

Retention of 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42 additional parking spaces at Wilmington Academy – DA/18/659 (KCC/DA/0088/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 11 July 2018.

Temporary application for the retention of 3no. existing modular classrooms (permitted under KCC/DA/0257/2017 (DA/17/1626)) and the provision of a further 3no. modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to provide 42no. additional parking spaces - at Wilmington Academy, Common Lane, Wilmington (KCC/DA/0088/2018) (DA/18/659)

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mrs Ann Allen

Classification: Unrestricted

Members' Site Visit

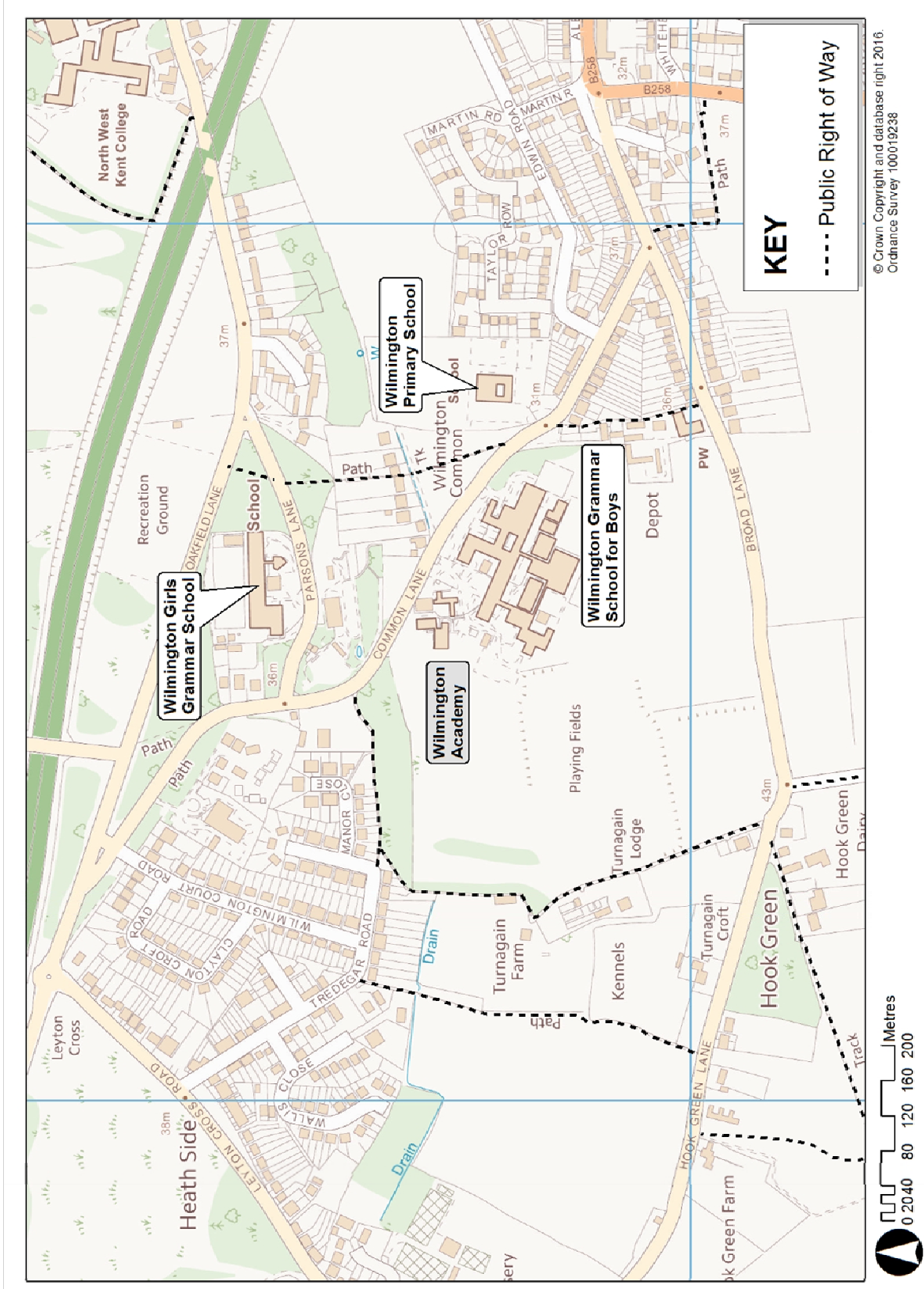
1. A group of Planning Application Committee Members visited the application site on the 19 March 2018 to acquaint themselves with the proposals for the permanent expansions (which are subject to separate reports) at both Wilmington Academy and Wilmington Grammar School for Girls and the issues they raise. As part of this visit Members of the Committee walked between the two application sites at the end of the school day.

Application Site

2. Wilmington Academy is located to the north west of the village of Wilmington and is accessed via Common Lane, a road which links Wilmington to Leyton Cross - a small residential area to the northeast of the Academy site. Dartford town centre is located approximately 2.3kms (1.4 miles) to the north east of the Academy site. The whole of the 8.45 hectare (20.8 acre) Academy site is located within the Metropolitan Green Belt. Built development on the site is concentrated to the north east of the site, adjacent to the Common Lane site frontage, with playing fields and open grassland extending to the south and west, beyond which lie agricultural fields and the wider countryside. The northern boundary of the Academy site is a wooded steep embankment, beyond which lies Public Right of Way (PROW) DR118A, which links with PROW DR118 which follows the western boundary of the Academy site. To the north of the application site, beyond the PROW DR118A, residential properties in Manor Close and Tredegar Road back onto the site from an elevated position. A row of residential properties are located opposite the existing site exit on Common Lane, and face toward Wilmington Common.
3. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of most of the existing buildings and the erection of a two storey academy building and sports centre, in addition to associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. Previous to that, the Academy operated from buildings that were built in the mid 1970's, which were then split in the 1980's to accommodate two schools, Wilmington Grammar School for

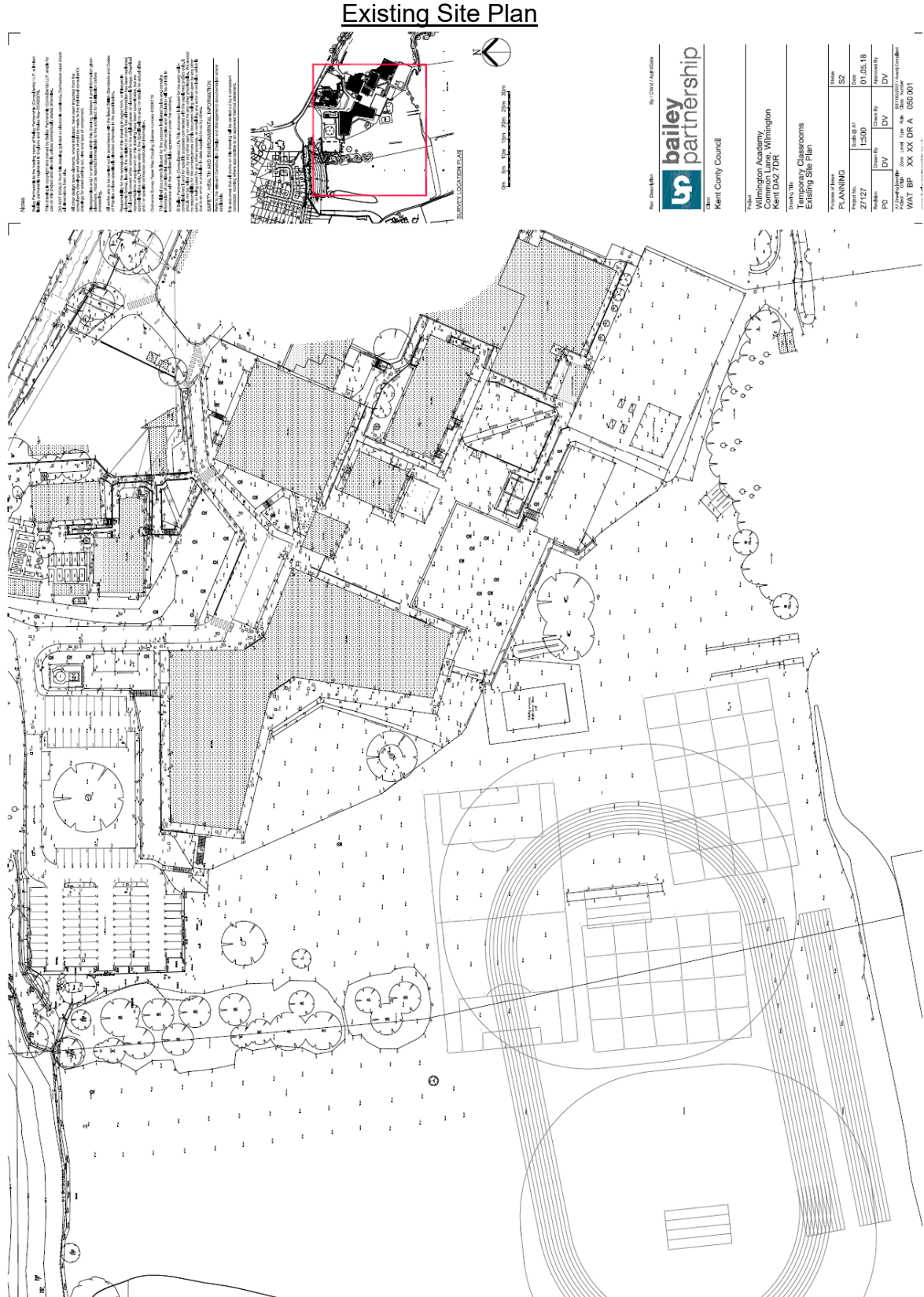
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Site Location Plan



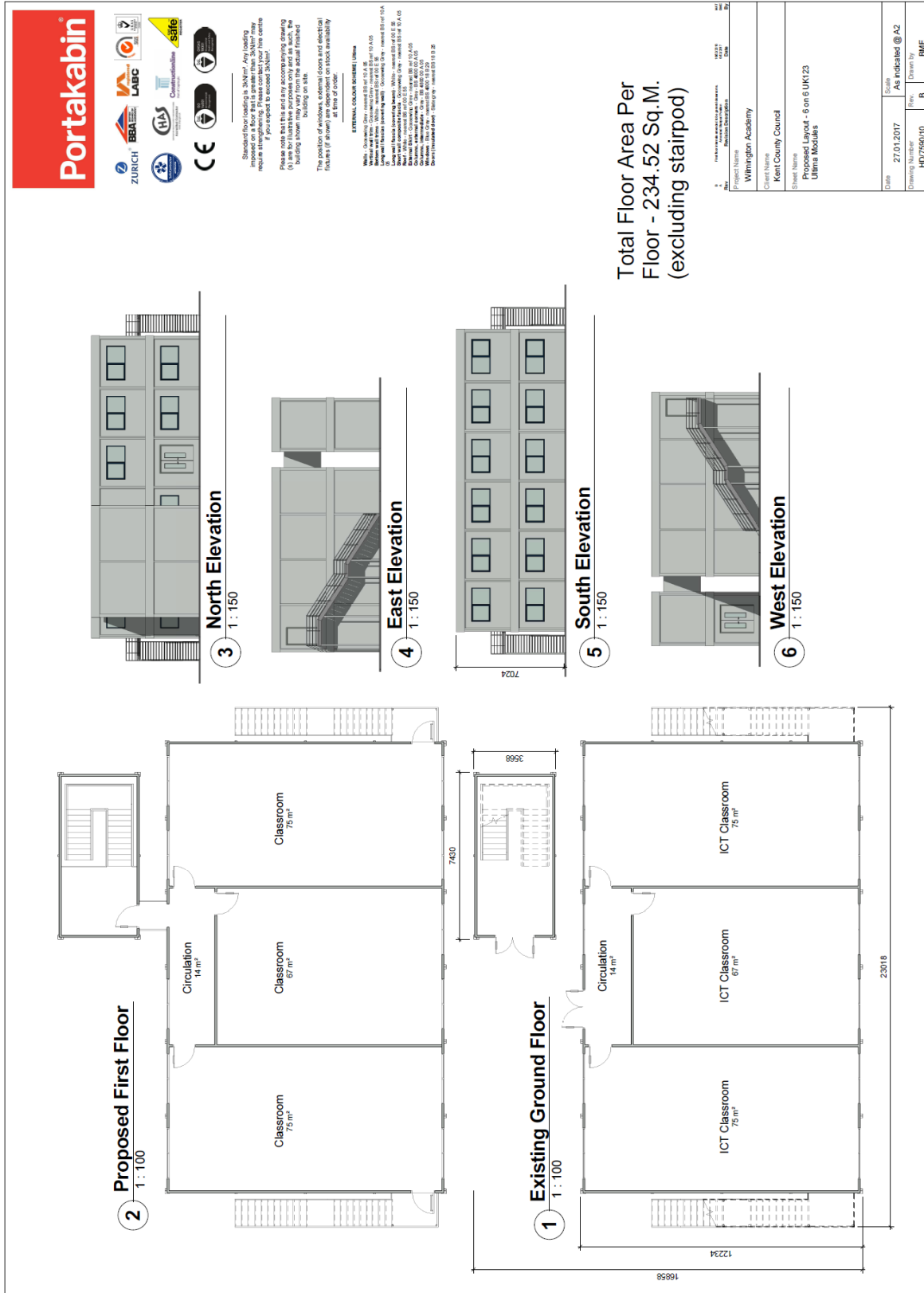
Item D4

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Proposed Modular Building



Standard floor loading is 3kN/m². Any loading imposed on a floor that is greater than 3kN/m² may require a reinforced concrete slab. Please note that this and any accompanying drawing (b) are for illustrative purposes only and as such, the building structure and any associated structural details (if shown) are dependent on stock availability at time of drawing.

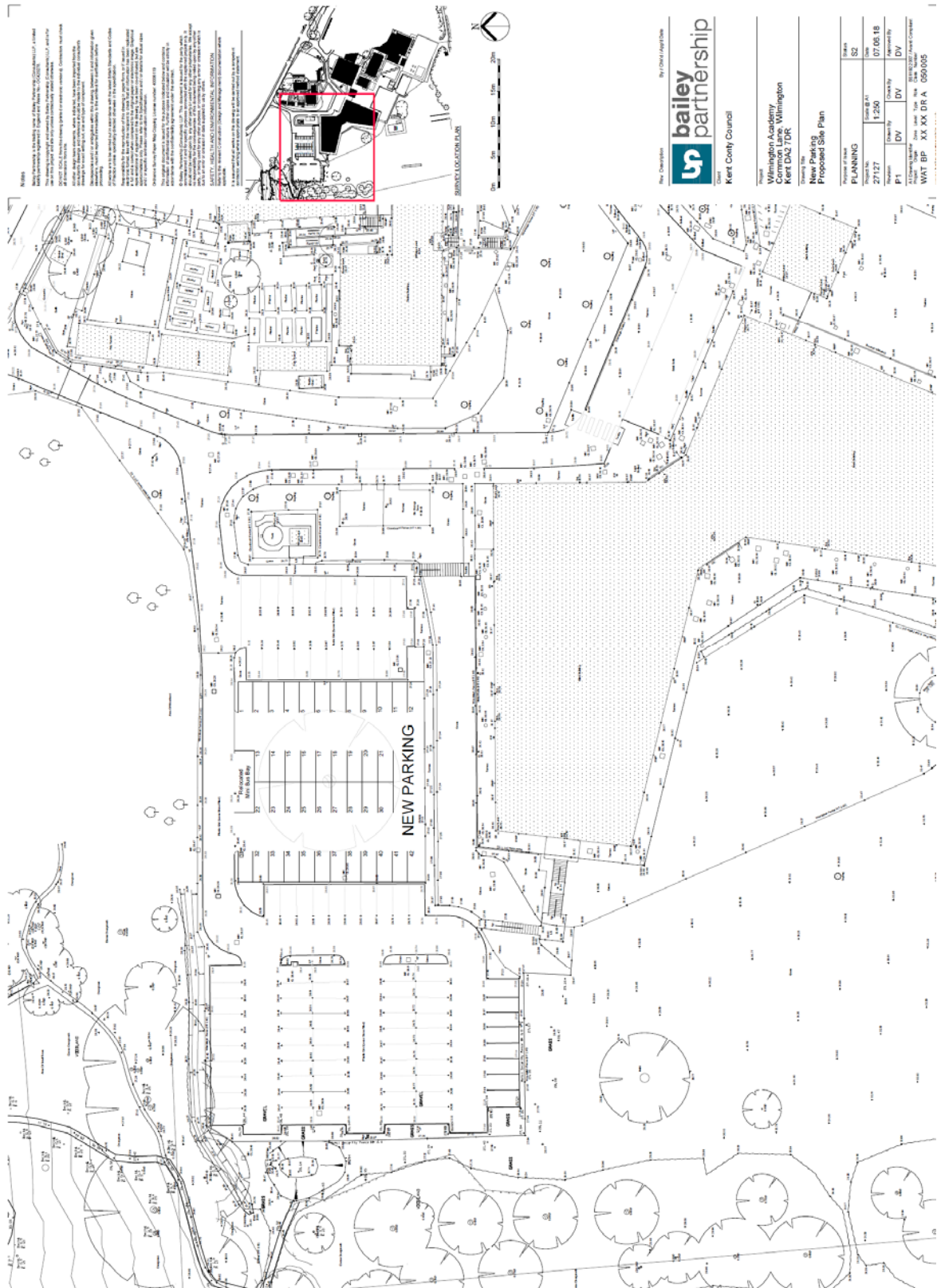
EXTERNAL COLOUR SCHEME (Rains)
 Walls: Light Grey
 Windows: White
 Doors: White
 Staircases: Grey
 Roof: Grey
 Ground: Grey
 Details: Grey

Total Floor Area Per Floor - 234.52 Sq.M. (excluding stairpod)

1	1:100	Proposed First Floor	16888
2	1:100	Existing Ground Floor	19888
3	1:150	North Elevation	7024
4	1:150	East Elevation	
5	1:150	South Elevation	
6	1:150	West Elevation	
Project Name: Wilmington Academy Client Name: Kent County Council Sheet Name: Proposed Layout - 6 on 6 UK123 Ultra Modules Date: 27.01.2017 Drawing Number: HD7590/10 Scale: As indicated @ A2 Rev: B Drawn By: BME			

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Proposed Car Parking



NOTES

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY. IT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AUTHORITY.
2. THE DESIGNER HAS CONDUCTED VISUAL IMPACT ASSESSMENTS AND HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING ENVIRONMENT.
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Wilmington Academy
KCC/DA/0088/2018

PLANNING	27127	07/08/18	DV	DV
Reference	Case No	Date	Category	Approved By
P1	DV	DV	DV	DV

WAT BP XX XX DR A 050/005

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Boys (WGSB) and a non-selective secondary school (now Wilmington Academy). The academy continues to occupy the north western side of the site, albeit in a new building, with WGSB (which also has Academy Status) to the south east. The organisation of the whole site is further complicated by a third school, Wilmington Grammar Schools for Girls (WGSG), who own a sports pitch in the south west corner of site and have rights of access through the academy to reach it. The academy and WGSB share one exit point onto Common Lane, with the academy entrance located to the north west of that exit, with a one-way access loop extending up to the frontage of the academy building for pupil drop off linking the entrance and exit. A private nursery is located to the front of the academy site, within the access loop and on the Common Lane road frontage. In addition to WGSB, Wilmington Grammar School for Girls (WGSG) is located to the north of the academy site, accessed via Parsons Lane, which links Common Lane with Oakfield Lane. Further, to the east of the Academy site, Wilmington Primary School is located to the northern side of Common Lane, accessed via Common Lane only.

4. In light of the site's Green Belt designation, this application has been advertised as a Departure from the Development Plan. However, should Members be minded to permit, the application would not, in this particular case, need to be referred to the Secretary of State due to the size, scale and impact of the development (to be discussed in detail within the discussion of this report). *A site location plan is attached.*

Background and Relevant Planning History

5. Planning applications to support the permanent expansion of both the Girls Grammar School and Wilmington Academy were originally submitted in 2016, accompanied by applications for the approval of some temporary accommodation to cover the immediate shortfall of space to accommodate additional pupils at each school. The temporary accommodation was given approval, subject to the completion of various highway mitigation measures, as set out in paragraph 17 below. However, the applications for permanent development were subsequently withdrawn after a lengthy consultation period which highlighted major concerns raised by those living in the locality that the village of Wilmington was struggling to cope with the amount of school related traffic. Following the withdrawal of those applications, further discussions between the applicants, planning officers and representatives of the Parish Council, Dartford Borough Council, Wilmington Safer Streets and Ward Members took place, including discussions regarding the highway mitigation measures that would be necessary to possibly make the expansions of the two schools acceptable. Subsequent to those discussions, an application for permanent accommodation at Wilmington Academy (KCC/DA/0353/2017), the associated application for development at Wilmington Grammar School for Girls, (KCC/DA/0002/2018), and this application for retention of existing temporary accommodation and provision of further temporary accommodation for the 2018 pupil intake, were submitted.
6. Wilmington Academy has been operating as an Academy since 1 September 2010, originally in the buildings of the former Wilmington Enterprise College. Planning permission was granted in 2012 (consent reference DA/12/14) for the redevelopment of the academy site, which included the demolition of the majority of the existing

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buildings and the erection of a two storey academy building and sports centre, in addition to associated landscape works and the provision of a new dedicated access point leading to 92 car parking spaces and 4 bus drop off/pick up spaces. That redevelopment did not propose any expansion to the Academy, and was designed to accommodate a maximum capacity of 950 pupils.

7. Wilmington Academy is, however, now proposed to expand incrementally over a 5 year period from a 6 form of entry (FE) Secondary School (900 pupils plus sixth form, with a pupil admission number (PAN) of 180) to a 8 FE School (1200 pupils plus sixth form, (total 1325) with a PAN of 240). The 2016 and 2017 allocation of pupils have been accommodated in temporary accommodation (see planning history below), and the current number of pupils on site (as of September 2017) is 1167, which includes 115 sixth form pupils.
8. The table below summarises the relevant planning history at the site:

Application Reference	Description	Decision
KCC/DA/0537/2011 (DA/12/14)	Redevelopment of existing school site to include: demolition of some of the existing buildings, retention of the existing horticulture vocational unit, arts block, sixth form/SEN block and science block and erection of a two storey academy buildings and sports centre. Retention of existing hard surfaced games courts and sports playing fields and creation of new hard and soft play/recreation areas. Provision of 92 on site car parking spaces, 6 motorcycle spaces, 1 minibus parking space, 4 bus/coach pick up/drop off spaces and 146 cycle spaces. Creation of a hard surfaced one way access road. Retention of existing vehicular exit on Common Lane and creation of a new vehicular entrance from Common Lane to the west. Provision of associated hard and soft landscaping.	Approved 09/05/2012
KCC/DA/0430/2012 (DA/13/30)	Temporary siting of two adjacent modular buildings to provide three teaching areas and a small office on an area of the existing hard play surface for the duration of the construction works only.	Approved 12/02/2013
KCC/DA/0088/2016 (DA/16/799)	3 temporary single storey classrooms to accommodate the 2016/2017 allocation of pupils (in conjunction with a separate application to permanently expand the school (DA/16/814 see below)), two additional bus bays within the academy site, provision of a new footpath link between the car park and PROW DR118/118A to the	Approved 21/12/2016

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	north west, and widening of a section of footway on Common Lane.	
KCC/DA/0085/2016 (DA/16/814)	Erection of a three storey teaching block, creation of a new hard outdoor play area and the provision of additional car parking, together with associated landscaping and ancillary works and internal alterations to the existing Academy buildings.	Withdrawn
KCC/DA/0257/2017 (DA/17/1626)	Retention of 3 temporary classroom units (permitted under consent reference KCC/DA/0088/2016 (DA/16/799)) to accommodate the 2017 allocation of pupils.	Approved 07/11/2017

Amendments Following Initial Submission

9. Application reference KCC/DA/0353/2017, which seeks to provide the permanent accommodation needed to expand the academy by two forms of entry, initially included the removal of a London Plane tree from the centre of the existing car park, which provided space for 42 new bays to be formed. As referred to in paragraph 1 of this report, Members of the Planning Committee undertook a site visit and it was during that visit some concern was raised about the removal of the London Plane tree as it is an historic tree. In addition, it was suggested that the tree has local historical interest. In response to the concerns raised, application KCC/DA/0353/2017 was amended to propose an alternative car park location which would provide 18 additional bays, enabling the London Plane to be retained. However, that amendment resulted in substantial local objection. The applicant subsequently met with the County Councillor (Ann Allen), Borough Councillors, Wilmington Parish Council and Wilmington Safer Streets (a local action group) to discuss the concerns regarding car parking provision on the Academy site. The applicant advises that it became apparent from that meeting that the vast majority of the local community are far more concerned with the provision of additional parking spaces within the boundary of Wilmington Academy than the retention of the tree.
10. The applicant subsequently took the decision to amend this application for temporary accommodation (KCC/DA/0088/2018) to include the removal of the London Plane tree to enable the provision of the 42 space car park originally proposed in the application for permanent accommodation (KCC/DA/0353/2018). Whilst these works are now proposed to be undertaken as part of the installation of temporary buildings, the intention is that if permission is granted there would be no requirement for additional car parking as part of the permanent development.
11. It is the revised proposal that will be discussed throughout this report.

Proposal

12. This application (as amended) has been submitted by Kent County Council Property and Infrastructure Support and proposes the retention of the 3 existing modular classrooms, the provision of a further 3 modular classrooms to accommodate the September 2018 allocation of pupils, and the expansion of the existing car park to

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provide 42 additional parking spaces. The applicant advises that the proposed temporary buildings would be used for the education of students during the period of September 2018 to September 2019, with the intention then being to remove the buildings and decant into permanent accommodation (subject to planning approval (application reference KCC/DA/0353/2018)).

13. The existing three temporary classrooms were initially granted a temporary permission until the 1 September 2017. As can be seen in the table in paragraph 8 above, that temporary permission was renewed and extended until the 1 September 2018. Due to the delays in the consideration and determination of application reference KCC/DA/0353/2018 for permanent accommodation at the site, the applicant is now seeking a further retention of the 3 existing classrooms and the provision of a further three temporary classrooms.
14. The existing modular classrooms are located to the south of the existing building, to the rear of the academy, accessed via a bridge link to the main school building. The temporary building is sited on an area of amenity grassland, on the edge of the playing fields. The schools boundary fencing has been temporarily extended to include the temporary classrooms within the secure perimeter of the academy, which separates the buildings and the playing fields. The existing three classrooms are contained within a single storey flat roofed modular building measuring approximately 21m in length and 12 metres in width.
15. It is proposed to provide an additional 3 classrooms on top of the existing 3, double stacking the modular buildings. Escape stairs are proposed at each end of the modular classroom block, in addition to an enclosed stair pod proposed to the east of the classrooms with a link bridge at the 1st floor. Including the escape stairs, the proposed two storey modular classroom block would measure 12.23 metres by 23.01 metres, with a height of 7.02 metres. The standalone enclosed stair pod would have a footprint of 7.4 metres by 3.6 metres, linking to the modular building at the first floor. The total floorspace proposed is 522m², including the stair pod. Externally, the modular building would be coloured with a standard grey finish, and window and doors would be a slate grey finish, as per the existing single storey building.
16. As outlined in paragraphs 9 & 10 above, the applicant is also proposing to provide a 42 space car park to the front of the academy site by extending the existing car park, resulting in the removal of a mature London Plane tree. The car parking would be surfaced to match the surrounding existing car parking, being a plastic geocell membrane filled with a grey aggregate. The applicant has suggested, and is willing, to fund the formation of a series of commemorative benches, which could be located around the village, using timber from the felled tree. The applicant is also proposing to fund the provision of replacement tree(s) in locations which can be agreed with the local community and school.

Highway Mitigation Measures

17. A number of mitigation measures have already been carried out as a result of the temporary permission granted in December 2016 which include:
 - two additional bus bays within the Wilmington Academy site;

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- provision of an onsite footpath link between the Academy car park and Public Right of Way DR 118/118A to the north west (joining with Tredegar road);
 - the widening of a section of footway on Common Lane, at the junction with Parsons Lane, by removal of an area of vegetation/scrub;
 - the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools; and
 - the resurfacing of Public Right of Way DR118A.
18. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.

This application is supported by a Design and Access Statement, Planning Statement, Transport Technical Note and an Arboricultural Implications Assessment.

Planning Policies

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

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

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

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;

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- the great importance the Government attaches to Green Belts, with the fundamental aim of Green Belt Policy being to prevent urban sprawl by keeping land permanently open;

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

Draft Revised National Planning Policy Framework (March 2018)

A draft review of the NPPF was published on Monday 5th March 2018. The text has been revised to implement policy changes as a result of previous Government consultation on papers such as the Housing White Paper, National Planning Policy, Planning and Affordable Housing for Build to Rent, and Planning for the Right Homes in the Right Places. In so far as the review is applicable to the consideration of this planning application, the section relating to the delivery of school facilities remains largely unchanged with similarly worded text regarding the need to ensure sufficient choice of school places to meet the needs of existing and new communities.

The sustainable transport chapter emphasises that transport issues should be considered from the earliest stage so that potential impacts can be addressed and opportunities realised. It reiterates the current advice that the planning system should support sustainable development in preparing local plans and dealing with planning applications. It states that significant development should be focused on locations which can be made sustainable, limiting the need to travel and offering a genuine choice of transport modes, which would help to reduce congestions and emissions. The guidance for the consideration of development proposals has been separated under a new sub-heading but the guidance remains the same in that appropriate opportunities to promote sustainable transport modes have been taken up given the type of development and its location; that safe and suitable access to the site can be achieved for all users; and any significant impacts from development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development, it states, should only be prevented or refused on highway grounds if the residual cumulative impacts on the road network or road safety would be severe.

The 'Protecting Green Belt Land' chapter remains practically the same, with only two amendments. The first relates to the drawing of green belt boundaries applicable for plan making, but more importantly for the purposes of dealing with planning applications would be the additional criteria listed in the types of development which are *not* considered inappropriate in the Green Belt. This states material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, so long as the development would preserve openness.

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Policy Statement – Planning for Schools Development (15 August 2011) sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

(ii) **Development Plan Policies**

The adopted **Dartford Borough Core Strategy (2011)**

- | | |
|--------------------|--|
| Policy CS13 | Seeks to resist inappropriate development within the Green Belt, in accordance with the NPPF. |
| Policy CS15 | Pledges support for minimising the need to travel and minimising car use, whilst making effective use of the transport network. Travel plans will be required for all significant traffic generating development to ensure more sustainable modes of transport are pursued. Kent County Council’s parking standards will be applied. |
| Policy CS16 | Seeks to enable the transport network to respond to the pressures of new development, including by securing the provision of off-site highway and local road improvements, and by promoting the use of public transport, walking and cycling. |

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

Dartford Development Policies Local Plan (2017)

Policy DP1 **Presumption in Favour of Sustainable Development:** States that the Plan is written in accordance with national objectives to deliver sustainable development. A positive approach to considering development proposals will be had, reflecting the presumption in favour of sustainable development contained in the NPPF and the development needs of the Borough set out in the Core Strategy.

Policy DP2 **Good Design in Dartford:** Development will only be permitted where it satisfies the locally specific criteria for good design in the Borough by (a) reinforcing and enhancing localities to create high quality places, (b) ensuring heritage assets are retained, re-used and respected, (c) facilitating a sense of place through a mix of uses and careful design, (d) providing clear pedestrian and cycle linkages and permeability, active frontages and a mix of buildings and spaces. Provides further advice about determining planning applications in relation to scale, massing, form, materials, Conservation Areas and areas of heritage sensitivity, inclusive, safe and accessible places, management of natural resources and flood alleviation, and appropriate signage and advertisements.

Policy DP3 **Transport Impacts of Development:** Development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising transport impacts, in line with Core Strategy Policies 15 & 16. Localised residual impacts on the highway network should be addressed by well-designed off site-transport measures and adverse impacts on residential amenity or the environment must be minimised. Development will not be permitted where the localised residual impacts from the development, on its own or in combination with other planned development in the area, result in severe impacts on one or more of the following: (a) road traffic congestion and air quality (b) safety of pedestrians, cyclist and other road users and (c) excessive pressure for on-street parking.

Policy DP4 **Transport Access and Design:** Development should be of a design and layout to promote walking, cycling and use of public transport through provision of attractive and safe routes. Proposals should also include appropriate vehicular access arrangements. Development will only be permitted where proposals ensure that the layout and siting of access is acceptable in terms of residential amenity, highways capacity and safety, free flow of traffic, cyclists and pedestrians, and visual impact.

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- Policy DP5** **Environmental and Amenity protection:** Development will only be permitted where it does not result in unacceptable material impacts, and consideration must be given to potential amenity/safety factors such as air and water quality, traffic, access and parking, anti-social behaviour and littering, and intensity of use (amongst other matters).
- Policy DP11** **Sustainable Technology and Construction:** Development should be well located, innovatively and sensitively designed and constructed, to tackle climate change, minimise flood risk and natural resource use and must aim to increase water efficiency.
- Policy DP21** **Securing Community Facilities:** New community facilities will be permitted where they are in an appropriate location and of a type and scale to reflect the needs of the communities they will serve.
- Policy DP22** **Green Belt in the Borough:** Sets out 12 aspects against which development in the Green Belt will be assessed, including the consideration of inappropriate development, which by definition is harmful to the Green Belt and would only be approved in Very Special Circumstances; criteria against which to assess harm to the Green Belt; criteria to assess development considered as potentially not inappropriate by the NPPF; those developments that support Core Strategy Policy CS13; the re-use of existing permitted permanent buildings; taking account of the character and scale of existing buildings; criteria relating to extensions to buildings or infilling of previously developed sites; the replacement of buildings; ensuring no loss of the best and most versatile agricultural land; criteria for proposals for farm diversification; the use of land for horses or the erection of stables; outdoor sports and recreation uses; and the infrastructure required for such uses.
- Policy DP25** **Nature Conservation and Enhancement:** Proposals should seek to avoid any significant impact on existing biodiversity features, and any potential loss must be mitigated. Enhancement of existing habitats is expected and existing trees should be retained wherever possible. If retention is demonstrated not to be feasible, replacement provision should be of an appropriate tree species and maturity.

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Consultations

20. **Dartford Borough Council** raise no objection to the proposal, and comment as follows:

“The Council does not object to the retention of the existing classrooms and the proposal for an additional 3 classrooms and supports the provision of additional parking spaces at the site.

However, the Council is concerned that it has been put into a difficult position as the intake at the school has continued at 8FE a year and the places for 2018/19 have already been allocated prior to the principle of the continued expansion being considered under planning legislation. The Council therefore feels that the welfare of the children in this case overrides the impact of the proposal on the Green Belt. The Council would request that if KCC consider that planning permission is granted that the school is required to commit to a Travel Plan which covers the whole school site not only the temporary accommodation and that if this falls outside of the red line consideration is given to how this might be enforced in the future.

The Council is keen to work with KCC education on school places in the Borough and has always sought to do so. We would request that any further expansion of schools (whether temporary or permanent) are discussed with the Borough Council at an early stage, so that the planning matters such expansions may lead to can be fully considered before the offer of places is prejudiced.”

Wilmington Parish Council welcomes the inclusion of the 42 space car park but continue to object to the application as per its comments on the original submission, which are as follows:

“The Parish Council notes with concern the proposed retention of the three existing modular classrooms (permitted under DA/17/1626) and the provision of a further three modular classrooms to accommodate the September 2018 allocation of pupil and firstly must stress the indelible link between this application and the proposed expansion of the Academy under Reference KCC/DA/0353/2018.

The Council believes that by making this application the Local Education Authority has predetermined the outcome of the application made under KCC/DA/0353/2017 and since the Parish has lodged an objection against what is considered to be the totally unacceptable expansion it follows that retention of the existing modular classrooms and the addition of three more is in the Council’s opinion illogical, especially as one of the key objections relate to onsite parking which it is now proposed to reduce *[NB this is no longer the case]* and that our grounds for objection to the full application are all still relevant to this temporary consent.

It is the Council’s view that to simply accept a total of six modular classrooms would indicate tacit approval to the Academy’s expansion which is not the

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case and may provide unacceptable grounds for forcing the requirement for such expansion which must surely represent a less than transparent and unfair practice on the part of the Local Education Authority

It is understood that the decision was taken not to dispose of the Oasis Academy, Hextable site as it would provide for the known need for additional Secondary School places. This site remains undeveloped, hence available for immediate restoration or development. The Parish Council cannot understand why this seemingly logical step cannot be taken and believe that as this alternative site exists the 'exceptional circumstances' to override the Green Belt restriction on development cannot be substantiated"

Kent County Council Highways and Transportation raises no objection to the application and comments as follows:

"By way of background attention is drawn to my responses dated 16 June and 21 July 2016, each of which fully covered the highways issues and raised holding objections to the [previous] temporary expansion of the Academy on the basis of the additional trips generated, the inadequate mitigation proposed and the evident road safety issues on Common Lane which were not mitigated. My final response of 18 August 2016 which, based on the significant package of mitigations subsequently proposed, confirmed the highways objection to the temporary expansion could be resolved subject to delivery of the measures.

During 2017 the various measures were introduced on the local highway network as mitigation for the previous temporary expansion, as well as actions by the County Council and Dartford Borough Council to address existing issues on Common Lane and in the vicinity of the Academy. These included:

- a new pedestrian route from footpath DR118A in the vicinity of Tredegar Road to the Academy site and resurfacing of DR118A;
- the widening of the footway on Common Lane between Parsons Lane and footpath DR118A up to the boundary wall which has also improved visibility for pedestrians crossing Common Lane towards footpath DR118A;
- the schools and nearby properties have been required to cut back overhanging vegetation to reduce the likelihood of large vehicles overrunning the footway;
- two additional dedicated bus bays have been provided within the Academy grounds;
- carriageway white line markings have been refreshed;
- a 20mph speed limit has been introduced;
- a 7.5t weight limit restriction has been introduced on Common Lane, Edwin Road and Parsons Lane;
- parking restrictions have been extended and bollards placed on the footway near to the access out of the Academy to discourage inappropriate parking, and;
- an additional zebra crossing has been introduced in the vicinity of Wilmington Primary School.

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A key part of our concerns focused on ensuring there would be no further net increase in the number of students who walk along Common Lane in peak hours and to ensure the safety improvements would be delivered in the near future.

A basic 'gravity' model, using home postcodes of students likely to be walking, has been developed to determine the distribution of pedestrian trips associated with Wilmington Academy. This has been used to estimate year on year the numbers of Academy students walking along Common Lane including the additional annual intakes associated with the temporary expansions. September 2015 is taken as the base year prior to the expansions. 2015 is also the base year for the mode share survey of 27% walk to school and 32% walk from school.

In September 2015 circa 254 students are estimated to have walked to school and 303 students are estimated to have walked home from school along Common Lane. In September 2016 there were 281 and 336 students respectively. In September 2017, including the impact of the new link from footpath DR118A to the Academy, the numbers reduced to 181 and 217. With the additional students proposed in this planning application from September 2018, the numbers of students walking on Common Lane are projected to increase slightly to 191 walking to school and 227 walking home from school.

It is therefore accepted that there will not be a net increase of students walking on Common Lane from the 2018 expansion in Wilmington Academy compared to the pre-expansion numbers.

In addition to the above, a survey of the actual number of students using the onsite link was undertaken by the Academy on the afternoon of 27 March 2018. In the survey 161 students were counted on their way home from school. This survey suggests the modelling may be a relatively conservative estimate of the benefits of the link in providing an alternative route away from Common Lane.

In response to concerns about the impact from any additional parking in the Tredegar Road area caused by the continuing expansion of the Academy and the introduction of the new pedestrian route linking to footpath DR118A, the transport consultants undertook a parking survey on 17 April 2018. They recorded 8 parents parked waiting to pick up at the end of the school day, which is not considered to have a significant impact.

42 additional staff parking spaces are proposed to be provided as part of this application. Dartford Local Development Framework parking standards (2012) apply to developments in Dartford district. These require 1 space per 15 pupils and 1 space per 2 classes meaning this proposed provision substantially exceeds DBC parking standards, however, an existing shortfall in staff parking provision would be made up by this provision.

On the basis of the above, and given the progress made with bringing forward further mitigations as part of the concurrent proposals for the Wilmington

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Academy and Wilmington Grammar School for Girls, I recommend no objection to the proposed retention and further temporary expansion of the Academy subject to the following conditions:

- The installation of the additional temporary classrooms is to be undertaken outside of school operating times;
- Access needs to be maintained to the drop off loops and bus/ coach parking areas within the school site to reduce congestion on Common Lane
- The Academy should be required via an 'informative' to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.

Subject to these measures, KCC Highways does not object to this proposed further temporary expansion.”

Sport England raises no objection to the application subject to a condition being attached to the decision notice (should permission be granted) requiring the removal of the temporary buildings from site by 1 September 2019, and the subsequent reinstatement of the area as playing field.

Although the application (as with the previous applications) would result in a temporary loss of a usable part of playing field (as defined by Sport England), Sport England have considered the following:

- The temporary reduction in the area of playing field associated with the proposals is unlikely to have a significant impact on the sites ability to accommodate cricket for the current year as four wickets would still remain in the closest pitch to the proposed development. The England and Wales Cricket Board (ECB) have confirmed that four wicket strips would allow play;
- The clearance distance required by the ECB would still be met; and
- The development would be temporary and it is expected that the area would be restored as playing field use at the end of the temporary period.

The County Council's Biodiversity Officer comments awaited.

Local Member

21. The local County Member, Mrs Ann Allen, was notified of the original application on the 17 May 2018, and the amended application on the 12 June 2018.
22. The two Dartford Borough Council Members for the ward of Wilmington, Cllr Eddy Lampkin and Cllr Derek Hunnisett, were also notified of the application on the 17 May 2018 and the amended application on the 12 June 2018.
23. The County Member and the two Borough Councillors raise objection to the application as originally submitted and comment as follows:

“We note with upmost concern the proposed retention of the three existing modular classrooms (permitted under DA/17/1626) and the provision of a

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further three modular classrooms to accommodate the September 2018 allocation of pupils. We would stress the strong link between this Application and the proposed expansion of the Academy under Reference KCC/DA/0353/2018.

By submitting this Application, the Local Education Authority has in our view predetermined the outcome of Application DA/0353/2017 especially as large numbers of local residents/Wilmington Parish Council/Local Authority/WSS and Local Members have lodged strong objections against what is considered to be an unacceptable expansion contrary to Local Plan and Green Belt Policy.

Thus the retention of the existing modular classrooms and the addition of three more is in our opinion very illogical, especially as one of the key objections relate to onsite parking which it is now proposed to reduce from 42 to 18 (a real 'slap in the face' to the Community and WSS who have campaign long and hard to obtain realistic on-site parking to help mitigate the Highway issues) and that our grounds for objection to the full application are therefore strengthened and are all still relevant to this temporary Consent.

Permission therefore for temporary modular buildings without any of the mitigation required especially of the Highway issues and onsite parking cannot be deemed acceptable.

It is our view that to agree to six modular classrooms would indicate tacit approval to the Academy's expansion, which is not the case and may provide unacceptable grounds for forcing the requirement for such expansion, which must surely represent a less than transparent and unfair practice on the part of the Local Education Authority.

We note that the decision was taken not to dispose of the Oasis School site at Hextable less than 1.9 miles from the Academy, as it could provide for the known need for additional Secondary School places. The site remains, hence available for immediate restoration or development as an extension of the Academy - a far more appropriate location for the new required expansion of the School without comprising Green Belt and the unacceptable impact on local residents.

We cannot understand why this seemingly logical step cannot be taken and believe that, as this alternative site exists, the 'exceptional circumstances' to override the Green Belt restriction on development cannot be substantiated.

We ask that the Application be refused."

No views have been received on the amended proposal. Should any comments be received prior to the consideration of this application, they will be reported verbally at the Planning Committee Meeting.

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Publicity

24. The original application was publicised by the posting of 3 site notices and advertisement in a local newspaper. The amended proposal (addition of 42 car parking spaces) was publicised by the posting of 3 site notices, advertisement in a local newspaper, and the individual notification of 14 neighbouring properties (those that had made representations on the original application).

Representations

25. At the time of writing this report, 21 letters of representation have been received, 20 objections and 1 support. The key planning points raised with regard to this application are summarised as follows:

Highway/Access Matters

- More pupils mean more traffic;
- The additional modular classrooms would exacerbate the problems faced by the community in terms of traffic, congestion and highway safety matters;
- Residents have had enough of illegal and inconsiderate parking by parents, at times blocking access and driveways;
- The opening of the onsite walkway has just moved the problem from Common Lane to other local roads;
- Pupils park all day in local roads;
- There is insufficient parking onsite for staff, parents and visitors;
- Common Lane is a narrow lane, too narrow for vehicles to pass, resulting in buses and large vehicle having to mount the pavement;
- There are 3 Secondary Schools, a Primary School and a Nursey all accessed from Common Lane, the road cannot accommodate anymore;
- At peak school times the pavements are heavily used due to the number of schools in the immediate locality;
- The pavements on Common Lane are narrower than the recommended width in places and are only on one side of the road. Pedestrians can get pushed into the road, or end up walking in the road as there is no room on the pavements;
- Paths are blocked by parked cars, resulting in people (including Primary School Children) having to walk in the road;
- The village of Wilmington cannot support 3 Secondary Schools, so pupils are bussed in or brought by car from outside of the area, few pupils are within walking distance;
- The roads around the Wilmington Schools are already chaos at peak school times, and literally at grid lock;
- The vast number of pupils at the schools on Common Lane causes havoc;
- The 20mph speed limit and HGV restriction is ignored;

Other Matters

- Retention of the 'unsightly mobiles' in the Green Belt should not be allowed yet alone the addition of 3 more;
- Temporary permissions for temporary buildings should not be extended;

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- The height and size of the building is not appropriate in the Green Belt, and the Green Belt should not be further encroached into;
- Accommodation is being provided for pupils that shouldn't be there as the expansion has not been approved;
- The expansion of local schools should not be considered independently but must be done as one to assess the overall impact on the community – which is considered to be unacceptable;
- Litter and antisocial behaviour is already an issue and is getting worse;
- Air pollution is already high in the area;
- The village cannot accommodate anymore development and/or pupils;
- Other local schools should take extra pupils, such as the Leigh Academy;
- The Hextable School site should be reopened to provide the required school places;

Support

- Whole heartedly support the construction of new facilities for local schools;
- It is crucial that capacity of schools is expanded to meet demand;
- Without the temporary accommodation, pupils that have been offered a place for September 2018 would have nowhere to go and would have to travel a long way to school .

Discussion

26. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 19 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 Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF) and the Planning for Schools Development Policy Statement, and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the need for school places, impact upon the Metropolitan Green Belt, highway implications and access, playing field implications, general amenity matters, and whether the development is sustainable in light of the NPPF.
27. Development Plan policies require developments to be sustainable, well designed and respect their setting. This is particularly relevant to this development site which is identified within the Development Plan as being within the Metropolitan Green Belt. Policy CS13 of the Dartford Borough Core Strategy, and Policy DP22 of the Dartford Development Policies Local Plan seek to resist inappropriate development within the Green Belt, unless justified by exceptional circumstances.
28. The NPPF, section 9, paragraph 80 (section 13, paragraph 133 of the 2018 Revised Draft) 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

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- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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 could affect the openness of it and would be contrary to planning policies. On this basis the development proposed must be considered as a departure from the Development Plan. However, the need, or otherwise, to refer this application to the Secretary of State for his consideration will be assessed and discussed below

Green Belt Considerations

29. By virtue of the criteria in the NPPF, and various Local Plan Policies, the development is considered to be inappropriate in Green Belt terms. Although paragraph 89 of the NPPF lists examples of development that could be considered appropriate within the Green Belt, I am of the view that the proposals would not meet these exceptions and that the development is, therefore, 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 against Green Belt Policy, to consider the impact 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.
30. A Planning Statement was submitted in support of this application, which sets out what the applicant considers to be the very special circumstances that warrant setting aside the general presumption against what would be inappropriate development in the Green Belt. It should also be noted that this application seeks to renew an existing temporary planning approval that was subject to consideration against Green Belt Policy. That development, as is the case here, was deemed to be inappropriate development for the purposes of Green Belt Policy consideration and was, therefore, by definition harmful to the Greenbelt. Nevertheless, the considerations provided by the applicant at that time were considered to be sufficient collectively to constitute ‘very special circumstances’ capable of outweighing harm. Temporary planning permission was therefore granted. The application before us now seeks to renew that permission for a further temporary period and add a further three classrooms as a second floor by double stacking modular units. Many of the points considered in the determination of the original temporary consent (KCC/DA/0088/2016 (DA/16/799)) will be reconsidered in the following section of this report as the same principles and case of need apply, but we must also assess the implications of the addition of a second storey to the modular building.
31. The applicant considers that the following ‘very special circumstances’ are sufficient to collectively outweigh a Green Belt policy objection:

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- i) The identified need for additional Secondary School places within the Dartford Borough;
- ii) National Policy and Central Government Support for the delivery of State Funded Schools;
- iii) A lack of suitable alternative development options; and
- iv) The limited impact of the development on the openness of the Green Belt, including providing the minimum amount of accommodation required;

Each of these ‘very special circumstances’ as put forward by the applicant will be considered and discussed in the following section of this report. I will take each point in turn, first considering the case of need for school places in the Dartford Borough.

Case of Need and National Policy and Central Government Support for the delivery of State Funded Schools

32. As outlined in paragraph 19 of this report, great emphasis is placed within planning policy generally, specifically paragraph 72 of the NPPF, on the need to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF states that Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. The NPPF further states that Planning Authorities should give great weight to the need to create, expand or alter schools. The Policy Statement – Planning for Schools Development (15 August 2011) also sets out the Government’s commitment to support the development of state funded schools and their delivery through the planning system. There is a presumption in favour of the development of state funded schools expressed in both the NPPF and the Planning for Schools Development Policy Statement.
33. Kent County Council, as the Strategic Commissioner of Education Provision in the County, is responsible for ensuring that there are sufficient school places of high quality for all learners. The applicant advises that this application is proposing temporary classrooms to provide additional teaching facilities to meet the curriculum requirements for the September 2018 pupil intake. Further permanent expansion is proposed under a separate planning application (KCC/DA/0353/2017) which is yet to be determined. However, the applicant advises that the following case of educational need applies to this temporary accommodation proposal as well as the permanent proposals.
34. As set out by Kent County Council (as Education Authority), the Wilmington and South Dartford urban areas have been seeing an upsurge in demand for secondary school places. This increase in indigenous demand is caused by changing demographics in the area. In addition, there is new demand from the large and medium scale housing and urban developments which are taking place in the area. This growth is bringing new families to the Dartford Borough requiring enhancements to the infrastructure in order to meet the future needs of the town and its residents. Compounding this issue was the closure of Hextable Oasis Academy by the Education and Schools Funding Agency, a closure which was robustly objected to by the County Council. Replacement school places had to be provided in the local area, meaning that pressure for school places materialised a lot earlier than anticipated.

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35. The applicant advises that the need for secondary school places has been mitigated in the short and medium term by the introduction of just under 8 forms of entry (FE) across the Dartford District. The Education Authority has provided these places by expanding the pupil admission number (PAN) at the following schools:

- Dartford Grammar School for Girls (bulge intake of an additional 20 pupils per year)
- Leigh UTC (new build 4FE school)
- Wilmington Grammar School for Girls (1FE uplift) and
- Wilmington Academy (2FE uplift)

The applicant further advises that even with the above expansions, which includes Wilmington Academy, there is barely sufficient capacity, and no scope for parental preference.

36. The 2018–2022 Kent Commissioning Plan (prepared by the Education Authority) provides forecasts that indicate an increase in the demand for secondary school capacity. Furthermore, this increased demand shows no signs of reducing over the forecast period. The forecast surplus/deficit of places for both year 7 and for all year groups is shown in the table below.

	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-19	-61	-107	-180	-186	1,735
Year 7-11	7,913	362	306	150	-19	-341	-576	8,735

37. However, the applicant advises that these forecasts only include limited moderation to take into account the new house building that is taking place in Dartford Borough. Much of the demand from those developments would be met by a new school in Ebbsfleet, Northern Dartford. However, the demand shown above, plus further demand generated from ongoing large-scale development outside of the Ebbsfleet Garden City, must be met through the utilisation of bulge year groups within existing Secondary Schools until a new school can be provided in Northern Dartford.

38. Wilmington Academy has been admitting increased pupils since 2015, following the closure of Oasis Academy Hextable, with the increase in PAN accommodated in temporary buildings and by internal adaptations. The forecasts for Dartford Borough support the view that without the permanent expansion to Wilmington Academy, the local authority would fail to meet its statutory obligations to provide sufficient school places in the area for the next and future September intakes. The Education Authority has given careful study to all the options available and is of the firm opinion that the expansion of Wilmington Academy is one of a number that are necessary for the Dartford Borough area. If this expansion does not proceed, the deficit of places will worsen because of the limited options for alternative expansions within the wider Dartford Borough area.

39. It must be also be noted that the projected deficits in Secondary School places (as shown in the table above) have been calculated with the 2FE expansion to Wilmington Academy already included within the capacity figure. That means that if planning permission for accommodation for the expansion is not achieved, each of the Year 7 numbers in the table would reduce by 60, with corresponding pressure on total 7-11 roll, as shown in the table below:

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	2016-17 capacity	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2023-24 capacity
Year 7	1,633	49	-79	-101	-167	-240	-246	1,735
Year 7-11	7,913	362	246	20	-199	-581	-936	8,735

40. In addition to the forecasts above, the applicant confirms that the latest information on preferences and subsequently the outcome of National Offer Day (1 March 2018) shows demand has increased beyond that projected within the 2018-22 Kent Commissioning Plan. Without further expansion or new provision, the Year 7 places available in Dartford would be 1,735 as shown in the last column of the above tables. However, due to additional pressures being anticipated following a review of the first cut of preferences, four schools across the district agreed to admit over their planned admission number (PAN) for 2018/19, providing an additional 53 places, meaning 1,788 places were available for National Offer Day. Bearing in mind that this total number of places already includes the increased intake for Wilmington Academy, following National Offer Day, Dartford District was left with only 6 places remaining in year seven for the 2018/19 Academic Year. This is before the second admissions round in April and any further in year admissions.
41. In summary, the applicant advises that the expansion of Wilmington Academy is proposed due to a number of key factors:
- 1) Increased demand in Dartford town and surrounding areas means that there are very few options for parents (as detailed above);
 - 2) Wilmington Academy sits very close to the area of greatest need;
 - 3) The size of the school site is adequate;
 - 4) Headteacher and governors are supportive;
 - 5) Ofsted have graded the school as “Good”;
 - 6) Proposed new schools are some three years away from delivery, by which time the Year 7 deficit would be more than 3FE.
42. The applicant has explored all options to meet the statutory need to provide school places to meet the need of pupils in this part of the County, including the expansion of other schools. In this case, the applicant has worked with those objecting to the proposal and the Highway Authority to prepare a detailed mitigation package to minimise the impact of the development on the local community, to be discussed later in this report. In the absence of a planning permission the Education Authority advises that the following would occur:
- 1) For the short and medium term (1 – 4 years) Kent County Council would be unable to meet its statutory duty of providing a school place for every young person in the area. This would result in severe and reputational damage to the County Council;
 - 2) There would be a negative impact on local families and children’s potential educational performance through children having to travel much further to school each day;
 - 3) By 2019 there would be a deficit of more than 3FE of Secondary provision and this could not be covered by purely introducing single years of expansion (commonly known as bulge years) in existing schools;

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4) Wilmington Academy would be left with a number of much larger cohorts in four of its year groups with insufficient and inadequate accommodation to enable the school to provide the best educational opportunities for students;

5) The further planned highway mitigation measures (car parking in this application, and other mitigation offered as part of the permanent build applications - KCC/DA/0353/2017 at Wilmington Academy, and KCC/DA/0002/2018 at Wilmington Grammar School for Girls), that many residents already feel are essential, would not be undertaken.

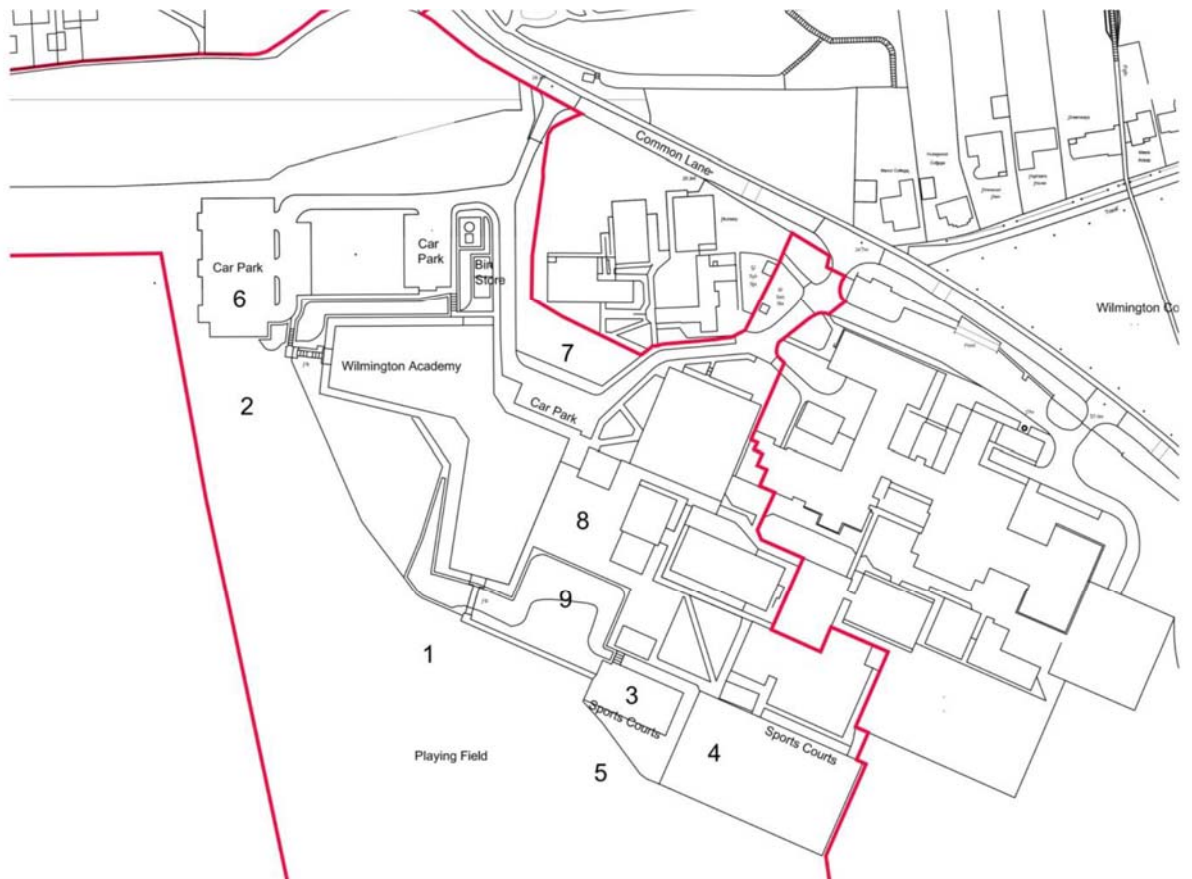
43. Based on the above, in my view, it is evident that a clear case of need for additional secondary school places within Dartford exists. Much of the Borough is within the Metropolitan Green Belt and it needs to be borne in mind that the Green Belt covers a wide area where people live and that these people need local school facilities just as much as those outside of the Green Belt. The applicant has demonstrated that there is an existing shortfall of places within the local area, and a future need which will be further outstripped by demand unless additional places are provided. Support for the provision of school places is heavily embedded in the NPPF and local Planning Policy, and I consider that the need for the development should be given significant weight in this instance.

Alternative Development Options

44. As part of the applicant's case of very special circumstances, alternative development options have been assessed and the applicant has concluded that the development as proposed is the only viable option available. Having accepted a need for additional school places within the Dartford Borough, and consequently a need for additional places to be provided at Wilmington Academy (in addition to other local schools) the alternative development options available must be discussed. First, Wilmington Parish Council, the local County Council Member (Ann Allen), the Borough Council Members for the ward of Wilmington and local residents have questioned why the additional school places cannot be accommodated at the vacant Hextable Oasis Academy site.
45. As stated above, Hextable Oasis Academy was closed by the Education and Schools Funding Agency in 2015 following representations made by the Oasis Academy Trust. Kent County Council as Education Authority robustly objected to that closure. However, to reopen that site a new school would have to be established which, under current legislation, could only be opened as a free school. In considering this Central Government legislation, it is not considered that a free school could be established and set up in time to meet the urgent demand for places (establishing and opening a free school typically takes 3 - 4 years). Further, the applicant advises that use of the Hextable site was further discounted because the Swanley/Hextable area is adequately served by the Orchard Academy in Swanley. The Hextable site is outside of the Dartford catchment area and, in addition, the most expedient route from Dartford to Hextable is through the village of Wilmington. In any instance, the applicant advises that the accommodation on the Hextable site is dated and would require significant investment for it to meet modern infrastructure needs. I am therefore satisfied that the setting up of a new school is not practicable within the required times frames due to the Government's Free School initiative, and further the Hextable site is outside of the catchment area that it would need to serve.

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46. Having accepted that offsite alternatives are not practicable, development options within the existing Academy site must be considered. Although the whole of the Academy site is within the Green Belt, arguably development in some areas of the site would have a lesser impact on the openness on the Green Belt than others. As this application is seeking to renew a temporary consent for 3 existing modular classrooms (in addition to the provision of a second floor to provide 3 more classrooms) the modular building is already on site and its location is not proposed to be amended. As part of the consideration of the original application for the siting of the 3 modular buildings (KCC/DA/0088/2016 (DA/16/799)), the applicant assessed the suitability of alternative sites within the Academy grounds, as shown on the plan below.



47. Site 1 on the plan is the permitted location of the temporary classroom building. Sites 2 through to 9 were the alternative locations considered. The applicant advised at the time of considering the previous application that the possible alternative sites were discounted for the following reasons:

“Site 2 - Existing wildflower meadow, conditioned as part of a previous planning approval (DA/12/14) with tree to the centre and a steep topography. Unsuitable for selection.

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Site 3 - Existing hard ball court. Loss of hard play space and sport facilities is unacceptable.

Site 4 - Existing hard playground and sports courts. Loss of hard play space and sport facility unacceptable.

Site 5 - Future proposed expansion to hard ball court (KCC/DA/0353/2017) which would also be utilised as the main contractor compound for the main expansion development (should permission be granted) – selection would restrict ability to construct main expansion proposal (should permission be granted) therefore selection unacceptable.

Site 6 - Existing car park. Selection would result in loss of significant number of car parking spaces and therefore selection is unacceptable.

Site 7 – The area accommodates a bus pull in bay for 2 buses.

Site 8 - Area of existing hard landscape between existing buildings. Area was considered but due to the proximity of existing buildings, access points and the location of the proposed permanent accommodation (KCC/DA/0353/2017) it was determined that temporary buildings in this location would be difficult to remove once construction for the main block was underway and even when double stacked to reduce footprint would require more space than that was available. Therefore selection is unacceptable

Site 9 - Existing grass spoil mound from previous development with areas of adjacent existing hard landscaping. This location is the proposed site for the proposed permanent accommodation (subject to separate application) and is therefore unacceptable as it would prevent the construction of the proposed teaching block in this area (should permission be granted).”

48. The selection of location 1 was considered by the applicant to be not only the least intrusive location within the academy site, but also the only available and practicable location. Temporary buildings in that location can be installed/removed with minimum disruption to the daily school activities, and would also enable works to proceed on the main expansion scheme, should permission be granted. The siting is also adjacent to an existing entrance point to the main building providing access to toilets and easy connection to power and data services. Its proximity to the main building also necessitated only a limited extension of the existing fence line to bring the temporary classrooms within the secure boundary line of the school line. Further, the previously approved siting had no impact on trees and/or planting, minimal impact on playing field provision (discussed later in this report), limited visual impact and does not adversely affect the amenity of properties surrounding the school site.
49. In considering the above, I remain of the view that the existing modular buildings are in the most suitable location within the school site. By retaining the existing 3 classrooms and providing a further three as a second storey by double stacking the modular buildings the footprint of the development would only be increased by 26.51 metres square (the required enclosed stairwell). The impact on the openness of the Green Belt will be discussed below, but I accept that the location and siting of the development is the most viable and logical within the academy site.
50. With regard to the proposed 42 space car park, as outlined in paragraphs 9 & 10 of this report that car parking was previously included in the application for permanent accommodation at the site, which has subsequently been amended to propose an 18 space car park in an alternative location. The 42 space car park proposed is however

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in a logical location, almost at the centre of the existing car park. Although an alternative site is proposed within the application for permanent accommodation, the car parking is ancillary to the development proposed and alternative locations away from the existing car parking would be less appropriate for management, safety or space reasons. The impact of the car parking on the openness of the Green Belt will be considered in the following section of this report.

Impact on the Openness of the Green Belt

51. This application proposes development that would encroach into the Green Belt, which could harm its openness. First, it is important to note that the site is well screened from public views by the existing academy buildings, and mature boundary planting and screening. However, 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.
52. The proposed temporary classrooms would continue to occupy a compact footprint, with the proposed enclosed stairwell adding only 26.51 metres square to the footprint of the existing modular building. The single storey existing modular is sited adjacent to the existing academy building, minimising encroachment into the undeveloped areas of the site. By adding an additional storey to the building, the height would increase to 7.02 metres, but being adjacent to the main school building, it is arguable that that additional storey would not have any greater impact on the openness of the Green Belt than the existing. Further, the alternative option would be to provide a further single storey modular building, which would double the footprint of the development, having a greater impact on the openness of the Green Belt. The applicant confirms that the amount of accommodation proposed has been limited to the requirements ascertained from the curriculum analysis and design development discussions with the school. Internal alterations have been undertaken in previous years to provide required accommodation, but internal solutions have now been exhausted. The addition of a second storey of modular accommodation would, in my view, have a limited impact on the openness of the Green Belt, especially in considering that the building would be required to be removed from the site by the 1 September 2019 if permission is granted.
53. With regard to the car park extension, this is a 2-dimensional engineering solution, located in the central area of the existing car park. The provision of the car park would necessitate the removal of a mature London Plane, the implications of which will be discussed later in this report, as the removal of that tree is not directly relevant to the Green Belt considerations of the proposal. The proposed car park would be contained within the school site, between the main school building and the well screened site boundary, and would involve infilling the central area of the car park which was previously undeveloped in order to provide root protection of the retained tree. I am satisfied that the proposed car park extension by nature of its use, scale and location would not have a significant detrimental impact on the openness of the Green Belt.

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54. In summary, I consider that alternative locations within the school site that could be argued to have a lesser impact on the openness of the Green Belt are not available or suitable to accommodate the temporary buildings and, in my view, the proposed location of the development would in fact have a very limited impact on the openness and functioning of the Green Belt. The contribution made by the academy site to the wider Green Belt would, in my view, be maintained by the proposed development, with the open areas of the site retained to the south and west, and built development contained to the north and east where it adjoins the built development of Wilmington and Dartford beyond.

Summary – Very Special Circumstances/Green Belt Considerations

55. Overall, I accept the applicant's assessment and application of Green Belt Policy as set out in the submitted documentation, and I have considered this in the context of the 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. Nevertheless, in my view, the considerations summarised above are sufficient collectively to constitute 'very special circumstances' capable of outweighing harm, in this particular case. Furthermore, I accept that the particular siting and design of the proposals has been carefully considered to help mitigate the impact of the development on the functioning and openness of the Green Belt. Accordingly, I do not consider that an objection on Green Belt grounds would be warranted in this particular case.

56. Further, in assessing the need to refer the application to the Secretary of State for consideration and having regard to the Town and Country Planning (Consultation) (England) Direction 2009, I do not consider that this application needs to be referred. The Direction requires inappropriate development to be referred where it consists of the provision of buildings where the floor space to be created is 1000 square metres or more, or any other development which, by reason of its scale or nature or location would have a significant impact on the openness of the Green Belt. The proposed temporary buildings have a combined total floor space of 522.06 square metres, well below the 1000 square metre threshold. Further, given the temporary nature of the development and the limited impact that the development would have on the openness of the Green Belt due to its limited size and scale, and location adjacent to existing built development, I consider that there is no requirement to refer the application in this particular case.

Access and Highway Matters

57. As outlined in paragraph 25 of this report, there is substantial local objection to this application, and to the principle of expanding the Academy and other Schools in the immediate vicinity, based primarily on highway safety grounds and access concerns. Wilmington Parish Council, the local County Council Member (Ann Allen), and the two Dartford Borough Council Members for the ward of Wilmington (Cllr Hunnisett and Cllr Lampkin) also raise strong objection to this application on the same grounds (in addition to the applications for permanent development at the Academy and Wilmington Grammar School for Girls (WGSG)). The primary points of local concern and objection relate to a lack of capacity of local roads, and highway and pedestrian safety.

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58. A number of the received local objections relate to the principle behind, and the wider implications of, the proposed permanent expansion of both the Academy and WGS. As outlined in paragraph 5 of this report, the County Planning Authority are currently in the process of considering applications for permanent accommodation to facilitate expansions of both Wilmington Academy and Wilmington Grammar School for Girls. Both of those applications have met with significant local objection on access and highway safety matters, and are subject to separate reports on these papers. Those applications for permanent development address in detail the impact that a permanent expansion would have on the local highway network, and set out a package of further highway mitigation measures. Those applications must be determined on their own merits. Importantly, they would not be pre-determined by a decision on this application, which again has to be determined on its planning merits.
59. This application is proposing to retain 3 existing modular classroom, and the provision of 3 further modular classrooms to accommodate the September 2018 additional pupil intake over and above the 6FE original pupil admission number - an additional 60 pupils (240 intake in lieu of 180). We must therefore only assess the highway implications associated with an additional 60 pupils when considering the merits of this application. As previously stated, the impact of the full expansion from 6FE to 8FE will be assessed and considered in the determination of the application for proposed permanent accommodation (KCC/DA/0353/2018) (Item D5 on these papers).
60. As set out in paragraph 17 of this report, a number of mitigation highway measures have already been carried out as a result of the temporary permission granted in December 2016 (DA/16/814 (KCC/DA/0088/2016) which include:
- two additional bus bays within the Wilmington Academy site;
 - provision of an onsite footpath link between the Academy car park and Public Right of Way DR 118/118A to the north west (joining with Tredegar road);
 - the widening of a section of footway on Common Lane, at the junction with Parsons Lane, by removal of an area of vegetation/scrub;
 - the submission of a revised Travel Plan detailing measures and initiatives to be put in place to manage pupil pedestrian activity and encourage use of the internal footway by Academy pupils and other local schools; and
 - the resurfacing of Public Right of Way DR118A.
61. In addition, outside of the planning process, it is of note that in recent months a pedestrian crossing has been provided on Common Lane outside Wilmington Primary School, and a 20mph speed limit and a weight restriction have been introduced on Common Lane. White lining has been refreshed and parking restrictions (single yellow line with no parking at peak times) has been introduced to the north of Common Lane adjacent to the Common.
62. At the time of considering the previous temporary expansion, the above measures were considered sufficient to address the initial highway safety concerns raised by KCC Highways and Transportation (H&T). A key concern of H&T at that time was ensuring that there would be no increase in the number of pupils using the footway to the north of Common Lane, which is often mounted by busses and large vehicles that struggle to pass each other due to the restricted carriageway width.

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63. In September 2015, prior to any increase in the academy's roll, circa 254 students are estimated to have walked to school and 303 students are estimated to have walked home from school along Common Lane. In September 2016 there were 281 and 336 students respectively. Following the implementation of the mitigation measures set out in paragraph 60 above, those numbers reduced to 181 and 217 in September 2017. Much of this reduction is accredited to the onsite footpath link, between the Academy car park and Public Right of Way DR 118/118A to the north west. In fact, a survey of the actual number of students on the new link was undertaken by the Academy on the afternoon of 27 March 2018, and 161 students were counted on their way home from school. That survey suggests the modelling undertaken by the applicant may in fact be a relatively conservative estimate of the benefits of the link in providing an alternative route away from Common Lane.
64. However, in continuing the use of the accepted model, with the additional 60 students proposed in this planning application, the numbers of students walking on Common Lane is projected to increase slightly over the September 2017 numbers to 191 walking to school and 227 walking home from school from September 2018. However, when compared to the pre-expansion numbers of 254 and 303 respectively, it is accepted that there would not be a net increase in the number of students walking on Common Lane from the proposed 2018 expansion compared to the pre-expansion numbers. In-fact, in terms of pedestrian movements on Common Lane, H&T are of the view that the completed mitigation results in a betterment over what would have been the situation prior to expansion to 2015. I am therefore satisfied that this application would not increase the number of pupils using the footway in Common Lane over and above the 2015 base levels. H&T are also satisfied in this regard, and subsequently raise no objection to this application.
65. It is noted that some residents have expressed concern that the onsite footpath link has resulted in additional traffic in roads at the western end of PROW 118A, such as Manor Close and Tredegar Road. Whilst I would agree that those roads would be used by pedestrians and some parents to a greater level than would previously have been the case, the transport consultants undertook a parking survey on 17 April 2018 and recorded 8 parents parked waiting to pick up at the end of the school day. As stated by H&T, such low numbers would not be considered to have a significant impact and an additional 60 pupils would not be expected to exacerbate that situation to an unacceptable level.
66. With regard to further concerns expressed by local objectors relating to insufficient onsite parking resulting in parking in local roads, 42 additional staff parking spaces are proposed to be provided as part of this application. H&T advise that Dartford Local Development Framework parking standards (2012) apply to developments in the Dartford Borough and require 1 space per 15 pupils and 1 space per 2 classes. This application proposes 60 additional pupils, which equates to two classes. Using the Borough Council's parking standards, this application would generate a need for 5 additional parking spaces. The 42 spaces proposed substantially exceeds the required 5, however, an existing shortfall in staff parking provision would be made up by this provision. Therefore, this application would not only provide sufficient parking to mitigate the uptake in pupil numbers but would provide additional parking to aid in reducing any existing overspill parking on local roads.

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67. It should also be noted that the Travel Plan referred to in paragraph 60 has been updated by the Academy outside of the planning process, with the most recent version dated March 2018. Dartford Borough Council suggest that, should permission be granted, the Academy be required to commit to a Travel Plan that covers the whole of the school site. The Academy are already committed to a Travel Plan, that was updated and approved by the County Council's School Travel Plan Advisor within the last 4 months, that covers the whole of the school site. I therefore see no reason to require a further updated Travel Plan as a result of this particular application, especially in considering the temporary nature of the development proposed. Further, should the application for permanent accommodation (Item D5 on these papers) gain planning approval, Travel Plan requirements would be imposed upon that planning permission, amongst other matters.
68. In this case, I am satisfied that the applicant has demonstrated that the provision of the temporary buildings for an additional 60 pupils would not unreasonably exacerbate existing highway and access matters, including safety concerns, taking account of the mitigation works that have recently been completed, and the level of parking proposed. Highways and Transportation have no objection to this application subject to the imposition of conditions requiring the temporary classrooms to be installed out of school opening times, and to ensure that access be maintained to the onsite drop off loop and bus parking areas. I also consider that, in this instance, the proposed 42 space car park should be completed and operational prior to the occupation of the additional three modular classrooms. An informative is also proposed, requiring the Academy to maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway. Subject to the conditions outlined above, and a temporary approval until 1 September 2019 only, I am satisfied that, in this instance, that the proposal would not have a significantly detrimental impact on the local highway network and therefore see no overriding reason to refuse the application on this ground.

Playing Field

69. In addition to the Green Belt implications of the proposed siting of the temporary classrooms, as discussed earlier in this report, the impact of the proposed development on playing field provision also needs to be addressed. Sport England were consulted on this application and raise no objection to the application subject to a condition requiring the removal of the temporary buildings by 1 September 2019. Although a temporary loss of a usable part of the playing field would occur as a result of the continued retention and additional storey of temporary classrooms, Sport England are satisfied that the temporary loss would not have a significant impact on the site's ability to accommodate sufficient cricket facilities for the current school roll. I am therefore satisfied that the development would not have a detrimental impact on the provision of adequate sports facilities at the site, subject to any permission being for a temporary period until the 1 September 2019 only.

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Ecological and Landscape Considerations

70. As set out earlier in this report (when considering the impact of the development on the openness of the Green Belt), I am satisfied that this proposal would have a negligible impact on the character of the wider landscape as the modular classrooms would be well screened by existing buildings and planting and also benefit from a substantial degree of separation from public vantage points. However, the proposed car parking would result in the removal of a veteran London Plane Tree, which does have significant amenity value within the academy site. Whilst part of the canopy is visible from the academy entrance, the tree is otherwise enclosed from other view points from outside the site, and sits within the existing car park between the academy building the wooded site boundary with Common Lane. Arguably, its contribution to the wider landscape is limited due to its screened location. Although I recognise the local contribution the tree makes to the school site, I am satisfied that the applicant is left with no alternative than to remove the tree if it is to provide the additional parking spaces sought by the local community and the needs of this temporary application and those generated by the permanent accommodation. I note that the application for permanent accommodation (Item D5 on these papers) proposes an alternative 18 space car park, but that provision has met with local concern and objection on the basis that it is insufficient to meet need. The applicant therefore amended the application following discussions with the local community, the Parish Council and local Members to provide for the 42 space car park .
71. In doing so, the applicant explored alternative locations within the site to meet the demand for additional parking spaces. The intention was to seek a solution which provided the required parking with minimal loss of Green Belt, whilst ensuring minimal encroachment into the root protection area (RPA) of any existing trees or areas of habitat. A number of sites were considered including the use of a no-dig or grasscrete type solution within the canopy of the London Plane tree. Following arboriculturalist advice this was discounted as the development of parking bays within the canopy would result in significant root damage which could not be compensated by providing enhanced soil conditions elsewhere within the RPA. A contributory factor to this issue was the shallow root depth of the existing tree which could not be practically overcome through the use of a no-dig solution. A number of significant roots are visible at ground level and have broken through the existing turf. Development within the area would result in harm being caused to the exposed roots. In light of this, an alternative location for 24 spaces was considered on the site of an existing bank along the line of the existing school building, with a reduced impact upon the RPA of the London Plane tree. With strict arboricultural controls this may have been acceptable, but was discounted as the bank acts as a retaining structure for the existing school building and therefore its removal risks significant structural damage to the school buildings. Alternative options included extensions of the existing carparks into the Green Belt and a new remote car park on an existing area of playing field on the Wilmington Grammar School for Boys.
72. In light of the above, I accept that it is not practicable to provide parking spaces within the canopy of the tree without significant risk of damage to the tree roots and I am reluctantly satisfied that the tree will need to be removed to facilitate the educational

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development on the site and the wider needs of the Dartford educational area. On balance therefore, I consider that the removal of the London Plane, although regrettable would be acceptable in this instance due to its limited contribution to the wider landscape, the perceived local need for the additional 42 car parking spaces and the lack of alternative locations given the constraints on the site. However, a condition of consent should be imposed, should permission be granted, requiring details of replacement tree planting to be submitted for approval, and an informative should be added encouraging the applicant to liaise with the Parish Council regarding its offer to provide benches in the local area made from the wood of the removed tree.

73. In addition to the above, I am satisfied that the removal of the London Plane is acceptable in ecological terms. Although we are yet to receive confirmation from our Biodiversity Officer, I am satisfied that the information provided by the applicant demonstrates that Bats are not using the London Plane tree. The submitted ecological information confirms that a relatively low number of bats were seen during dusk surveys, but none were observed to emerge from the London Plane. The ecologist advises that bats movements were limited to the northern wooded area of the site, and further states that bats were not using the London Plane as it is not on a corridor/route to other foraging areas and is also in close proximity to light sources that deter bat activity. On that basis, I am satisfied that the development would not have an unacceptable impact on biodiversity interests.

General Amenity and Other Matters

74. Other than off-site traffic, highway safety and access matters, the only concerns raised regarding general amenity matters relate to a potential increase in air pollution, and the exacerbation of existing problems regarding anti-social behaviour and the dropping of litter. With regard to design and residential amenity, I am satisfied that the temporary classroom buildings proposed would be sufficiently distant and screened from local properties to avoid any direct adverse impact. With regard to air pollution, the application site and surrounding locality is not within an area of poor air quality and therefore not within an Air Quality Management Area. I am of the opinion that the small increase in the school roll for the 2018-2019 year (being considered as part of this application) would have a negligible impact on local air quality, especially in considering that school traffic has 2 daily peaks, 5 days a week during time term only, and see no reason to refuse the application on this ground. With regard to litter and anti-social behaviour, although regrettable, these matters are outside of the remit of the Planning Authority.
75. The local community also consider that the applications for the expansion of various schools in Wilmington should be considered as a whole, and not dealt with in a piecemeal fashion. However, the County Planning Authority can only process applications for school developments where the County Council is applicant. In this instance therefore, developments at Wilmington Grammar School for Boys and the local Nursery are considered by the Borough Council as the County Council is not promoting the development. Further, the two sites that we are dealing with at County level, Wilmington Academy and Wilmington Grammar School for Girls, are two

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separate schools and we cannot process one application that spans two sites, but they highway implications are being considered collectively. The applicant further advises that the need to submit proposals for temporary accommodation in addition to permanent solutions was due to time pressures to provide the temporary accommodation on site for September 2018. Staff may have been recruited by the Academy and places offered to pupils for September 2018, and a Planning Authority cannot prevent that, but that is not something that affects the planning process or in any way should suggest a pre-judgement by the Planning Authority.

Conclusion

76. This proposal has given rise to a variety of issues, including the need to demonstrate very special circumstances to justify inappropriate development in the Green Belt, the impact of the proposed development on the openness of the Green Belt, and the impact of the development on the highway network, along with a need to ensure that there is a sufficient choice of school places available to meet community needs. I consider that very special circumstances have been demonstrated in this particular case for overriding Green Belt policy considerations. I also consider that the development has been designed to minimise the impact of the development on this part of the Green Belt, and its functioning. In addition, subject to the imposition of the conditions outlined throughout this report, I consider that the proposed development would not have a significantly detrimental impact on the local highway network, or the amenity of local residents, and would accord with the principles of sustainable development as set out in Development Plan Policies and the NPPF. In addition, strong support for the provision of school places is heavily embedded within the NPPF and local planning policy, and this development would satisfy a required need for secondary school places in the Dartford area. Therefore, subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies and the guidance contained in the NPPF. Therefore, I recommend that the temporary permission (until 1 September 2019) be granted subject to appropriate conditions.

Recommendation

77. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- the development to be carried out in accordance with the permitted details;
- the modular buildings to be removed from site and the land reinstated as playing field on or before the 1 September 2019;
- the installation of the modular classrooms should be undertaken outside of school operating hours;
- the 42 space car park must be completed and operation prior to first occupation of the additional 3 modular classrooms;
- the onsite drop-off/pick-up area, bus parking/pick-up area, and car parking must be available for use during school operation hours;
- submission of details of replacement tree planting;

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

- The Academy should maintain their previously cut back vegetation lines to avoid future growth overhanging the carriageway and footway/footpaths to facilitate pedestrian movement and reduce the likelihood of large vehicles overrunning the Common Lane footway.
- The applicant should liaise with the Parish Council regarding the provision of benches in the local area made from the wood of the removed tree.
- The Education Authority's attention is drawn to the comments expressed by Dartford Borough Council in that they are keen to work with KCC education regarding the provision of school places in the Borough and has always sought to do so. The Borough Council request that any further expansion of schools (whether temporary or permanent) are discussed with the Borough Council at an early stage, so that the planning matters such expansions may lead to can be fully considered before the offer of places is prejudiced.

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