

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

**Floodlit sports pitch, Hayesbrook School, Tonbridge –
TM/10/185**

A report by Head of Planning Applications Group to Planning Applications Committee on 11 May 2010.

Application by the Hayesbrook School and Kent County Council for the construction of a artificial grass sports pitch with perimeter ball-stop fencing, floodlights, pedestrian spectator area and pathway, Hayesbrook School, Brook Street, Tonbridge (Ref: TM/10/185)

Recommendation: permission be granted subject to conditions.

Local Member(s): Mr. G Horne and Mr. C Smith

Classification: Unrestricted

Site

1. The application site forms part of an existing secondary school playing field on the outskirts of Tonbridge. Hayesbrook School is located off the north side of Brook Street, on the south west side of Tonbridge, as indicated on the attached site location plan. The application site area is just over 0.8 hectares and envisages an artificial grass sports pitch of 7658m² and a connecting pathway of some 490 m² in the south west corner of the school playing field area.
2. The school site as a whole is included within an area that has been identified since the 1998 Tonbridge and Malling Borough Local Plan as Safeguarded Land, reserved for future development. This policy has been carried forward in the Local Development Framework Core Strategy, but the land is not to be released for development before 2021, unless there is shortfall of housing land to meet the South East Plan requirements. Accordingly, the school playing fields remain excluded from the Metropolitan Green Belt, despite being immediately outside the urban confines of Tonbridge.

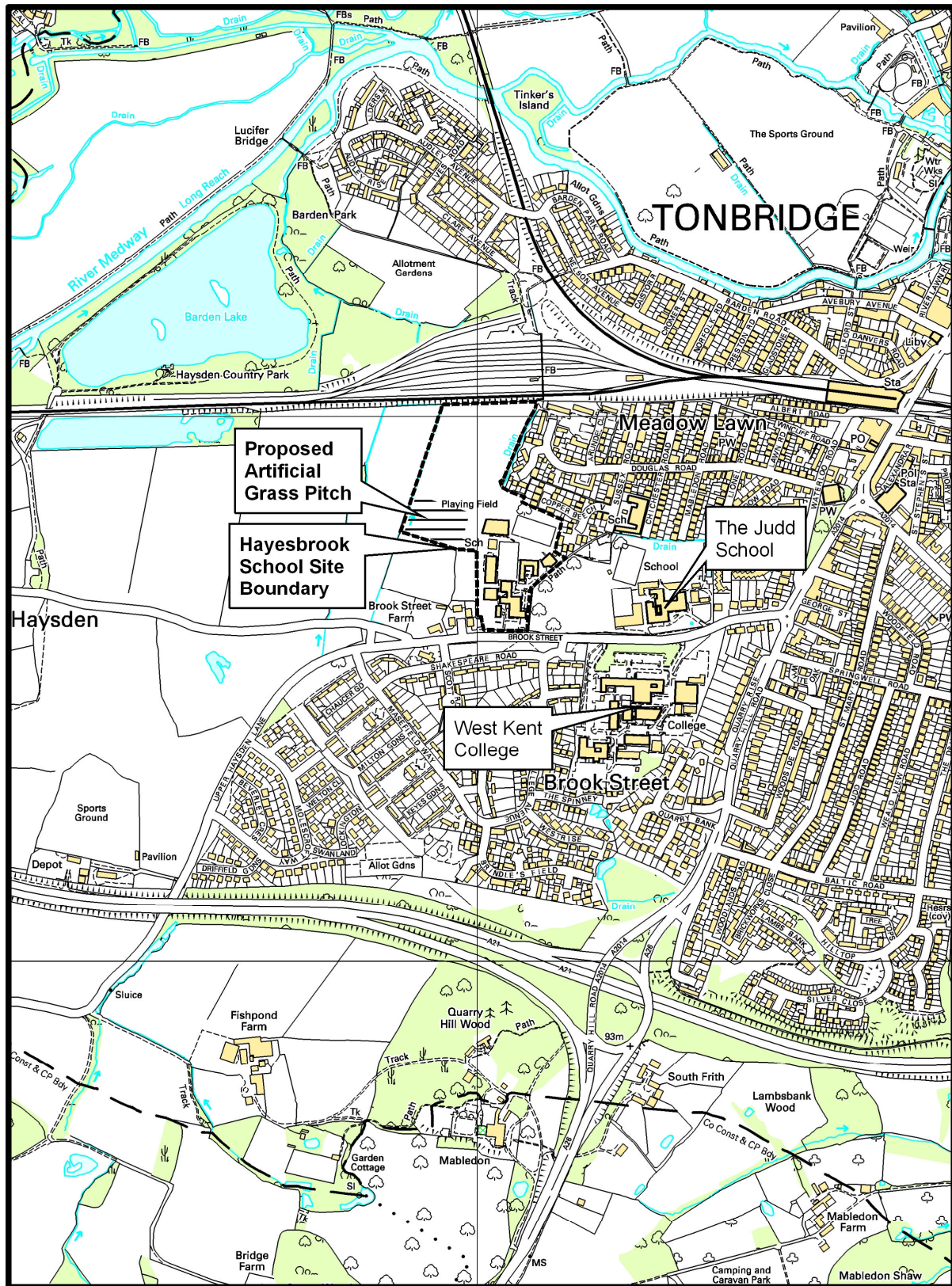
Background

3. Planning consent was given in August 2004 (under reference TM/04/859) for the development of an all-weather surfaced multi-use games area on another part of the school playing fields, comprising 4 hard surfaced tennis courts, with fencing and service provision only for any future training floodlighting. The floodlighting has never been pursued by way of any further planning application, but in determining the 2004 planning application, Members restricted the hours of use to 0800-2000 hours (Monday to Saturday) and 0900-1800 hours (Sundays and Bank Holidays).

Proposal

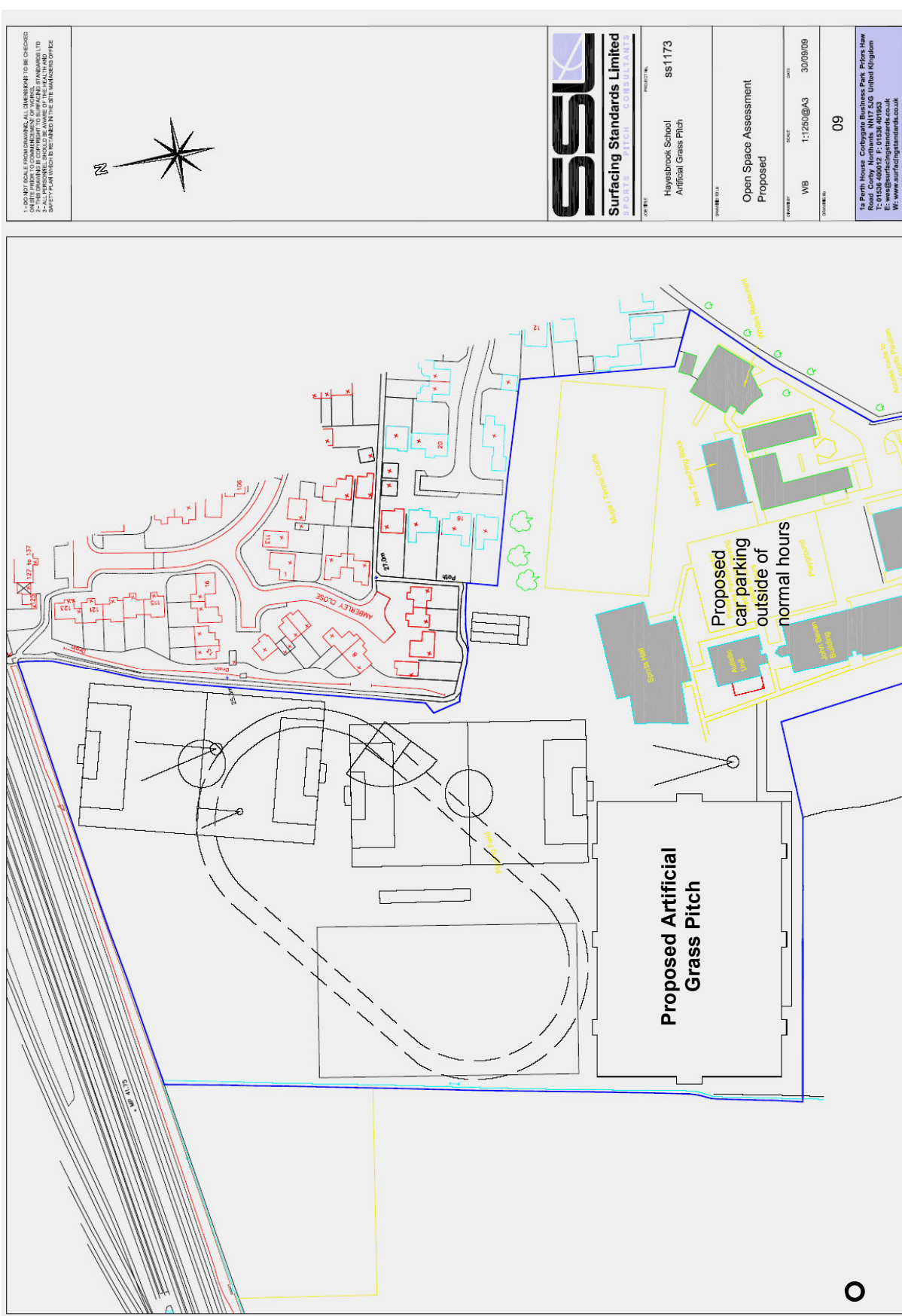
4. The application seeks full planning consent for an artificial grass sports pitch, with perimeter fencing, floodlighting, a spectator area and a pedestrian pathway. The proposed facility would cater for football and small sided football. The artificial surfacing

HAYESBROOK SCHOOL - LOCATION PLAN



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2- ALL NEW FLOOD LIGHTS MUST BE CHECKED ON SITE PRIOR TO COMPLETION OF WORKS AND MUST BE OPERATIONAL AND SAFE TO USE.
 3- ALL PERSONNEL SHOULD BE AWARE OF THE SAFETY PLAN WHICH IS KEPT IN THE SITE MANAGERS OFFICE.



Surfacing Standards Limited
 SPORTS PITCH CONSULTANTS

PROJECT NO.
 Hayesbrook School
 Artificial Grass Pitch
 SS1173

DATE OF ISSUE
 Open Space Assessment
 Proposed

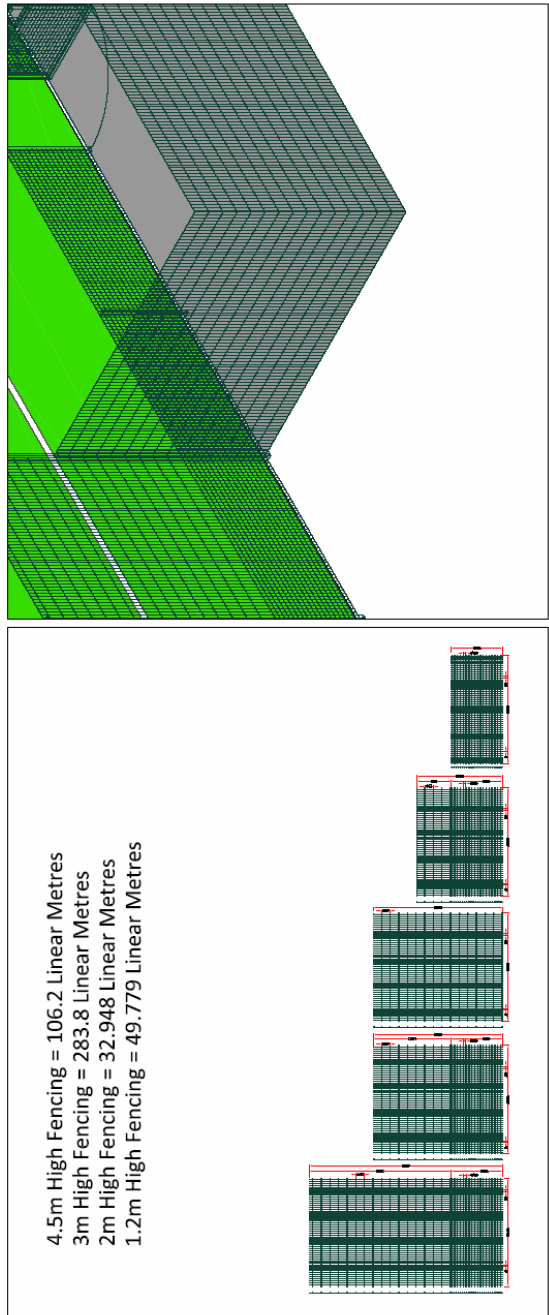
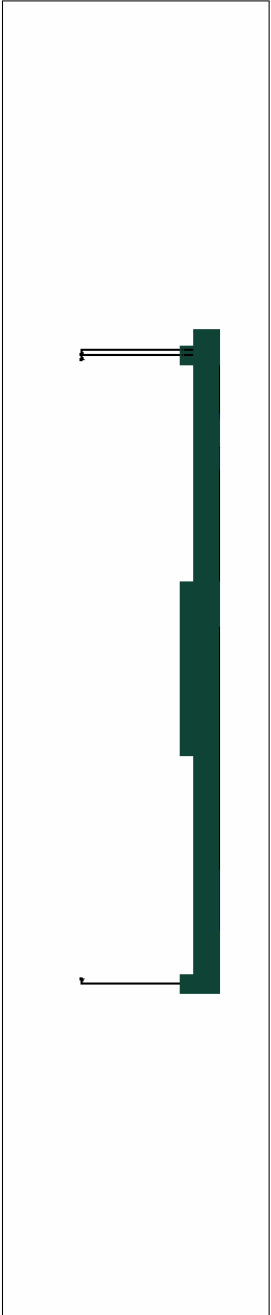
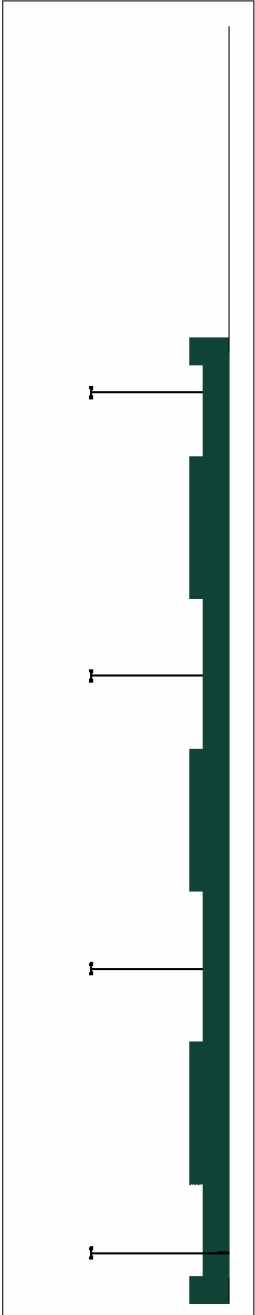
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would be green in colour with white and blue line markings. The ball-stop fencing surrounding the pitch would be green powder coated steel mesh and largely 3 metres in height, being 4.5 metres behind goals and recesses. The spectator area would be behind the goal recesses, and separated by 1.2 metre high fencing.

5. The proposed football facility is required primarily for use by Hayesbrook School, but also to meet the wider needs of the local community, by allowing its use outside of normal school hours through formal arrangements with other local sporting organisations. It is for the latter purpose that the proposed floodlighting is particularly required. The applicants have chosen to locate the proposed pitch where it would have least impact on neighbouring residential areas, but still be reasonably accessible to the main school buildings and circulation areas. In order to physically accommodate the pitch, other sports pitches on the playing fields would need to be re-oriented, including the grass athletics track and the cricket pitch.

6. The initially proposed hours of use of the facility sought were as follows:

Weekdays	0800-2200 hours
Saturdays	0900-1700 hours
Sundays and Bank Holidays	0900-1700 hours
(86 hours per week in total)	

Following reactions to the planning consultations, the applicants have amended the hours sought to bring the weekday finish times to 2130 hours, which would reduce the total weekly usage to 83.5 hours.

7. Access to the facility would remain unchanged from the current school access arrangements. The school site currently accommodates 100 parking spaces, plus 1 for disabled parking, 6 bus spaces and 50 cycle spaces. The application proposes an additional 60 parking spaces and 3 extra spaces for disabled parking, by the use of an existing playground for car parking outside of school hours. The macadam surfaced pedestrian pathway would vary in width from 2 to 4 metres, and would provide an all-inclusive access to the pitch and spectator area.

8. The proposed floodlighting would require eight 15 metre high columns, and would have flexible switching to enable the level of lighting to be adjusted according the standard of play. 200 lux would be provided for competition standard football and light level training, whereas 100-120 lux would be employed for lesser football training and 5-a-side football and training. The lighting columns would be galvanized steel columns (brushed silver colour) with grey lanterns housing.

9. The application is accompanied by a Lighting Assessment, a Flood Risk Assessment, a Site Waste Management Plan, and a School Travel Plan, plus, since its submission, a Noise Assessment. The Lighting Assessment explains that the lighting specification has been designed to accord with the Institute of Lighting Engineers' *Guidance Notes for the Reduction of Obtrusive Light (2005)*, recognizing that the locality is Zone 2 (low district brightness area or relatively dark urban area) requiring less than 2.5% upward light and less than 5 lux vertical illuminance into residential property windows. In particular, 15 metre high columns would allow the use of horizontally mounted, flat glass lanterns, which would provide good light uniformity on the playing surface at the same time as minimizing vertical overspill and any distant glare from luminaires otherwise needing to be tilted at an angle. Internal baffles on the luminaires also would prevent glare for players on the pitch, as well as more efficiently focusing the light downwards. The Assessment demonstrates that the proposed lighting scheme is compatible with the

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requirements for its Zone 2 location, with minimal sky glow from upward light spill, substantially reduced light spread away from the playing surface and no glare from exposed lanterns.

10. The Flood Risk Assessment identifies the site as within the Environment Agency's Flood Risk Category 1, where the risk of fluvial or marine flooding is low (ie. 0.5% chance of flooding in any one year). Nevertheless, surface water run-off remains an important consideration, so the proposed surfacing would be porous allowing rainwater to soak through to a new lateral and perimeter drainage system and thence to a new headwall in the adjacent ditch.
11. During the processing of the planning application, a Noise Assessment has also been prepared and submitted, in response to third party concerns over potential noise nuisance. This Assessment considers the change in the noise climate as a result of the use of the proposed pitch, using evidence from similar sports developments elsewhere, compared to the existing situation. The conclusion is that the use of the pitch during the later evening hours is likely to be less than marginally significant. Since the site already generates sports related noise during the daytime, the new pitch would not be producing a new type of noise to the environment but rather extending it into evenings and weekends. At the most noise sensitive times the predicted noise arising from the use of the pitch would only reach 2dB above the ambient background noise level.
12. More recently, the applicants have produced on request a report detailing the Traffic Volume during the Construction Period, which identifies the number of vehicle movements at each stage of the construction, bearing in mind the variation in activity during those different stages. The conclusion is that the total average additional traffic that would be entering and leaving the site on a daily basis over the entire construction period would be approximately 9 (ie. varying from high activity in the 2nd and 3rd weeks when earthworks are being undertaken to virtually no movements during some of the later weeks). No contractor's vehicles or deliveries would enter the school and construction site before 0930 hours and after 1430 hours to avoid any conflict with normal school movements.

Planning Policy

13. The Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) The adopted **South East Plan** (2009):

Policy CC1	The principal objective of the Plan is to achieve and maintain sustainable development in the region.
Policy CC4	The design and construction of all new development, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques
Policy CC6	Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities.

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- Policy T4 Local development documents should adopt restraint-based maximum levels of parking provision for non-residential development, reducing provision in locations with good public transport, and ensure the provision of sufficient cycle parking at new developments.
- Policy S1 Local development documents should reflect the role the planning system can play in developing healthy sustainable communities, such as community access to open spaces and physical recreation facilities.
- Policy S5 Local Authorities should encourage increased and sustainable participation in sport and recreation, to improve the overall standard of fitness, cultural diversity and quality of life.
- Policy S6 The mixed use of community facilities should be encouraged by local authorities, public agencies and other providers, through local development documents and other measures in order to make effective use of resources.

(ii) The adopted **Tonbridge and Malling Local Development Framework Core Strategy (2007)**:

- Policy CP1 Requires all proposals for new development to result in a high quality sustainable environment.
- Policy CP4 Identifies land north of Lower Hayesden Lane, Tonbridge as Safeguarded Land, reserved for future development for release after 2021, other than through a review of the Local Development Framework and only then if necessary to meet a shortfall in housing land requirements of the South East Plan.
- Policy CP14 Restricts development in the countryside to certain exceptions, including predominantly open recreation uses with associated built infrastructure.
- Policy CP24 Requires all development to be well designed and of a high quality in terms of detailing and materials, and to respect the site and its surroundings, and seeks to protect and enhance existing open spaces.
- Policy CP26 Presumes against development proposals resulting in the loss of community services or recreation sites, unless exceptionally justified.

(iii) The recently adopted **Major Development and Environment Development Plan Document (2010)**:

- Policy OS1 Presumes against new development resulting in the loss or reduction in recreational value of existing open space, with Hayesbrook School identified for protection as an outdoor sports facility.

14. The relevant Government Planning Policy Guidance includes **PPG17 Open Space, Sport and Recreation (2002)**, which sets out planning policies on open space, sport and recreation and presumes against development on playing fields unless it is for

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outdoor or indoor sports of sufficient benefit to the development of sport to outweigh the loss of playing field. PPG17 also advises that, when considering applications that include floodlighting, Local Planning Authorities should seek to protect local amenity, and where appropriate, consider the impact on the openness of the Green Belt or the character of the countryside, as well as the interests of sport. Currently proposed revisions to this guidance envisage requiring Local Planning Authorities to also consider the benefits to the health and wellbeing of those participating in sport and recreation, and the impact on the provision of sport and recreational facilities in the area resulting from their extended use. •

Consultations

15. The following views have been received from consultees:

Tonbridge and Malling Borough Council: raises objection to the proposal unless the following issues have been satisfactorily addressed:

- TMBC suggests that KCC considers the representations of Sport England and requests a condition requiring an enforceable Community Use Scheme
- the submission of a landscaping scheme around the perimeter fencing
- the pitch not to be illuminated when not in use
- KCC to be satisfied that the proposed parking and access arrangements are technically acceptable, particularly in the light of local circumstances
- floodlights to be angled to ensure only the sports pitch is illuminated and to avoid light spill outside the site
- the lighting levels at no times to exceed those shown on the submitted lighting assessment
- all illumination to be linked to a mechanism to limit illumination only during hours of actual use and to be timed to cut off automatically (or at 2200h Monday to Friday, 1700h Saturdays and 1800h Sundays)
- the extent of use of the sports pitch to be limited to that set out in the planning application's supporting information, with any alteration subject to prior written agreement
- the site to be vacated by 2230h on Mondays to Fridays.

Divisional Transportation Manager: has no objection to the application in respect of highway matters. In particular, he notes that the site currently benefits from a significant level of off-street parking (100 spaces with the potential for an additional 60 spaces on the playground outside of term time), and is satisfied that this level of parking would be suitable to serve the site as a whole.

Sport England: raises no objection to the application, subject to (in the event of planning consent being given) the submission of a Community Use Scheme, including details of pricing policy, hours of use, access by non-School users, management responsibilities and a mechanism for review, and has stated as follows:

“Sport England understands that currently marked out on the playing field are two football pitches, one rugby pitch, one training grid, a 400m running track, one rounders diamond, one artificial cricket wicket and javelin/shot-put areas. Despite the proposal

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resulting in a large loss of playing field land...the application is able to demonstrate that the playing field will still be able to cater for the above pitches. However, in order for this to happen, the rugby pitch, one football pitch, running track and cricket wicket will be located further to the north of the playing field.

With the new proposal resulting in an important facility for not only the School, but also the wider community as a result of a formal Community Use Scheme, Sport England considers that this application satisfies Exception 5 of our playing field policy in that 'the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field' "

Jacobs (Lighting): raises no objection to the proposed floodlighting specification and advises as follows:

"The lighting proposed has clearly been well thought out, from the decision on appropriate lighting levels, effect of overspill and visual impact, down to the fact that the pitch itself has been placed as far away as possible from the nearest residential properties. The lantern proposed is of the flat glass type and mounted horizontally so that there is no upward light, thereby minimising light spill outside the area of play. The lighting level reduces from 200 lux on the playing area, to just 5 lux within 25 metres of the pitch, whilst the nearest property is 100 metres away where there would be no measurable light spill. It is clear that the overspill lighting is comfortably below the limits set within the Institute of Lighting Engineers' publication **Guidance Notes for the Reduction of Obtrusive Light**. It also complies with the recommendations within **BS EN 12193 - Sports Lighting**."

Jacobs (Noise): recommended that a Noise Assessment be carried out, following concerns raised by neighbouring residents about potential noise nuisance, and now raise no objection, but have commented as follows:

"The applicant has undertaken a Noise Assessment which assesses noise impacts on residential properties due to the proposed sports pitch. In the Assessment the noise consultant has used guidance from BS 4142 "Rating industrial noise affecting mixed residential and industrial areas" to qualify the likely noise impacts due to the scheme. In the report the consultant recognises the fact that BS 4142 is not directly applicable for the assessment of noise associated with a sports pitch. I advise that we are in agreement with the applicant's assertion that BS 4142 is not the most appropriate methodology. It is noted that the applicant has also made reference to paragraph 7.6.1.2 of BS 8233 "Sound Insulation and noise reduction for buildings - code of conduct" for desirable and maximum noise levels in gardens. I advise that we would not generally look to apply such criteria as it is considered that an assessment based on noise change rather than an absolute noise level, is preferable when assessing impact on residential amenity.

Instead we would suggest an assessment of the likely change in noise level at any nearby sensitive receptors due to activities on the proposed sports pitch. Such an assessment would consider impacts on the existing LAeq and LMax noise indices at nearby sensitive receptors at the most noise sensitive times of the day/week when the sports pitch is proposed to be operational. It shall be noted that we usually look to ensure that noise levels due to a proposed development do not lead to an increase of the existing LAeq noise level of more than 3 dB at any nearby sensitive receptor. Furthermore the LMax noise level due to the proposed development should not exceed that existing average LMax noise level at a sensitive receptor.

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In undertaking an assessment in accordance with BS 4142, the applicant has presented existing LAeq and LMax noise levels at nearby residential properties to the north and south of the proposed sports pitch (Table 1 of the Noise Assessment), as well as predicted LAeq and LMax noise levels due to activities on the proposed sports pitch (Table 3). Existing noise levels have been measured at the most noise sensitive times of the day/week when the sports pitch is to be in use (i.e. weekday evening and Sunday afternoon). Using this information, we are able to assess noise impact at the identified residential receptors.

The minimum LAeq noise level observed at Old Barn Close to the south of the site was 47.6 dB LAeq, which was measured on a Sunday afternoon. The average LMax at the same location was 65.9 dB. The predicted LAeq noise level at residential properties in Old Barn Close is 44 dB while the predicted maximum noise level is 53 dB LMax when the sports pitch is operational. The LAeq noise level due to activities on the proposed sports pitch would lead to an increase of +1.6 dB in ambient noise level, which is within the criterion of less than +3 dB. The predicted LMax noise level at Old Barn Close is some 12.6 dB below the existing average LMax noise level observed at the monitoring location.

The minimum LAeq noise level observed at Amberley Close to the north of the site was 44.9 dB LAeq, which was measured on a Sunday afternoon. The average LMax at the same locations was 62.5 dB. The noise consultant has predicted LAeq noise level at residential properties in Amberley Close of 43 dB and LMax noise levels of 52 dB when the pitch is operational. However, I have concerns regarding these predictions. Table 4A and 4B state the distance between the centre of the proposed sports pitch and properties at Amberley Close to be 174m. Through consideration of the proposed site layout, I advise that the distance is in the order of 130m. Assuming a distance of 130m the predicted noise levels at residential properties in Amberley Close are 45.7 dB LAeq and 54.7 dB LMax with the proposed pitch operational. The LAeq noise level at residential properties on Amberley Close due to activities on the proposed sports pitch would therefore increase by +3.4 dB at the most sensitive times of the day. I advise that, whilst this represents a slight exceedence of the noise level criteria of +0.4 dB, such an exceedence is likely to occur only rarely. The applicants' assessment considers noise levels on the pitch due to competitive sports matches with spectators present. At the time of day with the lowest existing LAeq noise level, Sunday afternoon, the pitch is to be used for "Casual Use" which is unlikely to attract spectators, hence a reduced activity noise level is likely to result. Furthermore, the measured existing LAeq noise level of 44.9 dB is some 1.9 dB below than the next lowest observed LAeq noise level at that monitoring location.

Notwithstanding to above, the applicant has also made an assessment of increase noise due to additional traffic on the Brook Street due to the proposed development. The assessment suggests a noise level increase of less than +1 dB, which is not considered to be of significance. I would therefore suggest that, in spite of the minor exceedence of our usual noise level criteria, I would have no objections to the proposed development on the grounds of noise."

The Environment Agency: has no objection to the application, but asks that any permission includes the advice that the prior written consent of the Environment Agency will be required for the construction of the headwall for the proposed drainage scheme, under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws.

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KCC Sports Development Officer supports the proposed development and points out that Hayesbrook is the Specialist Sports College for Tonbridge and is expected to have the very best specialist facilities for sport in its area. The proposed pitch is a rubber crumb rather than sand filled surface and therefore quite different to other artificial pitches in the locality, being specially suited to rugby and football. There is a significant deficiency of such pitches in the country and in Kent, with the only others in West Kent being at Paddock Wood and Maidstone. Given that those are already fully used, there is an estimated demand for at least another four in West Kent. It is the ambition of KCC Sport, Leisure and Olympics service to have as many young people as possible taking part in a positive sporting activity and providing new sports facilities is all part of that.

Local Member

16. The local Members, Mr. G Horne and Mr. C Smith, have been notified of the application and at the time of writing have submitted no written views on the application.

Publicity

17. The application was publicised by the posting of site notices and the individual notification of 28 nearby residential properties.

Representations

18. In response to neighbour notification, 10 letters of representation have been received, primarily from addresses in Copper Beech View and Amberley Close (to the north east of the application site). All these correspondents object to the proposed development and the main grounds for objection can be summarised as follows:

Siting and design issues

- the facility would be better accommodated near the railway line or rotated 90 degrees in the far corner of the playing field
- the footpath from the school to the railway line should not be lit as a result of this proposal
- floodlighting against the night sky will cause unacceptable light pollution levels
- the 15m high lighting columns would be an eyesore themselves in daylight
- the application contravenes *[former]* Structure Plan Policy QL15 requiring sports facilities to be 'designed to avoid nuisance from traffic, noise and lighting'

Amenity issues

- the development would cause great harm to local residents and neighbouring residential amenity
- the site is surrounded by family homes and late evening activity is totally unacceptable since it would interrupt homework and sleep for children
- the development would have a detrimental effect on the education and quality of life for children
- the floodlights would be visible from neighbouring properties

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- the floodlighting would bring further inconvenience to all residents bordering the school grounds
- what consideration has been given to screening the development and floodlighting from residents?
- there are no trees or hedges as indicated which cover the direct line of sight from houses in Copper Beech View
- floodlighting would intrude into the privacy of residents whose bedroom windows face the site
- houses in Copper Beech View are at about 4 metres higher ground level so more of the proposed lighting columns will be visible
- the regular gathering of people in large numbers would cause litter proliferation
- out of hours use and floodlights would cause excessive light pollution and noise in a residential neighbourhood
- there would be considerable noise and disturbance for up to 86 hours per week from participants and spectators, caused by balls striking metal fencing, traffic movements, referee/coach whistles and up to 50 players themselves at any one time
- there would be security implications for neighbouring residents from 226 on-site parking spaces and uncontrolled spectators
- the damaged boundary fencing to the rear of Amberley Close needs to be repaired/replaced, and the drainage trench re-dug to prevent easy access to the boundary fencing
- security and visibility will be a major issue for local residents and extra height fencing to Amberley Close is requested
- the site is in a quiet residential location and therefore unsuitable for a business venture of the scale indicated
- the construction of the development would cause unacceptable disruption, noise, dirt and dust
- the constant developments on this school site - building projects, sports hall, security lighting, tennis courts, cricket nets steel containers, etc.- have had a significant impact on our privacy and wellbeing

Need

- there is no evidence of need and justification for the development
- if demand does exist the facility would be better sited in the Park where there would be no residential impact and town centre businesses could benefit, or on the existing sports grounds at Tonbridge Racecourse and Tonbridge Farm
- is there not sufficient provision for community use on the three artificial pitches at Tonbridge School?
- we question the need for the development when the School already has adequate sports facilities
- rather than have floodlighting, the School should modify its schedule so that sporting activity can take place during daylight hours, in the interests of saving energy and reducing the carbon footprint

Other comments

- the application wrongly states that the School already has floodlit tennis courts, but these were rejected in 2004 and a precedent was set that neighbours should not have the quality of lives impacted by out of school hours activities
- how can a KCC proposal relating to its own property be considered in a fair and democratic way?

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Discussion

19. The application is required to be determined in accordance with the relevant Development Plan policies, unless other material considerations are of overriding importance. Therefore, the proposal needs to be considered in the context of the South East Plan and the Local Development Framework and other material considerations, including those arising from consultation and neighbour notification responses. In this particular case, the determining issues would therefore include relevant planning policies, landscape/townscape impacts, lighting impacts, noise impacts, residential amenity aspects and need considerations.

Policy Context

20. Current Development Plan policies generally support the development of sports proposals and the mixed use of community facilities if in sustainable locations and sensitively designed. In this context, South East Plan Policy S1 promotes community access to physical recreation facilities, Policy S5 promotes increased sporting activity as means of improving fitness standards and Policy S6 promotes the mixed use of community facilities. The proposed development clearly sits very well with these policy objectives, and neither do the Local Development Framework policies present any substantive conflict, given that Policy CP14 effectively has no direct bearing on the use of this land pending the possible need for extra housing land here in future decades. Nevertheless, Planning Policy Guidance 17 currently requires Planning Authorities to take account of protecting local amenities and countryside impacts when considering floodlit sports facilities. The following sections therefore examine the local amenity aspects of the proposed development, notwithstanding the arguments in favour of sports development and the general policy support for the application.
21. Whilst Local Development Framework Policy CP26 presumes against development proposals involving the loss of playing field land, this proposal actually involves the wider use of sports land by extending the amount of sports activity that the land in effect could otherwise sustain as a natural grass surface. Such extra use would also be enhanced by the more efficient drainage system proposed, enabling its use after any prolonged wet weather. Sport England raises no objection, subject to the completion of a Community Use Scheme, as also required by the Borough Council. Under the circumstances, I consider that the proposed development does not conflict with Policy CP26, and would confirm that a Community Use scheme could be made a conditional requirement, should planning consent be forthcoming.

Landscape/Townscape Impacts

22. The school site is on the edge of the Tonbridge built up area and therefore forms part of the rural-urban fringe. Whilst most land outside the urban confines here forms part of the Metropolitan Green Belt, and often some area of landscape quality protection as well, this particular site is deliberately excluded from such designations in the Local Development Framework because of its longer term value as potential housing land. Nevertheless, the proposed development would have a modest urbanising effect by the introduction of lighting columns, fencing and extra hard surfacing. The night time impact of the lighting is discussed below, but the daytime impact of the columns is also important because of their height in an otherwise two dimensional setting. The applicants have responded to this concern by arguing that the galvanised finished columns would be the least visually intrusive colour against the average day lit sky. Additionally, the proximity of neighbouring school buildings and the mature planting on the boundary of the school site combine to reduce the overall visual intrusion, even though the columns could not be completely concealed from view.
23. The fencing around the facility also has a visual impact but the applicants propose to minimise that by having welded mesh fencing with a green coating. This fencing has

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been successfully used on other sites and similar sports developments, and I consider that when viewed from some distance away its visual impact is wholly acceptable. In particular, it becomes largely transparent and much less discernible when viewed against a backdrop of either neighbouring buildings or boundary vegetation. Even so, in the event of planning consent being given, the Borough Council has asked that the perimeter fencing be further softened in appearance by some landscape planting on its outer side. Whilst such planting would not completely conceal such planting, and some lengths would need to remain open for spectators, I see no objection to that additional mitigation and would advise that that could be required by a condition attached to any planning consent. Overall, I see no overriding concerns over the visual impact of the proposed development in either landscape or townscape terms.

Lighting Impacts

24. Since the light pollution implications of floodlighting proposals can be the most significant issue, the applicants were specifically required to produce a Lighting Assessment to accompany the planning application. In particular, lighting can be a source of glare from a distance for neighbouring residents and passing road users, a source of light trespass where it spills over into neighbouring property and a source of sky glow where the upward spread of light is not controlled. Sports lighting schemes have improved considerably in recent years and the Lighting Assessment is important not just for considering the three aspects above but also for ensuring the most efficient and effective scheme is developed for the site in question.
25. As indicated by our independent lighting consultants, the proposed lighting scheme amply meets the stringent requirements of the Institute of Lighting Engineers because of its careful distancing from neighbouring properties and the inherent efficiency of the system designed. In particular, the use of flat glass lanterns manages to reduce distant glare at the same as avoiding any sky glow by ensuring maximum lighting is directed downwards onto the playing surface, and minimising light spread beyond the pitch area. The Lux contour diagram indicates how rapidly the lighting intensity drops away with distance from the pitch, demonstrating that the change in light levels at the nearest houses is likely to be imperceptible and un-measurable.
26. Under the circumstances, I would agree with the conclusions that the lighting scheme is appropriately designed for the site and setting, and that its impacts on the night sky are entirely acceptable in a partly illuminated urban fringe area and its impacts on the neighbouring properties are largely negligible because of the distance involved. The nearest property is 100 metres away whereas there is no discernible light spill within about 25 metres of the pitch. Whilst the concerns of neighbouring residents over light trespass from neighbouring residents are understandable and valid grounds of objection, I consider that the light spill falls a long way short of amounting to a demonstrable detriment in this particular case. However, that is not to say that there would not be views of the lighting and its columns from a distance across the site for some neighbouring residents, and the luminaires would be also visible against the night skyline. Members will be aware that the protection of private views across someone else's land is not a material planning consideration, but even so the additional physical features introduced by this proposed development would mostly be seen in the context of other adjacent buildings (and security lighting) already occupying much of the school site.

Noise Impacts

27. The use of outdoor sports facilities has the potential to generate noise nuisance for neighbouring residents. The noise from playing fields generally can be difficult to assess because typically it varies from occasional and short lived outbreaks of noise to longer periods of near silence when the facilities are less intensively used. The sort of noise involved includes the sound of the balls striking the ball-stop fencing, the

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shouting of players, spectators and referee/coaches' whistles, and the arrival and departure of vehicles. However, it is important to keep this in context because sports playing fields are primarily intended to accommodate outdoor sport and a certain amount of noise and disturbance is inevitable and has to be expected. Where playing fields have been underused for some years, there also can be an unrealistic expectation that neighbouring residents should continue to experience relative silence in perpetuity.

28. Nevertheless, the quality of life for adjoining residents is a material planning consideration and a Noise Assessment has been produced to examine the expected noise levels as a result of the development. Where noise reaches relatively high levels (eg. 65-70 decibels) from public sector developments such as highway schemes, there are provisions for offering noise insulation for affected properties. Where noise levels are less but the actual change in level is significant, then noise attenuation measures are normally investigated to mitigate or reduce the noise impacts. Note that changes in the order of 3dB are generally imperceptible to the human ear and cannot be regarded as significant. The Assessment has considered the typical noise levels at source and then factored in the effects of distance when calculating measurements for the nearest houses. Ambient noise levels in the locality are affected by the nearby and more distant road traffic noise from Brook Street and the A21 Tonbridge Bypass, but the predictions indicate that noise from use of the proposed the pitch could produce an increase of 1dB at Old Barn Close and 2dB at Amberley Close above the existing background levels. Such change is regarded as less than marginally significant, and not within the range where specific noise attenuation would be necessary, or indeed effective. However, our own noise advisors have queried the Amberley Close measurement and calculated a worst case noise increase of up to 3.4dB, but advise that that would be relatively rare and not in itself reason to object on noise grounds.
29. Concerns have also been raised over noise nuisance from the proposed overflow parking area, which is closer to houses in Copper Beech Close. The Noise Assessment has considered the impact of vehicle movements here and, on the evidence of measurements elsewhere, has concluded that a worst case scenario would be an increase in noise of less than 1dB. However, the School has undertaken to offset noise nuisance generally as follows:

“Regarding the concerns raised over car parking, our site will have brand new signage across the campus which will direct ATP users from the car park at the Brook Street end of the site to the ATP and back again whether they arrive on foot or by car. We are sure this will reduce the amount of noise and disruption to our neighbours and our aim is to have the playground area free from vehicular and pedestrian at the majority of times. There will also be a physical barrier stopping access to the playground by cars which will work with the new signage to improve the current situation. The on-site manager along with the two new members of staff will be responsible for directing the pedestrian and vehicular traffic around the campus should questions arise from the new signage. We are sure that these members of staff will be on hand at all times to assist in people arriving at and leaving the site in a suitable and timely manner.

We have already invested a significant sum in improving the fencing around the playground area which will help in our new plans to direct community users around the site in the most appropriate way to remove any noise and disruption from our local residents. The new fencing is of a similar design to that in our ATP plans which will give a level of consistency in the appearance of our site. We envisage entire parts of the site eventually being closed to community sport users to improve our excellent security record to date. The majority of our users will be from partner sports clubs and so will get used to the parking and access system in a very short period of time. We expect a large

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percentage of our throughput to be regular users which will ease any problems with regard to this issue over time.”

30. Under the circumstances, I do not consider that there are valid reasons for presuming against the proposed development on noise impact grounds, subject to measures being put in place to manage the facility in the sensitive and neighbourly manner offered by the School.

Other Residential Amenity Issues

31. Concerns have also been raised by neighbouring residents over the potential invasion of privacy and loss of security. The nearest properties to the proposed facility are 100 metres away, and even without intervening fencing, planting and garden areas, I do not consider that any significant loss of privacy could occur as a result of this development. In particular, the houses themselves are much closer than that to each other and in other circumstances would typically have other houses backing on to them at. Members will be aware that developers are normally required to achieve privacy distances of 21 metres between facing windows to habitable rooms as a guideline for maintaining privacy. Whilst the School has undertaken to investigate the adequacy and state of repair of its boundary fencing in the light of such complaints, it is not reasonable to expect one landowner to be responsible for the security of neighbouring landowners. Since it is a matter for each property owner to address their own property security to their own satisfaction, I do not consider that increased security risk is grounds for refusal of this planning application. Whilst the use of the site may increase as a result of this development, the persons involved will be occupied in an organised and managed activity and therefore less likely to be a security problem than others who might be trespassing on the site. The applicants have also confirmed that there is no intention to introduce any lighting to the pedestrian route referred to as result of this proposal.
32. Should consent be given, there would inevitably be some disruption and potential nuisance as a result of the construction activity. However, since that would only be for a relatively short period (2 months), I do not consider that such nuisance would be significant, especially being on the opposite side of the school site from most of the neighbouring housing and being accessed via the existing school access road. The potential increase in litter accumulation because of more activity on the site may also be inevitable but that would be a School management issue and not one which the planning system can readily address.

Parking and Access Issues

33. Whilst the school site is well provided with parking spaces, which would double up for use by those using the proposed facility outside of school hours, the applicants propose the use of a playground area as an extra parking area with an additional 60 spaces (as shown on the plan on Page D1.3). However, the use of that area has provoked objections from residents in Copper Beech View on the grounds of noise disturbance and the School has now agreed that it would only be used as an overflow parking area when necessary, with the regular day to day parking being directed to the main school parking areas (see Appendix).
34. In response to concerns about the cumulative impact of lorry movements on Brook Street, bearing in mind other existing and proposed activity using that route, Kent Highway Services has advised me as follows:

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“This development is likely to have a peak construction phase over 10 days of 12 movements (two way total) per hour, avoiding peak school and college traffic. In the unlikely event of the two peak construction periods overlapping, the maximum number of heavy goods vehicle (HGV) movements (two way total) using the half mile stretch of Brook Street between Quarry Hill and Hayesbrook School in any one hour is less than 30. This equates to no more than 1 lorry every 2 minutes. Brook Street is of a standard suitable for heavy goods vehicles and it is not considered likely that the maximum number of movements associated with the construction phase will have unacceptable capacity, safety or environmental impacts on other road users or neighbouring residential, educational and business properties.”

Under the circumstances, I see no objection to the proposed sports facility on the basis of either parking requirements or construction traffic aspects.

Need and Other Issues

35. The need for the proposed development is not in itself a material planning consideration, but it has been raised by local residents in the context of why the development is required and whether the existing accommodation is adequate. It is clear from information provided by both the applicants (in Appendix) and the Sport, Leisure and Olympic Unit, that there is unmet local demand for the community use element of the proposed facility and that this particular standard of sports pitch would not unnecessarily be duplicating facilities elsewhere in the locality. Moreover, both Government and County Council policy is to encourage the further use of schools, and sporting assets in particular, as a means of improving community cohesion and personal fitness. Whilst the proposed development would fully accord with these objectives, the use of school sites for extra-curricular activities does potentially have detrimental impacts on neighbouring residential amenities, given that most of our schools are deliberately located in primarily residential areas. Nevertheless, in this particular case the potential disturbance and noise nuisance aspects of these proposals have been examined and I have to conclude that they are not of sufficient detriment to presume against planning consent.
36. The errors in the application’s supporting material referring to some existing floodlit pitches on the school site have since been corrected. This referred to the tennis courts permitted in 2004, which specifically included service provision for later lighting so as to obtain the necessary sports funding, but the installation of such lighting was not permitted at that time and has never been carried out or subsequently applied for. The tennis courts are adjacent to neighbouring houses and the potential impacts would have been more acute than the current proposal, so I do not consider that the earlier decision to omit floodlighting then has any direct bearing on this alternative and more distant siting.
37. The availability of alternative sites within the town, and within the school site, is not strictly a material planning consideration because the Planning Authority has to consider the proposal before it, and not whether the same development might be better somewhere else. However, in this particular case I am satisfied that the applicants have chosen the most appropriate part of the school grounds to minimise impacts on both neighbouring residents and the surrounding countryside.
38. Members will be aware that all Planning Authorities are required by the Town and County Planning General Regulations 1992 to consider any development proposals by their own Authority, whether a County or a District or Unitary Authority. However, there remains a doubly important responsibility to consider all such applications in a fair and

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transparent way, bearing in mind also that there is no right of appeal against refusals on such applications.

Conclusion

39. Since the use of the application site for sports activity is already well established, I see no objection to the *principle* of the proposed development and consider that it also accords with the general thrust of the relevant Development Plan Policies. Whilst objections have been raised to the impacts of the proposed development on various grounds, including noise nuisance, lighting intrusion, detriments to residential amenity from increased activity, and need for the facility, having examined each of these aspects, I am of the view that none are of sufficient substance as to warrant refusal of the application. In particular, there would be inevitable changes to the appearance of the school site and some increased activity and vehicle movements at the site as a result of the development, but these are not in themselves reasons to withhold planning consent if there is unlikely to be any significant lasting harm. Under the circumstances, I would advise that the proposed development is substantially supported by the relevant Development Plan Policies and, subject to appropriate conditions controlling the use of the facility, including those sought by the Borough Council, I consider that the proposed development is unlikely to significantly compromise the amenity of local residents. I therefore have to recommend that permission be granted.

Recommendation

40. I RECOMMEND that PERMISSION BE GRANTED to the proposal as amended, The SUBJECT to conditions, including conditions covering:
- the standard 3 year time limit for implementation;
 - the submission of a landscaping scheme, including around the perimeter fencing;
 - the submission of a Community Use Scheme, to include details of pricing policy, hours of use, access by non-School users, management responsibilities and a review mechanism;
 - the installation of the floodlights to be in accordance with the submitted specifications, with inspection by a qualified lighting engineer being completed prior to use to ensure compliance with the submitted and approved specifications, and the incorporation of automatic time controls;
 - the use of the artificial turf pitch to be restricted to the hours of 0800-2130 on Mondays to Fridays, 0900 -1700 on Saturdays, Sundays and Bank Holidays, with the site being vacated within 30 minutes beyond these times;
 - the use of the floodlights to be extinguished by 2130 hours Monday to Friday, by 1700 hours on Saturdays, Sundays and Bank Holidays;
 - the floodlights only to be activated when the artificial pitch is in use;
 - the use of the vehicle parking areas to be managed to avoid use of the overflow playground parking area, unless the main parking areas are fully occupied;
 - the use of the artificial sports pitch to be restricted solely to the uses applied for and development to be carried out in accordance with the permitted details.

I FURTHER RECOMMEND that the applicants BE ADVISED of the comments of the Environment Agency that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency will be

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required for the construction of the headwall for the proposed drainage scheme, in addition to planning permission.

Case Officer – James Bickle

01622 221068

Background documents –See section heading

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APPLICANTS' RESPONSE TO PLANNING CONSULTATION RESPONSES

Tonbridge and the surrounding villages lack a suitable third generation floodlit artificial turf pitch for use by football and rugby teams. The closest pitch of this nature is seven miles away in Paddock Wood. Other pitches in Tonbridge have been designed to the specifications of other sports such as hockey at the Tonbridge School and so make them unsuitable for football of a standard to match the requirements of the Football Association and Football Foundation (two of our consultation partners).

South Tonbridge itself has a lack of quality sports facilities for its young people to use during their leisure time. This requirement has been noted in several of the Borough, County and National Policies mentioned in previous sections. The town and surrounding villages have several football clubs requiring third generation pitches to practice and play on especially those who are FA charter standard clubs that we hope to focus our work with.

Potential noise generated by the use of the pitch and the associated vehicle movements

The location of the pitch adjacent to the current sports hall and changing facilities has been designed with local residents and participants in mind. This design will limit the distance travelled by participants and spectators and so lower the noise and disruption at key times.

The positioning of the ATP was also designed in order to reduce pedestrian traffic around the site and so lower noise during evenings. The shortest distance between facility and changing area will ensure this is reduced to a minimum. This will also ensure the amount of usable playing field / green space is retained and able to be used by a variety of different sports at all times as outlined on the drawings attached with the application. The ATP proposal will actually allow more field sports to be played by more people compared to the current grass pitch situation. It was decided that any other position for the ATP (by the rail track or rotated clockwise along the boundary fence to the west) would require more pathways and lighting to access the pitch safely. It was for these reasons that the option was discounted.

The current on site car parking at the south end of the site adjacent to Brook Street will continue to be used during evenings and weekends when school staff vacates the area. This has also been decided with our neighbour's welfare in mind to lower the noise of car doors closing, engines starting and people talking. The proposed additional parking area will only be used if required during occasional events that require it, in line with the School's current Travel Plan.

The hours of community use proposed within the application;

The attached programme of use has been altered to ensure that activity has finished by 21:30 at the latest during the week, 17:00 on Saturdays and 17:00 on Sundays and Bank Holidays. This will also reduce any bottlenecks with other indoor and outdoor facilities closing at the same time. Pedestrian and Vehicular traffic will leave the indoor space 30 minutes after the outdoor space to retain the existing opening hours for the sports hall.

The proposed additional parking area will only be used if required during occasional larger events, in line with the School's current Travel Plan. This will ensure that neighbouring houses will not be affected by any additional noise from the playground area for the majority of the time.

Site staff will advise participants to respect the privacy of our neighbours at all times and act accordingly during their time spent on the site. Management and monitoring procedures are currently in place for community users who fail to adhere to these guidelines with regard to noise and unacceptable behaviour, especially during evenings and weekends.

Other site management considerations for the proposed community use

The Hayesbrook School site will continue to benefit from the Site Manager who lives on site and is on call 24 hours a day. In addition to this the School is committed to generating new jobs in the local area for local residents through the related roles of Rural Sport Inclusion Manager and Rural Sport Co-ordinator along with a series of Apprenticeship places to add further value to the development. These roles will also increase the level of supervision and security during twilight and weekend hours.

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The site currently benefits from complete CCTV coverage and has an outstanding track record of balancing security with open access community use. We fully expect this record to continue to improve with the potential addition of new site staff.

The Hayesbrook School can confirm that there will be no bar operated on the site selling alcohol at any time. The sports pavilion suggested during our initial community consultation also has no bar included in the designs should they be offered for further development at any time in the future. The social area in the plans will have a kitchen for users to serve hot or soft drinks along with light snacks to their members after using the school's community sports facilities. The School was approached by several commercial sport league operators who require a bar on site. Our refusal to work with these groups was in part because of our desire to not have a bar.

Improved boundary fencing to improve security, acoustic and visual screening

The School is currently accessing two different funding applications that will allow over 25 new trees to be planted on site in specified areas around the boundary fence in response to the issues raised. We agree with our neighbours that this will improve the appearance of the site from all aspects and also improve the security of the site when combined with the proposed improvement to the perimeter fencing.

We are aware of the implications of planting additional trees and will consult those households closest to the new tree lines to ensure no natural sun light is blocked by the trees. All trees selected will be the same as those that are naturally found in this area and will be maintained by the current site staff along with a team of external specialists.

The School is willing to continue its maintenance programme of the perimeter fencing where required. The issue of acoustic fencing is covered in the following section.

The location of the overflow car parking in relation to the closest neighbouring properties

The current car parking on site adjacent to Brook Street will continue to be used during evenings and weekends when school staff vacates the area. This has also been decided with our neighbours' welfare in mind to lower the noise of the current drop off area and the noted noise of car doors closing, engines starting and people talking. The proposed additional parking area (for 3 disabled parking spaces and 60 general spaces) will only be used if required during occasional events, in line with the School's current travel plan. This will ensure that neighbouring houses will not be affected by any additional noise from the playground area for the majority of the time.

Should there be the need for acoustic fencing to protect houses along Copper Beech View from any noise during events both current (Parents Evening) and proposed (larger occasional Partnership Sports Events on the ATP) then we will engage with our neighbours to ascertain the most suitable solution. During the construction of the tennis courts, the issue of acoustic fencing was raised and rejected by the residents as not being required.

The Hayesbrook School plans to make any future sports development decisions to benefit vulnerable young people and those in most need of increased leisure opportunities. In line with this statement, our plans for three additional disabled car parking spaces are to allow those targeted users the quickest and most effective access to the facilities should public transport not be an option.

Site Energy Saving Policy

The Hayesbrook School saves over £400 each year thanks to the recent installation of the 20 solar panels on the roof of the main building. Additional savings are also made through energy efficiency measures implemented around the site (switching off plug sockets at the mains, lowering central heating temperatures, turning off lights in unused rooms, etc).

The plan for the pitch floodlights is based on a similar premise that will ensure the most energy efficient lighting level is used at all times. As outlined in the Technical Information provided, the lighting level can be adjusted between full luminance, training level lighting and third-pitch lighting by site staff. This will also reduce the visual impact of the facility on residents for the majority of pitch

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uses. The new facility will also benefit from the School's current recycling policy regarding management and maintenance of the site.

Floodlight Height and Positioning

As described in the Floodlighting Plan (Drawing 06) the height of the floodlights can be lowered to reduce their visual impact (from 15 metres to 12), however this will increase the spread of the diagrammed lighting levels. The current design was chosen based on the impact of the lighting being minimal to neighbours and is described in full detail in the Technical Information document.

Construction Period

Concerns over a lengthy construction period should be eased by the knowledge that a typical construction period for a development of this nature is between 6 and 8 weeks. This should minimise the disruption to local neighbours especially considering the work will take place during the week.

Pathway

Issues raised regarding the pathway that runs along the North East perimeter of the site have been taken on board and it has been agreed that fencing will be repaired where required and additional trees will be planted in line with neighbourhood consultation.

The vandalism and lighting of the pathway are both issues that the School will pass onto the County and local borough council. We are willing to support the decision of our neighbours in how best to tackle these issues in the future.

Fence Height

Details of the Fencing Scheme are illustrated on Drawing 05 and have been designed to meet the requirements of the Football Association and Football Foundation. At its highest point the fencing will be 4.5 metres in height, a level that we feel will be high enough to reduce the disruption of balls being kicked over while retaining a sight line lower than the proposed perimeter tree line.

Business Operation

A small number of concerns were expressed regarding the facility being operated as a business for commercial gain only. We can assure members of the public that our Sports Development Plan, states that they majority of our work will be with community groups and clubs for the betterment of young people.

Our sport development plan and schedule of use are both available and show that our aim will be community related sport aimed at specific groups not the more profitable senior football leagues operated by commercial firms. Companies such as Goals and Pitch Invasion approached the School during the consultation phase; however their financial offers were declined in order for the facility to retain its community development ethos.

Any income generated from the operation of the facility will be driven back into youth and community sport with the priority being to improve the natural drainage of the remaining grass football pitches, rugby pitch, cricket strip and running track (illustrated in the Open Space Assessment – proposed on Drawing 09).

Application Clarification

Kent County Council is applying for planning permission on behalf of the Hayesbrook School however this will have no impact on the decision by the impartial Planning Department. The funding for the development is from a variety of national and regional sources. One of our aims as a community school is to bring investment and new jobs into our local area through developments like this.

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Transport & Traffic

In line with the School Travel Plan, we aim to reduce the impact of any additional community use during evenings and weekends through an expanded partnership with public transport providers. Arriva Buses and South Eastern Trains have both been consulted on the programme of use and the potential to adapt their services at key times especially to accommodate larger numbers of disabled and wheelchair passengers wishing to access the site. The benefit of the Kent Freedom Pass for young people to access free bus travel will be maximised and promoted to all our partner charter standard clubs.

Flood Risk

The need for the ATP is based on the current school field being adjacent to a flood risk area as outlined in page 10 of the Technical Report. Our site lies at the bottom of a gradual slope which increases the problems we have with natural drainage and so the use of our pitches at key times (winter football season). The Environment Agency Map attached shows that the North West corner of our field falls within an area at risk during an extreme flood.

Vandalism & Graffiti

Concerns over the additional use of the site leading to increased levels of vandalism and graffiti haven't been seen in the school's current community use areas. The School Sports Hall, Playground, Restaurant and Tennis Courts are all regularly used by a variety of groups during evenings and weekends. Louis Morrith (Site Manager) reported that levels have been stable over the past 5 years and that those levels are acceptable based on general wear and tear.

The expenditure on repairs relating to vandalism and graffiti in 2009/2010 was £81 which was directly related to damage during school hours. Security Issues with the current management (Lighting, CCTV and 24 Hour Security Presence) are minimal and will be reduced even further with the action due to be taken within their report. The School will continue its commitment to working with our neighbourhood to reduce any levels of vandalism or graffiti on the pathways bordering the site.

Hayesbrook School
April 2010