enjoyment of one's possessions, including one's home and other land.
- Noise nuisance is covered by part 3 of the Environmental Protection Act 1990, which is aimed at preventing the quality of one's environment being reduced through excessive noise;
- The Noise and Statutory Nuisance Act 1993 makes noise in the street a statutory nuisance;
- The Control of Pollution Act 1974 is specifically concerned with noise pollution from construction sites. Hours of construction should be limited and the construction access should not be in close proximity to residential properties;
- Under the Cleaner Neighbourhoods and Environment Act 2005, Section 79, it says that artificial light emitted from premises so as to be prejudicial to health or a nuisance is a criminal offence;
- It is clear that KCC would be breaking a number of laws should this application be permitted.

Hazlewood Nursing Home, located to the east of the proposed Academy development, object to the application on the grounds of increased traffic and parking on an already busy road, which has potential implications for access for emergency vehicles, and that the proposed floodlighting would have a detrimental effect on their residents as increased lighting would cause extra light to fall into residents rooms. The majority of

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the residents of Hazlewood Nursing Home suffer from dementia and an increase in light entry would cause higher levels of aggravation and agitation.

**Discussion**

33. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraphs 24-28 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 and other material planning considerations arising from consultation and publicity. Issues of particular relevance include site selection and design, impact upon the Metropolitan Green Belt and wider landscape, highway implications and access, provision of sports facilities, landscaping and local residential amenity.
34. Policies SP1 and QL1 of the Kent and Medway Structure Plan, Policy B1 of the adopted Dartford Borough Local 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. Any development within the Metropolitan Green Belt could affect the openness of it and would be contrary to planning policies, which presume against inappropriate development in the Green Belt. 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 her consideration.

Green Belt considerations

35. By virtue of the criteria in PPG2, 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' section within the submitted Design and Access Statement sets out what the applicant considers to be the very special circumstances in this case that warrant setting aside the general presumption against what would be inappropriate development in the Green Belt. As part of this assessment an accompanying Alternative Sites Evaluation considers the question of alternative sites. The applicant states that the primary reason for the proposed redevelopment scheme is the need to replace the rundown, outdated 1960's buildings with a modern multi-functional educational establishment. Also that the most logical site for the new Academy is on the existing school site, where the Academy is easily accessible by sustainable modes of transport, such as bus, from the catchment areas of Dartford, Gravesend and Sevenoaks. In addition, the applicant considers that the accompanying Alternative Sites Evaluation demonstrates that there are still no other sites in the Borough or neighbouring Districts that are suitable in planning terms for new Academy development since the approval of the outline permission.



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37. An evaluation of alternative sites was undertaken prior to submitting the previous outline planning application in 2005. At that time the report concluded that there were no other sites within the catchment area that may have been more suitable in planning terms for the replacement school than the existing site. The Alternative Site Evaluation has now been updated by the applicant to assess if there are any additional sites that may have become available for development since the original evaluation was undertaken. The majority of the sites assessed were not large enough to accommodate the proposed academy building and its associated facilities, and were not in the ownership of the County Council so would have involved land acquisition. However, regardless of this, the majority of the sites would have involved development of open countryside to the rear of existing built development/on the edge of existing settlements, all in the Green Belt. When adding this to further considerations such as access and the time frames within which the new Academy buildings needs to be provided, the existing school site is the only suitable site available. A further consideration is the fact that, until recently (November 2008), an outline permission existed for development of the site for a new secondary school. Whilst the proposed development is sited slightly differently to that illustrated at the outline stage, it is primarily the same development and the very special circumstances previously demonstrated to justify the principle of using the site and accepted by the Planning Applications Committee and the Secretary of State are still relevant today.
38. In light of the information given above, I consider that the applicant has successfully demonstrated that there are no alternative or suitable sites within the school catchment area that would meet all of the Academy's requirements, or which would not have a significant impact on the openness of the Green Belt. It is also important to note that the school site falls within an area dominated by institutional uses in the Green Belt between Longfield and New Barn in which it is surrounded on 4 sides by existing built development. That includes ribbon development to the north; Longfield Village settlement to the west; railway line / edge of Hartley Village to the south and institutional development to the east. These institutional uses include the Hazelwood Nursing Home; Woodview Campus; Hickory House Children's Day Nursery and Langafel C.E. Primary School. Consideration also needs to be given to a location that is well placed within the community, particularly in respect of the wider community aspirations that the academy seeks to deliver. Therefore, for the reasons above, I consider that the proposed site at Longfield Academy is the most suitable option for the new Academy buildings and its associated facilities.
39. Having accepted that the existing site is the most appropriate location for the replacement Academy facilities, it is necessary to consider alternative siting within the school site itself. The applicant states that siting of the new building next to the existing buildings would minimise disruption to the pupils' education by keeping the school operational during the construction period. The applicant advises that generally new school developments on existing educational sites are built on the school grounds, remote from the existing buildings, and states that there are a number of good reasons for this. The close proximity of construction activities to pupils should be avoided for safety reasons wherever possible. Building on and around an existing facility creates disruption which would adversely affect the education of the students and the operation of the school. In addition to this, construction programmes would be extended, increasing the period of disruption, and a reliance on temporary accommodation. It is also argued that thorough site analysis, as well as discussions with both Kent County Council and Dartford Borough Council, has informed the siting of the Academy on the lower plateau of the site; that being accepted when outline permission was granted.

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40. In addition, the applicant advises that Ward Homes now have contractual control of the existing school site having a 'subject to planning' contract with Kent County Council as landowner. The site of the existing school buildings is, therefore no longer an option for the siting of the new Academy building. Upon completion of the Academy building, the pupils would relocate to the new building and the existing buildings would be demolished. In light of all the above factors, I consider that the applicant has provided robust and sound reasoning to warrant the construction of the new Academy to the east of the existing school buildings upon playing field land. The implications of this with regard to the provision of sporting facilities will be discussed later in this report.
41. As part of its very special circumstances case, the applicant draws attention to matters made in the Committee Report on the outline application where it was suggested that the new Academy building could be located at the back of the site. It was made clear that this location would still involve loss of Green Belt land, would be on higher land and likely to have a greater visual impact. It would also be more difficult to access and would divide the playing field area. The Committee concluded (and this was accepted by the Secretary of State) that the area to the front of the site was the most acceptable location for the new building and that the siting of buildings on the Main Road frontage would be less visually intrusive overall given the lower ground levels and the existing tree cover. In addition the applicant notes that it would be difficult to justify raising an objection on the grounds that the development would affect the openness of the Green Belt, particularly when it is clear that schools are needed within the Green Belt despite policy constraints, to cater for all those settlements and people that live within them.
42. The applicant further states that it is important to note that as well as the new Academy accommodation, provision would be made for improvements to the Academy's sports and recreational facilities including the provision of a 6 court MUGA facility, which would be made available to the wider community. The applicant also makes the point that the proposed site layout includes provision of the sports pitches on the higher part of the site where the openness of the Green Belt would be preserved, and as such, these uses are considered to be appropriate uses within the Green Belt.
43. Although the principle of locating the Academy on the lower level of the site, towards the Main Road frontage, was established by the granting of outline planning permission, this application is a new and separate planning application which must be determined on its own merits. The arguments from the previous Committee Report, as outlined in paragraph 41 are, however, still relevant in the determination of this application. The Academy building is proposed on the lower plateau of the site, with playing fields extending to the rear at the higher level. As outlined above, I agree that the playing fields are appropriate land uses within the Green Belt and are considered to be acceptable. However, it has been suggested that the school buildings should be located on the higher level, with playing fields to the road frontage, maintaining a sense of open space for local residents. The Academy building has been carefully designed to keep its height as low as possible, using the levels of the site to reduce the buildings impact upon the openness of the Green Belt and the character of the landscape. By locating the building to the rear of the site, upon higher ground, it would be visually intrusive in terms of local landscape character and would, in my view, have a much greater impact upon the openness of the Green Belt. The siting of the building as proposed would also maintain the 'line' of built development extending along Main Road, and maintain the open space between the built development and the railway line to the south. I do not consider that an alternative site layout would have any merit over the proposed layout and leads me to conclude that the area to the front of the site for the proposed buildings and other development is the only option within the application site. Moreover, the siting of buildings on that frontage of the site would be less visually intrusive overall given the

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lower ground levels and existing tree cover along Main Road, and have less impact on the openness of the Green Belt.

44. The applicants have demonstrated a case of need for new educational and sports facilities. 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 and community 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.
45. Overall, I accept the applicant's assessment and application of Green Belt Policy set out in the submitted documentation and as summarised above. 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, by reason of inappropriate development arising from the construction of the new Academy, in this particular case. Furthermore, even though arguably the development has the potential to significantly impact on the openness of the Green Belt because of the extent and the built form of the development, I accept that the particular siting and design of the development on the lower plateau would help mitigate this impact. Accordingly, I do not consider that an objection on Green Belt grounds would be warranted. However, if Members were minded to grant permission, the application would have to be referred to the Secretary of State for Communities and Local Government for consideration.

#### Siting and Design

46. Having accepted the siting of the proposed facilities in Green Belt terms, the siting now needs to be considered in terms of residential amenity. The siting and design of the development has met with much 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 accesses, car parking and the proposed Multi Use Games Area (MUGA). The access and parking element of this proposal, and the implications of these with regards to residential amenity, will be discussed later in this report. However, the implications of the MUGA and the building itself will be considered and discussed below.

#### Building

47. Representations from local residents have commented on the design of the building, which some consider to be unsympathetic to the locality. 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 building has been broken up by dividing the main body of the Academy into three projecting fingers of accommodation, rather than one large building. The levels of the site have also been considered in the design, and the first floor has been linked to the higher plateau on site via bridges, which would double as external teaching spaces. The height of the building has been kept as low as possible in an effort to reduce its 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, would need to be submitted for approval pursuant to planning condition. In addition, I do not consider that

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the building itself would lead to any undue overlooking of neighbouring properties, or would be overbearing in nature. The closest residential property to the building is some 50 metres away. The Academy building would sit in the centre of the site, and would not in my opinion, have any significant detrimental impact on the amenity of local residential properties. Subject to the imposition of 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 the locality and, therefore, would be acceptable.

48. Initial concerns over the siting of the cycle parking have been addressed by the applicant, who relocated the parking area in accordance with the wishes of the adjacent resident. I am, therefore, satisfied that this element of the proposal is acceptable in terms of residential amenity. In addition, concern has been raised over the siting of the electrical substation and bin stores, which are proposed to be sited adjacent to the sports hall, on the edge of the car park. However, the refuse, recycling and sub station facilities would be enclosed in a compact, single storey, unified enclosure which would be adequately screened. The applicant advises that the location is appropriately located for related uses within the Academy site, and would be over 35 metres from the nearest residential property which is well beyond established residential overlooking distances. The applicant understands that the refuse would be collected once a week, as it would be for a typical residential situation. In addition, should permission be granted, noise from the substation (and any other plant on site) would be controlled by planning condition, as required by the County Council's Noise Advisor. In light of the information given by the applicant, and the distance that the service building would be from the nearest residential property, I consider the siting of these facilities to be acceptable. I do not consider that the electrical sub-station and bin stores would have a significantly detrimental impact upon the amenity of local residents.

#### MUGA

49. The proposed siting of the MUGA has met with significant objection. When originally submitted this application included floodlighting of the MUGA. Following consultation and the receipt of strong objection and concern to the floodlighting this element of the scheme was withdrawn from the application. However, concern remains over the siting of the facility, and the implications of community use in terms of noise pollution and nuisance. With regard to the siting of the MUGA, it has been suggested by residents that the facility should be located to the rear of the Academy building, away from residential properties. However, the applicant advises that this has been considered, but discounted for a number of reasons. A key consideration is the views of Sport England and the need to ensure that the development represents an overall benefit to sport. Sport England required the MUGA to be located on the lower terrace because of concerns relating to public and disabled access, and the loss of grass playing field. In addition, the proposal has been influenced by the need to maintain the Green Belt land to the south, where it is elevated and visible from the surrounding area. I also consider that hard surfacing and fencing would not be appropriate in Green Belt and landscape amenity terms on the higher plateau of the site. There are also operational benefits in the proposed layout, with the MUGA being located in close proximity to the sports hall and changing facilities. I therefore consider the proposed siting of the MUGA to be acceptable in terms of sports provision and Green Belt and landscape terms. However, the implications of the proposed siting of the MUGA on the amenity of neighbouring residents also needs to be considered.
50. I welcome the removal of the floodlighting, and consider that this has greatly reduced that potential impact of the MUGA on neighbouring residents. Concerns over potential light pollution and increased noise due to extended hours of use have, in my view,

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effectively been removed by the omission of the floodlighting. Therefore, should permission be granted, I consider that a condition of consent should ensure that no floodlighting be installed on site without the prior written permission of the County Planning Authority. However, residents remain concerned over the noise implications of the facility, especially during evenings and weekends when use of the facility would not be supervised by the local community and not teaching staff. To address this, local residents have suggested that the MUGA be reduced in size. However, the applicant confirms that the size and nature of the MUGA as proposed is a requirement for a school of this size. Sport England has stated that they would not accept a MUGA of a smaller size, and therefore the dimensions of the MUGA cannot be amended.

51. The area proposed to site the MUGA is an existing grass playing pitch, used both by the school and local community clubs at the weekend. The location of a MUGA is therefore an intensification of an existing use, rather than a new use. Furthermore, the siting broadly follows that detailed in the outline consent. In an attempt to address the concerns of neighbouring residents the applicant has made a number of revisions to the proposal. It initially moved the MUGA 2metres further south into the site, and introduced a line of tree planting between the MUGA and the car park to mitigate visual and noise impacts. Objection continued to be raised by local residents and, subsequently, the MUGA has been moved southwest, a further 3metres into the site, thereby increasing the separation from the neighbouring properties to the north and the care home to the east. The proposed MUGA would be over 40 metres from the nearest residential property, and a considerable distance from the neighbouring care home. The applicant has also introduced bunding and landscaping between the car parking adjacent to the MUGA and the site boundary (this is discussed in more detail below). This additional landscaping and bunding would in my view aid in mitigating the impact of the development upon the amenity of neighbouring properties.
52. Community use of the MUGA, and a number of the Academy's facilities, is proposed by the applicant. This will be discussed in more detail later in this report, but further details of the proposed community use would be required pursuant to planning condition should permission be granted. Residents also remain concerned that use of the MUGA would give rise to unacceptable noise and nuisance. In light of the fact that the County Council's Noise Advisor has raised no objection to the scheme, and is satisfied that the development would not give rise to unacceptable levels of noise at the closest residential properties, I see no reason to refuse this application on the grounds of siting and design, and the implications of this on the amenity of neighbouring residents.

#### Highway and Access

53. The existing Academy site has 169 marked parking spaces, of which 3 are allocated for visitor parking. The parking provision for the proposed Academy of 159 spaces was calculated on the basis of the number of staff to be employed by the Academy and then applying the appropriate maximum parking standard, which for secondary schools is one space per member of staff plus 10%. The Academy proposes to employ 160 members of staff, which would equate to a maximum parking provision of 176 spaces. The proposed 159 spaces, although 10 less than currently on site, is within the maximum prescribed by Kent Vehicle Parking Standards and is considered to be acceptable by Kent Highway Services, especially when bearing in mind the Academy's Travel Plan target to reduce reliance on cars and encourage use of alternative methods of transport. However, the two proposed accesses to the site and the layout of the car parking areas have met with concern and objection from local residents.

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54. As outlined in paragraphs 11-13 of this report, two new vehicular access points are proposed. The main site entrance would be immediately to the east of the proposed plaza area, to the centre of the application sites frontage with Main Road. This main entrance would be used as the exit for staff, coaches and delivery vehicles, and the entrance and exit point for visitors and parents using the dedicated pick-up/drop-off facility. The second vehicular entrance would be located to the east of the site and would be used as a staff entrance and the 'in' for coaches and deliveries. 5 dedicated coach drop-off spaces would be provided to the front of the Academy building and, due to separate entrance and exit points, coaches would not have to turn on site. The main car parking area would be located between the building frontage and main road, between the two access points. Existing and proposed tree planting would aid in screening this car parking area from properties on the opposite side of Main Road, which would also be softened in appearance by further landscaping and planting. A car parking area is also proposed between the MUGA and the rear of two properties on Main Road. The site accesses and the car parking area between the MUGA and residential properties have met with objection from local residents on the grounds of highway safety, increased congestion, and residential amenity issues including noise, light and air pollution.
55. Local residents express concern that Main Road is a very busy road which has existing problems with congestion and speeding vehicles. However, this proposed development would not significantly increase the school roll; its purpose is to replace existing substandard accommodation to cater for the educational requirements of existing pupils. The vehicular access locations, sizes, turning radii and visibility splays have not met with objection from Kent Highway Services. In addition, apart from the crossing point proposed, no off-site highway works are required by Kent Highway Services. The applicant has submitted a Transport Statement and Travel Plan with this application, the content of which Kent Highway Services have considered and reviewed. On the basis that Kent Highway Services have not raised objection to the details provided, I consider the siting of the two access points to be acceptable in terms of highway safety, although, the impact of the access points upon residential amenity needs to be considered.
56. Objection has been raised to the eastern access point in particular with regards to proximity to neighbouring properties and the impact that this could have on residential amenity with regards to light, air and noise pollution. When this application was originally submitted the eastern site access was just over 12 metres from the boundary with the closest residential property. Following initial consultation, strong objection and concern was raised to the proximity of this access to residential dwellings, especially when bearing in mind the extended opening hours of the Academy facilities to accommodate community use. As a result of these objections the applicant amended the scheme and moved the access point by approximately 5 metres, resulting in an approximately 17 metre gap between the access point and the boundary. However, as a result of the access move displacing proposed car parking spaces, the amended details also proposed 11 car parking spaces immediately to the east of this access, extending to approximately 12 metres from the boundary. The amended details again met with objection and, following a discussion of these matters at the Members Site Visit, the applicant submitted further amendments to the scheme resulting in changes to the parking area.
57. The 11 car parking spaces adjacent to the eastern access have been relocated, increasing the planted buffer zone between the hardstanding and the site boundary by some 5 metres. In addition, the access point has been moved to the west by a further half metre, resulting in the access being approximately 18 metres from the sites

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boundary. Mitigation planting and a 1.8 metre earth bund, which would be landscaped and planted, are proposed in an effort to further alleviate the concerns of nearby residents. In addition, the applicant has confirmed that the Academy would manage the site access on an informal basis so that for out of school hours use the site would be predominately accessed through the western entrance. I consider that the applicant has taken all reasonable steps to amend the proposal to address the concerns of residents with regards to the positioning of the eastern access. The access point has been moved by approximately 6 metres, and mitigation planting and landscaping introduced, as well as restrictions of use. In light of this, and subject to conditions to cover the matters discussed above, I do not consider that the positioning of the eastern access would have a significantly detrimental effect on the amenity of neighbouring residents.

58. As outlined above, the proposed car parking area between the MUGA and the rear of numbers 84 & 86 Main Road has met with strong objection from the occupiers. It is considered that the car parking is too close to residential properties and would create noise, light and air pollution, having a detrimental impact on residential amenity. It is suggested that the car parking be relocated within the school site, maybe to the plaza area, and that by proposing car parking to the rear of numbers 84 & 86 Main Road the properties are essentially being placed in the centre of a roundabout.
59. When originally submitted, 50 car parking spaces were proposed in this area of the site, and the car parking was approximately 16 metres from the two closest properties. Following initial consultation and the receipt of strong opposition and objection to this area of car parking, the applicant introduced a bund and additional planting in the 'buffer' zone between the car park and the boundary. Following the members site visit, further amendments have been made to the car parking layout. Two bays have been removed from the eastern end of the car park to add increased distance from the eastern boundary and the adjoining care facilities for the elderly. In addition, the parking layout has been tightened, increasing the 'buffer' zone to the south of numbers 84 & 84 Main Road by approximately 2.5metres.
60. A total of 48 car parking spaces are currently proposed in this area of the site. The closest edge of the car parking area to the rear boundary of the gardens of number 84 & 86 Main Road is 18 Metres at its closest point, and 21 metres at the furthest point. From the rear elevation of number 84 the closest area of the car park would 22 metres away, and from the rear elevation on number 86 this distance would be 24 metres. Mitigation planting and a 1.8 metre earth bund, which would be landscaped and planted, are proposed in an effort to further alleviate the concerns of nearby residents. The car parking proposed is now over 21 metres from the rear elevation of the closest residential property, a distance which the Kent Design Guide deems to be acceptable for a window to window distance between an existing and proposed development.
61. In addition to the distance between the properties and the car park, and the mitigation planting and bunding proposed, the applicant has also proposed to introduce a restriction on use of this area of car parking, and a reduced scheme of lighting. The parking area to the rear of numbers 84 & 86 Main Road would be managed so that it would not generally be in use out of school hours. The Academy would, on occasion, need to use all of the parking, on parents evenings for example, but it is envisaged that this would be the exception and that for the majority of evenings solely the western entrance and car parking to the front of the school would be use. The applicant advises that use of the car park would be restricted and managed by a physical barrier. Details of the position, design and management of this barrier have not been provided at this stage and, therefore, I consider that further details should be submitted for approval pursuant to a condition of consent should permission be granted. In addition, the

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applicant has confirmed that the lighting of this area of the car park would use low levels bollards. This would result in a lighting level slightly less than recommended, but would reduce the impact upon neighbouring residents. In addition, this specific area of car parking would be on a separate lighting circuit so that it would not need to be illuminated with the remainder of the car parking when not in use.

62. The County Council's Lighting and Noise Advisors are both satisfied that the car parking layout as proposed would not have a detrimental impact on the amenity of neighbouring residents with regards to noise and light pollution. Given the measures undertaken by the applicant and the mitigation proposed, I am satisfied that subject to the imposition of conditions regarding landscaping and bunding, lighting, restrictions on use and details of the barrier, that the proposed car parking and site accesses would not have a significantly detrimental affect on the amenity of adjoining residents, to warrant refusing permission..

#### Cycle Provision

63. To the western boundary of the site, it is proposed to provide cycle parking, which initially would accommodate 20 cycles, but would be designed to allow for future expansion. The positioning of the cycle parking met with initial objection from an adjacent property as it would have obscured the view from their property and blocked the light into their living accommodation. It was requested by the adjoining resident that the cycle parking be moved to the north west corner of the site. This request was accommodated by a revision and the cycle parking is now proposed to be sited in the north west corner of the site, which is acceptable in my view in terms of residential amenity, whilst still working functionally. The Area Transportation Manager has raised no objection to this proposal, although it is requested that the cycle parking provision be reviewed annually and increased as necessary. In this instance that aim should be to have 20% of cycle spaces free at the start of each academic year. Therefore, should planning permission be granted, an annual review of cycle parking provision would be required as a condition of consent, which could be incorporated into the School Travel Plan.
64. In light of the above, I consider that the proposed development would not have a detrimental impact upon the local highway network. The applicant is providing sufficient parking, and has designed the car parking and access area to work operationally whilst minimising the impact upon the amenity of local residents. Therefore, subject to the imposition of conditions outlined in paragraph 51, and a review of the Travel Plan at regular periods, including an annual review of cycle parking provision, I see no reason to refuse this application of the grounds of Highway implications, access or car parking.

#### Landscaping and Biodiversity

65. As referred to above, the landscaping of this site is vital in mitigating the impact of the development on neighbouring residents and also the local landscape character bearing in mind the site's Green Belt location. It is imperative that mature and high quality trees are retained wherever possible, and protected throughout construction works, and that a scheme of substantial tree and shrub planting is provided should the application be permitted. As outlined in paragraphs 18-20 of this report, the application was accompanied by an Arboricultural Survey and Assessment and an Ecological Assessment. They concluded that the proposed location of the new building would necessitate the removal of a number of trees, predominately located on the bank between the upper and lower tiers of the site. It is proposed to retain all boundary planting, apart from where access points are to be created or trees are recommended for removal for safety or sound aboricultural reasons. Additional planting and



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landscaping is proposed to the site boundaries and throughout the site. As detailed above, the applicant has paid specific attention to mitigating the impact of the car parking and MUGA on the amenity of neighbouring properties by providing bunding and planting between the development and the sites boundary. The new planting would in my view be of significant benefit to the site and locality, as well as helping to absorb the new development into its surroundings.

66. The County Council's Landscape Advisor does not raise objection to this application, but would seek further details pursuant to condition, should permission be granted. In terms of the proposed roof material, my Landscape Advisor has suggested that the applicant amends the proposed roof material to better reflect the surrounding building materials and colours. Currently, the applicant has only provided indicative details of materials at this stage and is suggesting that a zinc coloured roof would be used. However, the applicant has been made aware of the suggestion that a 'living roof' would be more appropriate for the site, and would give further consideration to the roof material. It should be noted that details of all materials to be used externally would be required to be submitted pursuant to planning condition should permission be granted and, therefore, would be considered in more detail at that time. In addition, should permission be granted, a detailed scheme of landscaping and tree planting would be required pursuant to condition. This would include details of plant species, sizes and densities of planting. In addition if members were minded to permit the application, 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 that the landscaping aspects of the development are acceptable, and therefore, subject to the imposition of conditions, see no reason to refuse this application on landscape grounds
67. With regards to biodiversity issues, an Ecological Assessment was submitted with this application, which indicates that further survey work for protected species is required. Ecological surveys are seasonal in nature and the winter months are not generally recommended or suitable for this type of survey work. The applicant recognises that the required surveys need to be done and, as such, has commissioned surveys for reptiles, bats, badgers and birds. The applicant has submitted a schedule of these surveys with anticipated completion dates, which the County Council's Biodiversity Officer has considered. The County Council's Biodiversity Officer is satisfied with the information submitted and has accepted that the surveys can be submitted pursuant to condition. Therefore, should planning permission be granted, details of further survey work with regard to reptiles, bats and badgers and any subsequent mitigation and required enhancements, would need to be submitted pursuant to condition. In addition, a mitigation and enhancement strategy for the whole site would also be required pursuant to condition. The imposition of the required conditions would protect wildlife and mitigate against any negative impacts of the development, minimising any disturbance and/or risk to protected species as far as practicably possible. I therefore consider that these should form the basis of conditions of consent should permission be granted.

**Sport provision and community use**

68. This application proposes to build the new Academy and its associated facilities upon the existing school playing fields. The implications of this development upon sporting provision therefore needs to be assessed in the determination of this application. This application would result in a loss of playing field land and, therefore, it is necessary to consider whether the development would result in sufficient benefit to sport to outweigh the detriment caused by the loss of playing field. It is proposed to reconfigure the pitch layout on the remaining area of playing field within the constraints of the sites

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topography, to ensure no net loss of pitches. Furthermore, one additional mini football pitch would be accommodated together with 3 softball pitches. Sport England have summarised the existing and proposed pitch layout as follows:

<i>Existing pitch layout</i>	<i>Proposed pitch layout</i>
3 x U16 Football	3 x U16 Football
3 x mini football	4 x mini football
1 x rugby	1 x rugby
1 x hockey	1 x hockey
2 x cricket (artificial wicket)	2 x cricket (artificial wicket)
2 x 3 court MUGA	1 x 6 court MUGA
	3 x junior softball
Skills training area (on land to be disposed of)	

69. In addition, the applicant advises that in practice school use of the pitches at the far east of the site is limited due to the distance of these pitches from the existing sports changing facilities (400m/5mins walk). As a result of the proposed development all pitches would be within 400m/5mins walk of the proposed changing facilities, resulting in an improvement to the access of the eastern pitches. Existing hard play areas comprise two 3 court tarmac MUGAs, which are in a poor state of repair. This application proposes to replace these with a new 6 court MUGA, with a properly marked out polymeric surface. A wider variety of sports markings would be provided than at present, allowing a greater flexibility of use. The MUGA is proposed to be located adjacent to the proposed sports hall and associated changing facilities, and would be accessible to the school and the wider community. Sport England is disappointed that the floodlighting of the pitches has been withdrawn from the application as they consider that the omission of floodlights would significantly diminish the opportunities for community use, thereby reducing the overall potential benefit to sport. However, I consider that floodlighting of the MUGA is not currently acceptable in this location due to its potential impact upon the amenity of neighbouring residents and the wider landscape.
70. The existing internal sports facilities consist of one 4-court sports hall, with small fitness gym, a gymnasium, and male and female changing facilities. The applicant advises that these facilities are of sub-standard construction and specification, and in a poor state of repair. The proposed internal facilities consist of one 4-court sports hall, a gymnasium, an activity studio, dedicated teaching class space, equipment stores, and male and female changing facilities. The proposed sports hall would provide for 4 badminton courts, 4 cricket nets, basketball, volleyball and 5-a-side football courts. The hall would also be equipped with a sprung floor, division nets and storage space. Sport England considers this to be a significant improvement over the existing sports hall, which the School and Ofsted have described as 'little more than a covered playground'.
71. Sport England has given careful consideration to this development in the context of its own Policy Framework. On balance, Sport England concludes that the information provided by the applicant (including commitments to community use, sports development and improvements to the playing pitches) demonstrates sufficient overall benefit to sport to justify the development, considering the loss of playing field land. It should be noted, however, that this conclusion is finely balanced and is subject to the imposition of planning conditions regarding playing pitch layout, protection of existing playing fields, community use and future protection of new playing fields. Without the imposition of such conditions Sport England would raise objection to the planning application. Sport England has provided detailed planning conditions which cover the

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aspects listed above and, should permission be granted, these would be made conditions of consent.

72. 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. Sport England considers that community use of the development is critical to its success, and is a key factor in their decision to raise no objection to the application subject to conditions. Without community use it is not considered that there would be sufficient benefit to sport to outweigh the proposed loss of playing field. However, community use of the proposed facilities, and the implications of this, must be balanced against the impact upon the amenity of neighbouring properties. The amenity of neighbouring residents must in my view be protected and community use controlled to ensure minimal disturbance to neighbours.
73. In accordance with the conditions specified by Sport England, and in order to protect the amenities of nearby 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. These should be packaged as a Community Use Scheme and Sports Development Plan. The submitted details would be subject to consultation with relevant consultees to ensure that the proposed community use would not have an unacceptable impact on the amenities of the locality. Once 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. In addition, the mitigation described earlier in this report with regards to access, car parking and the MUGA, including planting, bunding and restrictions on use, should aid in mitigating the impact of community use of the facilities on the amenity of adjacent residents.

#### Flood Risk Assessment, drainage and contaminated land

74. The Environment Agency raises no objection to this application subject to the impositions of conditions. In accordance with the principles of PPS25 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 requires the imposition of a condition regarding the submission of further survey work concerning land contamination. 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 with the principles of Policy NR5 of the Kent & Medway Structure Plan. In addition, the Environment Agency's advice regarding foul and surface water drainage, and contaminated land could be covered by an informative.

#### Archaeology

75. An Archaeological Statement 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, a condition of consent be imposed.

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It is requested that no development takes place until the applicant has secured the implementation of a programme of archaeological work, and a programme of building recording, in accordance with written specifications and timetables. However, the existing school buildings to be demolished are not included within the development site and, therefore, in this particular case I do not consider it appropriate and/or necessary to require a programme of building recording. However, as works would be undertaken upon existing undeveloped land, a programme of archaeological work 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 condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Secured by Design

76. The applicant has undertaken discussions with the Kent Police Architectural Liaison Officer and it has been agreed that the development would adhere to Secured by Design requirements. 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 Structure Plan Policy QL1 in respect of 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

77. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. As outlined in paragraph 23, 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.

Construction

78. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and demolition for the academy project 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 good practice on school sites for contractors to be required under the 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.
79. 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. Should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter

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have to be undertaken in accordance with the approved strategy. It should be noted that due to site constraints and Sport England requirements to maintain playing field provision throughout the construction period, there are a few options on site to locate the construction compound and site. It may, therefore, need to be sited close to properties on Main Road.

80. 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.

**Legal Acts/Legislation**

81. Residents consider that this application is contrary to the principles of various acts and legislation, including the Human Rights Act. These acts seek to protect the rights of individuals, but clearly the individual interests raised by this development need to be balanced against the wider public interest. In my view these do not raise any overriding considerations in this particular case. However, the applicant has given careful consideration to the points of objection made by local residents, and has amended the application twice in an effort to address local concerns. In addition, I consider that the amenity of neighbouring residents has been addressed throughout this report and that various conditions would be imposed on the planning consent, should permission be granted, to mitigate the impact of the development on the amenity of adjoining residents. The application has been considered in terms of Development Plan Policies and guidance, and I consider that the development complies with the principles and objectives of such Policies, including those which are concerned with protecting residential and local amenity.

**Conclusion**

82. 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 and residential amenity. 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. Therefore, I recommend that the application be referred to the Secretary of State as a departure from the Development Plan, and that subject to her decision, permission be granted subject to appropriate conditions

**Recommendation**

83. I RECOMMEND that the application BE REFERRED to the Secretary of State as a departure from the Development Plan, and that subject to her decision that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

## Item D3

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- 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;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- provision of landscaped buffer zone adjacent to the eastern car parking area;
- measures to protect trees to be retained;
- habitat/biodiversity enhancement strategy, including monitoring and management;
- protection of badgers from construction activities;
- submission of protected species surveys and subsequent mitigation;
- no tree removal during the bird breeding season;
- development to accord with the recommendations of the ecological survey;
- details of fencing, gates and means of enclosure, including colour finishes;
- archaeological works;
- Secured by Design principles to be adopted;
- a BREEAM rating of 'Very Good' to be achieved;
- the playing field provided and marked out as shown on the proposed site plan;
- submission of a playing field improvement scheme;
- details of protective fencing to be erected around the existing playing field during construction;
- protection and future retention of playing fields;
- a community use agreement relating to use of the indoor and outdoor facilities, including hours of use;
- implementation and ongoing review of a revised School Travel Plan;
- development to be carried out in accordance with the FRA;
- further works with regards to contaminated land;
- noise restrictions on fixed plant;
- no flood lighting shall be erected on the multi-use games area, or elsewhere on the site, without the written permission of the County Planning Authority;
- 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 plan, including access, 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.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Longfield – DA/09/193**

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## APPENDIX 1

**PROPOSAL DA/09/913 – NEW ACADEMY, RE-PROVISION OF OUTDOOR PLAYING PITCHES, NEW 6 COURT MUGA, 160 CAR PARKING SPACES, DROP-OFF ZONE, LANDSCAPING AND ASSOCIATED ANCILLARY WORKS AT LONGFIELD ACADEMY, MAIN ROAD, LONGFIELD**

NOTES of a Planning Applications Committee site visit to Longfield Academy, on Tuesday, 21 April 2009.

MEMBERS PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr S J G Koowaree, Mr J F London, Mr J I Muckle and Mr A R Poole.

OFFICERS: Mrs S Thompson, Mr J Crossley and Miss M Green (Planning); and Mr A Tait (Legal and Democratic Services).

DARTFORD BOROUGH COUNCIL: Mr A Lauder (Planning)

LONGFIELD AND NEW BARN PARISH COUNCIL: Cllr Mrs J Macdonald and Cllr P Stevens.

THE APPLICANTS: Leigh Academy Trust (Mr F Green, Chief Executive); Longfield Academy (Mr N Willis, Head Teacher); Jestico and Whiles (Mr J Thatham and Mr B Masten); DHA Planning (Mr D Hicken and Ms L Leatherbarrow); Carillion (Mr D Egon.)

ALSO PRESENT were some 15 members of the public.

(1) The Chairman opened the meeting. He explained that its purpose was for the Committee Members to familiarise themselves with the site and to listen to the views of interested parties.

(2) Miss Green introduced the application by saying that Longfield Academy had been operating as an Academy since September 2008 in the buildings of the former Axton Chase School. Longfield Academy would form a Hard Federation with the Leigh Academy, sharing a single overarching governing body and one Chief Executive/Executive Principal. The Leigh Academy Trust had already built the academy at Leigh in Dartford in 2007. This application proposed the second of the two Academies.

(3) Miss Green went on to say that the Dartford Borough Local Plan and Local Plan review showed the application site to be within the Metropolitan Green Belt. The application had therefore been advertised as a Departure from the Development Plan. It would need to be referred to the Secretary of State for her consideration the Committee was minded to grant permission.

(4) The original application had proposed floodlighting to the Multi Use Games Area. Strong objection had been raised to the floodlighting element of the proposal; the proposed vehicular entrance to the east of the site; and to the proximity of car parking to neighbouring properties. As a result of these points of concern and objection, the applicant had recently submitted amendments to the proposed scheme. The amended proposal was outlined within the briefing paper, which had been circulated before the meeting. The amendments consisted of the eastern access road being relocated further to the west, increased screening and modified lighting scheme for the car parking area, as well as the introduction of restrictions on use of areas of the car parking. In addition, the floodlighting to the MUGA had now been omitted, with the MUGA being slightly relocated to allow for additional

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screening. It was the revised proposal which would be the subject of discussion at this site meeting.

(5) Miss Green went on to say that the new Academy would accommodate 1,150 pupils, aged 11-19. The site would contain the new academy building, parking for 160 cars and 20 cycles (with provision for future expansion), parental and coach drop-off, a six court MUGA, playgrounds and external grassed pitches. The building would be located in the centre of the lower terrace of the main site, which would be accessed via Main Road. A new pedestrian plaza would extend from the road to the entrance of the building. The building frontage would be set approximately 40 metres back from Main Road, behind the existing tree line. The main entrance to the site, cycle parking and the plaza would be located at the western end of the site, and the MUGA, sports hall and car parking on the eastern side. Car parking would also be provided to the front of the academy building, as would pick-up and drop-off facilities. Existing playing fields to the south would be retained.

(6) Miss Green then said that when the school was in use, the intention was for the pedestrian plaza to provide a run-off/milling space for students before they reached the road. Outside school hours it would have the potential to be a community facility for events such as fetes. This semi-public space would be open when the Academy was open, ensuring that the building would feel a part of the community.

(7) Two new vehicular access points were proposed. The main entrance (for visitors and parent drop-off) would be located immediately to the east of the entrance plaza, to the centre of the site's frontage with Main Road. The second vehicular entrance would be located to the east of the site, and would be used as a staff entrance and for incoming coaches and deliveries. This eastern entrance would be approximately 17 metres from the boundary with the nearest residential property (Number 84 Main Road). Car parking immediately to the east of this access point would be approximately 12 metres from this boundary. Coaches and deliveries would then exit the site through the visitor entrance to the west, avoiding the need for any dedicated turning area on site. The applicant had confirmed that the Academy would manage the site access on an informal basis. This meant that car parking for out of school hours use would mainly be accessed through the western entrance.

(8) Miss Green went on to describe the parking arrangements. The proposal was for 160 car parking spaces, including 12 disabled parking spaces. These would be located in two areas. The first area would be between the building frontage and Main Road. The second would be between the MUGA and to the rear of Numbers 84 and 86 Main Road. This second car parking area would be located approximately 21 metres to the south of the rear elevation of the closest residential property, and would be separated by existing planting and by proposed additional planting and bunding. The applicant had advised that the car parking adjacent to the MUGA would not be used under typical circumstances out of school hours and that this would be managed by a physical barrier. In addition, lighting to this area of the car park would be at a lower level than the remaining car parking. It would also be on a separate lighting circuit from the rest of the car parking area, so that it would not need to be illuminated when it was not in use.

(9) Miss Green explained that the proposed two storey building had been designed so that the community facilities such as the sports hall, theatre and dining area would be located along the northern frontage, where they would be both visible and accessible to the community. The Colleges and specialist teaching spaces would be provided to the south of the building, in three separate 'fingers' of accommodation, which would open to the



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landscape. The first floor of the two storey building would be directly linked to the upper terrace of the site by three small bridges, which would double as curriculum spaces.

(10) The entire building would be two storeys in height with a gently pitched roof. It had been designed to incorporate the mass of the Sports Hall within it. The form of the frontage to Main Road would follow the curve of the road. The maximum height of the building would be approximately 12 metres. The Colleges to the rear would have a flat roof around the perimeter and a pitched roof in the centre. The frontage of the building would be clad predominately in a local brick with plenty of variegated colour and texture. A zinc coloured roof was also proposed. The Colleges on the south side of the building would have a different context, form and purpose, which would be reflected in their elevational treatment.

(11) The Multi Use Games Area would be located to the east of the site, adjacent to the external pitches, internal sports hall and changing facilities. The 6 Court MUGA would support a variety of hard surfaced sports, and would be intrinsically linked with the sports hall and changing facilities. An area of hard playground would be located between the MUGA and the school buildings. The existing sports pitches to the upper terrace would remain as they currently were, apart from some minor alterations to markings and orientation.

(12) The proposed landscape plan had sought to maximise the sports provision on site, whilst maintaining the existing tree lines and landscape features. However, some of the existing trees which straddled the level changes on site would have to be removed to accommodate the proposed building. Planting to the site boundaries would however be retained and enhanced where required.

(13) Miss Green said that a key aim of the project was to enable community use of the Academy's facilities. The performance hall, sports centre, gallery and dining hall had all been positioned in the layout where they could most easily be accessed by the community. The learning spaces of the Academy, such as the classrooms and specialist centres would all be available outside normal school hours for community learning and extended school provision (subject to appropriate management.) The 6 court MUGA and the sports pitches would be used extensively by the community out-of-hours. The plaza would have the potential to be used as a village square for community events.

(14) Miss Green explained that the amended proposal had only recently been sent to consultation. For this reason the consultee responses and letters of representation summarised within the briefing note related to the original application and not to the amended details. The points of objection raised by local residents to the initial proposal were summarised on pages 20, 21 & 22 of the briefing note.

(15) Miss Green added that a further 9 letters of objection from 5 neighbouring properties had been received in relation to the amended proposal. These welcomed the amendments but still objected on the grounds of extensive community use, noise, light and air pollution, access and car parking and the proximity of the development to neighbouring properties. The belief was expressed that the views of Sport England had heavily influenced the development to the detriment of local residential amenity. In addition, the Green Belt location of the development was considered to be sufficient reason in itself to warrant refusal of the application. These points of objection would be summarised in more detail within the Planning Applications Committee Report.

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(16) Miss Green concluded her presentation by saying that negotiations with various consultees (including Sport England) were ongoing. The outcome of these negotiations would also be summarised and discussed within the Planning Applications Committee report.

(17) Mr Hicken (DHA Planning) said that Miss Green's summary of the application had been accurate. He wished to stress that outline permission had previously been granted for the academy and that (although this permission had now lapsed) the issues of principle had therefore already been considered.

(18) Mr Anderson informed the meeting that he lived in the property at 84 Main Road. This and the neighbouring property (number 86) would be bordered by the proposed staff vehicular entrance and parking spaces to the west and by other spaces as well as the MUGA to the south. He said that he had written to all Members of the Committee and asked whether his comments would be fully recorded in the report or simply take the form of a very brief summary.

(19) The Chairman replied to Mr Anderson by saying that he could have his correspondence included in full as an appendix to the report.

(20) Mrs Macdonald (Longfield and New Barn PC) asked why the development was not being proposed for the current school site. She also said that she was not aware that the amendments to the application had been sent to her Parish Council. They were not included in the Parish Council agenda papers for 28 April. *(Miss Green said that the amendments had been sent to all consultees, including the Parish Council some three weeks earlier.)*

(21) Mr Ramsey from 86 Main Road said that he had written to the Planners to express his concerns over the impact on the Green Belt as well the effect on 84 and 86 Main Road. He said that he welcomed the westward movement of the vehicular entrance nearest to the two properties, but that he was very disappointed indeed that the applicants had now proposed to make use of the resultant space by incorporating an additional 11 car parking spaces on the boundary of the two properties.

(22) Mr Ramsey went on to say that the two properties were already bordered by Main Road to the north. A housing development was now taking place to the east. The proposal was to have an entrance and parking spaces to the west with a MUGA and more parking spaces to the south. The net effect would be as though the two properties were suddenly to find themselves in the middle of a roundabout. This effect would be compounded by the noise from the MUGA, the pollution from the vehicles.

(23) Mr Ramsey then said that the initial proposal had been for the MUGA to be located in the southern part of the site. This had now been brought right up to the southern boundaries of the two properties. He believed that the reason for this was that Sport England would be providing money for the project out of the Lottery Fund. They therefore seemed to have an enormous influence on Kent County Council, to the detriment of the amenity of the local residents. He asked how much funding Sport England was providing for the project.

(24) Mrs Thompson (Head of Planning Applications Group) explained that the Planners would not be aware of the applicants' funding stream. They and the Planning Applications Committee Members were duty bound to consider the planning merits of the application that was submitted to them.

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(25) Mr Green (Chief Executive of the Leigh Academy Trust) informed the meeting that the Academy Trust was an independent body. Overall responsibility for the construction of the Academy rested with the LEA but the responsibility for the design lay with the Trust. Funding for the building came from the DfE and from the Trust itself. Sport England did not provide any funding at all. Sport England did, however, have to approve the location of the sports pitches within the site before any permission could be granted.

(26) Mr Green then said that the Trust had done its best to keep the proposal in line with the lapsed outline permission granted in 2005. It had wished to locate the MUGA in the western part of the raised area in the southern half of the site. Sport England had insisted on its currently proposed location in order to encourage community use. Other amendments had been made in order to address the concerns raised by the local community. These had included the withdrawal of the floodlighting element. Sport England had raised an objection to this withdrawal.

(27) Mr Ramsey asked why the Trust could not simply move the MUGA back to its originally proposed location since Sport England was objecting anyway. Mr Hicken (DHA Planning) said that this was because Sport England was actually in a position to effectively veto the development if it did not agree with the location of the MUGA itself.

(28) Mrs Sectum from the nearby Hazlewood Nursing Home asked whether there was any likelihood of a future application to install floodlighting for the MUGA. If so, this would be a major concern for the Home, particularly in the winter months when the trees would not be in leaf. Lighting at night time caused problems for dementia sufferers.

(29) Mr Green said that he could give a personal assurance that there would be no such application whilst he was the Chief Executive of the Trust. He appreciated that this was not the assurance that Hazlewood Nursing Home was seeking, but it would be beyond his powers to go beyond that. The reason that the floodlighting element had initially been included was that Sport England had asked the Trust to do so. It had been withdrawn as a result of the clearly expressed views of the local community. The Trust would not seek to reinstate that element because it had actually not really wanted to include it in the first place.

(30) Members walked eastwards to the location of the proposed vehicular exit. A local resident who lived opposite this point said that Main Road was one of the busiest B Roads in Kent. This was particularly the case between 4pm and 7pm. She did not believe that vehicles exiting the site would be seen by oncoming traffic or indeed see it themselves.

(31) Mr Hicken said that the exit point had been carefully considered by Kent Highways Services, who had raised no objection.

(32) Mr Crossley said that the exit point would be located some 4 metres behind the tree line, rather than at the points marked out by the fence.

(33) Members then walked further east to the location of the proposed vehicular entrance point and eastern car park. Mr Crossley pointed out the exact line where parking would take place and explained that the long jump pit would be removed. He said that there would be additional screening between the car parking spaces and the neighbouring property (Number 84).

(34) Members then walked south east onto the area of the proposed MUGA (whose boundaries had been marked out with pegs). Mr Crossley said that the neighbouring

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properties (84 and 86) would be screened by additional planting and a bund. This would also provide sound deflection.

(35) Mr Ramsey said that he was concerned that people would climb the bunding and look into the two properties, which would therefore lose their privacy.

(36) Mr Masten (Jesticco and Whiles) said that the planting on the bunding would be of the acanthus genus, which would discourage climbing.

(37) Mr Anderson asked where the physical barrier would actually be placed as he could not see it in the plans. Miss Green replied that the details were still awaited.

(38) A local resident asked what measures were proposed to combat anti-social behaviour, such as had been taking place in Longfield village recently.

(39) Mr Masten replied that the entire site would be protected by fencing, whilst the gates would only be open when the Academy itself was in use. Further protection would be provided by the installation of CCTV cameras in the car parking area.

(40) Mr Ramsey asked Members to accompany him to a point opposite his house (Number 86). He pointed out the site of the housing development to the east and repeated that the best description of the effect on the two properties was that of two houses in the middle of a roundabout. He fully accepted that the proposed development was worthwhile in principle but said that it had gone too far in relation to the two properties. He believed that this could be mitigated by moving the car park and the MUGA. Even a reduction in the number of courts from 6 to 4 would facilitate an improvement. As things were, the view from his property would be unacceptably restricted on all sides, with no open space at all to look at. This would make life unbearable.

(41) Mr Masten said that the number of courts on the MUGA (6) was a statutory figure based on the number of pupils attending the Academy.

(42) The Chairman thanked everyone for attending. The notes of this meeting would be appended to the report to the determining meeting of the Planning Applications Committee.