

**Single storey extension to provide additional teaching space, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at Seal C of E Primary School, Zambra Way, Seal, Sevenoaks -**

A report by Head of Planning Applications Group to Planning Applications Committee on 13<sup>th</sup> July 2016.

Application by Kent County Council Property & Infrastructure Support for internal alterations and refurbishment of the existing school, and the provision of a single storey extension to provide additional teaching and circulation space, car park extension and landscape improvements to enable the school to expand from 1 form of entry to 2 forms of entry at Seal C of E Primary School, Zambra Way, Seal, Sevenoaks, TN15 0DJ - SE/16/01043/KCCREG3 (KCC/SE/0055/2016)

Recommendation: The application be referred to the Secretary of State for Communities and Local Government, and subject to his decision, that planning permission be granted, subject to conditions.

Local Member: Nick Chard

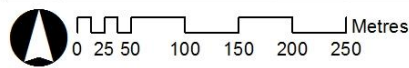
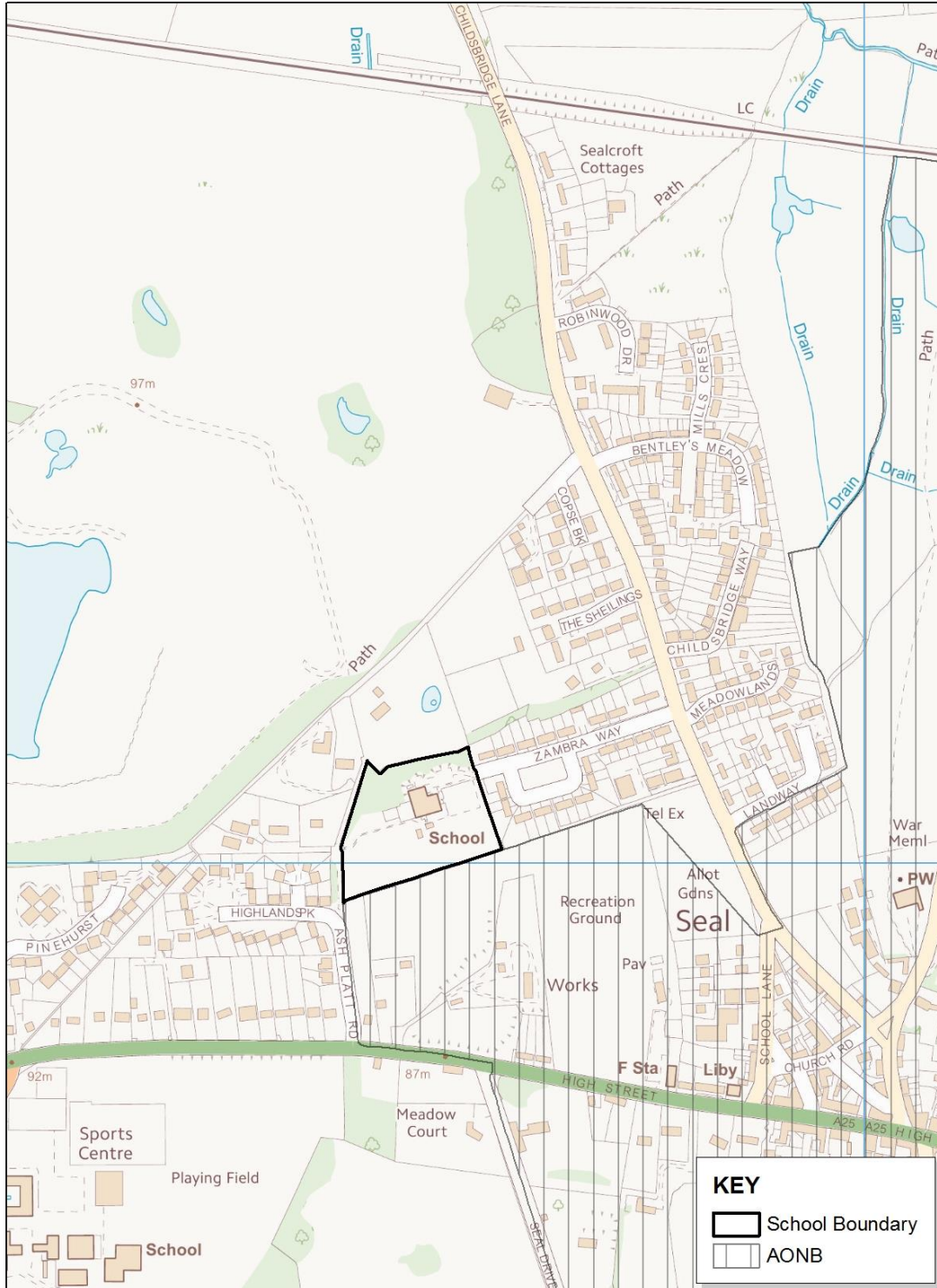
Classification: Unrestricted

**Site**

1. Seal Primary School is a single storey building which is located at the end of a cul-de-sac in the village of Seal. The existing building is constructed with brickwork and rendered blue panels under a flat roof, with white fascia's, windows and doors. The school is located in a central position within the school site, behind the hard surfaced playground. The playing fields lie to the south of the school and the site is well screened along the boundaries, including a wooded area to the north. Three temporary mobile classrooms are located on site, to the south and south-west of the main building and an area of staff parking (28 spaces) is located to the north of the school, accessed from a single vehicular entrance off Zambra Way. The access is gated and there are zig-zag keep clear markings outside the school gates. Zambra Way is a residential cul-de-sac, with semi-detached two storey properties located in a regular pattern around a small green. A secondary pedestrian only access to the school is provided from Ash Platt Road to the west, after its junction with Highlands Park, where it becomes a single width unmade road. Ash Platt Road is accessed from the A25 and serves a number of detached properties, but also provides access to Highlands Park which is a residential cul-de-sac of 26 properties.
2. The school lies outside of the settlement boundary of Seal, within the Metropolitan Green Belt and adjacent to the Kent Downs AONB, which meets the school's southern boundary. On a wider scale the village's recreation ground and community centre lie to the south-east of the school, accessed from the A25 Seal Road. The community centre has a car park and a pedestrian footpath which runs between this and Zambra Way. This recreation ground falls within the Seal Conservation Area which extends further to the south-east.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

**General Location Plan**



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**Background**

3. The KCC Education department has provided details of the need for more primary school places in the Sevenoaks District in support of this planning application. Within the Sevenoaks Planning Area they state that there is barely sufficient capacity to accommodate existing and future demand for primary school pupils, creating no scope for parental preference. The number of first preferences for school places far exceeds the number of places available at existing facilities. In the absence of new school facilities in key conurbations within the Sevenoaks area, Kent County Council as education provider would be unable to fulfil its role in providing sufficient primary school spaces and being able to accommodate school preferences of families within these areas.
4. The Education Authority has undertaken an assessment of all the schools in the areas of current or forecasted demand and provided in their statement the reasons why these schools could not be progressed for expansion in lieu of Seal Primary. These schools included Lady Boswell's CE Primary, St Thomas Catholic Primary, St John's CE Primary, Sevenoaks Primary, Riverhead Infants Primary, Kemsing Primary, Dunton Green Primary, Otford Primary and Chevening St Botolph's CE Primary. In summary they consider these schools were either constrained through lack of space on site, in an area where the demand is not highest, already recently expanded by a form of entry or where there are significant highway issues. In addition they note that Knole Academy and Trinity School were not considered for an all-through proposal (i.e. primary through to secondary on the same site) as the Kent Commissioning Plan has identified future secondary school pressures and therefore the available space is required to be used for secondary school expansions over the next 5 years. However, it should be noted that basic need School places have been provided at Lady Boswell's, Otford and other primary schools in the Sevenoaks area.
5. In summary they state that Seal Primary is located in close proximity to the area of greatest need; there is sufficient size on site to accommodate an extension; OFSTED have rated the school "Good", which provides a strong platform on which to expand; and the school would be well placed for collaborative working with the relocated Trinity School and the establishment of the Weald of Kent satellite. The local concerns about congestion and inappropriate parking during drop off and pick up are acknowledged, but the Education Authority state that such challenges are a feature found at every primary school in Sevenoaks and would have to be managed in any location. The school has been temporarily expanded to a 2FE for the past 2 years and a permanent solution is now required.

**Recent Site History**

6. The planning history for the school includes a number of applications over the past 8 years for various temporary mobile classrooms, and their subsequent retention, including the most recent application in August last year (2015) for the demolition of 4 prefabricated units and their replacement with two mobile classrooms for a period of 18 months. This application was submitted to address a shortfall in accommodation at the school whilst the application for a permanent solution was sought.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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**Proposal**

7. The application seeks approval for a single storey extension to provide classroom space for an additional form of entry, expanding the school from 1FE to 2FE. The extension would be linked to the existing school by a glazed link and would be located to the east of the main school (towards Zambra Way) in the location of the existing playground. There would be internal stairs and a platform lift in the link to overcome the level differences between the existing and proposed buildings. The extension would accommodate 9 new classrooms, staff and pupil toilet facilities, space for children with Special Educational Needs to be supported, and a self-contained nursery, with its own toilets, kitchen, sleep room and entrance. Each classroom would have direct access to the outside, and a colonnade with canopy over would be provided on the southern side facing in towards the new playground. The existing school would also have a small extension added by the main entrance to provide additional staff and administration office space, and a further small extension to one of the classrooms on the western side of the school to provide additional toilet facilities and storage. Internal alterations within the existing building would help create an enlarged school hall to improve the indoor area available for sports, and the subdivision of an existing classroom to create an open plan library and area for group learning.
8. The extension has been designed with an L-shaped footprint, with two wings. The extension would be clad in vertical timber boarding with coloured window reveals and the proposed windows and doors would be a dark grey powder coated aluminium. The extension would have a zinc standing seam roof, with a mono-pitch design, and the rainwater goods and flashings would be powder coated aluminium. The southerly projecting wing would have a permeable corridor giving access to two classrooms, and this would also use the vertical timber boarding but with a hit and miss design and of two different thicknesses to reflect trees in a forest. This permeable corridor would allow ventilation through to the classrooms and also solar shading to avoid overheating on the south facing elevation. Full height glazing is included to provide high levels of natural light. The existing school is also proposed to be re-clad in timber boarding to match the new extension.
9. The two mobile classrooms currently located to the south of the existing school would be removed and a new hardsurfaced playground created in this area which would include an unfenced MUGA surface with court markings. The nursery would have its own external space located to the south of the extension. Paved access would be provided round the whole of the extension. The existing prefabricated building located to the west of the school would be retained and the playing fields laid out to the south of this. Additional planting is proposed along the eastern boundary of the site where the school meets the rear gardens of the properties in Zambra Way. A total of 6 trees are proposed to be removed from the site to accommodate the extension.
10. It is also proposed to alter and reconfigure the parking area at the north of the site to accommodate additional staff parking spaces and 1 minibus space. In total 46 car parking spaces would be provided (currently there are 28) which would include 2 accessible parking spaces. The access to the site would remain unchanged – vehicular and pedestrian access from Zambra Way and pedestrian only access from Ash Platt Road.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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**Planning Policy**

11. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:

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

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

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

- Consideration of whether the opportunities for sustainable transport have been taken up; safe and suitable access to the site can be achieved for all people; and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe;
- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- The desirability of sustaining and enhancing the historic environment;
- The great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools;
- That the development has taken into account the importance of protecting the Green Belt, assessed the development against the exceptions provided and provided a case for any very exceptional circumstances;
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.

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

- (ii) **Sevenoaks District Core Strategy (February 2011)**

**Policy L08 The Countryside and Rural Economy:** Seeks to maintain the extent



**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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of Green Belt, and conserve and enhance the countryside, including the distinctive features that contribute to the special character of its landscape and its biodiversity. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting, will be conserved and enhanced.

**Policy SP1 Design of New Development and Conservation:** Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity. Account should be taken of guidance adopted by the District Council in the form of Conservation Area Appraisals and Parish Plans, amongst other matters. The Districts heritage assets and their settings, including listed buildings, conservation areas, historic buildings, archaeological remains, landscapes and outstanding views will be protected and enhanced.

**Policy SP2 Sustainable Development:** Sets standards for sustainable design and construction. Institutional development will be required to achieve a BREEAM rating of at least 'very good'. In order to achieve this, the proposal will be expected to demonstrate 10% energy savings through renewable sources.

**Policy SP10 Green Infrastructure, Open Space, Sport and Recreation Provision:** Promotes the provision of multifunctional green space by linking existing green space areas. The Policy also seeks the retention of open space, sports and recreational facilities, including indoor facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.

**Policy SP11 Biodiversity:** Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity.

**Sevenoaks Allocations and Development Management Plan (February 2015)**

**Policy EN1 Design Principles:** sets out the need for high quality design and for proposals to meet criteria including: responding to scale, height and materials; respecting the topography and character of the site and any sensitive features; not result in the loss of buildings or open space that would affect the character of an area, provided satisfactory means of access and parking provision; include opportunities for increasing biodiversity potential, including sustainable drainage and to avoid harm to existing biodiversity; create a permeable layout; safe and easy access for those with disabilities; creation of a safe and secure environment to deter crime and fear of crime; include modern communication technology and infrastructure; and make efficient use of land.

**Policy EN2 Amenity Protection:** Proposals should provide adequate residential

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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amenities for existing and future occupiers of development, and safeguard amenities of existing and future occupiers of nearby properties by ensuring development does not result in excessive noise, vibration, odour, activity, vehicle movements, overlooking or visual intrusion and where it would not result in a loss of privacy or light.

**Policy EN5 Landscape:** Sets out that the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings will be given the highest status of protection. Proposals that affect landscape throughout the District will need to conserve the character of the landscape including areas of tranquillity.

**Policy GB8 Limited Extensions to Non Residential Buildings in the Green Belt:** Proposals to extend an existing non-residential building within the Green Belt which would meet the following criteria would be permitted – (a) the existing building is lawful and permanent in nature and (b) the design and volume of the proposed extension, taking into consideration the cumulative impact of any previous extensions, would be proportional and subservient to the original building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.

**Policy T1 Mitigating Travel Impact:** Sets out the need to mitigate against adverse travel impacts including their impact on congestion and safety, environmental impact such as noise, pollution and impact on amenity and health.

**Policy T2 Vehicle Parking:** Sets out that vehicle parking provision, including cycle parking, for non-residential developments should be in accordance with the advice of Kent County Council as Local Highway Authority.

**Consultations**

12. **Sevenoaks District Council** Object on the grounds that the development would be inappropriate and harmful to the maintenance, character and openness of the green belt, contrary to the NPPF, Policy GB8 of the Sevenoaks District Council's Allocation and Development Management Plan (ADMP) and Policy L08 of the Core Strategy. No special circumstances have been advocated that could clearly outweigh the harm to the Green Belt. In addition the application has failed to address the parking requirements and highway impact of the proposals, contrary to Policies T1 and T2 of the ADMP.

**Seal Parish Council** objects to the application on the grounds that 'very special circumstances' for development in the Green Belt have not been demonstrated; the growth in traffic and the need for additional parking would result in severe congestion; the construction process would impact nearby residents; and the amenity of the nearest dwellings would be affected by the extension. They furthermore suggest the Statement of Community Involvement is inadequate; that the education justification is unclear as Dunton Green School appears to be a viable option other than due to funding; and query the accuracy of the Transport Assessment. (This is a summary of the extensive

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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comments received.)

**Sevenoaks Town Council** raises no objection subject to a satisfactory solution for parking and traffic issues being provided and a reduction to the speed limit section of the A25 from 40mph to 30mph.

**KCC Landscape Officer** states that adverse impacts on the AONB, the Green Belt, local landscape character and visual impact would not be significant if a suitable landscape scheme is provided, secured by condition.

**KCC School Travel Planner's** views on the recent draft School Travel Plan will be reported verbally at the committee meeting.

**KCC Biodiversity Officer** raises no objection subject to the imposition of conditions relating to mitigation for reptiles set out in the ecological report, securing the ecological enhancements set out in the report, and informatives relating to bats and lighting and carrying out works outside of the breeding bird season.

**KCC Archaeological Officer** consulted but no comments received.

**The Environment Agency (Kent Area)** has no comments to make as the site lies within Flood Zone 1 (lowest area of flood risk).

**Sport England** objects as the proposal would lead to the loss of land being used as a playing field, and does not accord with any of the exceptions of its Playing Fields Policy.

**KCC Sustainable Drainage Officer** raises no objection subject to the imposition of a condition requiring the submission of a detailed surface water drainage design.

**KCC Highways and Transportation Officer** states that whilst the future conditions on the road network are likely to be worsened as a result of this development, he is not able to conclude that it would result in conditions that could be described as 'a severe impact on congestion or safety', particularly when such impacts only occur for short periods during the morning and afternoon and only during school term time. The Highways Officer suggests that the key to managing the increased number of cars dropping off and picking up pupils in the vicinity of the school will be the Travel Plan, which should be revised and approved prior to any construction work commencing. A condition for a Construction Management Plan would also be needed.

**Local Member**

13. The local County Member, Nick Chard was notified of the application on 6<sup>th</sup> April 2016.

**Publicity**

14. The application was publicised by the posting of two site notices (one at each entrance to the school), an advertisement in a local newspaper, and the individual notification of 61 residential properties.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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**Representations**

15. In response to the publicity, 27 letters of representation have been received from 26 different properties. The key points raised can be summarised as follows:

- Pre application consultation process with local residents was poor;
- New pupils will not come from Seal or walk to school, but would be driven and a lack of parking proposed for additional staff and parents;
- Present roads and rudimentary parking arrangements are already full and parking haphazard, nose to tail, and on the pavements;
- Increase in school size will exacerbate an existing dangerous situation in terms of parking and congestion; with inconsiderate parking by parents who block or even park on resident's driveways;
- Green area in the centre of Zambra Way being ruined by cars;
- Proposal represents a serious health and safety risk for children and their parents, and an inconvenience to residents; suggest the school needs an alternative access and that with suitable infrastructure would not object to the expansion;
- Do not agree with the Transport Statement where it suggests that there is sufficient parking capacity within the local road network and that no additional parking is required; Transport Assessment does not take into account the new dropped kerbs and those applied for by residents in Zambra Way, and the impact this will have on the number of parking spaces
- Secondary pedestrian access is off a private road (spur off Ash Platt Road) and should not be used; introducing double yellow lines in Highlands Park and Ash Platt Road will not create any additional parking but would reduce available areas to park to the detriment of residents; and nowhere to turn legally for cars once they have entered Ash Platt Road;
- Suggest using the area of scrubland south of the telephone exchange as additional parking for the school;
- The previous and new Travel Plans do not work, and problems date back to 2009 when the school was a lot smaller;
- Inconsiderate parking could affect emergency vehicles getting to residents in Zambra Way, as could the proposed parking bays;
- Suggest school site is large enough to accommodate a drop off and collect car park;
- Parking restrictions should be imposed straight away rather than waiting for the school expansion;
- Traffic Assessment does not take into account traffic for the care home currently being built near the entrance to Ash Platt Road and traffic from Trinity School and the new grammar annex nearby, and suggest a holistic approach for traffic in the area is needed;
- Seal Parish Council should be compelled to use a portion of the Recreation Ground to create a safe solution in the same way that Ightham Parish Council have; the Recreation Ground car park not as busy as the Parish Council suggest – really only busy at the weekends when the school is closed and could be extended to create more spaces;
- Alternatively a new car park should be created on land off Ash Platt Road, or on the Biffa infill land fronting the A25, which could be shared with the Trinity and new grammar school;
- The spur off Ash Platt Road is not fit for school traffic, being too narrow, with poor lighting, and Ash Platt Road floods regularly;

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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- Need to reduce the speed limit from 40mph to 30 mph on A25 to encourage walking to school.

**Discussion**

16. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 11 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the 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.
17. This application is being reported for determination by the Planning Applications Committee due to the objections raised by the District Authority and Parish Council, the objections received from Sport England, and the neighbour representations received. In my opinion, the key material planning considerations in this particular case are the principle of development in this location in relation to the Green Belt and AONB, the siting and design of the proposed extension in terms of its built form; its siting which results in the loss of part of the playing field, and the highway and traffic implications of the school expansion on the surrounding roads; and the subsequent amenity impacts of this for neighbouring residents.

**Principle of Development**

18. Sevenoaks District Core Strategy Policy L08 seeks to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances and this aim is reflected in Policy GB8 of the Sevenoaks Allocations and Development Management Plan Document – the details of these policies are set out above in paragraph 11. The NPPF, section 9, paragraph 80 states that the Green Belt serves five purposes:
  - a. to check the unrestricted sprawl of large built up areas;
  - b. to prevent neighbouring towns merging into one another;
  - c. to assist in safeguarding the countryside from encroachment;
  - d. to preserve the setting and special character of historic towns; and
  - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
19. The NPPF further states that “as with previous Green Belt Policy, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances”. The NPPF does not explain in any detail what “very special circumstances” means, but does go on to say “very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”. Any built development within the Metropolitan Green Belt which affects the openness of it would be contrary to planning policies.
20. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, in my view the proposals would not meet these exceptions and the development is, therefore,

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and it is for the applicant to demonstrate why permission should be granted with regard to planning policies and other material considerations. 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.

21. A 'Planning Statement' was submitted in support of this application, which included a Green Belt Statement setting out why the applicant considers it is justified to set aside the general presumption against what would be inappropriate development in the Green Belt. The applicants have provided an assessment of the sites contribution towards the purposes of the Green Belt to assess the impact of the proposal on the fundamental aims of the Green Belt policy. They have also provided an assessment of how the extension would impact on the openness of the Green Belt and then set out the 'Very Special Circumstances' they consider apply to the proposal.
22. With regard to the first of the fundamental aims of the Green Belt, the applicants suggest that the extension would not be considered as urban sprawl as it is a single development located in an area with a fragmented settlement pattern, sitting within a well-defined site, enclosed by existing landscaping and where further development could not be unrestricted. The development would be infill development on an existing developed site, largely enclosed by and concealed by natural landscape features. In this regard it would have limited effect on the aim of restricting sprawl of large built up areas and the separation of urban settlements. The second aim of the Green Belt designation is that it is designed to restrict villages merging into each other, and in this case the school sits in an identified gap between Seal village and Greatness to the west. Although it falls within a gap, the school extension would be entirely enclosed within the school's existing fixed boundaries and the applicants therefore suggest that any development on this site would not lead to coalescence in either physical or visual terms. The third aim is to safeguard the countryside from encroachment. The applicants suggest the school would be considered as more urban than rural given its function as a school. The established tree boundaries of the school provide a distinctive landscape character for the site. In particular they state the northern boundary, where there are Tree Protection Orders, changes in levels, and where the 'Forest School' is located would create a fixed boundary which would prevent encroachment into the open countryside beyond the site. The fourth aim is to preserve the setting and special character of historic towns, and the applicants suggest that the development would not affect this aim as the extension would be shielded from wider landscape views due to the established boundaries and that the design would be sympathetic to the site's woodland setting and would simply consolidate the buildings already on site. Finally development in the Green Belt should be restricted to encourage the recycling of derelict or other urban land. In this instance the applicants suggest in the absence of other suitable and viable sites, this site should be maximised to assist with immediate and projected demand. Further assessment of the alternative sites was provided by the applicants in the special circumstances section below.
23. Having considered the arguments given by the applicant in relation to the 5 fundamental aims of the Green Belt, I consider that their assessment is accurate. Development in this location would not affect the fundamental aims of the Green Belt policies and

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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planning guidance due to the fact the extension would be well related to the existing school building, close to the nearby residential development to the east in Zambra Way and extends towards the established built up area rather than further into the 'open countryside'. Furthermore the site is enclosed with established boundaries, the development is well designed and screened from the wider setting of historic towns, and has an existing education use.

24. In terms of how the extension would affect the openness of the Green Belt the applicants have suggested this can be assessed in two ways – the visual openness of the site relating to views, and the physical openness relating to the amount of development. In terms of visual openness they suggest that there are limited views into and across the site owing to its woodland boundary and topographical level differences, plus the presence of residential development to both the east and west of the school site, and these factors would ensure that the openness of this site in relation to the wider green belt designation would not significantly change. In terms of the physical amount of the site that would be covered with buildings, hard play, roads and paths in relation to the green space and wooded areas on site, the existing figures show 81.8% would remain undeveloped from these physical structures, whereas with the proposed extension 69.7% would remain undeveloped. Just under 70% of the site would therefore remain 'open' should the extension be approved, which is still a substantial amount which would maintain the overall openness of the site.
25. In considering the justification given in relation to the openness of the Green Belt and whether the proposed extension would affect this, it should be noted that openness of the Green Belt is described as an 'absence of development' irrespective of the degree of visibility of the land in question from public vantage points. Therefore, any physical development within the Green Belt, whether visible or not, would have some impact on the openness. Whether that impact is either acceptable or unacceptable is a matter of fact or degree based on the specifics of each case. I consider that the proposed extension would be seen within the context of an established education facility, sited in close proximity to the existing building and neighbouring development in Zambra Way, thus keeping the built form within one established area, and ensuring that it would not encroach into the more open part of the site. Only 10.2% of the site area would have built form on it and the established landscaping around the perimeter of the site would screen the development from wider views. On this point I consider the proposed development would not affect the function of the Green Belt.
26. Notwithstanding all of the above, the prevailing policy context is that it would be inappropriate development owing to its location within the Green Belt. As such it must be demonstrated that 'very special circumstances' exist that outweigh the potential harm, and in support of this the applicants have put forward the following (summarised) justification:
- The importance the NPPF attaches to ensuring a sufficient choice of school places is available to meet the needs of the existing and new communities;
  - Sevenoaks planning area has an immediate and projected need for additional primary school places (as supported by the Education Authority's justification);
  - The proposed development is located in close proximity to the area of greatest need;
  - There are no alternative available sites of sufficient size to accommodate a new school within proximity to the area of greatest need for primary places in the District.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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- 93% of the District is in the Green Belt therefore it is preferable to extend an existing site rather than develop a new greenfield site within the Green Belt;
- The Education Authority has undertaken an assessment of alternative sites available and considers Seal Primary the only viable and suitable solution to meet demand on the eastern side of Sevenoaks urban area, and therefore if the expansion does not proceed the deficit of places would escalate;
  - The existing buildings fall short of the recommended space requirements for schools and therefore the need for considerable expansion and renewal is great, with some of the classrooms being significantly undersized;
  - The development of the site would provide improved and upgraded sports facilities, areas of open play space, and the retention of the forest school that would help preserve the openness of the wider Green Belt;
  - Although the extension would represent an increase of 62% in built floorspace compared to the original building, the cumulative built form on the site would still only constitute 10.2% of site coverage constituting limited infill rather than encroachment;
  - The pressing operational requirement to deliver additional school floorspace that is 'fit for purpose' is considered to outweigh any impact caused by the extension.
27. A number of these justification points relate to the fact there is a need for places in this locality and that this site has been shown to be the most appropriate when compared to alternative sites. The Education Authority considered 9 other sites identified as being located in close proximity to, or within, areas of current or forecasted demand, as listed in paragraph 4 of this report. A number of the schools were considered to be on sites that were too small or were constrained and therefore had insufficient space for additional buildings, some had already been expanded by a form of entry, and others were constrained by site topography, or were simply not in the area of highest demand. Moreover some of these other schools are also within the Metropolitan Green Belt.
28. Both the District Authority and the Parish Council consider that there has been a lack of evidence submitted to demonstrate that the proposed redeveloped school would serve the local rural settlement of Seal, that the proposal is within walking distance of the majority of families it would serve, or that a thorough sequential test has been undertaken to demonstrate that there are no other available sites of sufficient size to accommodate a new school. In addition they consider that insufficient evidence to support the case for need within the Green Belt has been submitted, therefore it is not clear that the proposed scale of development in the green belt is the only option available.
29. Overall, and taking on board the views of the District and Parish Council, I accept the applicant's assessment and application of Green Belt Policy as set out in the submitted documentation, and I have considered this in the context of the Development Plan Policy and the NPPF. The development is inappropriate development for the purposes of Green Belt Policy consideration and is, therefore, by definition harmful to the Green Belt. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute 'very special circumstances' capable of outweighing harm, in this particular case. I accept that the carefully designed extension and its siting in relation to the existing school and surrounding built development would mitigate the impact of the development on the functioning and openness of the Green Belt. Accordingly, I consider that an objection on Green Belt grounds would not be warranted in this particular case. However, if Members were minded to grant permission, the



**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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application would need to be referred to the Secretary of State for Communities and Local Government before permission could be granted, to enable him to adjudicate on the Green Belt ramifications of the proposed development.

**Siting and Design of the Extension**

30. The proposed extension would be sited to the east of the original school and would extend towards Zambra Way. A glazed link would connect what would be the two sections of the school and the new element would be at a slightly lower level than the original building due to the levels difference across the site. The extension would be of a modern design with a monopitch roof, and whilst this would be different to the existing school, which has a flat roof, the original school has little architectural merit and in this case would not warrant replicating. The design includes oversized windows which would provide lots of natural daylight into the classrooms, and coloured panels and window reveals would highlight the elevations, which would be timber clad. The roof would be constructed from standing seam zinc.
31. It is considered that the materials would complement the natural wooded appearance of the school site, and it is proposed to re-clad the existing school with timber as well, to create a cohesive appearance for the whole extended school. The change in levels in the area of the proposed extension (floor level is 1.2m/3.9ft lower than the existing) ensures that even though a monopitch roof is proposed, the height of the extension would not be overbearing, and the single storey scale of the extension would be in keeping with the original building.
32. The proposed extension would project towards the shared eastern boundary with the properties in Zambra Way, whose rear gardens back onto the school. There is an existing close board fence along this boundary and some established planting. The distance between the rear elevation of the properties in Zambra Way and the new façade of the extension would be 28m at the closest point, which exceeds the widely accepted industry guideline of 21m as a separation distance between neighbouring properties, and included in design guides across the Country. In particular, this distance is judged to be a target separation distance between the facing windows of 'habitable rooms' in adjacent properties, beyond which privacy by virtue of overlooking is deemed to be of insignificant nuisance. Given this distance, the intervening boundary treatment and the fact the extension is single storey, it is considered that the extension would be at a sufficient distance away from the neighbouring houses, so as not to cause an overlooking issue or be overbearing in terms of scale and height.
33. The hard surfaced playground would be provided to the south of both elements of the school as proposed, and would include an unfenced but marked out, MUGA (which is not proposed to be lit). The playing field would then lie to the west between the playground and retained temporary classrooms. To the north of the school and proposed extension, the staff parking area would be remodelled to accommodate some additional parking spaces. This would require the provision of a retaining wall along the northern edge of the site. The parking provision and implications of the changes to the layout in terms of playing field provision are addressed further below.
34. The extension would be seen in the context of the existing school buildings and the wider residential development of Zambra Way, and the modern design is therefore considered to be appropriate for the site. The choice of materials proposed would

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

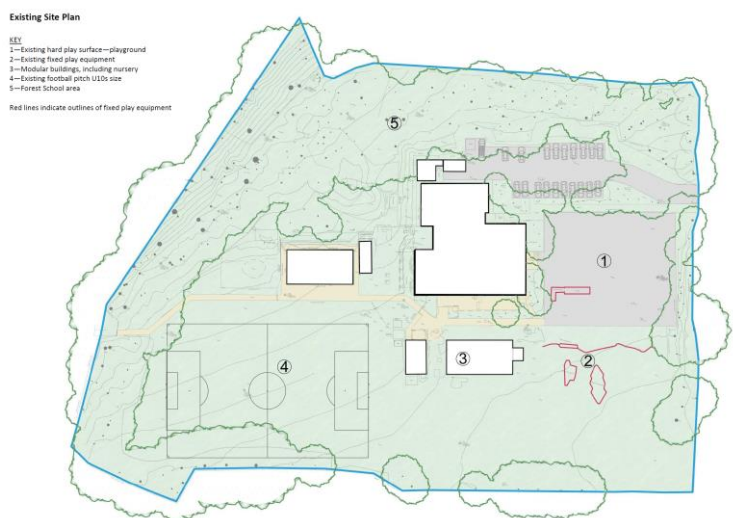
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complement the wooded and landscaped nature of the site and would be acceptable in principle. The overall layout on site would work well in terms of integrating with the existing school. It is therefore considered that from a design and siting point of view, the application would be acceptable, and in accordance with SP1 of the Core Strategy and policies EN1 and EN2 of the Allocations and Development Management Plan.

**Siting of the Extension Resulting in the Loss of Playing Field**

35. The proposed new extension would require the layout of the school to be altered in terms of the open space and sports provision on site. The extension would be built on the area of the existing playground, and this would therefore be relocated to the south of the original school. The extension would also extend along the eastern boundary and therefore a small area of grassed play space where the timber 'trim trail' and climbing frame are located would also be 'lost'. The play equipment would be re-sited to the south of the new playground, along the retained grassed area on the southern boundary.
36. Due to development being proposed on an existing area of playing field, Sport England were consulted, and have raised an objection to the proposals as they considered it would not accord with any of the exceptions to Sport England's Playing Fields policy, or with paragraph 74 of the NPPF. The applicants have provided further information in response to this, and this is summarised below.
37. They state that the school occupies a generous site where there would be a large area for both formal and informal soft and hard play, along with the external teaching facilities of the 'Forest School'. Even with the proposed extension included only 10.2% of the total overall site area would be covered with buildings, or some 22% when considering the buildings together with the hard surfacing of paths, roads and parking areas – under the existing situation 15% of the site is occupied by buildings and hard surfacing. They consider this demonstrates that a loss of playing field and open space at the site would be limited in terms of the overall percentage. They state that the affected area to the south-east of the site is generally of poor quality compared to the remainder of the site and that the area of informal play (trim trail) is prone to waterlogging and only available to use at certain times of the year. The proposed replacement playground would be of a higher quality than the existing in a more preferable location away from neighbouring properties, and would include a marked out MUGA to improve the sports provision. The internal alterations in the existing school building (which do not require planning permission) would also result in the increased size of the school hall, thus improving the indoor sports provision. Finally the consolidated teaching facilities would result in the removal of two temporary buildings to the south of the main school, and the incorporation of this space as external play. The following annotated site plans show the existing and proposed layouts in terms of open space provision.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**



(Bailey Partnership document – Sport England: Seal Primary)

38. They further provided as assessment of the school’s facilities in relation to the Building Bulletin 103 Guidance provided by the Department of Education, which sets out the minimum net site requirements for all schools, and specific area requirements for primary schools in relation to area requirements per pupil place. That has shown that the proposal would still deliver in excess of the minimum net site area requirement of 14,400sqm – it having a net site area of 14,472sqm and by virtue of this provides sufficient external area. Furthermore they consider that the higher quality external sports provision that would be provided would outweigh the encroachment of the extension onto the existing informal play areas.
39. The applicants sought guidance from Sport England at a pre-application stage, where they were advised that in order for the MUGA to constitute a formal sports provision it

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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would need to be fenced; that a minimum of 22.3m (73ft) between the proposed hard play and the south-eastern boundary would be needed; that the nursery play area would need to be removed or moved to part of the site which does not constitute a sports facility; and confirmation would be needed that the outdoor swimming pool is no longer useable. In considering these points the applicants have advised that the MUGA has remained unfenced to allow a more flexible play space for both PE and informal play times; the distance between the playground and the southern boundary is between 23m (75ft) and 25m (82ft); that the nursery play space needs to be immediately adjacent to the nursery building in line with BB103 guidelines; and that the swimming pool was drained and covered in in 2008 and a double modular classroom block provided in this location in 2011. Finally they state that community use playing fields are located within close proximity to the school in the Recreation Ground to the south of the site and the Wildernesse sports centre approximately 1 mile away at the Trinity School. The proposed development would not limit access to these existing facilities to the wider community.

40. The additional information and justification submitted by the applicants was forwarded to Sport England, but the latter have maintained their objection. The proposals do result in the small loss of an area of undeveloped open space on the site currently used for informal play provision, and therefore in strict policy wording terms, it would not accord with Sport England's policy aimed at protecting playing field and open space provision. It should however be noted that the layout of the playing pitch itself would not be affected by this proposal, as this would remain unchanged in the south-western corner of the site. The removal of the temporary classrooms would result in this space becoming available for use, and the provision of the improved playground facilities away from the neighbouring properties and incorporating marked MUGA pitches would be of benefit to the School, as would the enlargement of the school hall to improve indoor facilities, the retention on site of relocated play equipment and the school's 'Forest School'.
41. Clearly the extension cannot be accommodated on site without there being some net loss of open space, and it is accepted that the proposals do not precisely comply with the exception policies of Sport England's guidance or the bullet points of paragraph 74 of the NPPF. In my opinion, although there is a maintained objection by Sport England, I consider that the provision of additional primary school places to meet the needs of the local community, combined with the provision of improved sports facilities associated with this, would outweigh the loss of part of the existing informal play space, especially when taking a longer term view and considering the proposals in a holistic and broader context. However, if Members are minded to permit the proposals, the application would need to be referred to the Secretary of State for his consideration of the playing field implications as well.

**Highway and Traffic Implications of the School Expansion**

42. The school is located at the end of a residential cul-de-sac, which provides the sole vehicular access to the site, leading to on-site parking for staff only. A secondary pedestrian access into the school is provided from Ash Platt Road. The proposals include an increase in on-site parking from 28 spaces to 46, and the increase in cycle/scooter parking from 16 to 21 spaces. The on-site parking would remain for staff only, which means all parents and visitor parking must be accommodated on the surrounding road network. The majority of the representations received relate to the

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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current problems experienced at school drop off and pick up times with parking in Zambra Way, Ash Platt Road and Highlands Park.

43. The proposed increase in the size of the staff car park meets the KCC parking standards and the Highways and Transportation officer considers this number would be adequate for the proposed staff numbers at the site, and therefore meets the aims of Policy T2 of the Allocations and Development Management Plan.
44. The application was supported by the submission of a Transport Assessment, which was updated in May 2016, and this document has been assessed by the Highways and Transportation Officer. Given that no parent parking can be provided on site, their view is that the key to managing the likely increased numbers of cars dropping off and picking up in the vicinity of the school, would be the School Travel Plan. They state that this would need revising and made more robust to ensure the increases do not create further problems and avoid safety issues, and that should permission be given it would need written approval prior to the commencement of construction.
45. The percentage of children who currently walk to school is only 30%, which is low for what is essentially a village school. Various incentives could be introduced and reinforced in the Travel Plan such as 'Walking Buses' and 'Park and Stride', but this would need a commitment from the school to promote, monitor and plan for. Car sharing could be further encouraged and a car sharing database can assist in making this effective. The School have recently implemented staggered start and finish times to try and spread the arrival of cars at the school, and they have also introduced a voluntary one way system round the small green in Zambra Way to better manage traffic entering and leaving Zambra Way to avoid conflict. Due to recent complaints the School also now have a member of staff monitoring parents parking every morning, with those parking dangerously 'named and shamed' in newsletters. Additional suggestions include considering the implementation of a school bus to collect pupils in the morning and take them home at the end of the day, plus further consideration of using the recreation ground car park, albeit this would require the agreement of the Parish Council which has not been forthcoming so far. It is also suggested that the School should lobby for the reduction in the speed limit along the A25 between the recreation ground and Seal Hollow Road from 40mph to 30mph, as this might currently discourage parents from walking here due to the narrow footpath width and speed of road traffic.
46. These mitigation measures cannot be conditioned, but can be secured through a robust School Travel Plan, which as stated above should be submitted to the County Planning Authority for written approval prior to the commencement of any development on site, and subject to on-going review through the 'Jambusters' system.
47. The Transport Assessment suggested the introduction of new yellow line markings in Ash Platt Road, Highlands Park and Zambra Way, and the marking out of parking bays in these roads to help formalise parents parking and overcome the congestion that currently occurs. However such road markings and parking bays would be subject to the need for a Traffic Regulation Order (TRO), which is subject to its own consultation process. The success of this would be outside the control of this planning application and therefore cannot be relied upon. Furthermore following consultation with Sevenoaks District Parking Manager it is clear that these suggested markings are not definitive and would need some amendments including moving the spaces in Ash Platt Road away from the junction with the A25 and providing larger gaps between the

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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spaces to allow cars to pass. In addition the layout suggested in Zambra way does not take into account all of the recently approved dropped kerbs and would also need to be amended.

48. Although the Highways and Transportation Officer does have some concerns over the additional local congestion and parking issues that this development would create, in terms of Policy, the NPPF paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'. That, he states, can only be judged on a case by case basis, taking account of all material factors. Whilst the submitted information shows that the situation is likely to be worsened, he is not able to conclude that it would result in conditions that could be described as 'a severe impact on congestion or safety', particularly when such impacts occur for short periods during the morning and afternoon and only during school term time. They conclude that with appropriate conditions and a pro-active input from the School to improve sustainable travel to and from school by pupils and staff, that the impact may be reduced considerably. The careful production, monitoring and review of the School Travel Plan would be the key to this. In addition to the School Travel Plan other conditions suggested, should the application be approved, would be for the permanent retention of the staff parking areas shown, and the need for a Construction Management Plan (this is addressed further below).
49. Considering the off-site highway aspects of the proposed development as a whole, it is to be borne in mind that primary schools generate a level of localised traffic congestion and competition for on-street parking space. In most cases this is a short lived nuisance and irritation rather than a serious risk to road safety. Moreover, it only occurs on days when the school is open, compared to streets that are close to shops, offices, railway stations etc., so the level of nuisance is not as great as experienced in many other residential areas. Nevertheless, it is acknowledged that these cause friction between residents and school parents over on-street parking, but the public highway is there to be used and it is not the sole preserve of any one category of highway user. The key to minimising traffic nuisance and avoiding safety risks is sound management of the available facilities and the measures that have been suggested for parking restrictions, one-way circulation, speed restrictions and use of the Recreation Ground car park are best pursued through the updated School Travel Plan.

**Other Matters****Construction**

50. Given that there are neighbouring residential properties, if planning permission is granted it is considered appropriate to impose a condition restricting hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays).
51. A condition requiring the submission of a full Construction Management Plan (CMP) for written approval, prior to commencement of development is considered appropriate and has been requested by the Highways and Transportation officer. He states that construction works would need to be carefully planned and managed to ensure the safety of pupils, staff and residents. The CMP should include amongst other matters that no traffic movements, including deliveries, should occur in Zambra Way and Ash Platt Road during school start and finish times; the location of parking and turning areas

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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for construction and delivery vehicles and for site personnel and visitors; and the provision of wheel washing facilities.

**Ecology**

52. The application was supported by the submission of a Preliminary Ecological Appraisal which considered the suitability of the site to support various protected species, and this was further updated with additional information in relation to Great Crested Newts. This documentation was assessed by the County's Biodiversity Officer who concurred with the findings of the updated report. A Great Crested Newt (GCN) survey was carried out on the pond within the school site and no GCN were recorded, therefore no mitigation strategy is required. The majority of the habitat to be impacted by the proposed development is regularly mown grassland and hardstanding and it is agreed that this is not optimum reptile habitat. The report suggests that work to the woodland along the northern boundary where the additional parking spaces are to be provided should be undertaken with a precautionary approach, and the mitigation detailed in the report should be implemented if permission is given. This could be covered through a suitably worded condition.
53. With regard to bats and breeding birds KCC's Biodiversity officer has suggested the need for informatives relating to the Bat Conservation Trust's 'Bats and Lighting in the UK' advice, and the need to carry out development outside of the breeding bird season, and if this is not possible that the site must be surveyed by a suitably qualified ecologist. Finally the recommendations for ecological enhancements set out in the report should be secured by condition, and should also include that amenity grassland strip between the woodland area and the school pond should be left unmanaged to increase connectivity between the woodland and the school pond area.

**Landscape**

54. The application was supported by the submission of a Tree Survey Report and has been assessed by the County's Landscape officer in terms of the impact of the proposed development on the Seal Chart Landscape Character Area, and the Kent Downs AONB. It is considered that given the tree belts along the site boundaries and the broad woodland belt to the north of the site would give a woodland feel to the school grounds and that although there would be some loss of trees there would only be a slight adverse impact on landscape character. Furthermore it is considered that the proposed development would not intrude on the setting of the AONB which lies to the south of the site. The submission of a detailed landscape scheme would mitigate any slight impact on the wider landscape area, and the reinforcement of the boundary treatment along the eastern boundary would further reduce any slight impact for the adjoining residents. The trees located in the gap between the existing school and the proposed extension, the Landscape Officer suggests, are unlikely to survive and are not of the highest quality. As part of any landscape scheme these should be removed and new semi-mature trees planted elsewhere on the site. Subject to the imposition of a landscape condition as detailed, and covering the future ongoing maintenance, there would be no objection to the proposal.

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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**Flood Risk & Drainage**

55. The application was supported by the submission of a Flood Risk Assessment which shows that the site falls within Flood Zone 1, the zone least vulnerable to flooding. Details of the proposed drainage were also included in the report, and the County's Flood Risk Officer has assessed these details. There would be a slight increase in impermeable area on site (265m<sup>2</sup>) as a result of the proposed design and there is concern that the existing drainage system would not meet current design standards and would not be able to accommodate the additional volumes of surface water generated by the development. As such they suggest that a detailed surface water drainage scheme should be secured through a suitably worded condition, if permission is given.

**Sustainability**

56. The design of the proposed extension has been undertaken to include various sustainable measures so that the scheme would accord with the principle of BREEAM Very Good. These would include natural ventilation, high efficiency condensing gas boilers, low energy lighting, high efficiency appliances and control of hot and cold water consumption through measures such as low volume cisterns, flow control taps etc. Although it has been considered, the design of the school with its monopitch roof and orientation would not be suitable for the installation of PV panels.

**Conclusion**

57. In my view the key determining factors for this proposal are the principle of allowing the development given its location in the Green Belt, the loss of playing field land, together with the appropriateness of the extension in terms of design and layout and the suitability of the highway network to accommodate the additional school traffic in this location. There is strong Government support in the NPPF for the development of new schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on local amenity and all other material considerations, such as 'very special circumstances' allowing development in the Green Belt, highway matters, design, ecology, and landscape. In my view the proposed development would not give rise to any significant and demonstrable harm in any of these respects, that are overriding as far as planning, environmental and amenity aspects are concerned, as demonstrated in the discussion above.
58. The objections received in relation to the loss of playing field land and the fact the development would be sited within the Green Belt have been considered in detail above. In my view the proposed extension would not affect the principle aim of protecting the Green Belt and the small loss of playing field land would be compensated for by the provision of better on site sports facilities. In my view the development is sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise. I therefore recommend that the application be referred to the Secretary of State for Communities and Local Government for his consideration, and subject to his decision that various conditions be placed on any planning permission, including those outlined below.



**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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**Recommendation**

59. I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government, and SUBJECT TO his decision, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard 5 year time limit;
- the development to be carried out in accordance with the permitted details;
- the submission and approval of details of all construction materials to be used externally;
- the submission and written approval of an updated School Travel Plan prior to the commencement of development and its ongoing monitoring review for a period of 5 years;
- hours of working during construction to be restricted to 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 or Bank Holidays;
- the submission of a Construction Management Plan, providing details of amongst other matters that no traffic movements, including deliveries, should occur in Zambra Way and Ash Platt Road during school start and finish times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; and the provision of wheel washing facilities;
- that the ecological enhancements recommended in the Ecological Appraisal be implemented and in addition that grassland strip between the woodland and the school pond be left unmanaged;
- that the mitigation detailed in the report regarding works to the wooded area at the north of the site be implemented as set out in the Ecological Appraisal;
- the provision and permanent retention of the vehicle and cycle parking facilities prior to the occupation of the school and their retention thereafter;
- the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of development, and the written approval of such a scheme and its on-going maintenance prior to occupation of the extension;
- the submission of a native species landscape scheme, including the replacement of trees removed from between the existing and proposed development with semi-mature specimens, and details of a maintenance scheme for such landscaping to ensure the establishment of the planting and that it be managed to benefit biodiversity;
- that any lighting of the MUGA shall not be permitted without the written consent of the County Planning Authority.

44. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The registering with Kent County Council of the School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>;
- That the applicant ensures that all necessary highway approvals and consents are obtained;
- The development should take account of the Bat Conservation Trust’s ‘Bats and Lighting in the UK’ guidance;
- To ensure that works to trees are carried out outside of the breeding bird season and if this is not possible that an ecologist examines the site prior to works commencing.

**Item D3**

**Single storey extension, car park extension and landscape improvements to enable the school to expand from 1FE to 2FE at - Seal C of E Primary School, Zambra Way, Seal, Sevenoaks**

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Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading