

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 proposal dossier for each case and also as might be additionally indicated.

**Item D1**

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

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 May 2006.

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

Recommendation: Approval be granted subject to conditions.

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

**Classification: Unrestricted**

**Site**

1. Maplesden Noakes School is located at the end of Buckland Road and has a shared access with the adjacent Girls Grammar School. The school is within the Allington Ward. The site is situated between two railway lines and is screened by trees on the sides of the embankments. Residential properties surround the site to the south, west and north. A plan is attached.

**Background**

2. This application has met with objections from Maidstone Borough Council and neighbours of the School on the following grounds:
  - loss of amenity
  - Proximity of the floodlight pitch to neighbouring gardens.
  - Light pollution created by the proposed floodlights.
  - Traffic generation, and
  - Noise nuisance

As a result of these objections the applicant was minded to amend the proposal. It is the revised submission, which will be outlined and discussed throughout this report.

**Proposal**

3. The application has been submitted by the Governors of Maplesden Noakes School and Kent County Council Education & Libraries and proposes the construction of a full size, senior, all weather football pitch with a 2.0m high open-mesh fence, with 6 floodlights.
4. The School's current sports facilities are proving inadequate in their provision of areas of the school curriculum and due to the increase in student numbers in recent years, there has become a need for larger, better equipped facilities. With these facilities the curriculum can be expanded to offer additional sports and provide adequate all-weather facilities for this modern secondary school. It is seen that these facilities can be used by

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the school to increase the amount of exercise pupils take part in and the possibility of after school sports clubs.

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5. The pitch would be primarily used for football playable at a senior level. The facility would be available for 'five-a-side' and training. The school would also play hockey on the pitch, but this would only be played at school level. It is anticipated that the highest capacity during school hours would be a year group of around 60 pupils. During community use the estimated number of users would be at a maximum of 100 people.
6. The facility would be made available for hire by the local community/sports clubs outside of school hours. It is envisaged that the facility would be used for training by local senior football clubs as well as for recreational use.
7. The school use of the pitch is proposed from 0900 to 1700 weekdays during the school term. Community use is proposed to be between 1700 and 2200 on weekdays and 0900 to 2200 weekends.
8. The proposed pitch, as revised would be located further away from properties on both Little Buckland Avenue and Buckland Lane in order to address residential concern. Furthermore, to accommodate an economic level field, a cut and fill exercise of the pitch area would be undertaken. This would naturally require that the pitch closest to the 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 existing gardens. The surface of the pitch would either be a 'third generation' artificial pitch consisting of tufted fibres with sand/rubber infill, or a fully artificial polythene fibre on expanded polypropylene pad. The colour of the pitch would be green. The type of pitch finally chosen would depend on the level of drainage required.
9. Luminance level to be achieved at pitch level is 200 Lux.

### Planning Policy

10. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **The Adopted 1996 Kent County Structure Plan:**

**Policy S2** – Seeks to conserve and enhance the quality of Kent's environment.

**Policy S9** – In considering development proposals, local authorities will have regard to the need for community facilities, including education.

**Policy ENV15** – New development should be well design and respect its setting.

**Policy ENV20** – Seeks to ensure that development is planned and designed so as to avoid or minimise any potential pollution impacts.

**Policy SR2** – Development of an appropriate range and standard of facilities for sports will be provided for.

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(ii) **The Kent & Medway Structure Plan: Deposit 2003:**

**Policy SP1** - Conserving and enhancing Kent's environment and ensuring a sustainable pattern of development.

**Policy QL1** – All development should be well designed and be of high quality.

**Policy QL12** – Existing community services, including schools, will be protected as long as there is a demonstrable need for them.

(iii) **Maidstone Borough Local Plan, December 2000:**

**Policy ENV2** – Planning permission will not be granted for development in the defined urban area and village settlements unless proposals relate sympathetically to the context provided by their setting and by adjoining buildings with regard to scale, height, proportion, detailing and materials and that due regard is given to the reasonable enjoyment of the properties by neighbouring occupiers.

**Policy CF9** – The Borough Council will encourage the dual use of educational facilities (new and existing) for recreation and other purposes. Development proposals which incorporate dual use will be permitted except where the increased level or duration of activities is incompatible with local residential amenity.

## **Consultations**

11. **Maidstone Borough Council:** observes that the main amendments are the relocation of the all-weather pitch further to the east of the site in order to retain the mature trees and bund on the western boundary of the site and the provision of additional landscaping and bunding to the northern side of the pitch.

Previously the Council raised objections to the proposals for the following reasons:

“The loss of the mature trees and bund on the western boundary of the site which would provide a valuable visual break between the properties on Little Buckland Avenue and the proposed floodlit pitch would result in a poor outlook for these properties and would detract from the character and amenity of the area...”

Following the amendments the Borough Council now considers that the proposed amendments that would retain the mature trees and bund on the western boundary have overcome the above reason for objection and subsequently raises no objection to the proposals in their amended form.

**Sport England:** states that the all-weather pitch would provide greater opportunities for the pupils to participate in sport and active recreation. It is also noted there is a possibility



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for the pitch to be used after school hours and it should be stated that Sport England would object to any planning conditions that restricted community use at reasonable times. Sport England would also encourage a community use agreement to be drawn up by the school and the Local Authority to enable wider use of the new facility.

Consequently, Sport England does not wish to raise an objection to the proposed development.

**Environment Agency:** has no objection to the proposal, but offers the following advice:

“Any visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present. The applicant should ensure that the existing drainage systems are well maintained and of sufficient capacity to cope with any additional flow or loading that may occur as a result of this proposal. Details of the drainage systems and soakaways shall be requested by condition”.

**Network Rail:** No comments have been received to date.

**Divisional Transportation Manager:** raises no objections to the proposals as the sports facilities are to serve existing students and would not generate additional staff and therefore the traffic generation and parking requirement will not be affected. In addition the floodlighting for the all weather football pitch does not affect the highway as it is not located adjacent to the public highway.

**Jacobs (Street lighting):** make the following observations:

“The proposed site is bounded to the south by various school buildings. To the east the ground falls towards the river with no buildings for several hundreds of meters. On the northern side there are a number of residences fairly close to the pitch, some of which are well screened by evergreen trees. Floodlighting closest to residential property are aimed away from it and back into the pitch.

“To the west is the railway line, behind which is housing in Little Buckland Avenue. These properties are approximately 40m from the western edge of the football pitch. However, there is a mound between the pitch and the railway line with mature trees on top reaching a height of some 12m to 15m. There are also trees on the western side of the railway line. From spring to autumn these trees should provide an effective screen against lighting but as they are deciduous this screening will not be so good during winter months.

“The floodlighting equipment chosen has a sharp cut-off being specifically designed to minimise light overspill and the illuminance plots show the lighting levels dropping only 1 Lux within 25m at the ends of the pitch and 20m along the sides. The luminance plots indicating the amount of the light falling on vertical surfaces shows that they are well within the maximum limits set in the Institute of Lighting Engineers’ “Guidance Notes for the Reduction of Obtrusive Light”.

Jacobs (Street Lighting) therefore has no grounds to object to the lighting proposals on environmental impact grounds particularly in view of the limited hours of use.

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**Jacobs (Noise):** observes that the proposed all-weather pitch is to be constructed on an existing football pitch, so nearby properties would already experience some degree of noise from the use of the pitch during daylight hours. There would however be an intensification of use with the extended hours especially into the evening with the use of proposed floodlighting. There is an existing bund next to the railway line separating the school from the housing in Little Buckland Avenue and a new 3m high earthbank with acoustic fencing, which is to be built between Buckland Lane and the school. These earthworks should screen some of the noise from the use of the pitch. The main use of the pitch in summer months should not be over that which is currently permitted as daylight exceeds until late evening. In winter, when floodlighting will be used, most nearby residents are not likely to be out enjoying their amenity space and noise from the use of the site should not therefore cause a problem.

Car parking for the community use of the field into the evenings and weekend looks to be at the south western part of the site. This area is adjacent to the railway and not directly adjacent to housing. Noise from use of the car park should not therefore be an issue. Jacobs (Noise) does however have concerns about approximately 100 vehicles leaving the site after 10pm at night, which has the potential to cause disturbance to residential properties along Buckland Road. Jacobs (Noise) would not wish to see this happening 7 days a week but would welcome some sort of restriction to limit the number of occasions each week that the site could be used this late at night”.

**County Archaeologist:** states that the application site is within an area with evidence of past activity, most notably from Romano-British period. It is unclear from the submitted details whether the proposed site for the football pitch has been subject to past disturbances, from terracing for example. Given its location close to Roman and Medieval settlement and with the important communications route of the River Medway running to the west, there is potential for archaeological remains to be present on site. As such, it is advised that a condition requesting an archaeological watching brief prior to commencement of operations be placed on the decision notice.

**Local Member**

12. The local County Member(s), Mr. D. Daley and Mr. J. Curwood were notified of the application on the 20 January 2006. Mr. Daley has commented as follows:

“I confirm my conversation with you concerning this proposal and would wish my comments to be reported to the Committee as follows:

Whilst broadly agreeing with the proposal to enhance the sport facilities at this School I am concerned about the possible effect on the established housing to the south and west of the site because of its close proximity. To the South there is Little Buckland Avenue where there are about ten houses which would be most affected but screened from the site by trees (summer leafed). Houses to the West are in the small enclave at the bottom of Buckland Road where the gardens actually abut the proposed all-weather pitch and screening will be minimal.

“My concern is with the intrusion that is likely from both noise and light out of school hours which I believe is being proposed to enable some community use of the facilities. Whilst I note that some amelioration is being offered in siting the pitch about 2m below the current ground level and that the angle of the floodlighting is designed to prevent glare, nevertheless there is bound to be noise and there is also going to be an increase in ambient light no matter how carefully the lights are pitched. It is necessary in my view

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to give some protection to the amenity of the folk who live in close proximity to the school who already suffer from the traffic congestion and parking problems during term times and the normal school day (bearing in mind that there are three schools in this cluster with a total of something approaching 2750 pupils).

“It is the proposal for extensive use outside school hours that is causing the greatest concern to the neighbours. If the school facilities are to be available every night and also at weekends during the day every week of the year – in and out of term time – then this is seen to be too much and I must say I would agree with that view. I strongly believe that good facilities should be made available for the benefit of young people to promote a healthy opportunity for exercise BUT feel that this must balance with the lifestyle of the people who are to be most directly affected by the activity who are equally entitled to some peace and quiet at times to enjoy their own facilities within their own curtilage’s.

“I should be pleased therefore if the Planning Committee is minded to give permission for these facilities that they would take these views on board and make provision for some conditions to be applied to the use of the all-weather pitch ensuring that there is no use on Saturday afternoons, all day on Sunday and on Bank Holidays and that there is also some limit to the number of hours of use during the evening periods in the week. People are entitled to some peace and quiet to be able to enjoy their own domestic gardens and therefore I expect that the Committee will share this view and take such steps as to ensure this outcome”.

### **Publicity**

13. The application was publicised by an advertisement in the local newspaper, the posting of a site notice and the individual notification of 24 neighbouring properties.

### **Representations**

14. I have received 19 letters of representation from nearby resident. A summary of the issues raised are set out below:

- Located far to near adjacent housing.
- Totally unreasonable and excessive hours of use.
- Local residents are likely to suffer considerably from noise in the evenings and at weekends. What controls are being put in place in order to deal with noise levels?
- Suggestion that the pitch be located on shared land between Maplesden Noakes and the Girls Grammar away from residential properties, for joint use.
- Spoil the setting of residential properties.
- Floodlighting would inevitably cause light pollution and a disturbance to local residents.
- Suggestions that the pitch be located at the lower end of the school playing field (east), away from the west railway line and residential properties. This would be several hundred metres further away from residential areas and would reduce the impact of intrusive noise and lighting.
- Applicant has not taken into consideration the negative impact such a pitch (in its current location) would have on neighbouring properties.
- Residents would not be able to enjoy the peace and quiet of their gardens and homes.
- Floodlit pitch would rob residents of their privacy.

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- Request that the pitch not be used Sundays and Bank Holidays if permitted.
- The pitch would affect the setting of a Listed Building (The Cottage, Little Buckland Farm).
- Roman and Medieval archaeology has been found in the area, an archaeological watching brief would be needed.
- The amendment will actually increase the noise level and the proposed 'barrier' will be more of an eye sore than actually solve the noise problems.

#### **Discussion**

15. The application has to be considered in the context of the Development Plan and in the light of other material planning considerations, including relevant planning objections raised by consultees and local residents, set against the need for the proposed development.

#### **Locational Issues**

16. It is proposed to locate the artificial pitch adjacent to the existing tennis courts on an area of the School's playing field (see attached plan). The railway line is located to the south west of the pitch and residential houses located to the north. The main school buildings are located to the east. The pitch would have an approximate south east to north west orientation.
17. The all-weather football pitch location has been determined by the applicant for the following reasons: The ownership of land that belongs to the school does not extend all the way down the slope to the railway as has been suggested by neighbours of the site. The lower part of the site is owned by Maidstone Girls Grammar school and therefore cannot be used. The boundary line is approximately half way down the length of the second tennis court (see attached drawing). This restricts the area of land for development. The additional area owned by the School, divided by the houses in Buckland Lane is too remote in terms of maintenance, security and accessibility. The pitch needs to be in close proximity to the changing rooms, which are part of the proposed sports hall (considered under a separate application). In addition the slope of the site is a factor in its position. The further down the site the pitch is positioned, the greater the amount of fill that will be required. The proposed position of the pitch has been chosen carefully in order to reduce the environmental and aesthetic impacts on the site and its surrounding area. I would advise Members that it is necessary to consider the proposed location (as amended) of the floodlit pitch as currently submitted, and not any alternative site not currently the subject of an application.
18. The proposed location of the floodlit pitch is already used as a football pitch and school games field and although an all-weather pitch is proposed, the use of the site would remain unchanged. Taking into account the concerns raised by neighbouring residents of the school, the applicant has already amended the proposal to locate the pitch area further away from properties on both Little Buckland Avenue and Buckland Lane. Furthermore, to accommodate an economic level filed, a cut and fill operation of the pitch area would be undertaken. That would naturally require that the pitch closest to the properties at Little Buckland Avenue would be cut into the existing field area and be set at a level in the order of 4m below that of existing gardens. With the existing trees and bank being retained at the boundary to the school field and railway cutting, the additional drop in level would help to hide the pitch from view within the residential gardens and act as a barrier to noise pollution.

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19. I would therefore advise that the amended proposal has advantages over the previously proposed location. The amendments the pitch further away from residential properties and retains the landscaping and tree cover originally proposed to be removed, helping to shield it from the view of residents. Additionally, Sport England has not raised any objections to the proposed location of the proposed floodlit pitch.

**Noise**

20. The floodlit pitch would be in close proximity to a number of residential properties, the nearest being those located on Buckland Lane (see attached plans). I acknowledge that the noise emanating from the proposed floodlit pitch including noise from spectator or crowd participation has the potential to be experienced at the closest of these properties. However, I would advise that the potential for an increase in noise occurring would be minimal. The area is an existing playing field and currently there are no hours of use restrictions on its use. Therefore there is currently the potential for the playing field to be used in the summer up to 22:30 hours. Whilst through the introduction of floodlighting there is the potential for the pitch to be used more in winter, during this time it is more likely that residents would be indoors. Jacobs (Noise) is also of the view that noise from the use of the site should not cause a problem.
21. This facility would be made available for hire by the local community and sports clubs outside of school hours. It is also envisaged that the facility would be used for training by local senior football clubs as well as for recreational use. The applicant has addressed the issue of possible noise disturbances on neighbours by these groups within the revised proposal by moving the pitch further away from residential properties and, to the northern boundary, proposing further mounding and an acoustic fence screening to protect the amenity of the properties on Buckland Lane. I consider that given the proposed use of the pitch, there is the potential for the pitch to be audible in the surrounding area (the highest capacity during school hours would be a year group of around 60 pupils. During community use the number of users is estimated at a maximum of 100 people). However, I consider that given the benefits of the pitch, any possible increase in noise pollution that may occur as a result of this proposed floodlit pitch is not significant enough on its own to warrant refusal of this application. A condition could be placed on any planning permission restricting hours of use of the proposed facility.
22. Jacobs (Noise) has commented on the impact of the car parking, in particular for community use of the field into the evenings and weekends, and has noted that the parking is located at the south western part of the site. This area is adjacent to a railway line, and I would advise that noise from use of the car park compared to that of the railway line should not therefore be an issue.

**Lighting**

23. The pitch would be lit using 8 ultra low glare asymmetric beam floodlights with metal halide lamps. The floodlight 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.

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24. It is necessary to consider the effect of the lighting on nearby residential properties and on the local area. Details submitted with the application show 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. There would be no surface illuminance at the façade of any residential property (see attached 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. Given the above and the fact that there is a certain amount of natural screening at the moment and that more is proposed as part of the development, I am satisfied that the proposed light spill is acceptable in this instance.
25. Consideration also has to be given to the issue of glare. Glare is a particularly subjective issue and the applicant has provided information on why they do not consider that it would be a problem. 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 68.1°. Furthermore, the revised proposal has 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.
26. 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, however this varies in thickness and height and does not provide all year long cover. The floodlighting proposed 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. Whilst I acknowledge that a level of extra illuminance would occur, due to the fact that the pitch is being floodlit, taking into consideration the specification of the floodlighting proposed and the proposed mitigation, I consider that the development would not result in an unacceptable level of glare.
27. In the interests of amenity, I would recommend that if Members are minded to grant planning permission for the development, a condition should restrict the use of the lighting at 200 Lux. Additionally, a condition should require the floodlights to be extinguished when the pitch is not in use and a further condition should provide the opportunity for the luminaires to be adjusted if necessary.

#### **Visual Impact and Landscaping**

28. Due to the proposed location of the floodlights on the school site, there is the potential for them to be highly visible from the surrounding areas. The impacts would primarily be the daytime view of the 15 metre columns and the night time view of the floodlights when they are in use. The existing landscaping is presented along the boundary of the site, adjacent to residential properties and the railway line, and already goes some way to screening the playing field from residential properties. With the existing trees and bank being retained at the boundary to the school field and railway cutting, the additional drop

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in level of the proposed pitch would help to hide the pitch from view within the residential garden and act as a barrier to noise pollution. I consider that additional tree planting and mounding would reduce the impact on residential properties to low significance over time. I would therefore advise a condition be placed on the consent requesting the submission and implementation of a full landscaping scheme. I would advise however, that further mounding and an acoustic screen are proposed to protect the amenity of the properties on Buckland Lane.

29. With regard to night time impact of the proposal, views of the facility in the immediate area would be limited to the floodlighting itself and the area illuminated by the floodlighting. Potentially from the wider area there could be views of the luminaires. Due to the height of the floodlighting, it would be difficult to completely screen the night-time impact of the development; however, additional planting once established would help to mitigate the impact in the localised area.
30. The proposed 3m high welded mesh fencing has not been raised as a concern by consultees and neighbours of the school.

#### **Hours of Use**

31. This proposal offers use of the school site beyond its normal hours of use. This has the potential to be detrimental to local amenity, and in particular impact on the nearest residential properties. The proposed hours of use are outlined in paragraph (7) of this report and consist of weekday use by the school during term time and community use on weekdays and at weekends. I would advise that the hours of use put forward by the applicant i.e. up to 10 pm Monday to Friday, would appear to be acceptable, although I would advise that weekend use be reduced from 10 pm to earlier in the evening. A condition should be imposed on any grant of planning permission restricting the use of the pitch to these times.

#### **Traffic Generation**

32. Concerns regarding traffic generation have been raised, however I would advise that the pitch would be used by the School during the course of the school day and only offered for external use outside of school hours. Additional parking would therefore not be needed, and extra traffic experienced during the school day would not occur. I consider that few additional traffic movements would be outside of the peak traffic flow times. The Divisional Transport Manager has not raised objection to the proposal given that the proposed facility would not generate additional staff and traffic generation and parking requirements would not be affected.

#### **Archaeology**

33. Concern has been raised with regard to the proposals potential impact on nearby Listed buildings and the potential for Roman and Medieval archaeology. It has been advised that the implementation of an archaeological watching brief be conditioned on any grant of planning consent in order to assess the potential for archaeological remains. No concern has been raised regarding the potential impact of the floodlit pitch on Listed buildings by the Conservation Officer or Archaeologists, however adjacent properties to the pitch have been identified as Grade II listed. I am satisfied that the additional planting would help minimise any detrimental impact on these properties.

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#### Need

34. Due to the material planning objections which have been raised, need becomes a balancing factor. With regard to the need for the proposed facilities, the applicant has stated that the School would benefit from the floodlighting to complement the existing sports facilities at the school, to enable the already strong links between the School, local community and District Council to be enhanced, to improve links with sports clubs, and to expedite the curriculum development.

#### Conclusion

35. The application has to be considered in the context of the Development Plan in relation to the location of the proposed development set against the impacts of the proposal and the need for it. A number of concerns have been raised about the impacts of the development particularly relating to noise, lighting and proximity to residential properties. I acknowledge that there would be an increase in noise, lighting and that the proposed floodlighting would impact on nearby residential properties to a degree. However, I consider that these issues do not warrant refusal of the application and that the imposition of conditions would assist in mitigating the impacts of the development to an acceptable level. Accordingly, I consider that the benefits of the facility would outweigh any potential increase in harm. I therefore consider the development to be acceptable and I recommend accordingly.

#### Recommendation

36. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO conditions including 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, an archaeological watching brief being carried out prior to commencement of operations, and details of surface materials for the proposed pitch to be submitted prior to work being commenced.
37. I FURTHER RECOMMEND that the applicant should ensure that the existing drainage systems are well maintained and of sufficient capacity to cope with any additional flow or loading that may occur as a result of this proposal.

Case officer – Helena Woodcock	01622 221063
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Background documents - See section heading
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