

A02

F/TH/21/0817

PROPOSAL: Erection of new sports hall following demolition of existing sports hall

LOCATION: Upton County Primary School Edge End Road BROADSTAIRS
Kent CT10 2AH

WARD: Viking

AGENT: Mr Stephen Pester

APPLICANT: Mrs M Lewis

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND;

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the submitted drawings numbered 2005-MEB-XX-00-DR-A-3-103 Rev B, 2005-MEB-XX-00-DR-A-3-100 Rev B, 2005-MEB-XX-00-DR-A-3-302 Rev D, 2005-MEB-XX-00-DR-A-3-104 Rev P1, 2005-MEB-XX-00-DR-A-3-102 Rev G, 2005-MEB-XX-00-DR-A-3-303 Rev A, and 2005-MEB-XX-00-DR-A-3-305 Rev B, received 28th July 2021; the air conditioning specification documents received 2nd August 2021; and the new pitch layout details, received 23rd August 2021.

GROUND;

To secure the proper development of the area.

3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

GROUND;

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

4 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries (these will need to avoid school drop-off and pick-up periods)
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures
- (h) Access arrangements

GROUND;

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

5 No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

GROUND;

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

6 Within 3 months of works commencing a plan demonstrating what ecological enhancements will be incorporated into the site must be submitted to the LPA for written approval. The plan must be implemented as approved. This shall also include details of three replacement trees, their species, and location, as agreed in writing by the applicant's agent.

GROUND;

In accordance with the requirements of the National Planning Policy Framework and policies SP30 and QD02 of the Thanet Local Plan.

7 Prior to the first use of the building hereby approved, a sound limiting device shall be installed. All live and recorded music must be played through the sound limiter. The overall Music Noise Level (Leq 5mins) must not exceed 10dB below the Background Noise Level (LA90) without the Music Noise Level present, in each octave band at the nearest noise sensitive location. This shall be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

GROUND;

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

8 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND;

To protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

9 Prior to the first use of the sports hall hereby permitted, the affected football pitch shall be re-provided on a west/east axis, with a minimum 3m clear safety run off area from all perimeter lines, in accordance with the submitted pitch run-off plan received 23rd August 2021.

GROUND;

To ensure that there is no loss of playing pitches as a result of the development in accordance with Policy GI05 of the Thanet Local Plan.

10 All external lighting on the building hereby approved shall be turned off when the building is not in use. Where this is not possible motion-sensored lighting shall be used, unless otherwise agreed in writing by the Local Planning Authority.

GROUND;

In order to limit the impact upon protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and the advice as contained within the NPPF.

11 The building hereby approved shall not be used other than between the hours of 08:00AM and 16:15PM by the School Monday to Friday during term time, 16:30pm and 22:00PM by the community Monday to Friday during term time, 09:00AM to 22:00PM Monday to Friday during school holidays, and 08:00AM and 22:00PM Saturdays and bank holidays, and 09:00AM and 20:00PM on Sundays.

GROUND;

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

12 During periods of hire, the existing school car park shall be made available for all attendees and parties using the hall hereby approved and shall be available during for the duration of the use.

GROUND;

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan, and to ensure no additional parking pressure in the surrounding area.

SITE, LOCATION AND DESCRIPTION

Upton School is an established primary school site on the western side of Edge End Road. It is bounded by low and colourful fencing and much of the site is obscured by a large degree of tree cover and natural vegetation particularly to the front boundary. Other parts of the school site are largely obscured from the roads surrounding it by significant tree coverage to the north and west. A public footpath runs behind the site.

RELEVANT PLANNING HISTORY

F/TH/20/1507 - Erection of a new sports hall following the demolition of existing - Granted 05/03/2021

M/TH/00/0821 - Location of sectional classroom building in place of three mobile classrooms and location of sports store (retrospective)

PROPOSED DEVELOPMENT

This application follows the previously approved application reference F/TH/20/1507, which granted permission for the erection of a new sports hall following demolition of the existing sports hall, and sited in the same location as the existing sports hall.

This application seeks permission for the erection of a new sports hall, following the demolition of the existing sports hall, but in an alternative location to the previously approved sports hall. The application is a result of the previous scheme being determined as an unviable scheme due to problems with unsuitable bearing conditions within the ground, making it unviable for construction.

The proposed sports hall was originally proposed to be horizontally sited and located within the field to the north of the complex of school buildings, detached from the existing school buildings, just west of the existing pathway to Broadstairs Road. The position of the proposed sports hall has been amended during the course of this application and the sports hall has now been rotated 90 degrees so that it is now vertically sited, which has reduced the extent of the building facing Edge End Road, with the smaller element of the building located closest to Edge End Road. The proposed material finish has been amended and the base colour of the sports hall building will now be cream plastisol coated steel, with vertical timber cladding to the external elevations of the smaller element of the building, together with vertical timber cladding strips to the eastern front elevation of the main body of the building.

The sports hall building is the same size and general design as the previously approved sports hall. The sports hall would be a large detached, functional building which would measure approximately 7.9m to the highest point of its main body, and see a smaller length of development beyond this to the rear measuring approximately 3.6m high. The widest part of the structure would be 17.4m wide, with the smaller rear element measuring around 10m wide. The main body of the sports hall will measure a depth of 17.4, and the rear section a depth of 12.2m, a total of 29.6m. The building would contain a large sports hall with two courts, and the smaller rear element would host changing facilities, toilets, a store room and a kitchenette.

The building would be predominantly for the upgrading of existing sport provision for the school, but would also be open to members of the public and groups outside of school hours.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP12 - Broadstairs
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Sustainable Development
SP38 - Healthy and Inclusive Communities
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
GI05 - Protection of Playing Fields and Outdoor Sports Facilities
HE01 - Archaeology
QD01 - Sustainable Development
QD02 - General Design Principles
QD03 - Living Conditions
SE06 - Noise Pollution

SE08 - Light Pollution
CM01 - Provision of New Community Facilities
CM02 - Protection of Existing Community Facilities
CC02 - Surface Water Management
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking
TP08 - Freight and Service Delivery

Broadstairs and St Peters Neighbourhood Plan 2021

BSP3 - Protecting and providing Important Trees
BSP6 - Sustaining Community Facilities
BSP9 - Design in Broadstairs and St Peter's

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice posted close to the site. 8 letters of objection were received in response to the original proposal. The letter raise the following concerns:

- Understand the need for a modernised sports facility at the school. However, the proposed new location is far removed from the previously approved position that it renders much of the formerly supplied reasoning invalid.
- The previously approved sports hall building would have been seen against the established school buildings, and sited a significant distance from the schools boundaries. This location also minimised the impact on any neighbouring properties.
- The proposed new position places the large sports hall building up front and removed from the cluster of established school buildings, making it very perceivable from Edge End Road. The existing tree coverage will not screen the building fully, as they are deciduous and the building will therefore be extremely visible 6 months of the year.
- The proposed new position separates the building from the rest of the school buildings, making it much more prominent from public viewpoints.
- The proposed scale and design of the sports hall would be overbearing and have a detrimental visual impact on the character and appearance of the area. This will be further highlighted given the proposed sapphire blue colour.
- The proposal will result in significantly increased noise and disturbance.
- Specifications of the air conditioning units have been provided, but there is no confirmation on where they will be positioned and the level of noise they will generate.
- The hall will be available for external hire outside of school hours and regularly up to 10pm, noise generated by private hirers will be much more impactful to residents due to the close proximity of the new location, especially if windows and doors are opened and sound systems or speakers are used.
- Concern that the proposal will generate more parking demand which will not be able to be met by the school's existing car park. Users of the school and pool routinely park on the road, and the proposal will increase the existing parking pressure.

- Concern the proposal will generate additional traffic and vehicular movements in the vicinity.
- There should be parking restrictions on Edge End Road to address the impact of parking associated with the school and proposed sports hall such as a residents

3 letters of representation were received in response to the amended proposal, all of which were received from the same person.

The comments highlight the satisfaction with the amended plans, which have addressed the neighbours concerns, but raise further points in disagreement with the Sport England comment.

Broadstairs and St Peters Town Council: The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend approval with the following concerns: The applicant considers further mitigating measures for neighbouring properties through natural planting, screening and the colour of the building. A condition of any approval by the Local Planning Authority should be that the path is closed out of school hours and the opening hours of the hall are restricted so that external lights are turned off in the evening.

CONSULTATIONS

Environmental Health:

Final Comment 03/08/2021 (In response to additional information): The proposals will satisfy EH concerns and sufficiently mitigate noise impact.

Original Comment 01/06/2021: Thank you for consulting EH on the application for the 'Erection of new sports hall'

Although location 4 has least impact on neighbours because it benefits from greater distance there is still a possibility of noise impacts if windows and doors are left open to ventilate the sports hall.

The new position does not benefit from any screening from existing buildings. As it is a sports hall it will require adequate ventilation / air conditioning and these details should be provided along with this application.

Sport England:

Final Comment 23/08/2021: I have reviewed the correspondence between the council and Sport England. I have also reviewed the additional information/plans provided.

I can see that it has been shown the re-provided 5x5 mini-soccer pitch can be accommodated in the area of playing field to the north of the proposed new facility. However, it will be provided on a east to west orientation, rather than the north to south orientation as referred to in previous correspondence. The wording of the proposed condition that Sport

England has asked for will therefore need to be amended to reflect the new orientation of the pitch.

Subject to the above, Sport England is content to withdraw its objection, as the application is considered capable of meeting our E5 exception. This 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.'

Updated comment in response to amended scheme 11/08/2021: It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document': https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Assessment against Sport England Policy

The proposal is for a new sports hall to be constructed on part of the playing field currently accommodating one of several football pitches. The pitches are used by the school and also by Ramsgate Town Youth FC. The proposal as originally submitted, proposed to re-provide the affected pitch on a north south orientation and on that basis, Sport England having consulted with the Football Foundation and, subject to a condition requiring the re-provision of the pitch as proposed prior to the commencement of the use of the proposed sports hall, had no objection to the proposal.

The amended drawings 3-100 Rev B and 3-102 Rev G, July 2021, show the proposed building is now to be rotated by 90o such that it may now extend into the part of the playing field where the affected playing pitch was to be re-provided. In the absence of evidence that the existing pitch can be satisfactorily retained with 3m clear runoffs in its current location in the amended scheme or, that it can be satisfactorily re-provided on the remaining playing field Sport England must object to the application as it has been amended because it does not meet any of our Playing Field Policy exceptions.

Sport England would be happy to remove our objection if that evidence can be provided.

Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s).

Original Comment 11/06/2021:

Sport England - Statutory Role and Policy

The site forms part of, or constitutes a playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (NPPF) (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

all or any part of a playing field, or
land which has been used as a playing field and remains undeveloped, or
land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

The Proposal and Impact on Playing Field

The proposal is for the construction of a new sports hall to replace the school's existing poor quality hall. It would be sited to the north side of the existing school buildings, and on the eastern side of the school's playing field. This part of the playing field is marked out as one of seven junior football pitches on the site. The proposal as discussed within the design and

access statement is to re-orientate and re-provide this pitch on a north south axis, maintaining 3m safety run offs on each perimeter line.

Assessment against Sport England Policy/NPPF

The proposal relates to the construction of a new sports hall on the existing playing field. The sports hall will provide much improved facilities for indoor sports for pupils together with changing rooms that could also be used in connection with the community use of the natural turf football pitches. The existing pitch affected by the sports hall will be re-provided and therefore there would be no net loss of existing pitch capacity on the playing field.

Consequently, Sport England is of the view that the proposal meets exception 5 of our playing fields policy, in that:

'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.'

In assessing this application, Sport England has consulted with the Football Foundation. It has commented that the football pitches are used by Ramsgate Town Youth F.C., that has a good relationship with the school. The proposed pitch arrangement would continue to meet the requirements of the club. The FF requires that the pitch must retain a minimum 3m run off in the same surface as the playing area and that this must remain clear of obstructions. The site operator should undertake a risk assessment to ensure that the run off areas are safe and do not pose a risk of harm to a player or spectator.

Conclusion

Further to the above assessment, Sport England does not wish to raise an objection to this application. Subject the following condition;

Prior to the first use of the sports hall, the affected football pitch is to be re-provided on a north / south axis with a minimum 3m clear safety run off areas from all perimeter lines in accordance with Fig. 04 of the design and access statement.

Reason: To ensure that there is no loss of playing pitches as a result of the development in accordance with development plan policy **

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

KCC Ecology and Biodiversity:

Final Comment 23/08/2021: We reviewed the revised site plan and we are satisfied the following comments we provided in June are still valid - we have no further comments to make.

Condition Suggestions

Ecological Enhancements

Within 3 months of works commencing a plan demonstrating what ecological enhancements will be incorporated into the site must be submitted to the LPA for written approval. The plan must be implemented as approved.

Lighting

We recommend that the site wide lighting condition requires the lighting plan to follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals. <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lightingcompressed.pdf?mtime=20181113114229>

Original Comment 11/06/2021: No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records) and the information submitted with the planning application, we advise that the proposed development has limited potential to result in ecological impacts and as such we are satisfied that there is no requirement for an ecological survey to be carried out.

We have taken this view because the proposed development is entirely located within an existing sports field which is managed as short grassland - therefore limiting the opportunities for protected/notable species to be present within the footprint of the proposed development site.

Lighting

It's likely that the site will be used by foraging bats and if the proposed development will result in an increase in lighting the proposals are likely to have will have a negative impact on foraging/commuting bats. We advise that any lighting scheme must be designed to be sensitive towards bats and minimise light spill and recommend that when the hall is not operational the lighting must be switched off to ensure that there is periods of darkness. If security lighting is required we recommend that it is on a motion sensor to ensure that it is only switched on when required.

We recommend that any lighting condition requires the lighting plan to follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals. <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lightingcompressed.pdf?mtime=20181113114229>

Enhancements

One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".

The bat report submitted as part of application F/TH/20/1507 made recommendation to enhance the site for biodiversity and we advise that those recommendations are also appropriate for this proposal. We advise that if planning permission is granted a condition requiring details of ecological enhancements is included - suggested wording at the end of the report

KCC Archaeology: Thank you for consulting on the above application. The school lies in an area with potential for the discovery of Iron Age and Roman remains as was seen to the south at Vale Road. I understand that the new sports hall is to be built on existing playing field areas and therefore in a location that has been relatively undisturbed by recent development. Given the potential for new development to affect archaeology I would recommend that in any forthcoming permission provision is made for a programme of archaeological works through the following condition:

AR1 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

KCC Flood and Water Management:

Final Comment 04 August 2021: We have no further comment to make on this proposal and would refer you to our previous response on 21 July 2021.

Updated Comment 21 July 2021:

Kent County Council as Lead Local Flood Authority have reviewed the latest documentation provided (21/07/2021) and have the following comments to provide: Within our previous consultation response (14/06/2021), we requested that Appendix D is provided and that the m5-50 value within the Causeway calculations are updated. Appendix D of the ground investigation report has been provided to demonstrate the findings and we would consider this addressed.

The Causeway Calculations provided with the latest suite of information has not updated the m5-60 value however, It is noted that the soakaway proposed will be deeper than the original trial pit test (2.25 m > 1.6 m bgl) and as such it is expected that the rate of infiltration will only improve within the underlying chalk. In light of this, we remove our previous request for this to be provided and now have no further requirements.

Should the application be approved, we would request that our verification condition is attached to this application. The verification report is used to demonstrate that the drainage system has been installed as approved at planning and that the installation of the soakaway can be captured and entered into our database of critical drainage assets

across Kent. A copy of the condition wording can be found below:

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

Original Comment 15/06/2021: Kent County Council as Lead Local Flood Authority have reviewed the drainage documentation in support of the new sports hall and can provide the following comments:

1. It is understood from the Flood Risk Assessment and Sustainable Drainage Strategy report that the proposal to manage runoff from the new sports hall is to be directed to a dedicated soakaway.

To support the use of a single soakaway, ground investigations including infiltration testing have been undertaken. The results of the infiltration testing are to be included within the appendices (Appendix D) however, it appears that these have not been provided. We would therefore seek that these are included alongside the ground investigation report.

2. Supporting Causeway Flow calculations have been provided to demonstrate the systems design against varying storm events (2,30,100 year). We note that the FSR rainfall methodology has been used and an M5-60 value of 20.0mm has been entered. As per KCC's Drainage and Planning Policy Statement (December 2019), we would encourage the use of FEH 2013 rainfall methodology instead. If FEH datasets cannot be used then we would seek that the M5-60 value is increased to 26.25mm.

Increasing of the M5-60 value may indicate flooding/ exceedance of the drainage network for the most serious events (100+40%). Exceedance of the system is accepted for extreme events but it must be demonstrated that the flooded volume is contained safely onsite until levels within the network recede.

In light of the two points above, we would advise that these two points are addressed before the application is decided.

KCC Highways:

I refer to the above planning application and confirm I have no objection in principle in respect of highway matters. It is not clear if the new sports hall will be available for community use outside of school times but if it is, the existing parking facilities within the school site should also be made available and this should be secured by condition.

A Construction Management Plan should be required by condition, to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries (these will need to avoid school drop-off and pick-up periods)
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

INFORMATIVE: Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Southern Water: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

COMMENTS

This application is reported to Planning Committee at the request of Councillor Saunders in order for Members to consider the effect of the proposed development on the character and appearance of the area, the quality of the design, whether any harm is caused to neighbouring amenity with regards to an overbearing impact/loss of outlook and increased noise and disturbance.

Principle

This application follows the previously approved application for the erection of a sports hall reference F/TH/20/1507 which found the development to be acceptable in principle. This application proposes a revised location for the proposed sports hall.

Paragraph 92 of the National Planning Policy Framework (NPPF) states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, among other considerations.

Policy SP38 of the Local Plan (Healthy and Inclusive Communities) states that the Council will work with relevant organisations, communities and developers to promote, protect and improve the health of Thanet's residents, and reduce health inequalities. Proposals will be supported that: 1) bring forward accessible community services and facilities, including new health facilities; 2) safeguard existing community services and facilities; 3) safeguard or provide open space, sport and recreation; 4) promote healthier options for transport including cycling and walking; 5) improve or increase access to a healthy food supply such as allotments, farmers' markets and farm shops; 6) create social interaction and safe environments through mixed uses and the design and layout of development; 7) create greener neighbourhoods and improve biodiversity and access to nature.

The proposal relates to a replacement sports facility within the grounds of an established school. Policy CM01 of the Thanet Local Plan sets out that proposals for new, or extensions of, or improvements to existing community facilities will be permitted provided they are of a scale to meet the needs of the local community and in keeping with the character of the area, are provided with adequate parking and operational space, are accessible by walking or cycling to the local community, are located within or adjacent to the community they serve, would not significantly impact upon the amenity of neighbouring residents, either provide or have the ability to provide broadband facilities to create community hub networks and provide flexible business space. Policy CM02 seeks to protect existing community facilities and does not permit the loss of community facilities unless it falls within one of the exceptions.

Policy BSP6 of the Broadstairs and St Peters Neighbourhood Plan sets out that new community facilities or those gaining planning permission for such use will be supported.

Paragraph 97 of the NPPF states that existing open space should not be built on unless this is surplus to requirements, the loss would be replaced or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Policy GI05 of the Thanet Local Plan sets out that built development on playing fields will not be permitted unless one of the following applies; it can be demonstrated that there is an excess of provision in the area, that the proposed use is ancillary to the primary playing field, that land is incapable of forming a pitch, the provision would be replaced, or the development is for an indoor or outdoor facility, the provision of

which would be of sufficient benefit to sport and recreation as to outweigh any detriment caused. The loss of the playing field should not be detrimental to the character of the area.

The proposed development will result in the alteration of the layout and arrangement of the existing pitches, but will not result in the loss of any external pitches, with the existing 5x5 mini football pitch accommodated and re-provided in the area of playing field to the north of the proposed sports hall on an east to west orientation. The re-provision of this pitch would be secured by condition should permission be granted. Sports England have raised no objection to the revised scheme, as the application is considered capable of meeting their E5 exception 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.'

The proposed development would replace the existing sports hall with a larger sports hall, which will provide a new and improved facility, with the larger sports hall capable of benefiting the local community as well as the school, in accordance with the aims of policy CM02. The proposal would result in the loss of part of the existing playing field, with a reduction of around 433sq.m of external space. However, it appears that if the works were approved, there would remain sufficient outdoor pitches and space to serve the school and wider community. The new larger indoor facility is considered by both Officers and Sport England to provide sufficient benefit to sport and recreation as to outweigh the detriment caused by the loss of some of the outdoor space, and subject to a condition surrounding a clear 3m run-off between the new facility and retained pitch, there is no policy conflict here and no in-principle objection.

The main considerations are the impact on the character and appearance of the surrounding area, the living conditions of neighbouring occupiers, ecology and biodiversity, flood risk and drainage, archaeology, highway matters, and other matters.

Character and Appearance

Paragraph 127 of the NPPF states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place. Policy QD02 outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects.

The proposal is for the erection of a replacement sports facility. The existing facility is situated behind a large brick building housing a swimming pool, and appears more akin to an agricultural building or polytunnel, with corrugated sheeting and low ceiling heights. It sits inside the building line of the swimming pool and in close proximity to existing classrooms.

The proposed replacement would be a larger and more modern development incorporating changing facilities, storage, and kitchen space. The proposed sports hall would have an 'L shaped layout' with the smaller element of the building which accommodates the kitchen, changing rooms, W.C's etc. projecting beyond the main body of the sports hall.

School sites often begin their life as planned developments, but over time the needs of schools often change, along with funding availability, local demand and other factors, which lead to an evolutionary approach to their development and built form. Although the proposed building would be materially different to anything in the site already, or the surrounding area, it would be read within its context, and against the backdrop of the evolution of the site as a whole.

The existing school buildings are single storey in scale and are located within a general complex of buildings off-centre within the application site. The proposed sports hall will be detached from this complex and located to the north of the existing school buildings, within part of the school playing field.

The development has been amended through the course of the application, and the siting of the proposed sports hall has been rotated 90 degrees so that it is vertically positioned, rather than horizontally as originally proposed. The smaller element of the building will now be sited closest to the front boundary of the application site, facing Edge End Road, with the main body of the sports hall located to the rear. The colour and finishes of the sports hall have also been amended, with the base colour of the sports hall to be cream, with elements of vertical timber cladding.

The revised vertical position of the sports hall has minimised the extent and body of built development facing Edge End Road, and will better relate to the layout and position of the complex of school buildings, sited adjacent to, and largely mirroring the position of the existing swimming pool building for example. This will allow the development to be seen more within the context of the existing complex of school buildings, and has reduced the prominence and built form of the development from the primary public view from Edge End Road.

The amended colour and finish of the school building will provide a more unassuming and less prominent base colour to the building, with the proposed elements of vertical timber cladding providing a feature and articulation to the principal elevation.

A street scene elevation has been provided with the revised scheme. The proposed sports hall will be considerably set back from the front boundary of the application site, set behind the existing car park, existing earth bunds and row of trees, which will reduce its visibility to a degree.

The revised location and position of the sports hall, and its detachment from the complex of school buildings will result in a greater impact to the character and appearance of the area in comparison to the previously approved scheme. Whilst the proposal will form a fairly prominent, large detached building in relation to the existing school buildings, such buildings are an expected feature of school sites, and there are several examples within Thanet of similar arrangements. The proposed sports hall has been specifically designed to be taller than the average building on site because it has a specific and different use. The position of the building has been revised to reduce its prominence and impact as far as reasonably possible within the parameters set, and the colour and finish of the building has been amended which will further reduce its prominence, whilst providing a sufficient degree of

articulation to the principal elevation. The proposed building is therefore not considered to be unduly harmful or out of keeping with the character and appearance of the area, given its revised location, design and the context of the application site.

The site is outside of the green wedge by more than 400m and the proposal would have limited visibility from it. Any harm likely to occur from such limited/glimpsed views, or when inside the site, are likely to be outweighed by the public benefits of providing a usable, accessible, and community based sporting facility.

Overall the new facility would be large but set back and sited in a position which suitably relates to the existing complex of school buildings, allowing the development to be seen in the context of existing built development. The development is functional and related to the use of the school, where such piece-meal development is expected over time. The replacement building would have a large benefit for the school and the local community and the is therefore considered to comply with the aims of policies CM01, GI05, and QD02 of the Thanet Local Plan, the policies of the Broadstairs and St Peter's Draft Neighbourhood Plan and the guidance of the NPPF.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that decisions should ensure development creates, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users.

Policy CM01 of the Thanet Local Plan sets out that proposals for new, or extensions of, or improvements to existing community facilities will be permitted provided they would not significantly impact upon the amenity of neighbouring residents. Policy QD02 outlines that new development should be compatible with neighbouring buildings and spaces, and should be inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

Concern has been raised by neighbouring occupiers regarding the proximity of the proposed development, and the potential for noise and disturbance. The originally submitted plans showed the proposed development much closer to neighbouring properties, when compared to the previously approved scheme, at a distance of approximately 30m (to the nearest property in Edge End Road).

Environmental Health raised concerns regarding the potential for noise and disturbance if doors and windows were left open to ventilate the sports hall, as the proposed location did not benefit from any screening from existing buildings. As such, further details on ventilation were requested.

Amended plans have since been submitted changing the orientation of the building, which has moved it further from the neighbouring properties to a distance of approximately 45m.

In addition the agent has confirmed that the windows have been changed to a non-openable type, and it is intended to install a sound monitoring device within the building so that users can monitor the sound levels in accordance with the restriction level as set out within the noise restricting condition attached to the previous consent (which is expected to be reapplied to this consent).

The agent has further confirmed that the ventilation to the building is via air conditioning, and the external condensers for these have been purposely positioned on the field side of the building as far away as possible from neighbouring properties.

During school hours, and on the basis of the information provided, it is not expected that there would be any significant increase in movement or noise as the intended primary use is for the school, with the main hours of operation being during the school day (between 08:00AM and 16:30PM).

Environmental Health has advised that the revised plans and additional information satisfy their concerns, and are likely to sufficiently mitigate the noise impact.

The proposal allows for the wider community use of the sports hall outside of school hours, between 16:30PM and 22:00PM on weekdays during term time, and between 09:00AM and 22:00PM at weekends and during school holidays, which were the times agreed through the previous application. The details of the proposal have been assessed by Environmental Health who comment that they would not object to the application provided that noise limits and conditions were attached to the consent. The proposed air conditioning units have also been assessed and are deemed suitable by Environmental Health.

Given the distance to neighbouring occupiers, the proposed development is not likely to result in any unacceptable sense of enclosure, overbearing, loss of light, or loss of outlook.

The proposed demolition and construction works are likely to take some time to complete and will require a careful construction management plan to avoid the risk of injury and minimise disruption to pupils, staff, and the public. This can be dealt with prior to commencement via a condition, as agreed by the applicant's agent.

Subject to the above, Officers consider that the works would comply with the aims of policies CM01, QD02, and QD03 of the Thanet Local Plan and the guidance of the NPPF.

Ecology and Biodiversity

Policy SP30 of the Thanet Local Plan sets out that development proposals are required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain. This reflects the guidance set out in paragraph 175 of the NPPF.

Kent County Council's (KCC) Biodiversity Team have reviewed the Bat Roost Survey Report submitted in support of the application and raise no objection to its conclusion that due to the negligible potential for roosting bats within the existing sports hall to be demolished, no further surveys are recommended, Due to the negligible-low potential for roosting bats within the trees to be felled, no further surveys are recommended, tree works should be undertaken outside of the bird breeding season. They, however, suggest there is a need for ecological enhancement across the site and that appropriate lighting should be secured to minimise impact on biodiversity, which can be done by condition, in order to comply with the requirements of the NPPF.

It is considered that with appropriate safeguarding conditions, that there would be no adverse impact from the proposed development on the biodiversity of the area.

Flood Risk and Drainage

Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from those areas at highest risk (whether existing or future). Policy CC02 of the Thanet Local Plan outlines that new development is required to manage surface water resulting from the development.

KCC Drainage have made comments on the submitted drainage plans and reports, and subject to a condition surrounding the production of a verification report, are happy that there would be no adverse impacts from the development. Southern Water raises no objections and subject to the above, the works are unlikely to result in any harmful impact on flood risk or drainage, in accordance with the aims of policy CC02 and those of the NPPF, subject to appropriate safeguarding conditions.

Archaeology

Thanet is an area rich in archeology, with a long history of trade, settlers and invasion and defence given its former island status and proximity to Europe. Paragraph 190 of the NPPF sets out that LPAs should avoid or minimise any conflict between a heritage asset's conservation and any aspect of a proposal. Policy SP36 of the Thanet Local Plan sets out that the Council will support, value and have regard to the archaeological significance of heritage assets by protecting the historic environment from inappropriate development. Policy HE01 sets out that the Council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features and that development proposals adversely affecting the integrity or setting of Scheduled Monuments or other heritage assets will normally be refused. Where development would be likely to affect a site of archaeological importance, preservation in situ will be sought. If this is not possible or justified appropriate investigation and recording will be required.

KCC have commented that there have been Iron Age and Roman remains found in the area and require a condition for a programme of archaeological work, which can be applied. Subject to this, there is not considered to be any harm in relation to archaeological features that may exist, and the development would complete with the aims of policies SP36 and HE01 of the Thanet Local Plan and the guidance of the NPPF.

Highways

Paragraph 102 of the NPPF requires that transport issues be considered at the earliest stages of plan-making and development proposals. Paragraph 109 of the NPPF sets out 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. Paragraph 110 states that development should give priority to pedestrian and cycle movements, facilitate access to public transport, address the needs of people with disabilities and allow for efficient delivery of goods or access by service and emergency vehicles.

Policy CM01 of the Thanet Local Plan sets out that proposals for new, or extensions of, or improvements to existing community facilities will be permitted provided they have adequate parking and operational space, are accessible by walking or cycling to the local community, are located within or adjacent to the community they serve. Policy QD02 outlines that new development proposals should incorporate a high degree of permeability for pedestrians and cyclists and provide safe and satisfactory access for pedestrians, public transport and other vehicles. Policy TP06 outlines that proposals for development will be expected to make satisfactory provision for the parking of vehicles. Suitable levels of provision are considered in relation to individual proposals, taking into account the type of development proposed, the location, accessibility, availability of opportunities for public transport, likely accumulation of parking and design considerations.

The proposed use during school hours would see accommodation of all necessary staff and visitors using the existing car park and overflow provision, all contained within the site. Outside of these times for independent hirers, these spaces and facilities would be made available. The applicant has set out that the last pick-ups for after school clubs occur at 16:15PM, before any external hire would begin at 16:30PM, as to ensure that sufficient parking was available on site. The hire agreement sets out that a member of staff would be on site to arrange access to facilities and, therefore, there would not be a need to park on the road. It is stated that across the site there are up to 50 car parking spaces, which given the size of the hall and expected number of attendants for general small scale events like quiz nights or general use for badminton and sport, would be sufficient. Subject to a condition requiring that the use of the hall outside of school time ensured access to on-site parking provision for visitors, this is considered to be acceptable.

The applicant has also set out that since 2020 a number of works have been undertaken to improve parking facilities across the site, including an extension to the overflow provision, resurfacing of this car-park, additional one-way traffic signs by each vehicle gate, one-way arrows and wording on the tarmac by the three vehicle gates, and safeguarding/traffic calming signage added (eg 'Watch that child' / 'No parking on zigzags'). This is considered by Officers to improve the existing provision and make it more likely to be utilised by external users of the site and to mitigate neighbour concerns about the direction of traffic and readability of access and egress paths.

A condition has been agreed with the applicant for a construction management plan to be submitted and agreed prior to the commencement of any works to ensure safety across the site. Initial plans have been submitted, however KCC Highways have requested additional

information relating to routing, parking and turning areas, timings for deliveries, wheel washing facilities and traffic management, which can be covered in this condition. Subject to the above the works are not therefore considered likely to result in any harm to highway users or pedestrians.

Conclusion

Overall the proposed works would not form part of the typical character and appearance of the site or wider area, but are works that are not uncommon for schools and are indicative of the development of such sites over time and the growing demands of such sites. Consent has previously been granted for a replacement sports hall on the site, and following the submission of amended plans through this application that change the orientation of the building, thereby reducing its visual impact and increasing the distance to the neighbouring residential properties in order to reduce noise and disturbance, the impact of the proposed development upon visual amenities and neighbouring living conditions is considered to be acceptable.

Subject to a number of safeguarding conditions, in addition to the amended plans, the impact of the development is considered to be acceptable. It is therefore recommended that members approve the application.

Case Officer

Jenny Suttle

TITLE: F/TH/21/0817

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