

Demolition of conservatory and construction of a single storey extension and canopy at Ditton Infant School, Aylesford – TM/08/3656

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by the Governors of Ditton Infant School and Kent County Council Children, Families & Education Directorate for the demolition of a conservatory and construction of a single storey extension and sun canopy at Ditton Infant School, Pear Tree Avenue, Ditton, Aylesford

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. G. Rowe

Classification: Unrestricted

Site

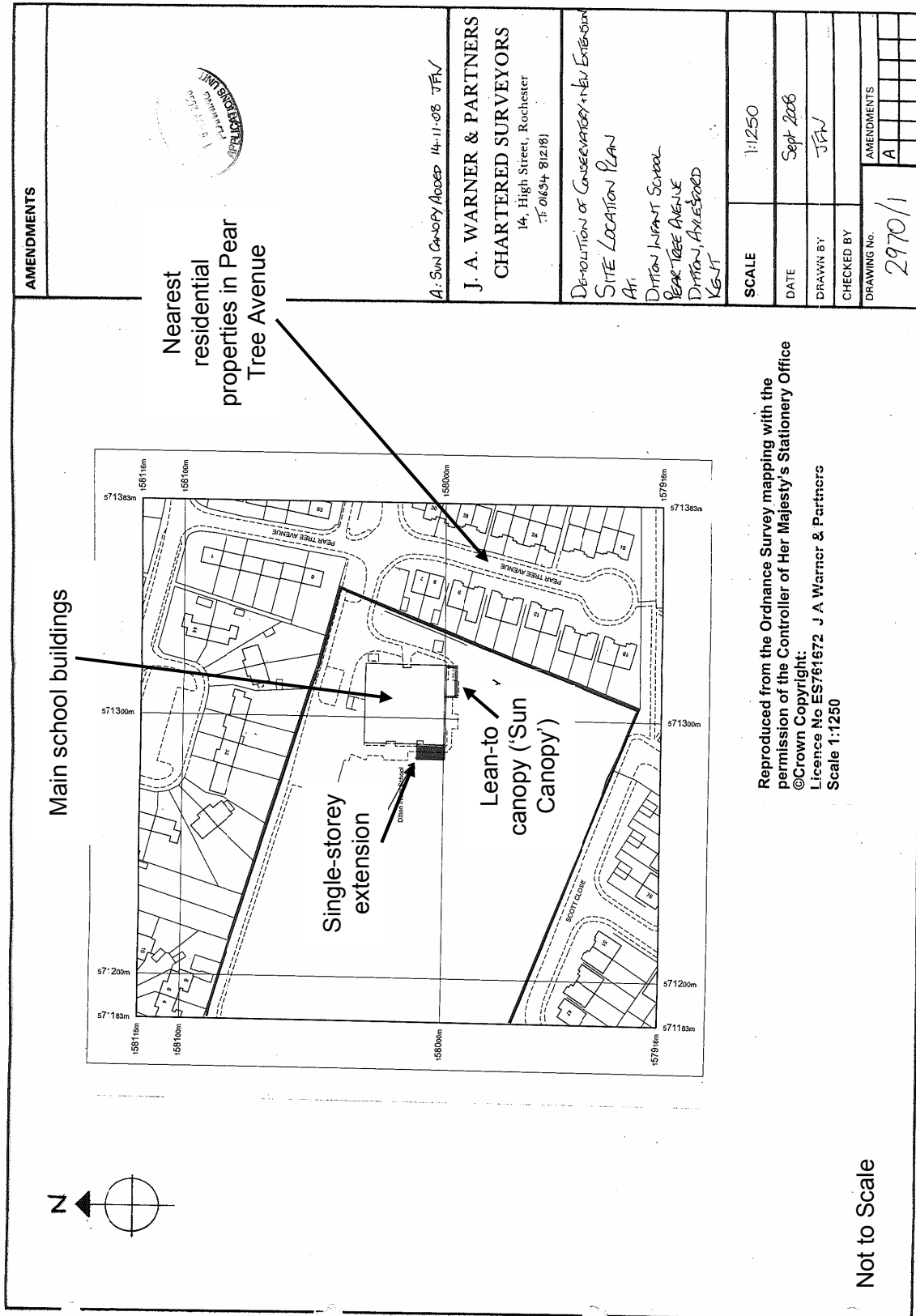
1. Ditton Infant School is located south of the main village of Ditton. The site is accessed from London Road (A20) via New Road and Pear Tree Avenue to the south of the school campus. The school occupies a shared site, split between Ditton Infant School to the east, and Ditton Junior School to the west. Playing fields are located between both school buildings. Ditton Infant School dates from the mid-to-late 1960s and comprises of low level brick and glazed walls with a felt flat roof construction. There has been little change to the original school building in terms of additions/extensions since it was built. The application site is located within the built up area of Ditton, and is bordered to the north, east and south by residential properties. The nearest residential properties are located directly east of the Infant School buildings fronting Pear Tree Avenue. Other than being located within the Urban Area Confines, the application site is not covered by any other specific land use designations as defined in the Local Plan. *A site location plan is attached on page D3.2*

Proposal

2. The application has been submitted on behalf of the Governors of Ditton Infant School and KCC Children, Families & Education Directorate and proposes the demolition of an existing uPVC 'lean-to' style conservatory which is currently used as a joint ICT and teaching area and the construction (in the same location) of a purpose built single storey extension of approximately 63 sq. metres. The applicants have stated that the current conservatory is not an adequate standard teaching facility, given the limited available floorspace and the vast extremes of temperatures experienced within the conservatory during summer and winter seasons as a result of the extent of the glazed panelling. The proposed extension would provide an enlarged school Library area and a new purpose built ICT area, and would be constructed from traditional insulated cavity brick and blockwork with glazing above and a felt flat roof, similar to that of the main school building.
3. The application also proposes the erection of a lean-to canopy (referred to within the application description as a 'sun canopy') to the exterior of the southeast classroom. The canopy comprises of an open sided structure which is intended to provide a sheltered play area for Early Years (Reception) pupils who currently occupy a classroom on the south-eastern corner of the school building. It is proposed to be constructed of a galvanised and powder-coated steel frame and a polyester roof covering.

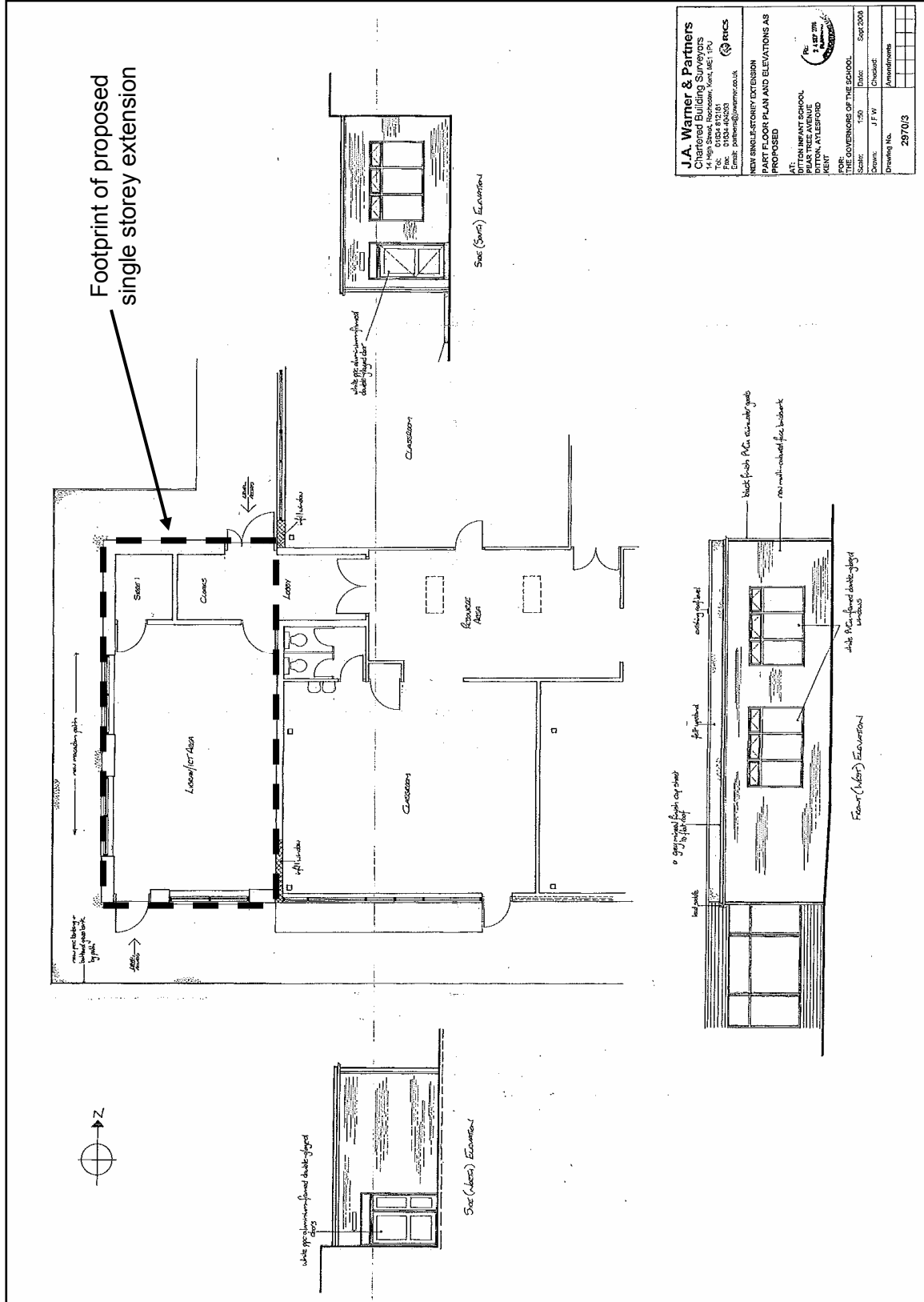
Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Site Location Plan



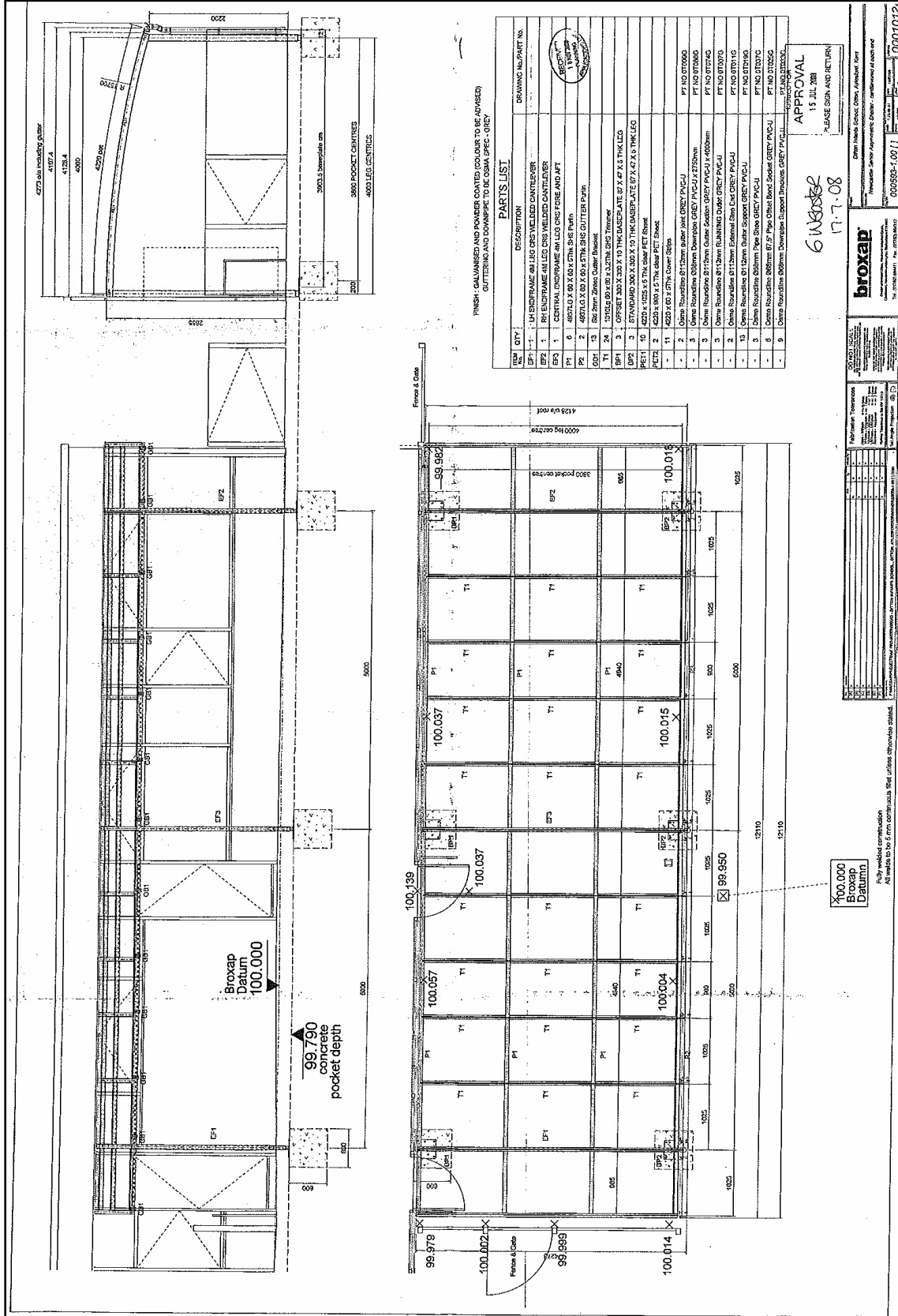
Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Proposed Extension



Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Proposed 'Sun Canopy'



Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Planning History

4. The County Planning Authority granted planning permission for the erection of a timber storage shed for PE equipment in December 2002 under application reference TM/02/1256.

Planning Policy

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

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

Policy SP1 – The primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments.

Policy QL1 – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

Policy QL11 – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced. This includes, amongst other matters, visual, noise and levels of tranquillity. Development should be planned and designed to avoid, or adequately mitigate, pollution impacts.

- (ii) The adopted **Tonbridge & Malling Borough Local Plan (Saved Policies) 1998**:

No specific saved policies relevant to the consideration of this application.

- (iii) The adopted **Tonbridge & Malling Borough Council Local Development Framework – Core Strategy (2007)**:

Policy CP1 – All proposals for new development must result in a high quality sustainable environment.

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Policy CP24 - All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings.

Consultations

6. **Tonbridge & Malling Borough Council:** no objection.

Ditton Parish Council: no objection.

Environment Agency: has no objection to the application but would advise that the site lies within a Major Aquifer and within a Source Protection Zone for the public water supply. As such, all precautions should be taken during construction to avoid any potentially polluting spillages to ground and any soakaways should be sealed to ensure they only accept clean water.

KCC Noise Consultant (Jacobs): raises no objection and comments as follows:

“The construction of the new single storey extension would not move the school footprint closer to the nearby residential properties in Pear Tree Avenue. The extension would not result in an increase in the number of pupils or traffic movements to and from the site, an increase in noise nuisance at these properties is therefore considered negligible. From the information provided, the brick and block-work extension would have double-glazed windows and doors with double-glazed panels which would provide sufficient attenuation to keep the noise generated within the proposed facility to a low level. It is not proposed that the extension would accommodate any music or dance classes which would generate additional noise, but would rather be used as a library and computer room which are in themselves inherently quiet.

The canopy would be open sided and is intended to provide a sheltered play area which might be expected to lead to a congregation of a number of pupils during very sunny or inclement periods; this however is not particularly different from the current situation and as a consequence the aural environment in the vicinity of the school would not be expected to change”.

Local Members

7. The local County Member, Mr. G. Rowe was notified of the application on the 4 December 2008.

Publicity

8. The application was publicised by the posting of a site notice at the main school entrance with Pear Tree Avenue and the individual notification of 8 neighbouring residential properties.

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Representations

9. I have received a letter of objection from a nearby resident in connection with this application. The main points of objection are as follows:
- They are not against the construction of the single storey extension per se, but suggest exit points are restricted to the west and/or north facing aspects of the extension. They state that they already have several doors opening from the classrooms on the south side of the school, along with two fenced off playing areas which already bring considerable noise to this area. They consider additional openings onto this area would increase the noise pollution which they state is quite considerable at times and goes on from 9:30am until close of school. Also that if the school had been designed in a proper manner, these classrooms and play areas should have been located to the west side, out of the direct sunshine and not immediately against residential properties;
 - With regards to the sun canopy, they object to the erection of a permanent feature. However they suggest that if this is actually to be used in sunny conditions, then perhaps a retractable canopy could be used instead. They state that this area is already shaded by massive trees that knock out most of the sunshine anyway, including theirs, and they feel that the erection of a canopy would in fact concentrate the noise level in this area;
 - They seek clarification about when it would no longer qualify as a sun canopy? What happens in the winter? They see it as a sly means to then turning the canopy into an all-year-round dry play area when they would have no respite from the noise even in the Winter;
 - They consider they have suffered enough and consider that no consideration is really given to residents who have supported the school for many years and that it is about time this changed.

I have received further comments from the nearby resident referred to above. The main points of further objection are as follows:

- They consider that the schools' initial planning application was for a fixed sun canopy and not for a shelter to provide an all seasons external dry play area;
- They question whether, due to the change of use of the canopy, this element of the planning application will be deferred until a later date, so that residents of Pear Tree Avenue can be correctly notified of the true use of the canopy;
- They note that as the Planning Officer had to get clarification as to the use of the canopy, they would wish to have to opportunity of lodging any objections based on the correct usage, which was not made available to residents at the time when the planning application was first made;
- They note that the time for residents to comment was extended over the Christmas period, but other residents were not informed by the Planning Authority and therefore did not respond as they were unaware of this new deadline.

Discussion

Introduction

10. The application seeks planning permission for the demolition of an existing lean-to style conservatory extension and the construction of a single storey extension to create a library and ICT area, together with the erection of a new lean-to canopy to provide an outdoor sheltered play area for Early Years pupils at Ditton Infant School. The

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

application is being reported to the Planning Applications Committee as a result of the views expressed by a local resident, as identified in paragraph (9) above, mainly in terms of the potential for the proposed developments to cause a detrimental harm to residential amenity in terms of noise pollution.

11. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (5) 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 the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In this particular case, I consider that the key considerations are: -
 - siting and design issues; and
 - potential for the development to cause a detrimental impact on nearby residential amenity in terms of noise pollution;

Siting and Design

12. With regard to the single storey extension, it will be noted that it has been designed in such a way to reflect that of the main school building which it would be physically attached to. This comprises low level brickwork with glazed panels above and a felt flat roof. Concerns have been expressed regarding the location of an external entrance/exit door which is proposed to be located on the southern elevation of the extension. However, given that the separation distance between the proposed extension and the nearest residential property boundary is 40 metres, and the fact that the extension would be located on the opposite side of the school to the property which has raised the concerns, I do not consider that the proposed extension would increase ambient background noise levels at, or within nearby residential properties. Furthermore, it will be noted that the County Council's Noise Consultant concurs with this view and has raised no objection to the proposed single storey extension. Accordingly, I am satisfied that the proposed extension accords with the provisions of Policy QL1 of the Kent and Medway Structure Plan both in terms of its design, siting and in so far as it would not be detrimental to residential amenity.
13. Members will note that the second part of the proposal relates to the erection of a lean-to style canopy which would be physically attached to the southern façade of the existing school building. The proposed canopy is of a typical design similar to those found on many other educational facilities around the County, as required by Government initiative to ensure that pupils have the facilities to play outdoors, whilst being sheltered from the weather elements throughout the year.
14. Concerns have been raised regarding this particular element's description within the application as a proposed 'sun canopy'. The name has been provided by the applicants at the time of making their application and refers to a manufacturer's description as opposed to any wider meaning relating to its proposed use (i.e. only being used during sunny periods). In order to seek clarification on this point, the applicants have confirmed that the structure would be used throughout the year as opposed to solely being used during summer months.
15. The local resident who has made representations has suggested that an alternative design of canopy be chosen for this particular location, notably a retractable style

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

canopy which could be erected as and when required. However, given that the applicants are seeking a permanent canopy structure to provide sheltered outdoor play space throughout the year, I do not consider that it would be appropriate to insist on a semi-permanent 'retractable' style canopy that would be neither practical nor viable for the applicants in this particular case.

16. The proposed canopy would be located on an area of existing Early Years (Reception class) outdoor play area which is already heavily used by the Infant School during playtime periods. It is my understanding that this area has been used for such activity since the school was originally built. The proposed canopy would be located approximately 10 metres from the boundary of the nearest residential property in Pear Tree Avenue, and 17 metres from the nearest properties façade, separated by large tree screening and an existing boundary fence.
17. The option of re-locating the proposed canopy elsewhere on the school building has been considered, but has been ruled out as a viable option by the applicants on the basis that the main purpose of the canopy is to provide a covered play area for Early Years pupils, as required by Government initiative. Therefore, the applicants have considered that the best location for the proposed canopy is a location which directly leads off the existing Early Years classroom accommodation.
18. In design terms, the style of the canopy proposed is typical to that found on many other educational sites across the County, comprising a polycarbonate roof and metal supporting frame. In this particular location, I do not consider that this style of canopy would be out of place or overbearing on the existing school building. Accordingly, I consider that the proposal is in general conformity with Policy QL1 of the Kent and Medway Structure Plan and CP24 of the Tonbridge & Malling Borough Council Local Development Framework Core Strategy. I would therefore not raise an objection in design terms to this element of the proposal.

Noise

19. Members will note that concern has been raised regarding the potential for the proposed developments (both separately and cumulatively) to increase ambient background noise levels at nearby residential properties. Whilst I note the concerns expressed in this particular case, the School is not increasing its roll as a result of either element of the proposals, nor is it building significantly closer to any residential boundary than currently exists. As previously noted, the proposed canopy would be located on the south-eastern corner of the existing Infant School building and would be approximately 10 metres from the nearest residential boundary. The location for the construction of the canopy is currently used by an outdoor playground for Early Years pupils and therefore the noise emanating from this play area already exists. The proposed canopy would simply provide a means of covering this space with a semi-open structure, in order to provide pupils shelter from weather elements. Whilst it could be considered that the construction of the canopy could allow for an increase in outdoor activities (i.e. at times when adverse weather previously would have precluded pupils from going outdoors), there are currently no controls over the use of the outdoor playing space of the school. It is therefore considered that the imposition of a restrictive condition only allowing the use of the canopy during set-periods of the day would be unreasonable and would in any case be difficult for the County Planning Authority to retain control over. As previously discussed, given the distances involved between the

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

proposed single-storey extension and the nearest residential properties, it is considered that an objection on noise grounds cannot be sustained in this particular case.

20. It is noted that the core school hours are between 09:00 and 15:00 Monday to Friday, between which background noise levels from school pupils is expected in the locality. In this particular case, I do not feel that the proposed development would cause a significant noise increase at nearby noise sensitive residential properties, over and above the background noise levels which are currently experienced through the day-to-day operational activities of the school. For these reasons I do not consider it necessary to impose any requirements on the applicants to provide additional means of noise attenuation measures, such as the erection of acoustic fencing, given the scale of the development proposed in this particular case.
21. In addition, as previously noted the County Council's Noise Consultant has not raised an objection to this application. Accordingly, I consider that the proposed development is in conformity with the provisions of Policy NR5 of the Kent and Medway Structure Plan.

Conclusion

22. In conclusion, whilst I recognise the concerns of the local resident, I do not consider that an objection on noise grounds can be sustained in this particular case. I am mindful of the fact that the School has residential properties in close proximity to the eastern boundary (Pear Tree Avenue), but do not consider that the construction of a single-storey extension and/or the erection of a lean-to 'sun canopy', would significantly increase the current background noise level experienced at nearby noise-sensitive residential properties over and above the levels currently experienced as a result of the day-to-day operational activities of the School.
23. Taking into account the provisions of the Development Plan and material considerations raised from both consultees and a local resident, as outlined in paragraphs (6) and (9) above, I consider that the proposal is in general conformity with the Development Plan. I therefore recommend that planning permission be granted, subject to the recommendation set out in paragraph (24) below.

Recommendation

24. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- development be commenced within 3 years from date of permission;
 - the development be carried out in accordance with the permitted details.

Case officer – Julian Moat	01622 696978
----------------------------	--------------

Background documents - See section heading
--