Item D3

Construction of all-weather football pitch with associated fencing & floodlighting at Maplesden Noakes School, Maidstone – MA/06/118

A report by Head of Planning Applications Unit to Planning Applications Committee on 07 November 2006.

Application by the Governors of Maplesden Noakes School and Kent County Council Children, Families and Education for the construction of an all-weather football pitch with associated fencing and floodlighting at Maplesden Noakes School, Buckland Road, Maidstone.

Recommendation: Permission be re-affirmed subject to conditions.

Local Member(s): Dan Daley & Jeoffery Curwood **Classification:** Unrestricted

Background

1. This application at Maplesden Noakes School, Maidstone was reported to the Planning Applications Committee on 16 May 2006 following a Members siting meeting on 9 May 2006, where Members were minded to permit the proposed all weather pitch and floodlighting subject to conditions including the submission of a detailed landscaping scheme, hours of use of the pitch and floodlights and that the floodlights must be extinguished when not in use. The original committee report is appended to the back of this report.

2. Locational issues, noise and lighting issues, and visual impact and landscaping issues, along with hours of use, traffic generation and archaeology were taken into consideration during the May Committee Meeting. However, the impacts of the proposed development on the adjacent Listed Building were not examined in great detail and therefore, the application has been brought back for Members' attention. To date no decision notice has been issued.

3. Whilst the planning application was advertised at the outset as one which could affect the setting of a Listed Building and the report assessed the impacts of the proposed sports pitch and lighting on it, I was not aware, until after the May Committee Meeting, that the building had a star rating, which carried the additional requirement to consult with English Heritage. This error was brought to my attention after the Committee decision and I have since consulted with English Heritage. English Heritage only need to be consulted on Grade I and Grade II* Listings.

4. The purpose of this report is to consider the points raised by English Heritage, given that all other issues have already been considered by the committee. The location of the Listed Building is shown on the site location plan attached.

Proposal

5. The application is for the construction of a full size, senior, all-weather football pitch with 2.0m high open-mesh fence, with 6 floodlights. In response to earlier concerns, the application was amended to included a cut and fill exercise of the pitch area, which would require that the pitch at its closest point to properties at Little Buckland Avenue be cut into the existing field area and be set at a level in the order of 4 metres below that of

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existing gardens. The inclusion of a landscape mound and acoustic screen was also included in order to mitigate any potential impacts to neighbouring properties.

Further Consultations

6. **English Heritage**: Has commented as follows:

"The proposal raises very interesting but extremely difficult questions, particularly in terms of the balance between community benefit and the preservation of the setting of a highly graded Listed Building, one which we would suggest has more than purely local significance.

"…I note that the number of surviving stone built houses pre-dating the middle of the Fourteenth Century in Kent cannot number more than 50 and probably rather fewer. This against the background of a total of something like 6000 surviving rural Medieval houses in Kent (and more Medieval town buildings are included). …It is difficult to be definite, it is very probable that stone also means a high status for the building. Little Buckland Farm Cottage is therefore of greater than local significance, though it is difficult to be sure just how significant without investigating deeper into the history of the building and its locale.

"On the other hand, there is also no doubt that the all-weather football pitch would be a very useful community facility. Given also the difficulties in terms of the association between the two schools and Kent County Council which preclude the laying out of the pitch being as close as possible to the new sports hall (without which a new road layout would be needed), we are unable to suggest an acceptable alternative.

"That said, it is certainly true that an all-weather football pitch makes a very bad neighbour. Not only does the character of what is currently a grassed sports field change to become extremely artificial in its landscaping, its cost to the school will require it to be used at a rate which is far beyond the usage of the current sports field. To an increase in noise pollution will be added the new nuisance of light pollution.

"Given, however, that we are unable to suggest an alternative, we can only strongly recommend increased mitigation. Currently a bund would be raised between the pitch and the boundary. This should be increased if possible and the planting bulked up to mask the glow, which will certainly result from the lit pitch. Given the lower elevation of the house, below the pitch, the masking should be carefully designed to ensure the glow against the sky is reduced as far as possible. In terms of noise we note that your Council is proposing restricted usage but we would ask that this be revisited to ensure that what is currently a relatively tranquil site remains so.

"This is a difficult case, as I say, but it seems to us to be one which is best left to the sound judgement of your Council's Planning Committee, deciding on a case which is very finely balanced".

Conservation Officer: No objection subject to landscaping to screen the new pitch from the Listed Building, and painting the floodlighting columns green to lose them against the tree planting.

County Archaeologist: Happy that the original advice for a watching brief would be appropriate to secure archaeological recording.

Discussion

7. Many of the issues raised by English Heritage have been discussed before and mitigation measures were considered in order to minimise impact from the proposed development. However, the issues raised within the comments made by English Heritage shall be addressed individually below:

Listed Building

8. There has been some discussion as to why Little Buckland Farm Cottage was accorded Grade II* status. Therefore further research was required on the history of the site and after undertaking research at the Kent Archive Centre, it has been revealed that the Buckland Estate was once in the ownership of Allan de Bocland (1270 AD). During the reign of Henry IV (1399 – 1413) the Estate was part of the College of All Saints (built by the Archbishop of Canterbury in 1395 adapting some much older existing buildings, as a college of priests with 24 chaplains and clerks serving beneath the master). It is likely that that cottages at Buckland Farm were built during this period. At the Dissolution (started 1538) it passed to the Crown from where it was granted by Edward VI to George Brooke, Lord Cobham, whose grandson forfeited it for treason in 1603. It went on to become the property of Robert, Earl of Sailsbury, when he broke the Estate into three portions in 1618 and sold them. William Horsepool brought Great Buckland and eventually it came into the ownership of the Earl of Aylesford in the 18th and 19th Century. South Buckland was alienated by Heneage Finch (fourth earl of Winchelsea) in 1720 to Lord Romney. Little Buckland comprised 52 acres and belonged to John Fletcher in the reign of Charles II (1660 – 85) from where it passed through many hands.

9. The Valor Ecclesisticus (a detailed valuation of parish churches made in 1535, published by the Historic Manuscripts Commission in 1810-1834) refers to The College of All Saints returns including “Farm of Buckland with all lands lying in the West Borough (Westree) let out to farm – 14 pounds 13 shillings and 4 pence”.

10. Apparently, records of the sales of the land were lost in the fire at the Houses of Parliament in 1834, so no further detailed information is forthcoming from this avenue.

11. Under the circumstances, it would appear that the cottages were built during the time of ownership by All Saints College and associated with farming from this period. We also presume that the building’s construction in stone rather than timber would be the result of an owner who could afford to build in a more expensive material, which may relate to its significance. The association with an important owner ‘of historic significance’ would also be a reason for listing a building (at II*). Since there is no convincing evidence that the historic setting was particularly important in this case, I can only conclude that the building was warranted its II* status because it is of both architectural and historic association interest rather than any specific landscape setting.

<u>Impacts on the Listed Building</u>

Locational Issues

12. Concerns have been raised by English Heritage regarding the proposed location of the pitch and their query regarding the possibility of rotating the pitch to encroach on the

Maidstone Girls Grammar School land (which had been discussed during the May 2006 Committee Meeting). I remind Members that this application has been submitted by the Governors of the School and the County Council as Education Authority. Site management and budget management are some of the responsibilities which have long been devolved to School Governing Bodies under Local Management and subsequent initiatives. Under the circumstances, the Education Authority maintains only a minimal input in the day to day running of its schools, and many development projects are promoted, funded and managed by the Schools themselves. This is particularly true of sporting developments, which are principally funded from the sports bodies etc by direct negotiations by the School. Whilst the Education Authority does have an over-arching interest in the Curricular provision and performance standards of its schools, it would not normally get involved in negotiations over new sports facilities, unless the School had specifically commissioned its services in that regard. In this particular case, I understand that the School Governing Body has opted to appoint its own advisors and consultants, which is a prerogative all Schools can exercise.

13. The possibility of relocating the pitch onto land owned by the Girls Grammar School has been raised with the applicant, but this had to be discounted as impracticable. The land between the two schools was divided when the Maplesden Noakes School became a Foundation School and the Maidstone Girls Grammar School land was retained by the Local Education Authority, and the applicant has stated that there is no current opportunity to occupy any of their land or share such a facility. Moreover the Planning Authority can only consider the proposal that is before them.

14. Given the time scale for the provision of this facility I do not consider that an alternative configuration of the pitch onto the Girls Grammar School land would be a practical alternative.

Visual Impacts

15. This report is focused on this issues raised by English Heritage in respect to potential impacts upon an adjoining Grade II* Listed Building. In forming a view on the potential impact, as English Heritage themselves advise, the Council's Planning Committee must take a balanced view. Clearly all new development always has some impact upon the setting of development, which adjoins it. In this regard however, Members should in my view take account of the rational for the grading of the Listed Building. As set out earlier (see paragraphs 8 –11) the listing does not seem to reflect the importance of an old building within any specific historical context. The principal reason for its star status would appear to be the high status of the original ownership at the time the farm cottage was developed. Of equal importance Members should be mindful that the original setting would probably have been agricultural in nature. Whilst English Heritage refer to an all-weather pitch as making a bad neighbour and it altering the character of a grassed area it can also be argued that a completely flat, drained playing field already represents a significantly artificial setting to the Listed Building.

16. I would therefore advise that whilst the development would inevitably affect the setting of the building that the true issues to focus upon, as also referred to by English Heritage, would be the potential impacts associated with the lighting to reduce glow against the sky and any potential noise impact. I have therefore addressed these two issues in more detail below.

Impact of lighting

17. The pitch would be lit using 8 ultra low glare asymmetric beam floodlights with metal halide lamps. The floodlights would sit in a close to "flat glass" orientation that reduces glare and spillage and produces no direct upward waste light. The lamps would produce a white light ideal for sports. These would be aimed to produce a maintained average horizontal illumination level of 200 Lux. The proposed floodlights would be attached to 15 metre high columns (which can be lowered for maintenance). Due to the design of the floodlights there would be no light spill above the horizontal.

18. Consideration has already been given regarding the potential effect of the lighting on nearby residential properties and on the local area. Details submitted with this application have shown that when lighting the whole pitch at 200 Lux much of the surface illuminance would be restricted to within the school site. The adjacent railway line would experience a surface illuminance of 1 Lux over a limited area and 2 residential properties would experience a surface illuminance of 1 Lux in the gardens of their properties (including Little Buckland Farm Cottage). There would be no surface illuminance at the façade of any residential property (see enclosed plans). Illuminance levels of less than 5 are normally considered to be acceptable for residential properties and the acceptable illuminance level for roads and rail varies depending on the existing levels of lighting on the roads and rail in question.

19. Consideration has also been given to the issue of light glare. The technical information submitted with the application states that the asymmetric distribution of the floodlights allows for a lower tilt angle from the horizontal, hiding the lamp and therefore reducing glare not only on the players and spectators but also to any surrounding residents. Additionally the applicant advises that for this proposal all floodlights have been tilted as flat as possible, the tilt of the light being 68.1º. Furthermore, the revised proposal moved the floodlit pitch further away from the neighbouring housing, the field area being set 4 metres below the existing gardens and new planting together with the existing vegetation would minimise the effect of any glare.

20. At the closest point the pitch would be located approximately 8 metres from the boundary of the site and 11 metres from the railway. Existing boundary planting is present along both boundaries of the site, although it is acknowledged that this varies in thickness and height and does not provide all year long cover. The floodlighting results in no light spill above the horizontal, and visibility of the lamps would be kept to a minimum through the use of ultra low glare floodlighting. Additionally, the proposed new landscape mound with acoustic screen, once established would help to screen the development, providing all year round cover and again reducing the potential for glare.

21. English Heritage has acknowledged that a bund would be raised between the pitch and the boundary but ask that further consideration is given to increasing the height of the bund and that the planting is bulked up to mask the glow from the lighting. My own view is that additional bunding would itself be visually intrusive as an alien feature and I would not recommend any increased bunding, which would have very little further screening benefit.

22. I therefore consider that subject to conditioning the design of the floodlighting and implementation of the screening bund that light spill would not cause an unacceptable impact upon the Listed Building.

Noise

23. Potential noise impacts from the proposed development have also already been discussed. In particular, noise consideration has followed the relevant Government Guidance. Planning Policy Guidance Note 24 (Planning and Noise) stipulates four *Noise Exposure Categories* for assessing noise impacts on residential properties. In broad terms these are:

    A - where noise need not be considered as be a determining factor,
    B - where noise should be taken into account by imposing appropriate planning conditions,
    C - where planning permission should not normally be granted unless there is adequate mitigation,
    D - where planning permission should be refused.

    Ranges of decibel levels are cited for each of these Categories, with 45-55 decibels applying to Category A. On the basis of the advice from our noise consultants, it is apparent that the proposed sports pitch would, at worst, fall within Category A, where no further consideration of noise impacts is recommended as part of the planning process. Under the circumstances, there is no need for further noise information, nor to impose any noise restrictions or to require any noise attenuation measures. In this particular case, however, there have been negotiations with the applicants regarding measures to mitigate noise impacts and these resulted in the amended proposals, which were presented to the Planning Applications Committee on 16 May. Apart from the earth bunding, the amendments included fencing of the sports pitch and additional noise fencing on its northern side to protect adjacent residential properties. I do not consider that any further noise mitigation is warranted in these circumstances.

Hours of Use

24. Despite the mitigation measures, English Heritage has requested that the hours of use are reduced further (following those agreed at the 16 May Planning Committee) in order to further mitigate noise intrusion.

25. The issue of 'hours of use' were debated at length at the 16 May 2006 Planning Committee Meeting. The hours of use put forward by the applicant were 0900 to 1700 during the school term. Community use was proposed to be between 1700 and 2200 on weekdays and 0900 and 2200 weekends. Members were, however, minded to reduce the proposed hours of use to 0800 to 2130 on weekdays, 0900 to 1800 on Saturdays and 0930 to 1400 on Sundays and Bank Holidays.

26. Since the May Committee Meeting, the applicant has requested that the hours of use be reviewed, given that the proposed hours of use were reduced by 4 hours, principally on Saturday and Sundays. The applicant has stated that the reduction of the hours as currently drafted would affect the funding and operational revenue and render the project nonviable. The applicant states that although the reduction of 4 hours seem insignificant, they bring the total hours to 81, below the minimum 85 hours required by the Football Foundation, who are the principle funders for this project. The applicant therefore asks that the hours are reviewed to allow 85 hours of operation as originally sought.

27. English Heritage, however, would like to see the 'hours of use' further reduced from those previously decided in order to further mitigate noise disturbance. However, given that noise levels meet the relevant Government Guidelines, I consider that a further reduction in 'hours of use' would not be appropriate or necessary. I do not however, consider it appropriate to reconsider the hours of use in terms of increasing those already decided upon to those originally applied for. In particular, I do not consider it acceptable to have floodlighting in use until 10pm on weekends, and I would suggest that the hours of use are retained as agreed by the Planning Applications Committee on 16 May 2006.

Conclusion

28. The comments raised by English Heritage relating to the adjacent Grade II* Listed Building have been further considered and I acknowledge that the proposed development would have an impact upon the setting of the Listed Building. However, given the proposed mitigation measures put forward by the applicant and the Committee, which relate to landscaping and acoustic screening, I am satisfied that appropriate and satisfactory measures have been taken to minimise potential intrusion on the setting of the Listed Building, which in any event does not seem to reflect the original setting of the building.

29. I do not consider that the concerns raised by English Heritage warrant refusal, and all other issues relating to lighting, noise and location in respect of their impact upon the wider community have been discussed and considered at the earlier Meeting. I would therefore advise that my recommendation remains unchanged.

Recommendation

30. I RECOMMEND that PERMISSION BE REAFFIRMED, SUBJECT TO conditions requiring the development is carried out strictly in accordance with the approved plans, the submission and implementation of a landscaping scheme, hours of use of the pitch and floodlights, the floodlights being extinguished when not required for all or part of the pitch and operated at the proposed Lux level at all times, Lighting to be inspected by a qualified lighting engineer, an archaeological watching brief being carried out during development, and details of surface materials for the proposed pitch to be submitted prior to work being commenced.

Case officer – Helena Woodcock	01622 221063

Background documents - See section heading