

Committee: **Regulatory Planning Committee**

Date: **30 April 2025**

Report by: **Director of Communities, Economy and Transport**

Proposal: **The erection of a new Secondary School Building with associated outdoor learning and play space, landscaping and parking.**

Site Address: **Grove Park School, Church Road, Crowborough, East Sussex, TN6 1BN**

Applicant: **Director of Children's Services**

Application No. **WD/3517/CC**

Key Issues: **1) Need
2) Scale, design and impact on the amenities of the area
3) Landscape and Ecology
4) Highways
5) Flood Risk and Drainage**

Contact Officer: **Miss Kiran Sajjan Tel. 01273 481595**

Local Member: **Councillor Philip Lunn**

SUMMARY OF RECOMMENDATIONS

- 1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report.**
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CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT.

1. The Site and Surroundings

1.1 Grove Park School is a special school for children with learning difficulties and is located at the junction of Beacon Road (A26) and Church Road, approximately 1 kilometre south west of Crowborough town centre. It covers an area of 2.14 hectares, with the main School building occupying a centre-west position. There are two access roads to the site from Church Road, one in, one out, approximately 25 metres apart. The 2 roads converge about 30 metres into the site and lead to an area of hard standing in front of the main

School entrance. The existing School building is single-storey with a pitched roof.

1.2 The School is located in a largely residential area with the rear gardens of dwellings in the Starfield cul-de-sac backing onto the south-west boundary of the School and the gardens of properties in The Grove cul-de-sac adjoining the south-east boundary. Detached residential properties are opposite the School site on Beacon Road and Church Road. The School grounds are heavily wooded, particularly the eastern part, and mature trees are present along all boundaries of the site, thereby restricting views into it.

2. The Proposal

2.1 The proposed development seeks to erect a purpose-built, new school building for Secondary Education of pupils with special educational needs and disabilities (SEND). The proposed new building would be located to the north-west of the existing main school building, and would comprise the school building, play space, and hard standing to access the building from the existing car park and drop off point. At present, only primary education provision is offered at the Grove Park School site.

2.2 The proposed school building would accommodate up to 60 pupils, including 2 classrooms for students with Profound Multiple Learning Difficulties (PMLD) (up to 6 pupils per classroom) with 5 year bases across School Years 7 to 11 (with up to 8 pupils per classroom).

2.3 The building itself is in a linear floor plan and comprises a 2-storey building with a 2.5-storey element to the west sitting within the proposed cut of land to appear 2-storeys in height above ground level, with a gross internal floorspace of 1,735 square metres. The building would be arranged over split-levels. The lower ground floor plan would accommodate staff offices and welfare facilities, the ground floor comprises 5 classrooms, 3 of which would have outdoor classroom breakout spaces, the hall would also be on this level at the western end of the building. The first floor comprises a further 5 classrooms with ancillary learning space such as a library. A lift at each end of the building will ensure all spaces are fully accessible. A covered canopy walkway is proposed to link the proposed building to the existing primary school building.

2.4 It is anticipated that once operational, the secondary school would accommodate an additional 60 pupils and 35 members of staff at the site.

2.5 The proposal includes the provision of 28 additional parking spaces, the majority of which would be located within a currently vegetated triangular parcel of land in the north of the site, close to the existing access. A total of 8 cycle parking spaces will be provided, in the form of 4 sheltered Sheffield stands. This provision will be located to the north of the proposed school building.

2.6 A secure fence line comprising of 2.4 metres high weldmesh security fencing with automated gates would be installed in the north of the site.

2.7 Three roof mounted air source heat pumps would be situated on the roof of the western wing of the proposed building, surrounded by a high parapet wall, A substation is also proposed to the north of the site, adjacent to the existing site exit point.

3. Site History

3.1 Several planning permissions have been granted at the site, with the most recent in March 2017 for a new car park area with the provision of 37 spaces including 2 disabled spaces located to the north-east of the School site (ref. WD/3335/CC).

4. Consultations and Representations

4.1 Wealden District Council - Raises no objection to proposal subject to a full assessment by the County Council which should be suitably informed by the Local Highway Authority to ensure that the proposal does not have a detrimental impact upon highway safety, given the inevitable rise in traffic associated with the new school building, and also that the final assessment is satisfied that the scale of the building does not give rise to adverse neighbouring amenity, in particular to the occupiers of The Lodge to the south-west of the proposed building.

4.2 Environmental Health Officer, Wealden District Council – Does not raise any objections as the submitted noise impact assessment of the proposed 3 x air source heat pump units and proposed substation shows evidence that the noise levels from the proposed mechanical units are substantially below the measured background levels and comply with the recommended criteria.

4.3 Crowborough Town Council – No response received.

4.4 Lead Local Flood Authority - No objection subject to the imposition of conditions to ensure the technical design and implementation of the drainage scheme is acceptable.

4.5 Highway Authority - Raise no objections as there is unlikely to be a detrimental impact on trip generation, or highway safety and the site can accommodate adequate parking for both the primary and secondary facilities. The Highway Authority encourages the implementation of a management strategy for the parking and drop off areas to ensure these areas are utilised effectively and safely.

4.6 East Sussex County Council Environmental Advice – Raises no objections subject to the imposition of conditions relating to noise levels, air quality during construction and reduction in carbon emissions.

4.7 County Archaeologist – Raises no objections subject to the imposition of conditions relating to securing a written scheme of investigation and completion of a site investigation and post-investigation assessment.

4.8 County Ecology – Raises no objections subject to the imposition of conditions requiring a pre-commencement badger survey, construction environmental management plan, precautionary working methods statement for the protection of bats, reptiles and badgers, an ecological design strategy and finally the inclusion of statutory biodiversity net gain conditions.

4.9 County Landscape Architect – Supports to the development providing that the applicant delivers the proposal in line with the submitted hard and soft landscaping proposals.

4.10 NatureSpace – No response received.

4.11 Aerodrome Safeguarding Officer on behalf of London Gatwick – Raises no objection as the proposed development does not conflict with aerodrome safeguarding criteria.

4.12 Designing Out Crime Officer, Sussex Police – Raises no objections to the proposal. However, advice is provided to the applicant on crime prevention and the implementation of principles set out in the Secured by Design initiative.

4.13 Local Representations - A total of 6 representations have been received in response to the proposed development. The key points raised are summarised below:

- Adverse noise impact from the proposed air source heat pumps.
- Existing mature vegetation should be protected and retained.
- The planting of new trees and shrubs is supported.
- Grange Close should not be used for contractors parking during the construction phase.
- The existing highway junctions are unsafe.
- The spread of Japanese knotweed should be appropriately managed.
- On-site parking is not sufficient for staff and visitors.
- Potential for increased traffic on Church Road which is already busy.
- Proximity to the A26 poses a safety concern for pupils.

5. The Development Plan policies of relevance to this decision are:

5.1 Wealden Local Plan 1998: Saved Policies: EN12 (Protection of Trees and Woodland); EN14 (Landscaping within Development); EN27 (Design and Layout Criteria); EN28 (Access for the Disabled); EN29 (external lighting); TR3 (traffic impact of new development); TR13 (pedestrian links); TR16 (parking standards) and CS2 (drainage).

Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the National Planning Policy Framework (NPPF). However, the above referenced Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF.

5.2 Wealden District (incorporating part of the South Downs National Park) Local Development Framework, Core Strategy – February 2013: Policy WCS12 (Biodiversity).

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on 19 February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. Currently, saved development management policies contained within the Wealden Local Plan 1998 remain part of the Development Plan for the area.

5.3 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policy WMP3d (Minimising and Managing waste During Construction, Demolition and Excavation).

5.4 National Planning Policy Framework (NPPF) 2024:

The NPPF does not change the status of the Development Plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. Paragraph 100 advises Local Planning Authorities to give great weight to the need to create, alter and expand Schools. Parts 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment) also apply in this case.

5.5 Policy Statement on Planning for Schools Development 2011:

The policy statement indicates that the Secretary of State will be minded to consider refusal of any application for state-funded schools to be unreasonable conduct, unless it is supported by clear and cogent evidence.

5.6 The Environment Act 2021: Schedule 14 of The Environment Act requires that from the 12 February 2024 (for major applications) and 02 April 2024 (for minor applications), all development (apart from those meeting the criteria for exemption) provide a minimum of 10% biodiversity net gain (BNG), although local planning policy may require higher levels. The biodiversity gain objective must be met in relation to development for which planning permission is granted, demonstrated through the completion of the Statutory Metric and Biodiversity Gain Plan. The proposed development meets the criteria to deliver 10% biodiversity net gain.

6. Considerations

Need

6.1 Local Authorities have a statutory duty to ensure there are sufficient school places for all pupils, including for those with special educational needs and disabilities (SEND).

6.2 East Sussex County Council's SEND forecasts clearly evidence that there will be a continued increase in the number of pupils with SEND in the coming years. The numbers of school aged children and young people aged 4-

19 in East Sussex with an Education, Health, and Care Plan (EHCP) has been rising steeply in recent years, from 3,126 in 2018-19 to 3,494 in 2021-22, an increase of 12%. In 2023/24, the number of school aged children (aged 4-18) in East Sussex with an EHCP stood at 3,989. Over the next 4 years, the Council forecasts that overall numbers of school aged children with EHCPs will grow, by around 34%, to stand at approximately 5,400. As a result of the rise in numbers of pupils with an EHCP, particularly those with Profound and Multiple Learning Difficulties (PMLD), pupil numbers at Grove Park School have increased significantly.

6.3 In addition to this, at the request of East Sussex County Council (ESCC), the school has also taken pupils with a broader range of needs, including pupils with Autistic Spectrum Disorder (ASD). As a result, pupil numbers at the school have increased by 33% in the last 10 years. As the only Special Educational Needs (SEN) School in the north of the county, there will continue to be significant pressure on places at Grove Park School for PMLD as well as the other needs that the school caters for (including ASD).

6.4 The school currently has 3 phases: primary, secondary and sixth form on separate sites in Crowborough. The primary phase (4-11) is based at Church Road (the application site), the secondary phase (11-16) is co-located on the Beacon Academy secondary site in Beeches Road and the sixth form (post-16) is co-located with Beacon Academy's sixth form at Green Lane. There is currently no purpose-built facility for Secondary Education for pupils with SEND within the locality.

6.5 As a result of the increasing pupil numbers, the school is struggling to accommodate its current pupils, particularly its secondary and sixth form pupils co-located at Beacon Academy. The school therefore requires larger accommodation to meet the growing demand for places. Therefore, the Children's Services' Department of ESCC is proposing to deliver a new purpose-built Secondary School Building at the Church Road site to accommodate secondary pupils currently co-located at Beacon Academy. This would then free up capacity at the Beacon Academy for secondary aged pupils.

6.6 The proposal is supported by the provisions in the NPPF, specifically paragraph 100 which states that it is important that a sufficient choice of early years, school and post-16 places are 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. This should be done by giving great weight to the need to create, expand and alter school facilities.

Scale, design and impact on the amenities of the area

6.7 Saved Policy EN27 in the Wealden Local Plan 1998 states that development should respect the character of adjoining development and not create an unacceptable adverse impact on the privacy and amenities of adjoining developments by reason of scale, design, height, form, noise or traffic movements. Saved Policy EN28 in the Wealden Local Plan 1998 requires

educational proposals to provide suitable access and facilities for people with disabilities.

6.8 The positioning of the building is dictated by site levels, geology, presence of trees and the location of badger setts on site. The existing site constraints have helped to inform and shape the proposed site layout and design. The eastern portion of the site comprises woodland, Tree Preservation Orders and protected animal habitat which are protected under the Protected Species Act. This, therefore, limits the existing space available for development. Following several feasibility studies the applicant concluded that the proposed Secondary School would be most appropriately located to the north of the existing Primary School. This would ensure that all built form is contained to the west of the site and enabling the utilisation of the existing one-way in-out access.

6.9 There is a level change of 2.7m between the application site area and the existing primary school. Entrance to the proposed new building would be at the same level as the primary school. The proposed split-level design would ensure the level access into the building is provided for all in accordance with Saved Policy EN28. Access to the site will be via the existing in and out loop, which functions well in terms of creating a 'kiss and drop' arrangement for pupil drop off and pick up.

6.10 The immediate surroundings of the site to the north, east, south and west are characterised by a mix of medium density housing of varying styles. The A26 Beacon Road runs north-south to the west of the site and the existing Grove Park primary school building is the only institutional building within the immediate surroundings. To respond to the surrounding residential context and limit the impact of height, levels of the site would be reduced to limit the impact of a 2-storey building in the proposed location. The building would sit behind the existing tree line allowing only glimpse views to the development from the street scene along Beacon Road. The proposed building would have a flat roof which would aid in minimising its bulk.

6.11 The closest neighbouring property to the proposed development, is located close to the western boundary, along Beacon Road at the top of Starfield. This property is a bungalow and is orientated north-eastwards with an existing driveway between the building and the boundary line. There are existing trees at this boundary, the majority of which are to be retained to ensure that the proposed development is appropriately screened, reducing visual impact to the existing dwelling at the top of Starfield. In order to limit the impact to this existing dwelling, the proposed secondary school building development has been setback by approximately 15m from the boundary and 20m from the existing dwelling, designed with a 2-storey design to remain in keeping with the surrounding residential context.

6.12 The appearance of the proposed building does not try to mimic that of surrounding residential development. Its form is typical of many new schools built in the recent past, i.e. a single mass under a flat roof. Whilst the proposed

building differs in style from the existing primary school building, the modern design would add interest and variety to the outlook of the site.

6.13 Overall it is considered that the proposed building has been designed to reduce adverse impact on the amenities of the surrounding area, and it is therefore considered to comply with the requirements of Saved Policy EN27 of the Wealden Local Plan.

Noise

6.14 Paragraph 198 in the NPPF addresses noise and aims to mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

6.15 The proposed design includes roof-mounted air source heat pumps (ASHPs) and a substation in the north of the site adjacent to the site access. The roof mounted ASHPs would be located approximately 25 metres from the closest residential property, which is The Lodge, Grove Park, Beacon Road situated to the west of the application site. The nearest residential properties to the proposed substation are located opposite the school entrance to the north on Church Road.

6.16 The ASHP units will be operating at full capacity during the school period, 8:00 AM to 4:00 PM. After 4:00 PM the demand will be lower, and therefore, the sound levels will be reduced. The ASHP units will not be operating during nighttime (11:00 PM to 7:00 AM). The units would be surrounded by a large parapet, acoustic louvres and some acoustic kit to attenuate noise emissions. A noise assessment accompanies the application and concludes that with the aforementioned mitigation measures, the ASHP units will not give rise to noise levels above existing background noise levels at the nearest receptors. It is therefore not considered that noise from the proposed ASHPs would give rise to unacceptable noise levels.

6.17 Moreover, based on noise levels information provided by the manufacturer, the noise assessment concludes that the noise impacts from the substation on the nearest residential properties would be negligible.

6.18 A few letters of representation received from local residents have raised concerns about the location of the proposed ASHPs proximate to residential properties and the potential noise impact as a result. The applicant has considered other locations but concludes that the proposed location on the west of the new building to be most suitable due to changing site levels. The proposed location is the lowest point which allows for a high parapet around the units which would reduce the impact of noise and limit visual impacts. Given the results of the noise assessment and justification provided by the applicant, it is considered that the proposed location of the roof top plant is acceptable and would not result in adverse impacts on the amenity of the occupiers of neighbouring properties.

Lighting

6.19 Where proposals include external lighting, Saved Policy EN29 in the Wealden Local Plan 1998 requires that spillage is minimised and the minimum intensity of light necessary to be compatible with safety and security objectives is used.

6.20 The proposal includes 3 types of lighting; column mounted with one LED light per column on 6 metres high poles; wall-mounted LED luminaires installed at 2.8 metres mounting height and linear LED luminaires, which would be mounted under the proposed canopy. The column units would light car parking and drop-off/pick-up areas as well as provide lit walkways within the site. The development is required to be well lit in order to provide security and maintain safety for the pupils. Lighting columns proposed close to woodland areas would be fitted with back shield attachments to minimise light spill. It is not considered that the lighting would cause overspill and the site is well screened by existing vegetation, as such the impact upon neighbouring residents would be minimal. The proposed lighting is considered to be in compliance with Saved Policy EN29 of the Wealden Local Plan.

Landscape and Ecology

6.21 Saved Policy EN14 in the Wealden Local Plan 1998 requires landscaping schemes be carried out as part of development proposals. Schemes should seek to retain trees, significant hedgerows and other valuable site features and normally propose planting of primarily native species. They should also have regard to associated nature conservation benefits and be implemented at the earliest practicable opportunity and thereafter be satisfactorily maintained during the early years. Paragraph 187 in the NPPF states when determining planning applications Local Planning Authorities should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. It further states that planning decisions should minimise impacts on and provide net gains for biodiversity. Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 requires every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purposes of conserving biodiversity.

6.22 The school site is enclosed by dense tree belts and tall understorey evergreen shrubs. There are more open views from neighbouring houses through the gaps in the trees, particularly in the winter when the trees are defoliated. It is noted that the proposed landscape and ecological management plan will remove the invasive plants including the cherry laurel and Japanese knotweed.

6.23 The existing trees will help to reduce the adverse effects on views from the surrounding road network and residents. The landscape masterplan proposes to fill existing gaps with new native planting. The removal of the cherry laurel from around the boundaries would provide an opportunity to plant more

appropriate native species more in character with the local area. This would need to include a proportion of evergreen species to provide screening during the winter.

6.24 Some significant mature trees would be lost to the development and the full impact of this is informed by the submitted Tree Survey and Arboricultural Impact Assessment. The development requires the removal of 5 category 'B' (moderate quality) trees and 1 category 'B' group, 12 category 'C' (low quality) trees and 5 category 'C' groups (some only partial removal) and 6 category 'U' trees (trees considered unsuitable for retention irrespective of whether development occurs). The School complex is largely surrounded by lowland mixed deciduous woodland in the south and east of the site which represents the highest distinctiveness habitat on site and is a Habitat of Principle Importance under the NERC Act. These areas of woodland would not be impacted by the proposal. There is other broadleaved woodland (OBW) to the north-west (which is dominated by non-native species and invasive species). The main habitat lost to the development will be the OBW in the north-west of the site with further small losses of modified grassland, bramble scrub, introduced shrub and a single, individual tree. No trees with Tree Preservation Order's would be lost as a result of the development. On balance, it is considered acceptable for some mature trees to be removed to allow for the proposed development as the proposal includes various enhancements to existing woodland areas which are outlined later in this report.

Badgers

6.25 The presence of badger setts and other evidence of badger activity, such as latrines, hairs, feeding remains, paths and footprints have been confirmed on site. The submitted Ecological Impact Assessment states that the development will require the closure of three outlier setts under a licence from Natural England. Any indirect impacts on the remaining setts, which includes a main sett elsewhere on site, as a result of the construction works would need to be carefully considered as part of the licencing process. On the basis that the development would not impact the main sett, the closure of the outlier setts is acceptable and appropriate measures for safeguarding badgers during construction would be required by condition. As the status of badgers setts can change over time and new setts can be dug quickly, a pre-commencement condition is recommended requiring an updated badger survey.

Biodiversity Net Gain

6.26 Schedule 14 of The Environment Act 2021 requires that all development (apart from those meeting the criteria for exemption) provide a minimum of 10% biodiversity net gain (BNG). The biodiversity gain objective must be met in relation to development for which planning permission is granted, demonstrated through the completion of the Statutory Metric and Biodiversity Gain Plan. The present application does not meet the criteria for exemption and is therefore required to provide a minimum of 10% biodiversity net gain.

6.27 The proposal will result in a loss of 2.34 habitat units (-6.65%). No specific detail is provided at this stage as to how an increase in habitat units will be achieved although the accompanying Ecological Impact Assessment states that a Woodland Management Plan will form part of the Habitat Management and Monitoring Plan (HMMP) accompanying the Biodiversity Gain Plan which would both be required by condition. Through the consultation stage, the Ecology Officer suggested that, *inter alia*, a key measure should be the eradication of cherry laurel and Japanese knotweed. Other measures to achieve the required 10% biodiversity net gain include improving the condition of existing woodland areas on site. The Planning Authority is satisfied that the proposal can deliver the minimum of 10% BNG through a combination of onsite and offsite measures.

Highways

6.28 Saved Policy TR3 in the Wealden Local Plan 1998 permits planning applications for new development where the proposed development does not create or perpetuate unacceptable traffic conditions; provides a satisfactory means of access and, where appropriate, provides suitable public transport facilities. Further, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Saved Policy TR13 seeks provision of safe and convenient pedestrian routes in new developments which should link to the existing footpath network where appropriate. Saved Policy TR16 requires on-site provision of vehicle parking and servicing in accordance with the County Council's parking standards.

6.29 The existing site is located within a sustainable location, within 10 minutes walking distance of Crowborough High Street and immediately adjacent to bus stops on Beacon Road. The site is accessed via a one-way in-and-out system onto Church Road to the north. The existing one-way access system allows for a school drop-off loop that circles through the carpark and around to the front of the existing school to allow appropriate space for the stacking of vehicles at drop-off and pick-up times, which limits traffic build up on Church Road. The proposed development seeks to utilise this existing arrangement, to accommodate an additional 60 pupils.

6.30 Church Road has a speed limit of 30 mph. In accordance with Manual for Streets, the required sight lines are 43m in both directions from a setback point of 2.4 metres from the edge of the carriageway. The Highway Authority notes that the visibility to the east of the egress point meets this requirement, whilst the visibility to the west is unobstructed up to the junction with Beacon Road.

6.31 A total of 28 additional parking spaces will be provided as part of the development proposals, including 2 disabled bays, in accordance with ESCC parking standards. Of these bays, one space will be provided with active Electric Vehicle (EV) charging provision and 6 spaces will be provided with

passive infrastructure for future conversion. This would contribute to achieving the aims of the County Council's Climate Emergency Plan 2025-30.

6.32 At present, the site does not have a separate pedestrian access. A new pedestrian access is proposed from Church Road, with a footway proposed at the entry access point, on its western side. The footway will be provided flush to the kerb; however, it will be demarcated from the carriageway by a change in material. The addition of a pedestrian access is supported as it will significantly improve accessibility into the site for persons on foot in accordance with Saved Policy TR13 of the Wealden Local Plan.

6.33 The overall number of employees within this site upon completion will be 75 (40 existing and an additional 35 through this proposal) across both the primary and secondary facility. There are expected to be 63 vehicle parking spaces across the site to accommodate the staff. Staff surveys carried out in May 2024 concluded that 16% of the 35 expected additional staff members walk to the site and an additional 11% car share. It is also noted that not all staff arrive and depart during the AM and PM school peaks. It is considered that sufficient parking will be provided within the site to accommodate staffing requirements.

6.34 Although there will be an increase in trip rates associated with the site, this application is a relocation of the existing secondary school facilities which are also based in Crowborough. Therefore, all of the additional vehicle trips associated with this site will not be new trips, they will just be diverted to a different location.

6.35 Several of the parking spaces are in a tandem fashion. The Highway Authority does not encourage the use of tandem parking, and it is generally considered to be unsuitable for non-residential use; however, for a school it is accepted that there is likely to be more scope for its use to be managed sufficiently to avoid conflict occurring. It would therefore be the responsibility of school staff to ensure that these parking spaces are monitored effectively so that they are utilised fully in order to minimise the chance of overspill parking onto the main carriageway.

6.36 It is unlikely the level of traffic generated by the development proposal would result in a severe impact on the local highway network from a capacity perspective as the vehicles are currently on the road during peak times already.

6.37 The increase in traffic and parking pressures is inevitable when a school facility is expanded. However, given the level of additional parking spaces proposed on site, the drop-off and pick-off system and the relocation of pupils from a different site, the highway impact is considered acceptable and is considered to comply with Saved Policies TR3 and TR16 of the Wealden Local Plan.

Construction traffic and parking

6.38 Several letters of representation raise concerns about contractors parking overspilling onto surrounding roads namely Grange Close and Church Road during the construction phase. A condition is included to secure a Construction Management Plan to ensure appropriate arrangements are in place during the construction period. Although some disruption during the construction phase is likely, a balance has to be struck and considering the need for the development and the temporary nature of the construction period, any disruption from construction traffic is considered to be acceptable.

Flood Risk and Drainage

6.39 Saved Policy CS2 in the Wealden Local Plan 1998 permits planning applications only where adequate provision is made for surface and foul water drainage to meet Local Authority standards, taking into consideration the adequacy or otherwise of existing systems it will feed, to avoid increasing risk of flooding by surcharging mains or increasing surface water run-off or watercourses.

6.40 The existing building and paved areas discharge to ground via soakaway, however, ground investigation shows poor infiltration into the shallow layers and replicating this design will not meet modern standards. There are no reasonably accessible watercourses or sewers available, and the applicant proposes a borehole soakaway.

6.41 The Lead Local Flood Authority considers the surface water management strategy set out in the submitted Flood Risk Assessment and Drainage Strategy Report to be acceptable in principle and its design, implementation and maintenance regime should be secured by a proposed condition. Taken together, the proposed drainage scheme satisfies Policy CS2 in the Wealden Local Plan 1998.

7. Conclusion and reasons for approval

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Planning permission is sought to construct a 2-storey purpose built secondary school building for pupils with special educational needs and disabilities. The development would include hard and soft outdoor play spaces, additional parking areas and a covered link to the existing primary school building. There is a presumption in favour of development of state funded schools set out in the Government's 2011 'Policy Statement on Planning for Schools Development' reinforced by the NPPF which affords great weight to their creation. The principle of educational development is supported by the Development Plan. The proposed development is considered acceptable in its siting, layout and design and impact on its surroundings in terms of residential

amenity, drainage, biodiversity and the surrounding highway network. It is therefore considered to comply with Saved Policies EN14 (Landscaping with developments); EN27 (layout and design of development); EN28 (Access for people with disabilities); EN29 (external lighting); TR3 (traffic impact of new development); TR13 (pedestrian links); TR16 (parking standards) and CS2 (drainage). As the proposal accords with Saved Policies in the Wealden Local Plan 1998 it is supported by Policy WCS14 in the Wealden District Local Plan Core Strategy which sets out a presumption in favour of sustainable development.

7.3 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.4 There are no other material considerations, and the decision should be taken in accordance with the Development Plan.

8. Recommendation

8.1 To recommend the Planning Committee to grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans and Documents.

Reason: For the avoidance of doubt and in the interests of proper planning.

Construction

3. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, no demolition or construction works shall take place in connection with the development hereby approved at any time other than between 0800 and 1700 on Mondays to Fridays and not at any time on Saturdays, Sundays, Bank and Public Holidays.

Reason: In the interests of the amenities of the locality in general and adjacent residential properties in particular and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

4. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted and approved by the Director of Communities, Economy and Transport. Details shall include:
 - i) Details of the methods of protection of trees and other vegetation during construction
 - ii) Measures to manage noise and dust emissions during the construction phase
 - iii) Contractors' parking arrangements and details around the timing of construction traffic arrivals and departures, in order to avoid disruption during the existing school drop-off and pick-up times.

The CMP shall be implemented in accordance with the approved details, unless otherwise agreed in writing, and maintained for the duration of construction works.

Reason: In order to protect the amenity of the locality in accordance with Saved Policy EN27 of the Wealden Local Plan 1998 and the protection of trees and vegetation in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

Noise

5. The operational noise rating level will, at no time, exceed 35dB(A) at the façade of The Lodge, Grove Park, Beacon Road, as determined in accordance with BS4142:2014+A1:2019'.

Reason: In the interests of the amenities of the locality in general and adjacent residential properties in particular and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

Materials and Landscape

6. Development shall not commence above ground level until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Director of Communities, Economy and Transport. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

7. The hard and soft landscaping proposals hereby approved shall be delivered in accordance with the following details:
 - a) The submitted Arboricultural Impact Assessment and outline Method Statement ref. GROV-WWA-XX-XX-T-L-0601
 - b) The submitted landscape layout plan ref. GROV-WWA-XX-XX-D-L-0102 S3 P13.

- c) The submitted outline planting plan ref. GROV-WWA-XX-XX-D-L-0301 S3 P02.
- d) The hard and soft landscape strategies as outlined in the Design and Access Statement.

Reason: In the interests of the protection of trees and vegetation and the delivery of an appropriate landscaping scheme in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

Flood Risk and Drainage

- 8. Prior to any groundworks taking place, details of measures to manage flood risk, both on and off site during the construction phase shall be submitted and approved in writing by the Director of Communities, Economy and Transport, and thereafter implemented in accordance with the approved details and maintained for the duration of the construction phase.

Reason: To ensure appropriate management of the risk of flooding in accordance with Saved Policy CS2 of the Wealden Local Plan 1998.

- 9. Prior to the commencement of any development, including any groundworks, a detailed design of the entire drainage system shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall include but are not limited to the following:

- Surface water discharge rates shall not exceed greenfield runoff for all rainfall events, including those with 1 in 100 (plus climate change allowance) annual probability of occurrence. Evidence of this (in the form of hydraulic calculations) shall be submitted with the detailed drainage drawings. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features.

- The detailed design of deepbore soakage and attenuation systems shall be informed by findings of groundwater monitoring between autumn and spring together with infiltration testing in the location and depth of the proposed soakaway. The design shall leave at least 10m unsaturated zone between the base of the soakaways and the highest recorded groundwater level.

- Robust pollution prevention based upon multiple treatment stages shall be provided upstream of the soakaway.

- The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

The approved drainage scheme shall thereafter be implemented in full and maintained for the lifetime of the development unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of providing adequate provision of surface water drainage in accordance with Policy CS2 of the Wealden Local Plan 1998.

10. Prior to any groundworks, a maintenance and management plan for the entire drainage system shall be submitted to and approved in writing by the Director of Communities, Economy and Transport to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
 - a) clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains
 - b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development

Reason: In the interests of providing adequate provision of surface water drainage in accordance with Policy CS2 of the Wealden Local Plan 1998.

11. Prior to occupation of the development, evidence (including photographs, as-built drawings and topographic survey as necessary) showing that the drainage system has been constructed as per the final agreed detailed drainage designs shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of providing adequate provision of surface water drainage in accordance with Policy CS2 of the Wealden Local Plan 1998.

Highways

12. The development shall not be occupied until parking areas have been provided in accordance with the approved plans/details which have been submitted to and approved in writing by the Director of Communities, Economy and Transport in consultation with the Highway Authority and the areas shall thereafter be retained for that use unless otherwise agreed in writing by the Director.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to ensure sufficient parking areas are provided within the site in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

13. The parking spaces hereby approved shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls or fences).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access

and proceeding along the highway in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

14. The development shall not be occupied until cycle parking/storage has been provided in accordance with details which have first been submitted to and approved in writing by the Director of Communities, Economy and Transport in consultation with the Highway Authority and the areas shall thereafter be retained for that use and maintained for the lifetime of the development.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

15. The entrance gate hereby approved shall be positioned at least 9m from the edge of the carriageway and be inward opening in order that a vehicle may wait clear of the highway whilst the gate is being operated.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles.

16. Within 3 months of occupation of the building hereby approved, a parking and drop-off/pick-up management strategy shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The strategy shall include measures to ensure there are no delays during drop-off/pick-up times to avoid a backlog of vehicles. The approved strategy shall be implemented thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to ensure sufficient parking areas are provided within the site in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

Ecology

17. No development shall take place, including any site preparation works involving machinery, breaking of ground, demolition and vegetation clearance, until an updated survey for badgers has been undertaken, in accordance with best practice. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport prior to the commencement of any development. Works shall then be carried out in accordance with the new approved ecological measures and timetable.

Reason: As badgers are a mobile species whose activities/patterns varies across the year and in reaction to a range of influencing factors, it is important that the surveys reflect the situation at the time on any given impact occurring to ensure adequate mitigation and compensation can be

put in place and to ensure no offences are committed.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities;
- b) identification of "biodiversity protection zones";
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements which should include one specifically relating to Invasive Non-Native Species (INNS) remediation and removal);
- d) the location and timing of sensitive works to avoid harm to biodiversity features;
- e) the times during construction when specialist ecologists need to be present on site to oversee works;
- f) responsible persons and lines of communication;
- g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any adverse environmental impacts of development activities are mitigated.

19. No development shall take place (including any demolition, ground works, site clearance) until a precautionary working methods statement (PWMS) for detailing reasonable avoidance measures for bats, reptiles and badgers has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from the works.

Works shall only be undertaken in accordance with the approved Method Statement.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Protection of Badgers Act 1992.

20. No development shall take place until an ecological design strategy (EDS) addressing compensation, mitigation and enhancement measures and including bat and bird boxes, log piles and an insect hotel, has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187 and 193 of the National Planning Policy Framework 2024.

Biodiversity Net Gain

21. Prior to the commencement of the development, including any groundworks, a biodiversity gain plan shall be submitted to the Director of Communities, Economy and Transport for approval in writing.

The biodiversity gain plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development;
- f) any such other matters as the Secretary of State may by regulations specify; and
- g) arrangements for maintenance of habitat enhancement for at least 30 years after the development is completed to include monitoring that maintenance (and associated monitoring costs).
- h) identify responsible persons for paying the relevant monitoring fees for both on-site and off-site biodiversity gains.

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a condition, planning obligation, or conservation covenant.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

22. Prior to the commencement of the development hereby permitted, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The HMMP shall accord with the Biodiversity Gain Plan and include:
 - a) A non-technical summary
 - b) The roles and responsibilities of the people or organisations delivering the HMMP
 - c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
 - d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first [occupation or use] of the development
 - e) The monitoring methodology and frequency in respect of the created or enhanced habitat
 - f) Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

23. Prior to the first occupation of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

24. Habitat monitoring reports shall be submitted to and approved in writing by the Director of Communities, Economy and Transport in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

The reports shall include (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) any contingencies and/or remedial action for agreement. Any agreed contingencies or remedial action shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

Archaeology

25. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

26. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Director of Communities, Economy and Transport. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 25.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

INFORMATIVES

1. This Highway Authority's requirements associated with this development proposal will need to be secured through a Section 184/278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Planning Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
2. The applicant is advised to put in place a management plan to ensure that any vehicle entering the grounds is suitably monitored and that all pedestrians are adequately protected for vehicle pedestrian collision with authorised staff or volunteers to control and direct traffic
3. The applicant is advised to have regard to the Secured by Design (SBD) New Schools 2014 document.
4. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be East Sussex County Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.

Schedule of Approved Plans and Documents

Planning Statement, GROV-WWA-XX-XX-D-L-0301 Outline Planting Plan Rev P02, GROV-WWA-XX-XX-D-L-0401 - Sections Rev P02, GROV-WWA-XX-XX-T-L-0607 - Outline Landscape Specification, GROV-WWA-XX-XX-D-L-0108 - Access Strategy Rev P02, GROV-WWA-XX-XX-D-L-0109 - Security Strategy - Rev P02, Waste Minimisation Report, Interim Travel Plan, Transport Statement, Archaeological Desk Based Assessment, Phase 1 Desk Study

Report , GROV-HAW-ZZ-00-D-E-1701 Rev P02 - Site Wide External Lighting Layout, GROV-HAW-ZZ-00-D-E-1702 Rev P02 - Site Wide External Lighting Layout (Including LTG Output), Air Quality Assessment V2, Daylight Calculation Report, 3D View 01 - Top West, GROV-WWA-XX-XX-D-L-102 Rev P13 - Landscape Layout Plan, GROV-WWA-XX-XX-DR-L-0704 Rev P02 - Tree Protection Plan Sheet 1 of 2, GROV-WWA-XX-XX-DR-L-0705 Rev P01 - Tree Protection Plan Sheet 2 of 2, GROV-PCE-XX-XX-T-O-003 - Acoustic Design Note, GROV-WWA-XX-XX-T-L-0601-P03- Tree Survey, Arboricultural Impact Assessment & Outline Method Statement, GROV-ECE-XX-RF-D-A-0104 Rev P08 - Roof Plan, GROV-ECE-XX-XX-D-A-0006 Rev P08 - Proposed Site Plan, GROV-ECE-XX-XX-D-A-0007 Rev P07 - Proposed Site Elevations/Sections, GROV-ECE-XX-ZZ-D-A-0410 Rev P06 - Colour Elevations - South and East, GROV-ECE-XX-ZZ-D-A-0411 Rev P06 - Coloured Elevations - North and West, GROV-ECE-XX-00-D-A-0102 Rev P11 - Ground Floor Plan, GROV-ECE-XX-01-D-A-0103 Rev P09 - First Floor Plan, GROV-ECE-XX-LG-D-A-0101 Rev P10 - Lower Ground Floor Plan, GROV-LON-XX-XX-RP-C-0001 Rev P04 - Flood Risk Assessment & Drainage Strategy March 2025, Grove Statutory Biodiversity Metric Condition Assessment 23,7,24, Biodiversity Net Gain Assessment Version 2, Ecological Impact Assessment Version 3, Statutory Biodiversity Metric Tool, Grov Pce Xx Xx T O 0003 Noise Assessment Incl. Substation

RUPERT CLUBB

Director of Communities, Economy and Transport

Date: 15 April 2025

BACKGROUND DOCUMENTS

Application file WD/3517/CC

The Development Plan