

Wall mounted canopy at Platts Heath Primary School, Platts Heath, Maidstone –MA/13/2085 (KCC/MA/0342/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 12 March 2014.

Application by Platts Heath Primary School for the erection of a wall mounted canopy adjacent to the school building at Platts Heath Primary School, Platts Heath, Maidstone – MA/13/2085 (KCC/MA/0342/2013).

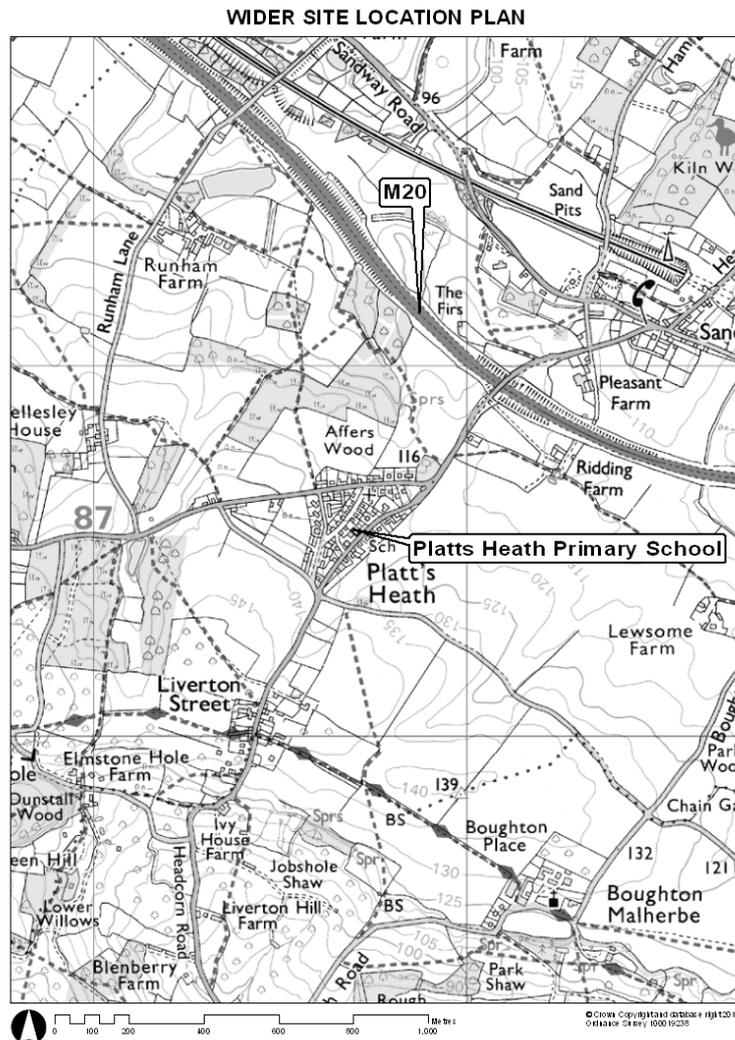
Recommendation: permission be granted subject to conditions.

Local Member: Mrs Jenny Whittle

Classification: Unrestricted

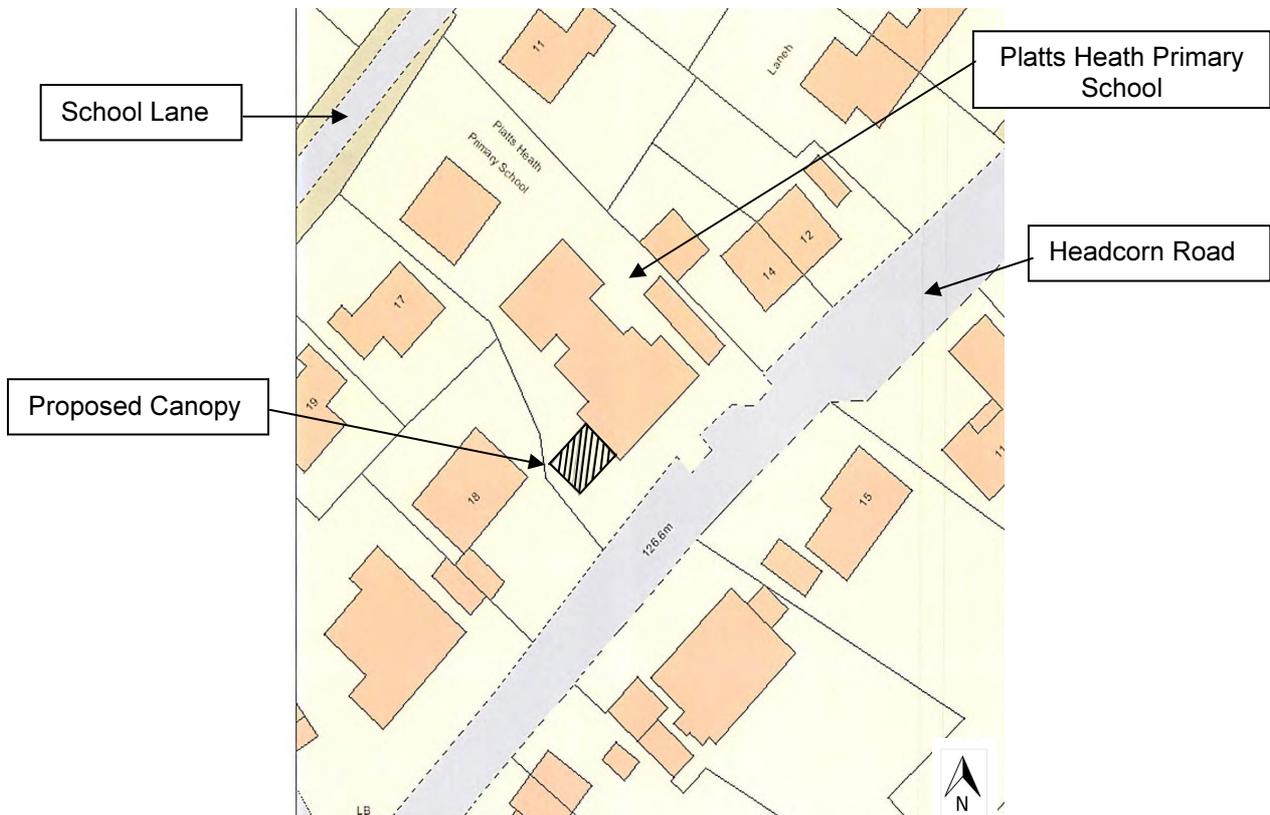
Site and Relevant Planning History

1. Platts Heath Primary School is located within the centre of the village of Platts Heath, on Headcorn Road. Platts Heath lies approximately 10 miles to the south east of Maidstone. The school buildings are single storey with a mixture of pitched and flat roofs. The main school playground is located to the rear of the school fronting School Lane. Early years pupils make use of the play area where the canopy would be located to the south west of the main school building. The school has a playing field which is located approximately 100m from the school.



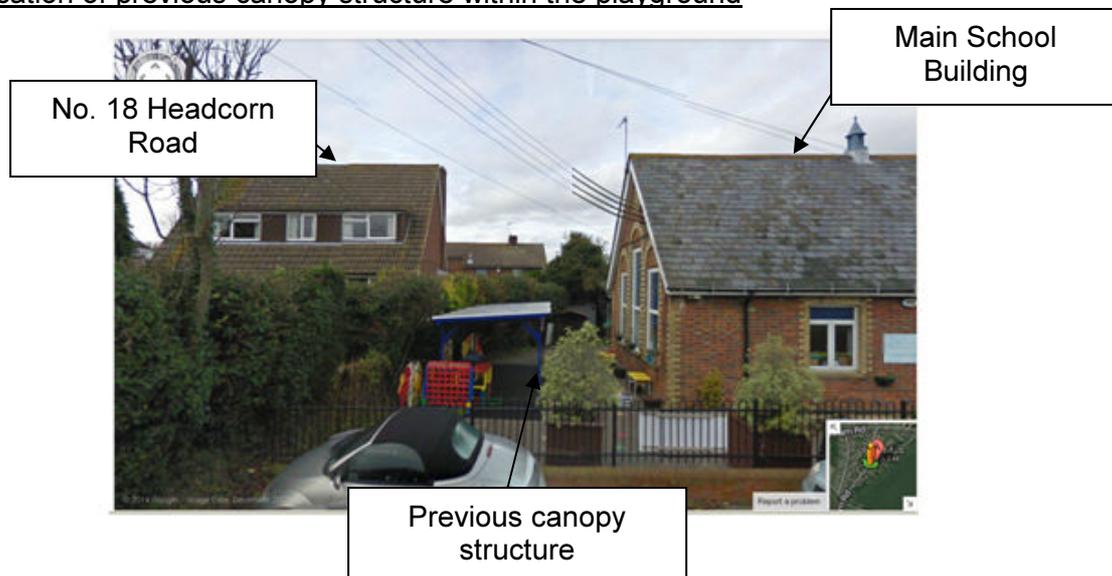
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Site Location Plan



- Recent relevant planning history includes the installation of a smaller canopy/shelter located in the early years playground which had been in place for 5 years. Although not applied for at the time, it is likely that this shelter would have required planning permission as it appears to fall within 1m of the south western school boundary. Currently the structure of the canopy still stands in the playground although the roof has been removed.

Location of previous canopy structure within the playground

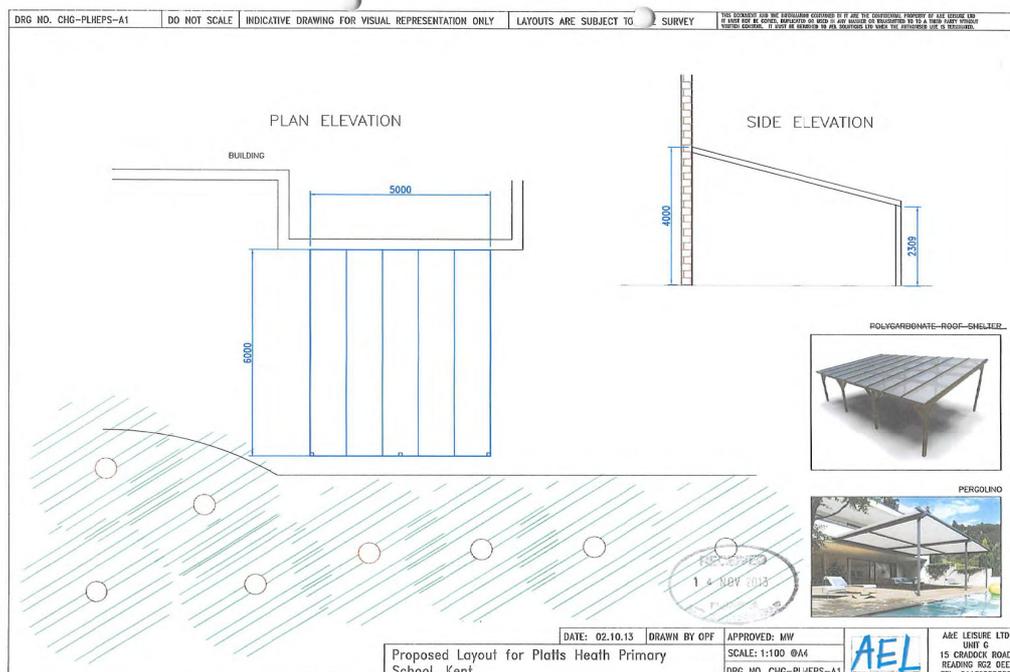


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Proposal

3. The application is for the erection of a wall mounted canopy adjacent to the main school building. The proposed canopy would be fixed to the south west side of the school, measuring 6m x 5m. The canopy would have a sloping retractable roof; measuring 4m in height from the south western elevation of the school building and 2.3m in height near the school boundary. The structure of the canopy would be blue powder coated aluminium with a white or clear acrylic canvas retractable roof.
4. The canopy would provide shelter for pupils using the early years playground and could be retracted during periods of inclement weather. To facilitate easier access to the early years playground, a new door is proposed to the south western side of the school. As the distance of the door is further than 5m from the school boundary, it falls within permitted development rights which (amongst other things) allow some alterations to school buildings without the need for planning permission.
5. The canopy would be located in the playground that is used by early years foundation stage pupils. The applicant has stated that the proposed canopy would enhance the pupils' learning and development experience. The proposal is being put forward in accordance with the Government's 2012 Statutory Framework for the Early Years Foundation Stage. This legislation supports the design of school buildings and outdoor areas, promoting ease of access between internal and external spaces. The canopy would provide effective use of the playground space during all weathers.
6. As part of the improved provision for the early years foundation stage pupils, the School is also proposing to erect a new fence to the south western boundary of the school adjoining No. 18 Headcorn Road. The applicant has stated that the fencing would be less than 2m in height and therefore it would not require planning permission and would replace the current hedging within the school boundary. The fencing would help to mitigate levels of noise experienced by neighbouring residents from the use of the playground. The applicant is investigating the possibility of installing acoustic fence panels however this is dependent on financial cost.

Floor & Elevation Plan



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Visual representation of proposed canopy

Proposed – Visual (Pergolino)
For Platts Heath Primary School, Kent



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Planning Policy

7. The following National Planning Policy guidance and Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) **National Planning Policy Framework (NPPF)** March 2012, sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are also relevant:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the great importance that the Government attaches to ensuring that a sufficient

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choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools.

(ii) **Policy Statement – Planning for Schools Development** (15 August 2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

(iii) **Maidstone Borough Local Plan (2000)** saved policy

Policy ENV22 Seeks to address visual impact of proposals when existing open areas are developed

(iv) **Maidstone Local Development Framework Core Strategy (2011) Public Participation Consultation Document**

Policy CS6 Seeks sustainable design and development that responds positively to and maintains local distinctiveness and townscape.

Consultations

8. **Maidstone Borough Council:** Raises no objection

Lenham Parish Council: No comments received

Local Member

9. The local County Member for Maidstone Rural East, Mrs Jenny Whittle, was notified of the application on the 29 November 2013.

Publicity

10. The application was publicised by the posting of a site notice and the individual notification of 4 neighbouring residential properties.

Representations

11. Neighbouring residents who live adjacent to the school made representations on this application. Their comments are summarised below:

- The canopy would be in close proximity to No. 18 Headcorn Road;
- Previous use of a shelter within the playground resulted in prolonged levels of noise;
- The canopy would increase the use of the playground thereby prolonging noise levels from the playground;
- A new access door from the main school building would enable easier access to the playground;
- Concerns regarding drainage of rain water from the canopy (which have now been clarified);
- Consider that relocating the school onto the separate school field should be investigated;
- Concern that the play area would be used to collect and drop-off pupils resulting in

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- additional noise;
- The fencing that the applicant intends to erect to the school's south western boundary is not sufficient in height and concern that ball games played in the vicinity would generate additional noise.

Discussion

12. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 7 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
13. This application is being reported for determination by Members of the Planning Applications Committee following the objections of neighbouring residents in Headcorn Road. The closest property is immediately adjacent to the school and the area where the canopy would be located. In my view the key determining factors concern the need for the development and the impact upon residential amenity in terms of noise and visual impact.

Need

14. The applicant has stated that the canopy is being erected as part of enhancements to the provision for early years foundation stage pupils which is supported by a Statutory Framework issued by the Government. The Framework promotes access to outdoor play areas and the ability to use outdoor spaces for learning activities. Ease of access from indoor to outdoor spaces is also encouraged and the installation of a new access route from the main school building would assist in this provision.
15. The proposal would not result in an increase in pupil numbers and is aimed at providing an improved play area for pupils. In their letter of objection, local residents would appear to be under the impression that the school is expanding and should consider re-locating on to the school playing field. Note that some years ago there was an outline consent to relocate the school onto land off Park Road at Platts Heath, but after many years of failing to achieve funding priority that consent was allowed to lapse.

Noise

16. The play area covered by the canopy would be used by pupils under supervision by members of staff predominantly during set playtimes. However this area would potentially be used during different times in the school day by pupils. There are no current limitations on the use of the playground and the structure of the canopy itself would not create an increase in levels of noise by allowing a use and activity in the area that does not already exist at present. The canopy would however allow wider use of the playground, providing shelter during all weather conditions. The applicant has indicated that they intend to erect a fence, possibly constructed of acoustic fence panels, to the south western boundary adjacent to No. 18 Headcorn Road. That would have a greater acoustic benefit than the existing hedging along this section of the school boundary and provide some form of mitigation for noise generated from the use of the playground.
17. Local residents raised concerns that ball games would be played against the fencing that the School intends to install, creating further noise nuisance. The applicant has

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confirmed that ball games are predominantly played in the main school playground or school field. Whilst the Early Years playground may be used for some form of ball games, the applicant has stated that they would not be played against the fence. Additionally, neighbouring residents raised concerns over the possibility of increased noise levels being generated from the playground from pupils being collected and dropped-off by parents from this area. However the applicant has confirmed that the playground area is not currently used to collect pupils with the front gate area being used for this purpose at the beginning of the school year before moving to the back entrance once the children are settled. Nevertheless, as the playground forms part of the school premises, using the playground for this purpose cannot be restricted. I am therefore satisfied that the proposal would not give rise to unacceptable noise impacts such as to warrant refusal in this instance.

Visual Impact

18. The canopy would measure 6m x 5m (30 sq.m) and be constructed of white or clear acrylic canvas roofing with a blue powder coated aluminium frame. The canopy would be screened somewhat from the south western boundary of the neighbouring property by existing hedging along the school boundary and the neighbouring property. The applicant's intention to erect fencing to the south western boundary would also provide screening from this boundary. The canopy would be visible from the upstairs windows of the nearest property and the size of the canopy when viewed from this vantage point may therefore appear quite dominant. The sloping roof would however bring the height down nearest the boundary and help to reduce the scale of the canopy. Specific concerns regarding visual impact have not been raised by neighbouring residents. The canopy would be visible from properties directly opposite the playground although the location of the canopy would be set back from the frontage of the school, minimising its visual impact. Overall, I consider that it would not have a significant visual impact and that its design and appearance would be acceptable within its context.

Conclusion

19. In my view the proposed canopy would be acceptable and accords with development plan policy. The canopy would provide improved provision for early years pupils allowing supervised use of the playground during play times and periods of outdoor learning activity. Whilst the canopy would allow more frequent use of the early years playground, the noise levels generated from the installation of this canopy would not in my view be significantly above existing levels.

Recommendation

20. I RECOMMEND that permission BE GRANTED, SUBJECT TO the imposition of conditions, including;
- the standard time requirement for implementation
 - the development being carried out in accordance with the submitted plans.

Case Officer – Hardeep Hunjan

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Background documents – See section heading
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