

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Proposed 1FE expansion involving an extension to an existing building, new multi-use games areas, new 'exit only' footpath link to Mabledon Road, 14 additional car parking spaces & landscaping works at The Judd School, Brook Street, Tonbridge – TM/18/1924 (KCC/TM/0443/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 6 February 2019.

Application by Kent County Council Property and Infrastructure Support for the proposed expansion from 5 to 6 forms of entry involving a two storey extension to the existing religious studies building, two new multi-use games areas (MUGA), creation of new 'exit only' footpath link to Mabledon Road, provision of 14 additional car parking spaces and associated landscaping works at The Judd School, Brook Street, Tonbridge –TM/18/1924 (KCC/TM/0443/2018)

Recommendation: the application BE REFERRED to the Secretary of State for HCLG on Sport England grounds, and that SUBJECT TO his decision that PLANNING PERMISSION BE GRANTED SUBJECT to conditions.

Local Members: Mr R Long & Mr M Payne

Classification: Unrestricted

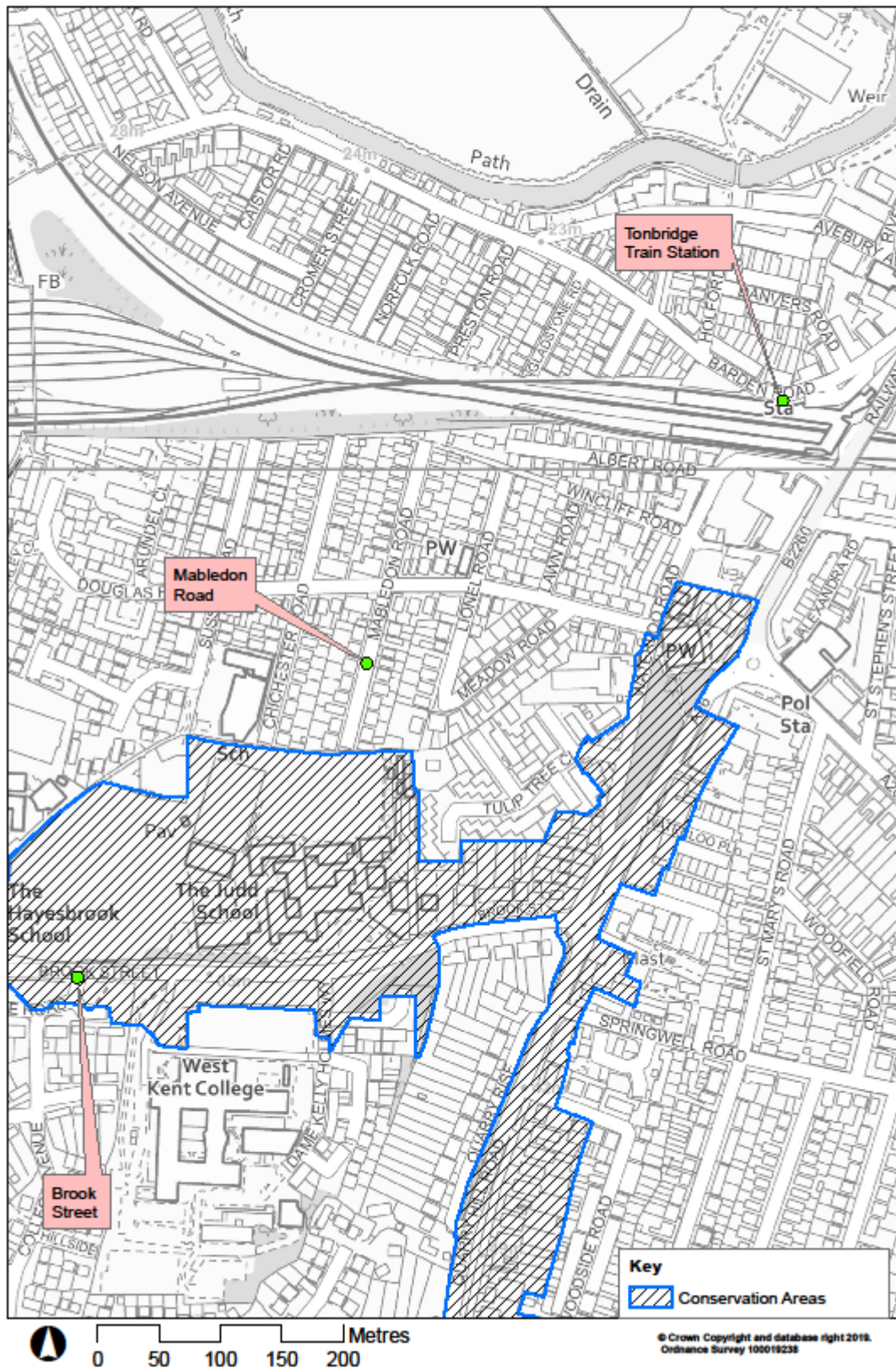
Site

1. The Judd School is a Voluntary Aided Grammar School for boys, with a mixed sixth form (approximately 25% are female), located to the south west of Tonbridge town centre, just under half a mile from Tonbridge train station. The main school site is accessed via Brook Street (pedestrian and vehicular), and the school also has remote playing fields (known as Vizards) approximately 0.6 of a mile to the west, adjacent to the access to Haysden County Park on Lower Haysden Lane (see planning history in paragraph 3).
2. The 5.1 hectare main school site lies to the north of Brook Street, opposite West Kent College. The site is split on two levels, with the school buildings located on the higher plateau to the south east of the site, and playing fields on the lower plateau to the north and west. The built accommodation occupies approximately a third of the site and comprises a number of buildings varying in age from the 'School Room' built in 1896, to the Ashton Building completed in 2017. Hayesbrook School lies to the west of the site, and Sussex Road Primary School to the north west. Residential properties in Chichester Road and Mabledon Road lie to the north of the site (the residential area to the north of the school site is locally known as 'Meadow Lawn') and properties in Tulip Tree Close back onto the school's eastern boundary. The whole of the school site is located within the Quarry Hill Conservation Area.

A site location plan is attached.

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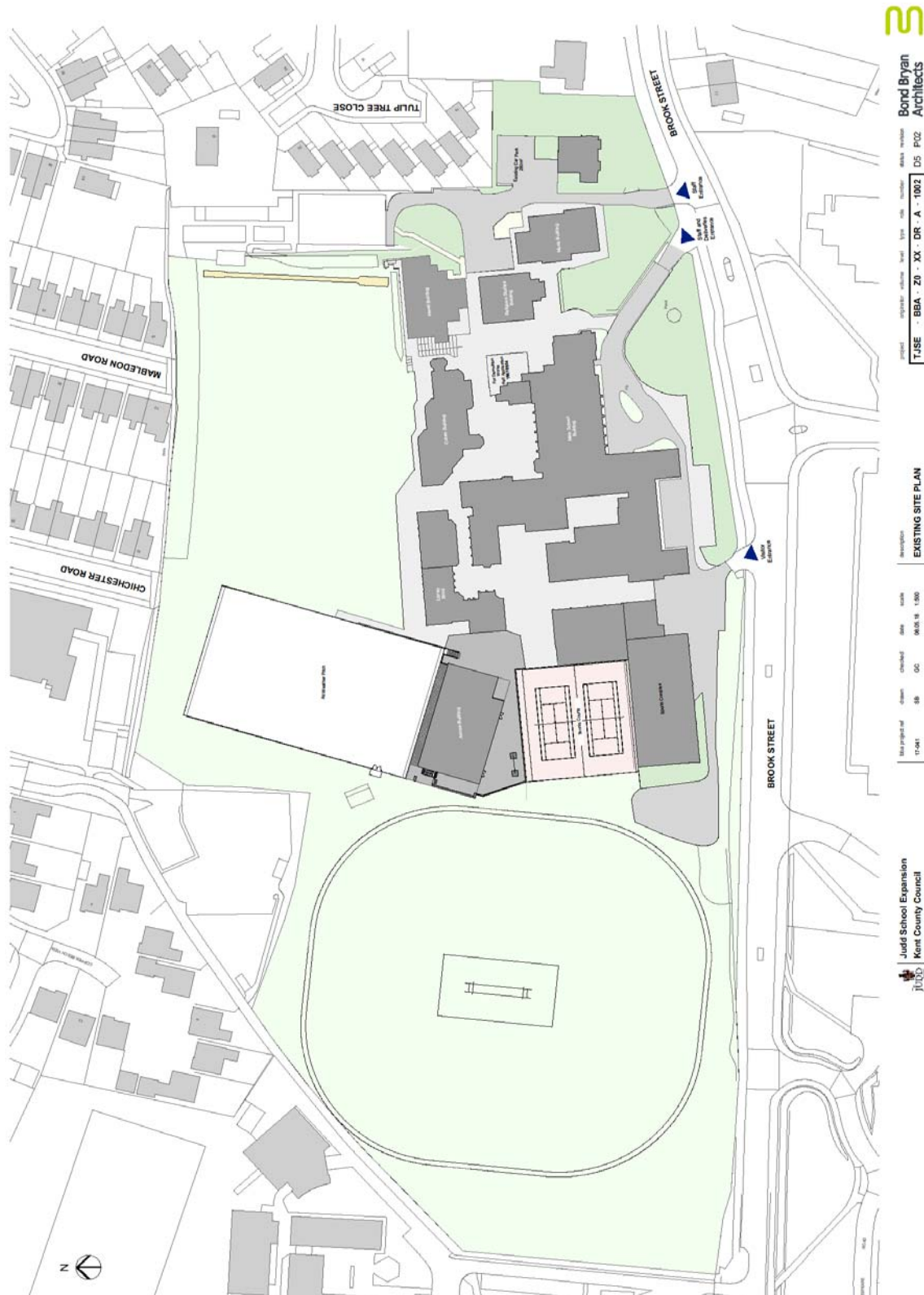
Site Location Plan



Item D1

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Existing Site Plan



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Proposed Site Plan



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Existing Elevations of the Religious Studies Building



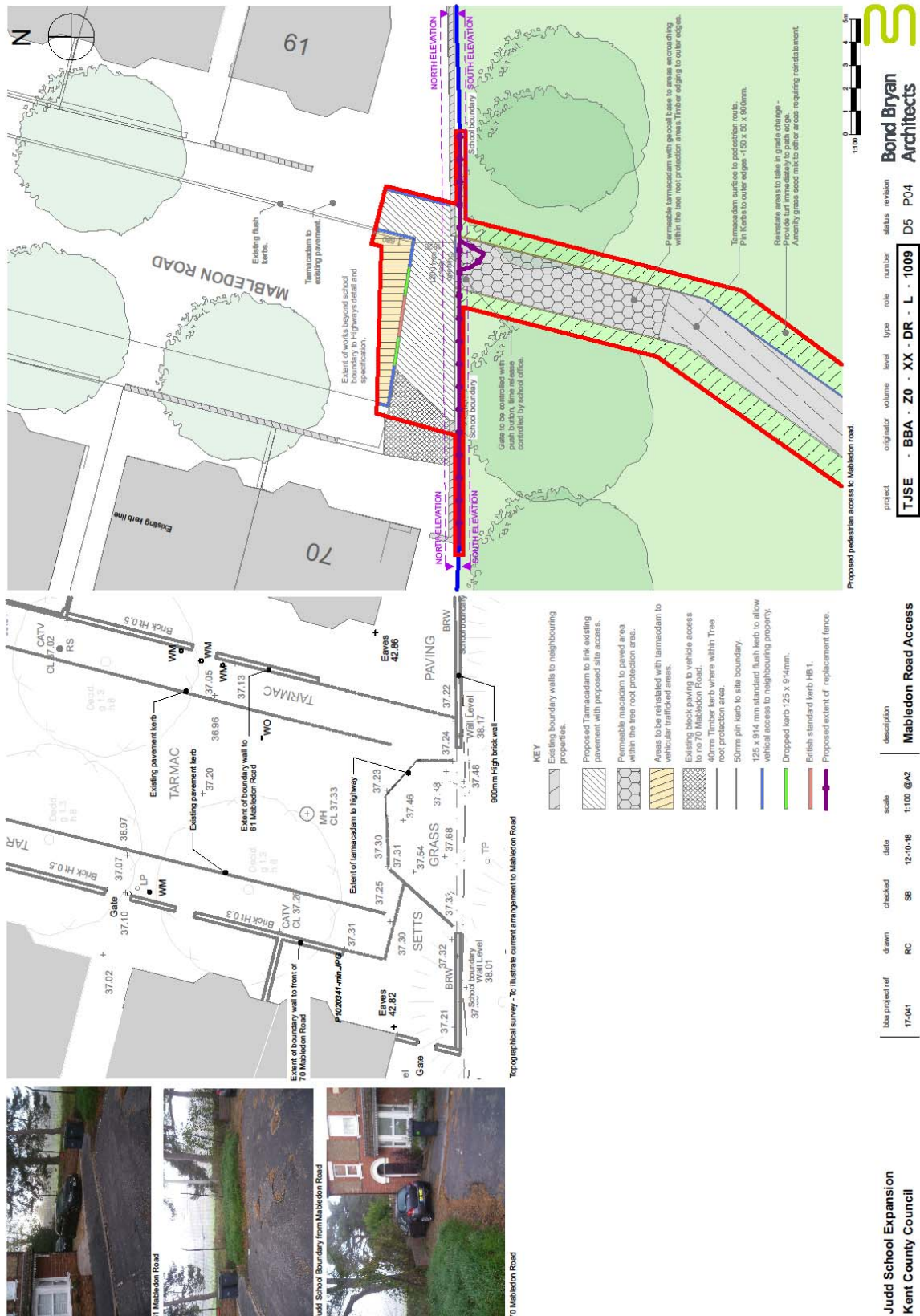
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Proposed Elevations of the Religious Studies Building



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Mabledon Road Access Existing and Proposed



[illegible]

[illegible]

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Background/Relevant Planning History

3. The table below summarises recent and relevant planning history at the site (both the main school site and the remote playing fields:

Application Reference	Description	Decision
KCC/TM/0485/2018	Section 73 application for the proposed variation of planning condition number 8 (removal of 'no community-use' restriction) following the granting of planning permission reference TM/15/121 dated 16 April 2015	Yet to be determined
KCC/TM/0484/2018	Section 73 application for the proposed variation of planning condition number 5 (removal of time restriction on delivery of pavilion facility) following the granting of planning permission reference TM/15/3918 dated 7 April 2016	Yet to be determined
KCC/TM/0493/2018 (TM/18/2527)	Full planning application for the proposed erection of a temporary single storey modular building to be used as changing room/pavilion facility to serve the Judd School's off-site outdoor sports facilities	Approved 13/12/2018
KCC/TM/0385/2015 (TM/15/3918)	Full planning application for the relocation of The Judd School's outdoor playing pitches at Yeomans - comprising 1 x grass senior rugby pitch, 1 x grass junior rugby pitch, 1 x grass training pitch, 1 x floodlit synthetic pitch (with restricted non-school use), 1 x hammer cage, 1 x cricket square plus all weather wicket and a single storey changing rooms block and associated landscaping works	Approved 07/04/2016
KCC/TM/0038/2015 (TM/15/554)	Proposed expansion of The Judd School (Brook Street, Tonbridge) from 4 to 5 forms of entry involving the demolition of existing kitchen and part of the dining space and reinstatement of former external facade, erection of a part two and three storey building, provision of 9 additional car parking spaces and associated landscaping works	Approved 28/04/2015
KCC/TM/0435/2014 (TM/15/121)	Proposed change of use from agricultural land to recreational playing field to serve The Judd School together with associated ancillary development including access, parking and hard landscaping works	Approved 16 April 2018

4. The latest admissions data for Tonbridge and Malling indicates a strong demand for secondary places in the borough, particularly in the Tonbridge town centre area. Overall provision in the district will be below the target of 5% surplus places, with around 3% for September 2018. However, the only available capacity is in the north of the Borough, approximately 10 miles from Tonbridge Town. The majority of the schools in the

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Tonbridge town centre area received 1st parental preferences for places above their published admission numbers (PANs). The Judd was the most oversubscribed, receiving 300 1st preferences for the 180 places (including the temporary 30 place bulge) available for September 2018. There is also significant pressure within the Tunbridge Wells town centre area and across the historic 'travel to learn area' for accessing secondary school provision covering Tonbridge town, Tunbridge Wells town and south Sevenoaks.

5. It is therefore proposed to expand The Judd School permanently by 1 form of entry (FE) from September 2019 (note that the school did admit additional year 7 pupils in 2017 and 2018 as temporary 'bulge' years). This expansion would increase the admission numbers each September from 150 to 180, an additional 30 year 7 places. The 1FE expansion would increase the school roll from 1176 pupils (5FE including sixth form) to 1326 (6FE including sixth form), an increase of 150 pupils and 11 staff. Full occupancy is expected to be reached in September 2024.

Additional/Amended Information Following Initial Submission

6. Following the submission of this application, and as a result of the public consultation, the applicant has submitted additional and amended information regarding the proposed exit only gate onto Mabledon Road, including details of the fencing and gate design, and how the footpath inside the school boundary would link with the footways on Mabledon Road.

Proposal

7. This application proposes to provide the accommodation required for the expanding school roll at the Judd School. The proposed development comprises of the following key components;
 - erection of a two-storey extension to the existing two-storey Religious Studies Building;
 - provision of two new Multi Use Games Areas (MUGA) on part of the existing playing field;
 - creation of a new 'exit only' footpath linking to Mabledon Road to improve pedestrian accessibility to the train station; &
 - provision of 14 additional car parking spaces.
8. In addition to internal alterations to the main school building (which would provide 7 additional teaching spaces (see paragraph 14 below)), a small amount of additional accommodation is required to accommodate the increase in pupil numbers. It is proposed to extend the existing Religious Studies (RS) building, which is a stand alone flat roofed two storey building located to the east of the main school building. It is proposed to extend the building to the south, into an existing area of hard-surfaced circulation space. An existing hedgerow, which separates that hard-surfaced space from a grassed amenity area to the south, would be retained. The proposed two storey extension and internal reconfiguration of the existing RS building would provide an additional two general teaching classrooms, in addition to extra staff areas, storage spaces and toilets. The entrance to the building would be moved from the southern to the western elevation.

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9. Externally, the proposed extension would result in the removal of an existing glazed entrance porch on the southern elevation and the extension of that elevation to the south, and the provision of a new double height glazed staircase/entrance area on the western elevation. The flat roofed extension, with parapet detailing, would be finished in red brick, with panels of buff brickwork, to match the existing.
10. Two additional MUGAs are proposed to be constructed in the north west of the site, to the north of the existing school buildings, on an area of existing playing field. The proposed MUGAs would be surfaced with permeable tarmac and would be marked out for tennis and basketball. 3.4metre high weldmesh fencing, powdercoated black, would enclose the MUGAs, with two access gates on the western side, linking with a new access path (see paragraph 11 below). Floodlighting is not proposed, and the facilities would be for school use only.
11. Approximately 50% of The Judd Pupils travel to and from school by train. In order to reduce pupil numbers exiting the site at the end of the school day onto Brook Street and then walking to the nearby station, it is proposed to provide a new pedestrian exit from the site which would split the pedestrian traffic by providing a second route to the station (more justification/reasoning for this will be discussed in the discussion section of this report). A new path within the school site would link the built development in the school to the proposed pedestrian exit onto Mabledon Road to the north. That path would also provide access to the proposed MUGAs from within the school site only. It is proposed to replace a section of fencing (approximately 18 metres) on the northern school boundary which joins the end of Mabledon Road with 2.4metre high black weldmesh fencing (same height as the existing chain link fencing) and to provide a gate within that fencing. The existing grass verge to the north of the school boundary line, at the end of Mabledon Road, would be surfaced to link the exit with the existing footways to either side of Mabledon Road.
12. The proposed gate would be for pedestrian exit only for The Judd School pupils, and would be secured by an automatic magnetic lock which would be controlled by the school office. The gate would only be opened for approximately 30 minutes at the end of the school day (3.45pm to 4.15pm) and for the first month or so of use would be monitored by a member of staff directing pupils and monitoring behaviour etc. When 'opened' by the school office, pupils would then need to open the gate by pressing a button on the school side of the gate. The gate would be used for the 190 days of the year that the school is in operation only, and is expected to be used by up to 300 pupils.
13. 14 additional car parking spaces for staff are proposed to be provided in the south east of the school site. An area of existing car parking is proposed to be extended to the east, to the south of the boundary fencing of properties in Tulip Tree Close and to the rear/north of one of the school buildings. The area is currently amenity space, forming part of the school's garden/grassed areas. The spaces would be finished in tarmac, to match the existing, and the 2.1metre high acoustic fencing to the north of the existing parking is to be extended to the east. The school currently has 94 parking spaces for staff and visitors, including 3 disabled spaces. The additional 14 spaces would result in a total of 108 on site car parking spaces.
14. Internal alterations to the existing building are proposed, which would provide an additional 7 teaching spaces. As a result of those alterations, three existing UPVC windows on the western elevation of the main school building are proposed to be

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replaced with units of a similar design but with the inclusion of top hung opening lights. In addition, in order to avoid changes to the windows on the southern elevation, two external ventilation louvres are required, in addition to three air conditioning condenser units (floor mounted on the eastern elevation).

Planning Policy Context

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

- (i) **National Planning Policy Framework (NPPF) July 2018** and the **National Planning Policy Guidance** (March 2014), sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

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

- consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;
- whether impacts from the development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree;
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation;

In addition, Paragraph 94 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.*

- (ii) **Policy Statement – Planning for Schools Development (15 August 2011)** which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. In particular the Policy states that the Government wants to enable new schools to open, good schools to expand and all

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schools to adapt and improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

(iii) **Development Plan Policies**

Tonbridge and Malling Borough Core Strategy September 2007:

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| Policy CP1 | Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all. |
| Policy CP2 | Sustainable Transport: New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility. |
| Policy CP11 | Urban Areas: States that development should be concentrated within the confines of the urban areas which include Tonbridge. Development adjoining these urban areas will only be permitted where there is an identified need and there are no suitable sites within the urban areas/ Priority will be given to the use of previously developed land. |
| Policy CP24 | Achieving a High Quality Environment: 1) All development must be well designed and of a high quality in terms of detailing and use of |

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

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

Policy CC1 Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate

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

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

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

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Consultations

16. Tonbridge & Malling Borough Council advises that:

“The County Council will need to satisfy itself regarding the impacts of the proposed pedestrian access to Mabledon Road upon highway safety and residential amenity and give full consideration to the comments made by local residents.”

Kent County Council Highways and Transportation raises no objection to this application, subject to the imposition of conditions regarding the submission of an updated School Travel Plan and the control of construction activities, and comments as follows:

“The school catchment plot and transport mode distribution to Judd School with very nearly 50% of pupils travelling to school by train, is particularly interesting. I note that even considering car share and park and walk trips, an additional number of private vehicles on the road of 30, would be expected from the increase in pupil role of 160 pupils (progressively increasing over a 5 year + period). Of this an additional 7 staff car trips are expected, and the proposal includes a 14-space extension to the car park.

I note that at school times there are heavy pedestrian flows at the corner of Brook Street with Quarry Hill Road and that the school proposes to open a new pedestrian gate onto Mabledon Road. The proposal is for egress pedestrian movement only. The school finish time is 15:45pm, with after school activities to 17:00pm. I would recommend that the gate is manned/attended, and I understand that through management its use could also be limited, only to those who travel by train (perhaps on production of a rail card).

The school has an ongoing Travel Plan, which should be updated/reviewed at least annually. I note that should this application be approved; the Travel Plan will be updated to reflect the increase in pupil and staff numbers. Should the new pedestrian gate element at Mabledon Road be approved I consider that Travel Plan reviews should include the effectiveness/success of this egress gate. If not done so already I would recommend that the school travel plan is added to Kent County Council's Jambusters monitoring database. I also note that the Travel Plan does not appear to be on the school's web site. I consider it would be helpful if through the web site, the Travel Plan is made more readily available for people to study.

I note from the Transport Statement, the 2016 data extract from a Department for Transport traffic counter on Quarry Hill Road, quoting an annual average daily traffic flow (AADF) of 17,000 vehicles per day (vpd). On behalf of this authority I write to confirm that it is not considered that the increase in vehicle movements associated with this proposal could be described to constitute a severe impact. I write to confirm therefore that I have no objection to this application subject to the following conditions: -

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- Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.

Informatives are also recommended regarding any necessary highway approvals.

Further comments were provided by Highways and Transportation regarding the safety and suitability of the proposed footpath link with Mabledon Road, as follows:

Reasoning for the proposal

From the documents submitted for this application the reasoning/rationale for the proposal is with respect to high levels of pedestrian footfall at Brook Street and Quarry Hill Road at school peak times, particularly at the end of the school day. The school receives regular complaints about the high number of students walking towards the town centre, mainly relating to safety concerns for students and the general public.

A study of pedestrian injury crash records between Judd School and Waterloo Road shows that there has been one slight personal injury crash here in the last ten years. This involved a thirteen-year-old boy who was hit by a vehicle when he left the footway. Judd School exhibits a high student use of the train for journeys to/from school (nearly 50%). It is expected that the modal distribution percentages will continue/extrapolate with the proposed expansion of the school from 5 to 6 forms of entry.

Mabledon Road

Mabledon Road is a dead-end road about 135m in length providing access to approximately 32 addresses. Similar to neighbouring Chichester Road the road has no turning area at the dead end. There is a primary school at the end of Sussex Road. From a study of historic maps, the area was built at the beginning of the last century. There have been no injury crashes in Mabledon Road, Chichester Road or Sussex Road for at least the last ten years. It is expected that Mabledon Road principally serves its residents and is trafficked by them, visitors, deliveries and service vehicles and is essentially a quiet and lightly trafficked road.

The walking route from Mabledon Road to Tonbridge station offers no benefit in terms of walking distance when measured via Brook Street and Quarry Hill Road. The route from Mabledon Road does however incorporate quieter, unclassified, non-strategic roads. In terms of safety I do not consider that the proposal represents a road safety hazard in Mabledon Road. The conflicts between pedestrians and traffic at the egress point and along the roads in question are considered to be minimal. Subject to the gate being used for egress only for

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students who catch the train, the proposal in my view simply offers a dispersal of pedestrian movement at school finishing time. I confirm therefore on behalf of this authority that I have no objection to this application subject to the above and the previous conditions given.

Environment Agency has no comments to make on this application as it 'falls outside the Environment Agency's remit as a statutory planning consultee'.

Sport England raise no objection to this application subject to the submission of a Community Use Agreement and comment as follows:

"This application relates to the provision of a new outdoor sports facility on the existing playing field at the above site. It therefore needs to be considered against Exception 5 of Sport England's Playing Field Policy, which states:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception 5. It is not considered that the proposed MUGA is ancillary to the playing field as it is proposed to be a facility in its own right, and involves a significant loss of playing field. It is regrettable that the loss of the playing field is not further justified by the addition of features such as floodlighting (I appreciate the proximity of local housing may make this challenging) or a polymeric surface on the proposed MUGA.

Therefore, it is necessary that the loss of playing field is mitigated further. I would consider the addition of a community use agreement to the school sports facilities to sufficiently mitigate what is a significant loss of playing field, as this would be of sufficient benefit to the community, particularly at weekends and during lighter summer evenings, even taking the lack of floodlighting into account.

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet exception 5 of the above policy. The absence of an objection is subject to the following condition being attached to the decision notice should the local planning authority be minded to approve the application:

'Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the County Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to all school sports facilities and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.'

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Should this condition recommended above not be imposed on any planning consent, Sport England would consider the proposal to not meet exception 5 of our playing fields policy, and we would therefore object to this application.

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

"It is possible that slow worms are present within that area of verge [at the end of Mabledon Road] as there appears to be some suitable habitat and the connectivity to the surrounding area. No surveys have been carried out so their presence or likely absence cannot be confirmed. However, it is a small area and any impact could be mitigated through the following:

- Implementation of a precautionary approach to clear the vegetation, &
- Creation of replacement habitat along the adjacent boundary within the school grounds. This could be created through the reduced mowing of 0.5 – 1m of vegetation along the adjacent boundary.

We suggest that if planning permission is granted details of a precautionary mitigation approach and enhancements are submitted as a condition of planning permission. We suggest the following wording:

Prior to works commencing a precautionary mitigation strategy for reptiles and enhancement plan are submitted for written approval. The submitted information must be produced by an ecologist include the following:

- *Map showing area of vegetation to be cleared and habitat creation*
- *Overview of works to be carried out*
- *Methodology to implement the works*
- *Timing of the proposed works*
- *Details of how the habitat enhancements areas will be managed.*

The works must thereafter be implemented as agreed"

The County Council's Conservation Architect has no objection to this application and states that the development would not have an unacceptable impact on the setting, character or appearance of the Quarry Hill Conservation Area. The design of the proposed extension is considered to be in keeping with the original building and could even enhance what is an uninspiring building. The extension would not have an unacceptable impact on the Conservation Area and the MUGAs, car park extension and footpath link are considered to have no impact on the Conservation Area.

The County Council's School Travel Plan Adviser no comments received to date.

Local Member

17. The local County Members, Mr Richard Long and Mr Michael Payne, were notified of the application on the 10 August 2018.

The following comments have been received from Mr Richard Long:

"I am one of the two County Councillors for the County Division of Tonbridge. While I support the application to extend the school buildings in general, I am

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objecting to the creating of a new access onto Mabledon Road on behalf of the large number of residents of that road and adjoining roads who have spoken and written to me. I have attended a meeting with the residents on site and consideration that many of their objections are reasonable and well founded. They have two main concerns:

1. That the road will be congested to an alarming degree every day at exit time with a small army of students using the pavements and carriageway of Mabledon Road, neither of which are large enough to be suitable for this purpose, to the detriment of the residents and the risk of damage to their property.
2. That despite the assurances of the School, it will in practice be impossible to prevent parents using Mabledon Road, Douglas Road and the other narrow and already congested streets in the area to wait for and pick up students after school. Should parents, more than one at a time, unwisely drive up Mabledon Road and attempt to turn at the top they will instantly create a traffic jam and potentially deny residents access to and from their own parking spaces. This is exactly the situation which already exists in Brionne Gardens (Hillview School for Girls) and White Cottage Road (Hugh Christie Technology College) and it has been impossible to restrict the movement of parents' cars there on the public highway, as it will be here.

I accept that residents of Brook Street may have a different view and I wish to represent all residents. However, I have only been contacted to date by residents of Mabledon Road and their near neighbours. I would invite the committee to approve the planning application on condition that the exit onto Mabledon Road is removed from the application."

Publicity

18. The application was publicised by an advertisement in a local newspaper, the posting of 4 site notices and the individual notification of 48 residential properties. All those that were originally consulted and/or wrote in regarding the application (127 in total) were also notified of the submission of additional and amended information regarding the proposed 'exit only' footpath link to Mabledon Road on the 31 October 2018.

Representations

19. In response to the publicity (including the second round of consultation on the 31 October 2018), 147 letters of objection have been received, including correspondence from Mabledon Road Residents Association and a petition sent in from pupils of Judd School regarding the loss of a garden area (signed by 57 pupils). A letter of support has also been received. A summary of the main planning issues raised/points of objection is set out below:

Amenity Matters

- No consideration is being given to the impact that the proposed gate would have on the amenity of the residents of Mabledon Road, Douglas Road, and the wider 'Meadow Lawn' area;
- The character of Mabledon Road would completely change;
- The quality of life of residents would be adversely affected by noise, loss of privacy, damage to vehicles, litter etc;

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- Properties in Mabledon Road have low front walls – pupils may sit on these whilst waiting for friends, and also the walls provide no privacy;
- Properties in Mabledon Road are Edwardian, with very small front gardens and bay windows. Pupils walking past would be able to look straight into the houses;
- Students would congregate at the school exit point to wait for friends causing a nuisance to residents;
- Concern is raised that the gate would be used for school access in the future, and potentially access for community use out of school hours;
- Children of residents of Mabledon Road will no longer be able to play outside/in the road;
- Additional cars in the 'Meadow Lawn' area would lead to increased air pollution;

Highway and Access Matters

- Mabledon Road is a narrow cul-de-sac with on-street parking on both sides making it single track with limited/no space for turning at the end;
- To turn at the end of Mabledon Road, cars often have to mount the pavement. This is exactly where the gate from the school site would lead to creating a danger to pedestrians;
- The grass verge at the end of the road is used for parking as well as turning, which would block the gate;
- Parents will use Mabledon Road/Douglas Road to collect students, rather than using Brook Street;
- Any students parking in Mabledon Road would result in a loss of parking for local residents;
- The footways on Mabledon Road are narrow and not designed or suitable for the level of footfall proposed;
- Pavements are further narrowed by trees;
- Residents have suffered from falls on the local pavements as they are uneven and unsafe;
- Pupils would be forced to walk down the centre of Mabledon Road which is unsafe and would prevent/hinder residents from accessing the road by car;
- Emergency services would not be able to access the road when the pedestrian gate is being used;
- Sussex Road Primary School and Hayesbrook Secondary School already cause congestion and use the roads and footpaths in the 'Meadow Lawn' area. It cannot accommodate additional vehicular or foot traffic from a third school;
- Brook street is designed for heavy footfall, with wide pavements, safety barriers, and regular maintenance (repairs and cleared in the event of snow etc);
- Brook Street is a safer route than Mabledon Road – which is not fit for purpose;

Land Ownership Matters

- The ownership of the strip of land at the end of Mabledon Road is unknown;
- Residents have maintained this strip of land so should have a right of ownership;
- The two properties at the end of Mabledon Road (next to the school boundary) need/use this area of land to access their drives/properties;

Other

- The planning application contains misleading information and incorrect/changing figures, and no risk assessments have been undertaken;
- Local consultation has been poor;

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- Increased use of the footpaths would affect the health of the trees (in the pavement);
- Judd School should stagger the end time of the school day to prevent pupils all leaving at once;
- How will Judd School manage and operate the gate to ensure that it is only used at the end of the school day?
- Objection is raised by pupils of Judd School to the removal of a garden area to create additional car parking;
- The grass verge is home to wildlife, including slow worms;
- The proposed fencing and gates are not in keeping with the area;
- The proposal removes the grass verge completely and replaces it with tarmac, changing the character of the road;
- Community use of the MUGAs should not be allowed;

Support

- The proposed gate will improve the safety of students and reduce congestion on Brook Street;
- Students are at a greater risk walking along Brook Street/the High Street than they are in Mabledon Road/Douglas Road;
- Increased noise/disturbance would be for 20 minutes a day only;

Discussion

20. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 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 School Development Policy Statement, and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the need for school places, highway implications, access alterations and the resulting amenity concerns, design and heritage matters, ecological matters, Sport England's requirements and whether the development is sustainable in light of the NPPF.

Need for School Places

21. As outlined in paragraph 15 of this report, great emphasis is placed within planning policy generally, specifically paragraph 94 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 Policy Statement – Planning for Schools Development.

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22. 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. As set out in paragraphs 4 & 5 of this report, the latest admissions data for Tonbridge and Malling indicates a strong demand for Secondary places in the district, particularly in the Tonbridge town centre area. Overall provision in the district will be below the target of 5% surplus places, with around 3% for September 2018. However, the only available capacity is in the north of the Borough, approximately 10 miles from Tonbridge Town. The majority of the schools in the Tonbridge town centre area received 1st parental preferences for places above their published admission numbers (PANs). The Judd was the most oversubscribed, receiving 300 1st preferences for the 180 places (including the temporary 30 place bulge) available for September 2018. There is also significant pressure within the Tunbridge Wells town centre area and across the historic 'travel to learn area' for accessing Secondary school provision covering Tonbridge town, Tunbridge Wells town and south Sevenoaks.
23. Based on the above, in my view, it is evident that a clear case of need for additional secondary school places within Tonbridge and Malling exists. 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, the Planning for School Development Policy Statement, and local Planning Policy, and I consider that the need for the development should be given significant weight in this instance. I therefore accept the need for the expansion of The Judd School

Access and Highway Matters, including Amenity Concerns regarding the Exit Only gate onto Mabledon Road and Land Ownership Matters

24. The principle of the expansion has not met with objection and, apart from matters regarding the proposed exit only gate onto Mabledon Road that have been raised by local residents, we have not received any highway and access objections to the proposal. Approximately 50% of The Judd School pupils travel to and from school by train, 26% by bus, 9% walk or cycle, and only 11% arrive by car, 2% of which car share. 75% of staff however travel to the school by car. As set out above (paragraph 5), the 1FE expansion of The Judd School is expected to increase the school roll by 150 pupils and require an additional 11 staff. As set out in paragraph 16 of this report, Highways and Transportation raise no objection to this application, and consider that the development would result in an additional 30 vehicles on local roads when the school reaches full capacity. Further, the additional staff parking requirements are exceeded by the 14 car parking spaces proposed. In considering this, I am satisfied that the school expansion per se (not considering the exit only gate and its implications) would not have an unacceptable impact on the local highway network in terms of vehicle trip generation and highway capacity, and parking pressures.
25. However, due to the high number of pupils that use the rail network to travel to and from school, the school receive complaints regarding heavy pedestrian flows on Brook Street/Quarry Hill Road (the route from the School to Tonbridge Station), as noted in the comments of Highways of Transportation. The pavements become congested at peak school times, specifically at the end of the school day when pupils leave school at the same time to walk to the station, and concerns are raised regarding the safety of pupils and the general public. Therefore, as set out in paragraphs 11 & 12 of this report, the applicant is proposing to install an exit only gate in the northern school boundary, to link

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with Mabledon Road, offering an alternative second pedestrian route to Tonbridge Station. The proposed exit gate has met with local objection from properties in the 'Meadow Lawn' area, predominately from those living in Mabledon Road.

26. In addition, Tonbridge and Malling Borough Council consider that the County Council should give full consideration to the comments made by local residents with regard to highway safety and residential amenity. Furthermore, one of the County Members for Tonbridge, Mr Richard Long, has raised objection to the exit gate on the basis of the number of pupils using the pavements and carriageway of Mabledon Road which would be to the detriment of residents, and the potential use of the 'Meadow Lawn' roads by parents to pick up pupils in cars.
27. The issues raised by local residents are summarised in paragraph 19 of this report, and mainly relate to pedestrian and highway safety and residential/local amenity matters. These concerns will be discussed in the following section of this report. Matters raised about the suitability of the fencing specification/design will be discussed later in the report, as will ecological issues.
28. Before discussing the highway and amenity implications of the proposed exit gate, land ownership issues must first be addressed. It has been suggested by local residents that the applicant does not have a right of access over the grass verge at the end of Mabledon Road and that, as residents have maintained this piece of land, they should have a right of ownership. The applicant has served the correct notices as part of the planning process, including an advert in the local paper, and has taken all reasonable and practicable measures to establish if anyone owns the strip of grass verge. Legal advice has been sought by the applicant and it appears that unless proof of ownership from a third party is provided, that the land is unregistered and would form part of the highway. This matter is however not a matter for the Planning Authority to consider, it is a matter of law to be considered and resolved outside of the planning process. As a point of note, the two properties next to the school boundary have off street parking areas/driveways. Access to these would not be affected by the tarmacking of the grass verge area, and pedestrians using the footway would have to look for manoeuvring vehicles, as they would when using any footway that also affords driveway access.
29. As set out in paragraph 11 and 12 of this report, a new path is proposed to run north to south across the school playing field, linking the school buildings with a new gate to be installed in the northern site boundary fencing. It is proposed that the existing grass verge to the north of the school boundary line, at the end of Mabledon Road, would be surfaced to link the exit gate with the existing footways to either side of Mabledon Road, as shown on the plans included within this report. The applicant has set out when the pedestrian exit gate would be used and how its use would be controlled, as detailed in paragraph 12 of this report.
30. With regard to highway safety and access, local residents express concern that Mabledon Road (and other roads in the 'Meadow Lawn' area) are narrow with restricted access, parking and turning, and that pavements are narrow, in poor state of repair and already congested in areas due to use by pupils of Sussex Road Primary and Hayesbrook School. First, I am advised by the applicant that both Sussex Road Primary and Hayesbrook School finish between 3.00pm and 3.15pm, whereas The Judd School finish at 3.45. Pedestrian movements associated with the other two schools should therefore be limited by time the Judd School finish. Further, only The Judd School pupils

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would use the footways on Mabledon Road, joining the wider footway network leading to the station at Douglas Road.

31. Mabledon Road is a narrow road with onstreet parking on both sides resulting in a single car width carriageway, which has a 'dead end' at the Judd School boundary, with a narrow grass verge between the end of the surfaced road and the school boundary fencing. Turning space is limited, and the area at the southern end of the road (the grass verge) and the pavements here are used at times to enable vehicles to turn. These issues are raised by local residents and are not disputed by Highways and Transportation or us as the Planning Authority. However, as stated by Highways and Transportation, there have been no injury crashes in Mabledon Road, Chichester Road or Sussex Road in recent years. Mabledon Road principally serves its residents and is trafficked by them, visitors, deliveries and service vehicles and is essentially a quiet and lightly trafficked road. The footways to either side of the road do narrow in places (for tree planting) but they are generally of a standard width and construction, and are fit for purpose. However, due to the quiet nature of the road, low vehicle speed and light amount of vehicle use, should pupils need to step into the road at a pinch point, they would be easily be able to assess the safety of this and not be placed in undue danger.
32. Highways and Transportation confirm that the walking route from Mabledon Road to Tonbridge station offers no benefit in terms of walking distance when measured via Brook Street and Quarry Hill Road. Therefore, many pupils would continue to use the existing route. Highways and Transportation confirm that the route via Mabledon Road does, however, incorporate quieter, unclassified, non-strategic roads. Therefore, in terms of safety, Highways and Transportation do not consider that the proposal represents a road safety hazard in Mabledon Road. The conflicts between pedestrians and traffic at the egress point and along the roads in question are considered to be minimal and, therefore, Highways and Transportation confirm that, subject to the gate being used for egress only for students who are walking to the train station, the proposal simply offers a dispersal of pedestrian movement at school finishing time, and therefore no objection is raised. The use of the footways to either side of Mabledon Road for a 30 minute period of each day would, in my view, not pose a un acceptable highway or pedestrian safety risk.
33. In addition to the above, local residents also express concern that pupils may park in Mabledon Road and surrounding streets and that parents may also use the roads for pick-up off pupils at the end of the school day. Residents express concern that local roads cannot accommodate additional vehicular traffic and that parking by parents is often inconsiderate/illegal, and takes up the limited parking available for residents.
34. With regard to pupil parking, I can see little reason why a pupil would choose to park in Mabledon Road/surrounding roads as they would then have to walk to the schools front entrance on Brook Street to access the school site as the gate would be locked until 3.45pm. Further, Mabledon Road/surrounding roads are subject to parking restrictions, with permit holder only parking between 9.30am and 10.30am, or maximum 2-hour stays. Parking by pupils for the school day would be in breach of such restrictions and penalty tickets would be issued. I therefore am satisfied that pupils would not choose to park in Mabledon Road and/or the surrounding area due to existing parking restrictions and distance to the school access on Brook Street.

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35. Concern is also raised that parents would park in local roads to collect pupils at the end of the school day. It is suggested that parents of Hayesbrook School and Sussex Road Primary School pupils already park in local roads, often illegally and dangerously. First, illegal and dangerous parking is something that should be enforced by the relevant authorities, but parents are entitled to park on the public highway, as are any other road users. However, in this instance, I do not consider that the exit only gate would result in additional on street car parking by parents of Judd School pupils for a number of reasons. First, Mabledon Road is a narrow no-through road with very limited turning space - it is not a road that parents would choose to park in to collect children, when Brook Street has a layby specifically designed for that purpose. Secondly, it must be remembered that approximately only 11% of pupils travel to and from The Judd School by car, 2% of which car share. Vehicle movements associated with the School at peak times are therefore minimal when compared to other local schools. An additional 30 vehicles movements are expected as a result of the expansion, the impact of which would be negligible on the wider highway network. I can see little reason why parents would seek to avoid Brook Street, which can accommodate car parking and pick-up, to use narrow roads with limited turning areas. This lack of additional vehicles in the vicinity would also negate any impact of the development on local air quality.
36. Highways and Transportation have suggested that use of the exit gate be monitored to ensure pupils are heading to the station, perhaps by production of a rail ticket. However, I do not feel this is appropriate, necessary or enforceable. Given the above, I do not consider that parents would choose to collect pupils from the Mabledon Road area, and some pupils who would use the exit gate may be walking home rather than catching a train. However, should permission be granted, conditions of consent (which will be outlined later in this report) must control the hours of use of the exit only gate and ensure that it is locked at all times when not in use (3.45 – 4.15pm for 190 days a year). In addition, an updated School Travel Plan should be submitted, to include the exit gate and monitor its effectiveness and use. Subject to those conditions, I consider that exit only gate to be acceptable on highway and pedestrian safety grounds.
37. Lastly, with regard to the exit gate, objections have been raised on amenity grounds by residents. It is considered that pupils using the exit gate would change the character of Mabledon Road, increasing noise disturbance and litter, and that pupils using the footways could damage vehicles and would be able to look into properties, resulting in a loss of privacy. It should be noted that the footways are public and available for use at all times by all members of the public. Historically, they have not been heavily used as the footways only afforded access to properties in Mabledon Road, but their use has never been private or restricted.
38. As set out in paragraph 12, the exit only gate is proposed to be used for 30 minutes a day, between 3.45pm and 4.15pm only, and would be locked at all other times. It is anticipated that about 50% of the pupils that walk to the station would use this alternative route over the 30 minute period, aiding in alleviating the pedestrian safety issues currently experienced in Brook Street/Quarry Hill Road. Further, the gate would be used during term time only. It should also be noted that the operating times of the gate are during the general working day, so many residents would not even be aware of the increased pedestrian activity.
39. The school have agreed to monitor use of the gate for the first month, to monitor behaviour and direct students. Noise and some disturbance may be experienced as

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pupils walk past properties, but as stated above, this is a public highway and pedestrian activity can reasonably be expected. The behaviour of pupils is not something that can be controlled by the Planning Authority, but is something that the school can address if complaints are received (litter etc). Further, there is no reason or evidence to suggest that pupils would damage cars - whichever route is taken to the station parked vehicles would have to be passed. Although I have some sympathy with local residents in that for a 30 minute period pupils would be using the footways outside of their properties, I can see no planning reason for refusing the application on amenity grounds resulting from the exit only gate and use of the footways.

40. Members should also note that the school could replace their existing 2.4metre high boundary fencing with 2 metre fencing and a gate under permitted development rights and as a Planning Authority we would have no control over how that gate would be used and/or its design/specification. By including the gate in this planning application, the Planning Authority can impose conditions of consent to control its hours of use and ensure that it is locked when not in use which, given the concerns of the local residents, would aid in limiting noise and other amenity impacts. The associated footpath within the school site and the highway works to the end of Mabledon Road could, however, not be carried out without the benefit of planning permission.
41. In considering the above, I am satisfied that the exit gate as proposed is acceptable on highway and access, including pedestrian safety, and amenity grounds. Should permission be granted, conditions of consent should be imposed controlling the hours of operation of the exit only gate and ensuring that it is locked when not in use, and also requiring the submission of an updated Travel Plan to include reference to the gate and assess its effectiveness in splitting pedestrian traffic on route to the station. Subject to those conditions, I see no reason to refuse this application on highway and access grounds, or due to adverse amenity impacts resulting from the pedestrian exit only gate.

Design and Heritage Matters

42. Having considered the highway, access and amenity impacts of the exit gate, we must now consider the design and street scape implications. As a point of note, the whole of the school site is within the Quarry Hill Conservation Area, the border of which follows the northern boundary of The Judd School (properties in Mabledon Road are not within the Conservation Area). The applicant is proposed to replace a section of fencing (approximately 18 metres) on the northern school boundary which joins the end of Mabledon Road with 2.4metre high black weldmesh fencing (same height as the existing chain link fencing) and to provide a gate within that fencing. Local residents have suggested that the fencing and gate proposed are not in keeping with the area.
43. First, as pointed out above, 2 metre high replacement boundary fencing could be provided under permitted development, which could be of any specification and design, including a galvanised finish. However, the fencing proposed by the applicant is black weldmesh fencing, a fencing type which is common on school sites across the County, and considered to be a secure fence whilst not being as visually intrusive as typical security fencing (palisade for example). The black finish is also preferable to a galvanised or green powder coating finish as it gets 'lost' against the landscape behind and is less visually intrusive. 2.4 metre high fencing is higher than the typical 2 metre high boundary fencing, but the height is proposed to match that of the existing. In

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considering the above, I am of the view that the fencing specification, colour and height are acceptable in this instance, including the matching gate within it.

44. All other elements of this proposed development (car parking, MUGAs and building extension) are within the Quarry Hill Conservation Area. The County Council's Conservation Officer was consulted on this application and raises no objection and considers that the development would not have an unacceptable impact on the setting, character or appearance of the Quarry Hill Conservation Area. The design of the proposed extension is considered to be in keeping with the original building and, the Conservation Officer concludes, could even enhance what is an 'uninspiring' building. I agree with that view, and also consider that the proposed works to the Religious Studies building would improve its visual appearance as well as its functionality. Subject to a condition of consent, should permission be granted, requiring the development to be constructed with materials to match the existing building in terms of colour and texture, as specified within the planning application documents, I am satisfied that the proposed extension would not have a detrimental impact on the character and appearance of the Conservation Area.
45. With regard to the proposed MUGAs and additional car parking, the Conservation Officer concludes that neither would have an impact on the Conservation Area. Both are well screened from public vantage points within the Conservation Area and are appropriate for the site and its setting. The acoustic fencing would offer a degree of screening for residents to the rear of the car parking, and no objections to this element of the proposal have been received. Floodlighting of the MUGAs is not proposed, nor is Community Use. As the MUGAs would be constructed on existing playing field (to be discussed in more detail below), their impact in terms of noise generated from use for sport would remain as largely as existing. I therefore consider the MUGAs and car parking elements of the proposal to be acceptable in design, heritage and amenity terms.

Biodiversity and Landscaping

46. Local residents have expressed concern that slow worms and other species are living in the grass verge proposed to be removed as part of this application. As a result of these concerns, the County Council's Biodiversity Officer was consulted for advice on this matter. The Biodiversity Officer considers that it is possible that slow worms are present within that area of verge as there appears to be some suitable habitat and connectivity to the surrounding area. The applicant has not undertaken survey work so presence or absence cannot be confirmed, but I am advised by our Biodiversity Officer that as it is a small area of land, any impact could be mitigated through the following:
 - Implementation of a precautionary approach to clear the vegetation, &
 - Creation of replacement habitat along the adjacent boundary within the school grounds. This could be created through the reduced mowing of 0.5 – 1m of vegetation along the adjacent boundary.
47. A condition of consent is suggested by the Biodiversity Officer requiring that, prior to the commencement of the development, a precautionary mitigation strategy for reptiles and an enhancement plan are submitted for written approval. Subject to the imposition of that condition, should permission be granted, I am satisfied that the development would not adversely affect protected species/local wildlife.

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48. Local residents have also suggested that the increased footfall on the footways in Mabledon Road would adversely affect the health of the mature trees that are planted within that pavement. I do not consider that an increased use of the footways for 30 minutes a day would affect the health of the trees, especially when considering that trees are planted in pavements with a significant level of footfall in urban areas/town centres and suffer no ill effects. The trees within the school boundary adjacent to the proposed replacement fencing and new gate are to be retained, and the section of footway to the south of the gate, with the root protection area, is to be constructed with permeable macadam to maintain the health of those trees. In considering the above, I am satisfied that the development would not adversely affect the health of trees in the locality.
49. As set out in paragraph 19 of this report, objection has been raised to this application by some pupils of Judd School to the loss of a 'Garden Area' to provide space for the additional 14 parking spaces proposed. The need for the additional car parking is accepted (due to additional staff requirements) and the location proposed is logical and acceptable on amenity grounds. However, the loss of garden space is regrettable, and I can understand the concerns raised by the pupils, some of whom appear to belong to the School Gardening Club. However, the 320m² area proposed to be surfaced is adjacent to an area of existing car parking, in a corner of the school site to the rear of one of the school buildings. Additional grassed amenity space is available to the front of those buildings which arguably is a more open and attractive environment. The School have confirmed that it has always been their intention to relocate the garden area to the grassed area to the south of its current location, and that it would not be lost. Given the concerns raised, I consider it appropriate to require that details of the relocated garden area are submitted pursuant to condition as part of a landscaping scheme. In addition, given recent concerns about the decreasing bee population in the County, I consider that an informative should be added to encourage the school to include species that support bee populations within that landscaping scheme.

Sport England Requirements

50. As the MUGAs and footpath linking the exit only gate and the MUGAs to the School buildings are proposed to be constructed on an area of playing field, Sport England were consulted on this application. As set out in paragraph 16 of this report, Sport England raise no objection to this application subject to the submission of a Community Use Agreement regarding the two MUGAs. However, community use of the two proposed MUGAs is not proposed as part of this application and is not something that the School wish to pursue. The Judd School have recently completed remote playing fields, including a flood lit pitch, which offer community use and have parking and toilet facilities to support such use. As can be seen in paragraph 3 of this report, the School are also seeking to increase the level of Community Use offered at that site by removing a 'no community use' restriction that currently covers the grass playing fields to the western half of that site. Community use on the main campus is not promoted by the school as they have extensive alternative sporting facilities. Regardless of that, the MUGAs proposed as part of this application are not floodlit so would be of limited benefit to the wider community in terms of use out of school hours, especially in the winter months when surfaced facilities are more in demand due to inclement weather. Further, use of the MUGAs out of school hours would attract local objection (as referenced in paragraph 19), and so any additional use beyond that proposed would need to be

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subject to consultation with the local community and may not be acceptable in this location

51. The applicant has submitted additional information setting out the rationale for not proposing community use of the two MUGAs, and further detailing the community use that the School do offer at their remote sport facilities/fields. Sport England are also aware that the school has an outstanding live application with the County Council (KCC/TM/0485/2018) to increase the level of community use at that site. However, Sport England are of the view that without the submission of a Community Use Agreement for the two proposed MUGAs, the proposal would result in a loss of sport facilities and an objection would be raised.
52. Therefore, in this instance, Sport England are objecting to this application. Should Members be minded to agree with the recommendation to permit this application subject to conditions, the application would therefore need to be referred to the Secretary of State for Housing, Communities and Local Government for consideration before planning permission could be issued.

Construction Matters

53. Given that there are nearby residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours construction to protect residential amenity. I recommend that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
54. I also consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of the development. That should include details of the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid peak school times, and details of any construction accesses. Such a strategy would also address the conditions required by Highways and Transportation with regard to the construction of the development. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.

Conclusion

55. This application seeks the provision of additional accommodation for secondary education places in the Tonbridge area by expanding The Judd School by 1FE. The proposal has given rise to a variety of planning issues, including the impact of the development on the highway network, pedestrian safety and amenity matters arising from the pedestrian exit gate onto Mabledon Road (proposed to improve pedestrian safety for students walking to the station), Sport England issues, design and heritage matters, along with a need to ensure that there is a sufficient choice of school places available to meet community needs. Subject to the imposition of the conditions outlined throughout this report, I consider that the proposed development would not have a

Proposed 1FE expansion involving an extension to an existing building, new multi-use games areas, new 'exit only' footpath link to Mabledon Road, 14 additional car parking spaces & landscaping works at The Judd School, Brook Street, Tonbridge – TM/18/1924

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, support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for secondary school places in the Tonbridge area.

56. 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 and is sustainable development. Therefore, I recommend that the application be referred to the Secretary of State on Sport England grounds, and that subject to his decision, permission be granted subject to appropriate conditions.

Recommendation

57. I RECOMMEND that the application BE REFERRED to the Secretary of State for HCLG on Sport England grounds, and that SUBJECT TO his decision that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard 3 year time limit for implementation;
 - the development to be carried out in accordance with the permitted details;
 - the development to be carried out using external materials and colour finishes to match the existing, as specified within the planning application documents, unless otherwise agreed;
 - the submission of a scheme of landscaping, including of the relocation of the garden area that would be lost to create the additional car parking, soft landscaping, & any additional hard surfacing;
 - the submission of a precautionary mitigation strategy for reptiles, and an enhancement plan, prior to the commencement of the development;
 - the submission and approval of an updated Travel Plan within six months of occupation, to include reference to the pedestrian exit gate onto Mabledon Road and an assessment of its effectiveness in splitting pedestrian traffic on route to Tonbridge Train Station;
 - the provision and retention of 14 car parking spaces;
 - the gate onto Mabledon Road is to be used only for pedestrian exit for The Judd School pupils and is only to be unlocked between 3.45pm and 4.15pm on school days (during term time) unless otherwise approved in writing by the County Planning Authority;
 - no floodlighting to be installed on the MUGAs;
 - hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
 - the submission and approval of a construction management strategy prior to the commencement of the development, including details of the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid conflict with peak school times, and details of any construction accesses;

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

- With regard to the requirement to prepare and submit a (revised/amended) School Travel Plan, the applicant is advised to register with Kent County Council's Travel Plan Management system 'Jambusters' using the following link <http://www.jambusterstpms.co.uk>. Jambusters is a County Wide initiative aiding Schools in the preparation and ongoing monitoring of School Travel Plans.
- With regard to the requirement to prepare and submit a scheme of landscaping, consideration shall be given to the inclusion of species that encourage Bees;

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