

Item D5

Retrospective application for the levelling of existing school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

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

SW/06/351 – Application by the Governors of Minster-in-Sheppey Primary School and Kent County Council Education and Libraries for the levelling of existing school playing field (retrospective) Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness.

Recommendation: Permission be granted.

Local Members: Mr A. Crowther

Classification: Unrestricted

Site

1. Minster-in-Sheppey Primary School is located south of Brecon Chase, within the built-up area of Minster. The school site is located on the southern flank of a hillside, with two school blocks located across the slope and the playing field to the south of the school buildings. The school site can be entered via access points on Brecon Chase, Minster Road and Bellevue Road. Residential properties surround the site to the north, south, east and west (see attached plan). The closest properties to the area affected by this application are located on Bellevue Road to the west.

Background

2. The site is subject to a separate retrospective planning application for the installation of CCTV cameras and poles, under planning reference SW/06/218, which is also being reported to this months Planning Applications Committee under Item D4.

Proposal

3. Retrospective planning permission is being sought for re-contouring and levelling works to Minster Primary School's playing field carried out in July/August 2005. The engineering work involved the redistribution of topsoil to create a level plateau, improving the surface for sport and recreational use. Soil was taken from the eastern side of the site across to infill a dish shaped section of the grounds running from the western boundary across the centre of the field. No cut and fill works were carried out as part of the engineering works.

Item D5

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Item D5

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

4. Prior to the work being carried out, the playing field sloped in an east to west direction, with the gradient varying from an average of 1:30 over most of the field to 1:12 in the north west corner of the site. The ground level at the western end of the field falls to a low spot behind 9 and 11 Bellevue Road within a drainage ditch that has been retained along the boundary. The levelling works raised the height of the land adjacent to the drainage ditch parallel to the boundary by approximately 600-800mm. The engineering work has not brought the plateau of the playing field closer to the boundary of the site. The differences between the level of the land at the western boundary and the level of the re-contoured playing field is made clear within the Playing Field Survey drawing attached. During the development work at the site, the boundary hedgerow between the school and residential properties at 9 and 11 Bellevue Road was removed. As part of the continued maintenance of the drainage ditch, the School will be undertaking undergrowth clearance and management of the trees to be retained along the boundary.
5. The development work has been undertaken for health and safety reasons to improve the quality of field for physical education and recreational use. The School proposes to continue to use the facilities for physical education as part of the curriculum. As part of being an Extended School, the Governing Body propose to allow local community groups to use the field for out of school activities. These activities are proposed outside normal school hours during weekday afternoons, Saturday mornings and potentially Sunday mornings. The existing Minster Road car park at the site is to be made available for vehicles visiting the site in association with out of school hour's activities and clubs.
6. In support of the application, KCC Property Group has provided a Feasibility Study of Surface Water Drainage for the playing field after completion of the engineering work.

Development Plan Policies

7. The Development Plan Policies summarised below are relevant to consideration of the application.
 - (i) The adopted Kent Structure Plan

| | |
|--------------|--|
| Policy S2 | Seeks to conserve and enhance the quality of Kent's environment, and measures will be taken to minimise, and mitigate, any adverse impacts arising from development. |
| Policy S9 | Has regard for the need for community facilities and services, including education. |
| Policy ENV15 | Development, which would be incompatible with the character of a settlement, or detrimental to its amenity or function, will not normally be permitted. |
| Policy SR2 | Has regard for the need for sports and formal recreation facilities provided the site is capable of being served by public transport and the footpath network. |
 - (ii) The Deposit Kent & Medway Structure Plan (2003):

| | |
|------------|---|
| Policy SP1 | Seeks to protect and enhance the environment and achieve a sustainable pattern and form of development. |
|------------|---|

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Policy SS5 Seeks to improve physical environment, function and appearance of urban areas.

Policy QL1 Development work should respect its surroundings, consider the needs of all sections of the community, protect the amenity of residents.

Policy QL12 Seeks to protect existing community facilities and provide local services in residential areas, particularly where services are deficient.

Policy QL16 Has regard for the continuing need for recreation and sports facilities.

(iii) Swale Borough Local Plan (2000):

Policy G1 Requires all development to accord with Local Plan Policies, have regard to characteristics of locality and setting, avoid unacceptable impacts on natural and built environments, and cause no demonstrable harm to residential amenity.

Policy IN21 Seeks adequate provision for the disposal of surface water.

Policy C1 Subject to compliance with other plan policies, planning permission will be granted for appropriately located social and community facilities.

Policy C4 Subject to compliance with other plan policies, seeks to support proposals for dual use of educational facilities for recreation and other purposes.

(iv) Swale Borough Local Plan First Review: Re-deposit Draft (2005):

Policy E1 Requires all development to accord with Local Plan Policies unless material considerations indicate otherwise, have regard to characteristics of locality and setting, avoid unacceptable impacts on natural and built environments, cause no demonstrable harm to residential amenity.

Policy C1 Supports proposals to improve community services and facilities. Where proposals would meet an identified local need in an accessible location, supports proposals to help maximise the use of existing community services.

Consultations

8. **Swale Borough Council:** no comments have been received to date. Any received prior to Committee meeting will be reported verbally.

Minster-on-Sea Parish Council comments as follows:

- Minster-on-Sea Parish Council suggests a limitation be put on sports timings particularly at weekends.

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

- Minster-on-Sea Parish Council would prefer native British hedging rather than conifers.
- Surface water drainage is a concern; Minster-on-Sea Parish Council asks that this is monitored regularly as well as any other nuisances that might cause damage to the neighbouring properties including noise damage.

Environment Agency: no objection, but advises that The Medway Internal Drainage Board should be consulted.

The Medway Internal Drainage Board: no comments have been received to date. Any received prior to Committee meeting will be reported verbally.

Sport England raises no objection and supports the application in the context of the Town and Country Planning Acts.

Landscape Architect: raises no objections or outstanding comments to make with regard the Feasibility Study of Surface Water drainage on the Playing Field. The conclusions and recommendations appear reasonable from the information gained. A native hedgerow is advised as suitable boundary screen around the playing field and the applicant should submit a suitable landscape scheme for approval.

Local Member

9. The local County Member for Sheppey Mr A. Crowther was notified of the application on 14 March 2006.

Publicity

10. The application was publicised by the posting of a site notice and the notification of 16 neighbouring properties.

Representations

11. 4 letters of representation have been received from local residents and a petition including approximately 93 signatures objecting to changes carried out to Minster Primary School field and the intention to use the field between 8am to 6pm on Saturday and Sunday. The main points raised within the representations can be summarised as follows:

- Objects to not being consulted on the works carried out at the site, the first residents of Bellevue Road learned of the development was the ground works being carried and removal of mature hedgerows at the foot of the gardens.
- Concerned that the governors knew planning permission was required but continued work on site, obviously under the impression that permission would be 'rubber stamped'.
- Invites Members of the Committee to view the site to appreciate first hand the impact of the planning field before making a decision.
- Objects to the total lack of privacy afforded properties on Bellevue Road on schooldays as a result of the raising and levelling of the school field, concerned that the increased use of the field by the school and other sports clubs during the weekends would result in a loss of amenity.

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

- Objects to the considerable inconvenience generated by the traffic associated with the 'school run'; raises concern that the proposed use at weekends would result in a large number of vehicle movements similar to mid week traffic.
- Objects strongly to the grant of planning permission, but should consent be granted requests that conditions be put in place in respect of residential privacy, close boarded fencing and new tree planting/landscape work.
- Should planning permission be granted without any stipulations regarding residential privacy then the residents will be seeking a reduction in Council Tax due to the added intrusions to privacy and noise.
- Minster Primary School field is not appropriate for wider community use. Would something of this scale not be better suited to one of the bigger schools, such as Minster College, that have a larger approach road?
- Requests that future developments at the school be subject to consultation with local residents.
- Objects to the height of the playing field above residential property, concerned that the increase in height allows direct views into residential property.
- The use of the site at weekends would make it unbearable for local residents to enjoy their homes and gardens.
- Raises concern that the proper planning permission was not sort prior to the work being carried out, feels strongly that 'unfair play' is at work. Suggests that the rules of planning are in place for a reason and everyone should have to adhere to them.
- Raises concern about the potential drainage implications of the work completed.
- Raises concerns about the security implications of the loss of the barrier created by the boundary planting removed during the works carried out on site. Requests clarification of any perimeter fencing.

Discussion

12. In determining this application the Planning Authority has to have regard for the provisions of the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the Kent Structure Plan, the Deposit Kent & Medway Structure Plan, the Swale Borough Local Plan, and the Swale Borough Local Plan First Review: Re-deposit Draft. The key Development Plan Policies appropriate to this application are outlined in paragraph (7) above.
13. This application has been submitted on behalf of the Governors of Minster-in-Sheppey Primary School and KCC Education and Libraries. The proposal is for retrospective planning consideration of engineering works carried to level and re-contour the playing field at the school. The works were carried out during July/August last year, and undertaken to improve the playing field provision. The works undertaken involved the redistribution of topsoil on site to infill a dish shaped depression on the west side of the playing field. Due to the sloping nature of the school site, the playing field has always been higher than adjoining properties on Bellevue Road, with the low point at the site falling to a drainage ditch adjacent to the boundary with 11 Bellevue Road. The re-contouring work raised the height of the playing field plateau adjacent to the drainage ditch to level the depression with the eastern part of the field. The works raised the height of the land by up to 750mm.
14. Further to the levelling works carried out at the site, the School propose to extend the use of the planning field to the community to allow sports and recreational clubs the opportunity to use the facilities outside normal school hours during week nights and in the mornings on the weekend. This practice is in line with the guidance being brought

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

forward by Government and receives strong support through the Development Plan policies.

15. A number of letters objecting to this application have been received from local residents including a petition with approximately 90 signatures. A summary of the objections being raised is outlined in paragraph (11) above. Careful consideration should be given as to whether the proposal is acceptable in the location and whether the works undertaken result in an unacceptable loss of amenity to neighbouring properties, either through overlooking and loss of privacy resulting from the increase in the height of adjoining land and the removal of boundary planting, alterations in the drainage of the site given the changes made, or whether the proposed community use would intensify the use of the site to a level that could result in a loss of residential amenity.

Re-contouring and levelling

16. The engineering work carried out at the site has raised the level of land in the vicinity of residential property, which has further increased the difference in height between the playing field and these properties. The impacts of these changes have been amplified by the removal of the part of the hedgerow and boundary-planting which screened the school grounds. The height of the land directly adjacent to residential property has remained unchanged and forms part of a drainage ditch that serves the field and protects residential property from water draining from the site. The height of the playing field plateau now rises above the adjoining land along the boundary by 1000 to 1500mm, creating a situation where people using the field are able to view the length of the adjacent gardens over the boundary fencing.
17. The County Council's Landscape advisers have reviewed the application and the site. They advise that boundary screening around the playing field, comprising of a native hedgerow with some standards along the length, would provide a visual screen replacing the vegetation lost as part of the development work and reducing the potential for any loss of privacy to adjoining properties. They also advise that would provide a valuable habitat for wildlife at the site.
18. In response to the concerns being raised, I would advise that the School are proposing to erect a 6 foot close boarded fence 2 metres inside the external boundary on the perimeter of the field, along with the planting of a new native hedging along the inside boundary to mature over time. Should Members be minded to approve the application full details of these proposals would need to be submitted.
19. I acknowledge the concerns being raised by local residents in relation to a potential loss of amenity resulting from the situation that has arisen. The increase in height of the playing field and the reduction in boundary screening has allowed individuals using the field, to potentially overlook private property. It is regrettable that the circumstances arise without proper recourse to the planning system. However, I would advise that any potential impact on residential amenity could be mitigated through careful consideration of the boundary treatment as advised by our landscape architects. The provision of a close boarded fence would provide a short term solution with the planting of appropriate vegetation providing the longer term replacement for the screening lost as part of the development work. Therefore, subject to the consideration below of the drainage of the field, the use of the field and the security arrangements at the site, I advise that the development generally accords with Structure Plan Policies S2 and ENV15, Deposit Structure Plan Policies SP1 and QL1, Swale Borough Local Plan Policy G1, and Re-Deposit Draft Borough Local Plan Policy E1.

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Drainage

20. The drainage of the site has always been sensitive given that surplus water run-off flows east west toward adjoining properties on Bellevue Road. The site is afforded the provision of a drainage ditch along the western boundary that collects run-off from the field. The development work carried out on the site has not altered the levels within this ditch. The Surface Water Drainage Investigation provided confirms that the ditch was created in the early 1980's and runs along the rear of properties 7 to 19 Bellevue Road. The low spot within this ditch is level with the garden of 11 Bellevue Road and the outlet runs through the garden. The Report confirms that the ditch has become overgrown with brambles and shrubs and infilled with debris, which could affect its efficiency and advises the need for regular maintenance work. The applicant proposes to carry out the maintenance in the near future. My understanding is that this maintenance work will involve the clearing of debris, undergrowth and the lopping of low level branches on the trees growing within the school grounds in the vicinity of the ditch. No trees are to be removed during these operations. I would further advise that this work can be carried out without the benefit of planning consent and is a site management issue. The Report also advises that the legal status of the outlet through the garden of 11 Bellevue Road should be verified. That is an issue that needs to be taken up by Kent County Council's Property Group with the owner(s) of the property. I am unable to debate the outcome of these discussions within this report; the outcome of any discussions could potentially have implications for the drainage of the field irrespective of the outcome of this application.
21. Careful consideration has to be given to whether the alterations to the playing field could potentially result in the overloading of the drainage system in place. The Surface Water Drainage Investigation included hand auger trial holes and soakage tests to ascertain whether the earthmoving operations have compromised the drainage of the field. The Report concludes that 'the newly spread material on the upper layers has a greater depth and as such will have a greater porosity before becoming saturated, which could mean that surface water run-off will be reduced.' The Environment Agency and the County Council's landscape advisers have reviewed the findings of the report, and raise no objections. Further to the advise of the Environment Agency, the Medway Internal Drainage Board has been provided with a copy of the application. To date, no views have been received, but any received prior to Committee meeting will be reported verbally. Given the conclusions of the drainage report, that the drainage could be improved, and the comments made by the consultees; subject to no objections being received from the Medway Internal Drainage Board prior to Committee meeting, and the advised maintenance works being carried out, I would not raise objections to the application on drainage grounds. However, I would acknowledge the comments made by Minster Parish Council in relation to the drainage of the site above and advise that the applicant be advised to keep the situation under review.

General Use

22. To date, the playing field is not being used by the School, pending the outcome of this application, whether for educational purposes as part of the curriculum or for any proposed wider community use. Until recently there has been a need to restrict use of the area to ensure that the grass establishes itself on the new surface. However, the School are keen to begin use of the field for sport and recreation purposes. Further to the normal expected use of the field by children attending the school, the Governing

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Body (as part of the Extend Schools scheme) propose to allow the use of the field for sports and recreational clubs from the surrounding community. That would allow community groups for local children of the same age group as those attending the school to use the field for out of school hours activities. I would acknowledge that the School has confirmed that this would only be during weekday afternoons during the summer and for a couple of hours on a Saturday morning and potentially in the future a couple of hours on Sunday morning. The existing car parking arrangements off Minster Road would be made available for people attending the site.

23. From the correspondence and petition received, it would appear that the community use of the playing field is being strongly objected to by local residents, the concern being the potential for any use to generate a similar disruption to that experienced at peak school hours during the week. I would advise that the petition raises concern at the site being used 8am to 6pm Saturday and Sunday. The School has confirmed that this would not be the case and that the field would potentially only be used for a couple of hours in the mornings.
24. Clearly the proposed use beyond normal hours has the potential to impact on residential properties. However, the use of the site for school activities during these times is a school management issue and does not require the benefit of planning consent. However, the hiring out of the sports field for wider community use should be considered in the context of this application.
25. Concerns have been raised that the use of the facility by the community on the weekend would increase traffic congestion at the site. I can advise that community use of the pitch would occur when the school is closed. That means that the existing school car park could be made available for people visiting the site. The playing field is not of sufficient size to generate a large-scale increase in vehicle movements. I would advise being within the urban area of Minster that the site is well related to the transport and pedestrian networks. I acknowledge that the access points on Brecon Chase, Minster Road and Bellevue Road may cause concern during peak weekday movements. However, the School propose to manage entry into the site for any out of school hours community use with access being allowed through the well served Minster Road entrance.
26. Community/dual use of school sites is well supported by Structure Plan Policies S9 and SR2, Deposit Structure Plan Policies QL12 and QL16, Swale Borough Local Plan Policy C1 and C4, and Re-Deposit Draft Borough Local Plan Policy C1. Taking all of the above into account, I would advise that in the interests of local amenity, the community use of sports field could be limited by a condition on the times the playing field can be made available for hire. Therefore I do not believe that wider community use proposed is likely to result in an unacceptable impact on the local environment, and therefore raise no objection to this element of the application.

Security

27. Concerns have been raised that the boundary planting removed during the development work has decreased the security of residential properties adjoining the site. I would advise that the School appears to take the issue of site security very seriously and recent efforts have been made to improve the situation, eg. The installation of security cameras. I would further comment that the provision of any replacement planting and new fencing could improve the security arrangements from the original situation.

Levelling of school playing field. Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheerness – SW/06/351

Need

28. 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 advised that work was required for health and safety reasons. The level changes in the middle of the field prior to the re-contouring work being carried out made the space unsuitable for sporting activities or for use as part of a sports pitch. Given that the playing field is the School's main outdoor teaching space to support the physical education curriculum, I would advise that a need for the development work has been demonstrated.

Conclusion

29. The application has to be considered in the context of the Development Plan and in relation to the location of the levelling work and its impact set against the need for the proposal. Issues have been raised, amongst other points, in relation to the potential impact of the development on residential property, the drainage of the site, and the wider community use of the space.

30. Overall I can see no overriding policy objections to the application, although I acknowledge the concerns expressed regarding the application by local residents. However, with careful management there is no reason why these concerns cannot be mitigated. I therefore consider that subject to conditions, planning permission should be granted.

Recommendation

31. SUBJECT TO no objections being received from Swale Borough Council or the Medway Internal Drainage Board prior to the Committee Meeting, I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions, including the submission of a landscaping and boundary scheme, and the timing of community use

| | |
|--|--------------|
| Case officer – James Bickle | 01622 221068 |
| Background documents - See section heading | |