

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Barton Road, Maidstone – MA/14/504889 (KCC/MA/0315/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 11 February 2015

Application by Maidstone Grammar School for the proposed extension and refurbishment of the existing sports pavilion at Maidstone Grammar School, Barton Road, Maidstone (KCC/MA/0315/2014)

Recommendation: Subject to the further details on bat protection to the satisfaction of the County Ecologist, planning permission to be granted, subject to conditions.

Local Members: Mr R Bird, Mr B Clark and Mr D. Daley

Classification: Unrestricted

Site

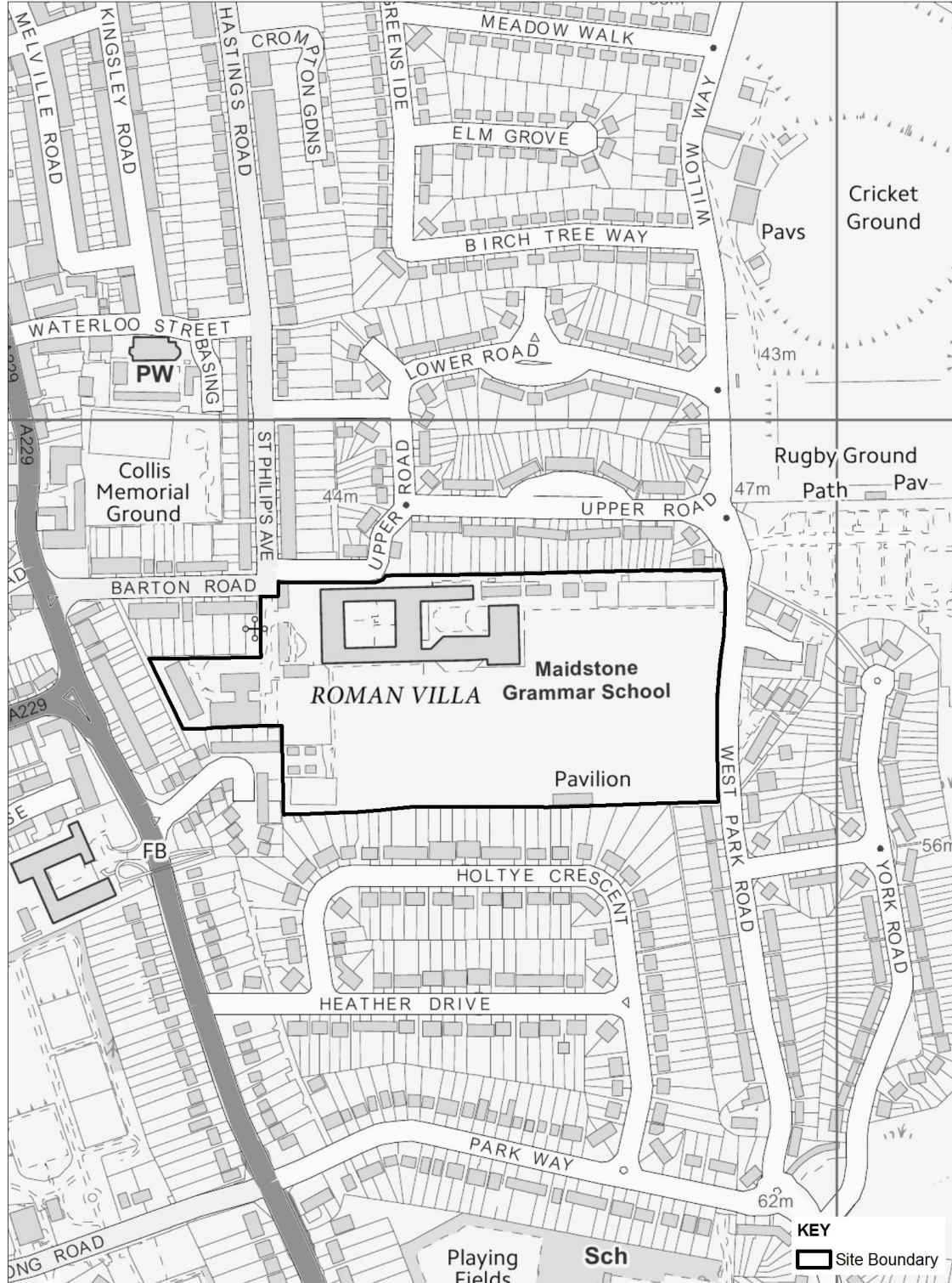
1. Maidstone Grammar School is located off Barton Road, which is to the south east of Maidstone and is in a largely predominantly residential area. These residential properties surround the site and Mote Park and Maidstone Leisure Centre are located to the east of the school site. The school consists of many buildings of varying size and age but are predominantly from the 1930's. The majority of these buildings are located in the north western corner of the school site and along the north and western boundaries. The sports pavilion represents the only building outside of this pattern of development and is located on the southern boundary backing onto gardens of the residential properties in Holtye Crescent. A site location plan is attached.

Background

2. The School has completed a variety of new buildings within the past ten years which were commissioned to provide up to date facilities. The School also recognises its strong heritage on the school's current site. This heritage is clearly represented in the sports pavilion which was constructed using funds provided by the old boy's society shortly after the school's move to this current site in the 1930's. The existing pavilion is a predominantly single storey building with a large hipped pitched roof and single north facing feature gable. Since its construction in 1930, the building has received a flat roof extension to each end of the building. The roof is finished in slate with mainly timber boarded walls at ground floor. The gable is finished in black painted timber frame with white painted render between. The gable also features a first floor bay window below a clock. The ground floor features a full length external verandah and is currently used for storage and changing with the roof space used for storage.
3. The southern boundary of the school site is defined by a 1.6m (5.25ft) high masonry wall topped with a chain link fence with significant hedges and trees located along both sides. Behind this wall are a number of two storey residential properties accessed from Holtye Crescent and due to the proximity to this boundary wall there are less significant hedges and no trees located immediately behind the sports pavilion to the school side of the boundary.

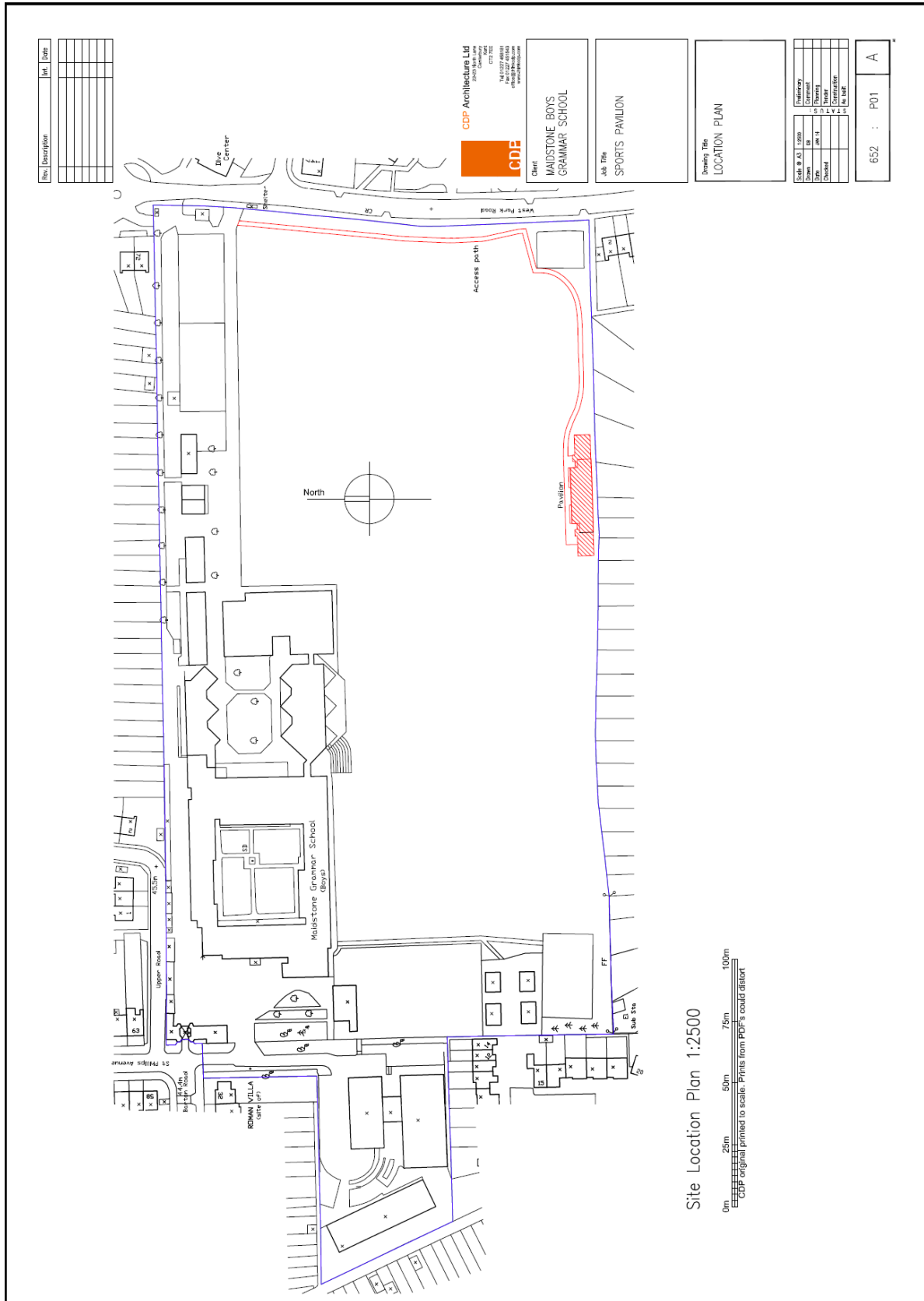
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Site Location Plan



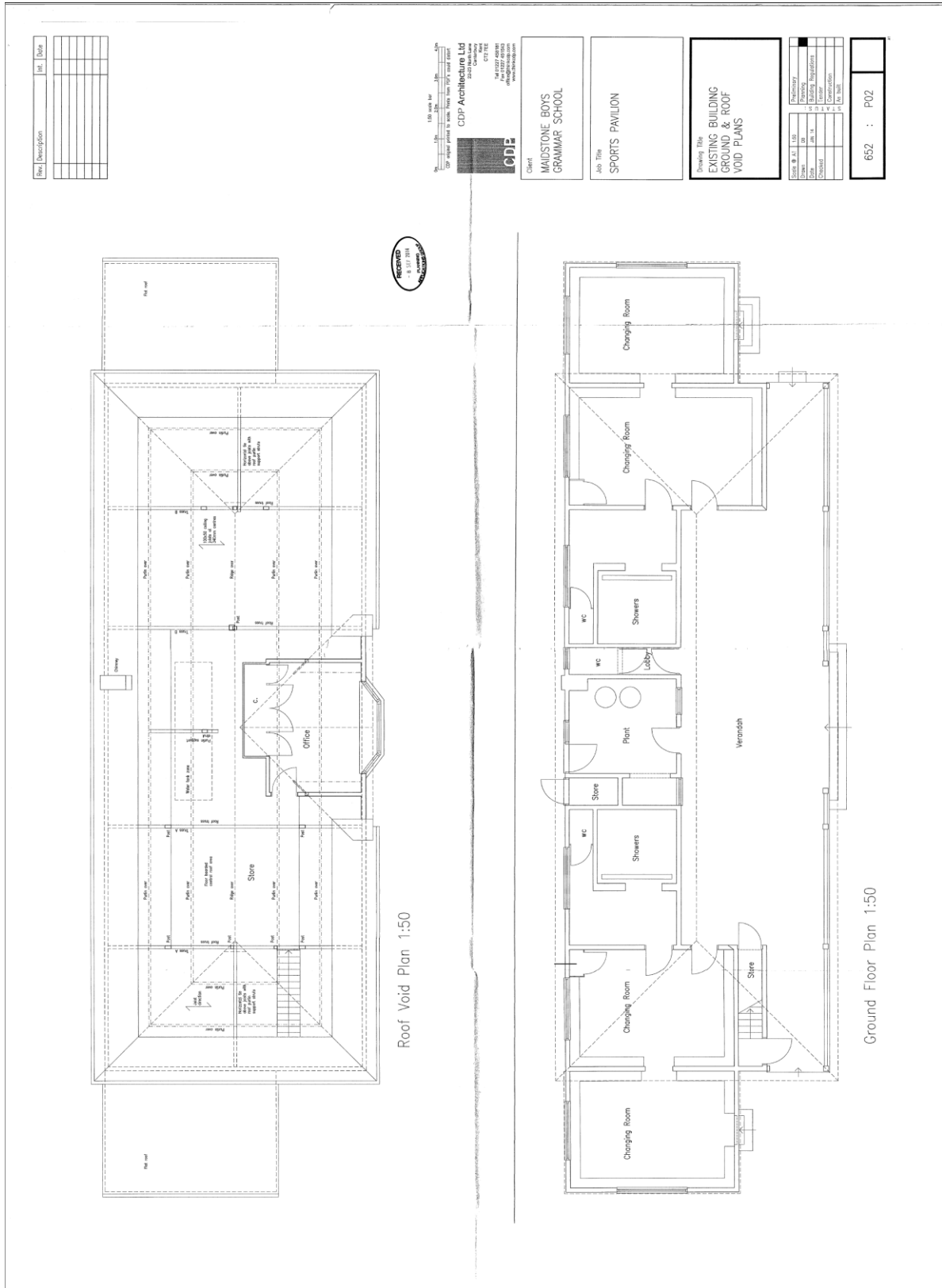
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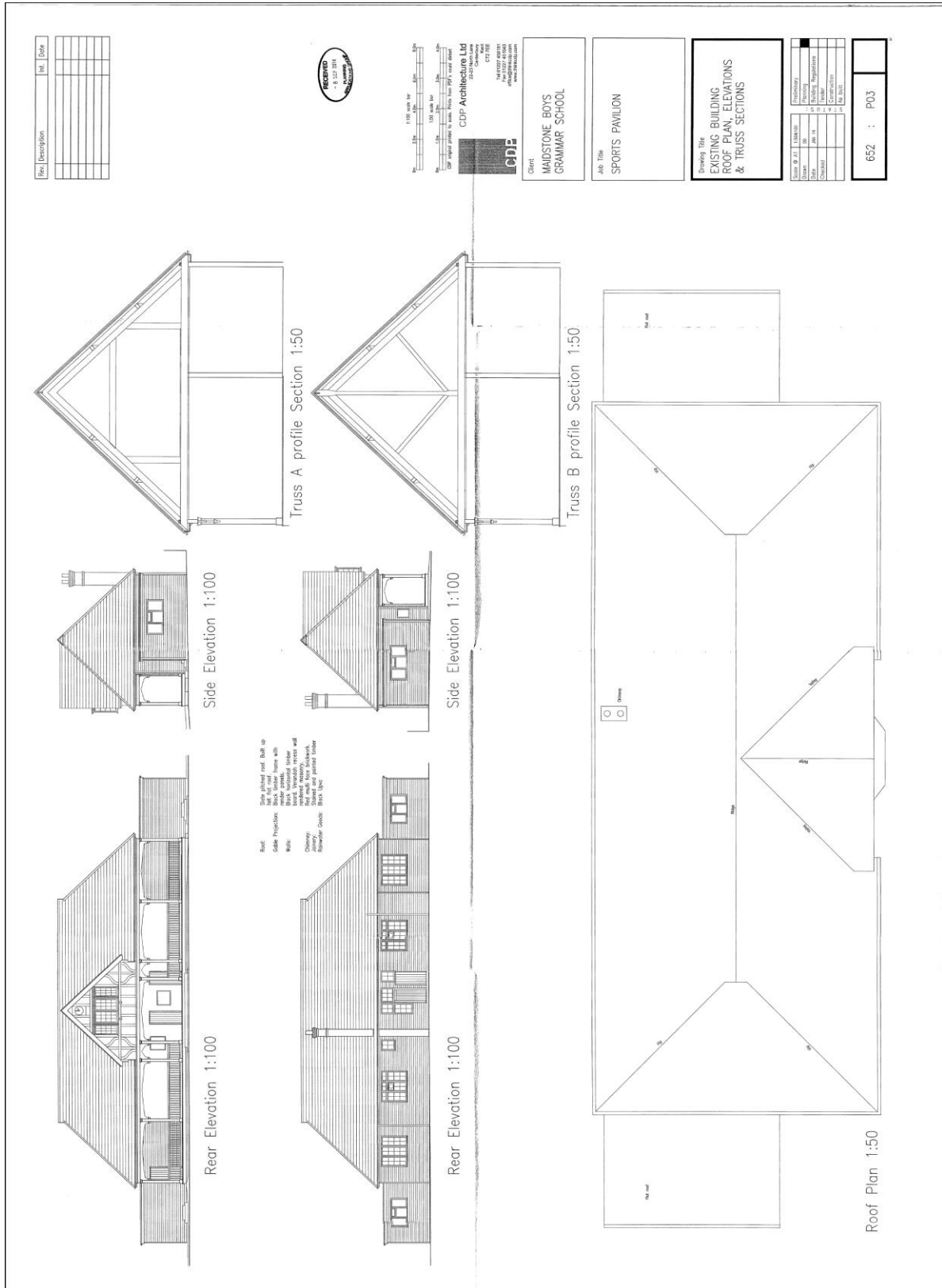
Site location plan

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Existing building ground and roof void plans

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



Existing building roof plan, elevations and truss sections

Item D3

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Recent Planning History

4. The most relevant recent site planning history is listed below:
- MA/13/796 – Proposed recladding of existing walls and roof to existing hall.
 - MA/10/923 – Internal alterations and change of use of Headmaster's house to provide office and storage space on the ground floor for school use and two 2 bedroom apartments on the first floor for occupation.
 - MA/10/788 – Demolition of a single storey classroom building and the construction of a two storey food technology block housing a replacement classroom and a sixth form area.
 - MA/09/2250 – Internal access road.
 - MA/08/2250 – Demolition of an single storey classroom building and the construction of a two storey applied learning centre.
 - MA/04/792 – Proposed 8 classrooms, 3 ICT/Computer rooms, 4 art studios, pottery room, 5 offices and associated toilets and storage including the removal of temporary accommodation and the provision of canteen, kitchen, mezzanine eating and study area, associated toilets and storage including the demolition of the existing canteen, kitchen and teaching accommodation including car parking for 18 cars plus security fencing between the teaching block and the east and west boundaries.

Proposal

5. The application has been submitted by Maidstone Grammar School to update the existing sports pavilion facilities to modern standards. The application requests permission to demolish the existing two modern flat roof extensions which are attached to each end of the pavilion and replace them with two larger extensions with a pitched roof, which replicates the original sports pavilion. It is therefore proposed to extend the pavilion to the east and west of the existing pavilion.
6. The two existing flat roof extension each measure 3.95m (12.96ft) in length and 5.65m (18.54ft) in width, and measure 2.75m (9.02ft) in height. The two proposed pitched roof extensions would each measure 13.2m (43.31ft) in length and 6.5m (21.33ft) in width, and would measure 5.83m (19.13ft) in height.
7. The proposal includes the following alterations to the ground floor to include
- 4 changing rooms;
 - 2 shower rooms;
 - Officials' changing room;
 - Improved toilet facilities including a disabled toilet;
 - Small kitchen area;
 - Plant room;
 - Hall area;
 - Internal store;
 - 2 further stores with external access.

In the roof area on the first floor of the original sports pavilion the roof voids are to remain the same, but it is proposed to increase the amount of boarded area, as well as to relocate the existing staircase.

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8. The proposed design has been carefully formulated to provide up to date facilities whilst maintaining the spirit and historic appearance of the existing pavilion building. The current facilities are deemed unsuitable for the building's use. The extension work is focused in three areas. Two of these are represented by the single storey hipped roof extensions to the eastern and western elevations. The extensions are designed to replace the existing out of keeping flat roofed elements with a more sympathetic form. Each of these would receive matching materials to the original structure with slate roofs and black weather boarding. Each extension would have a timber entrance door to provide direct access between the playing fields and changing facilities. The doors would be covered with a hipped canopy which would be detailed to match the timber work of the structure over the existing verandah. The third area of work is in the centre of the existing plan where the proposal encloses the central decked area. This area would be enclosed by a glazed screen between black boarding to allow views of the pitch and a sheltered area for staff and pupils. The rest of the building will receive minor alterations and repairs to facilitate the long term use of the building.
9. The applicant has confirmed that all of the new additions have been designed to be subservient to the existing structure. The extension roofs have a matching roof pitch but the proposed eaves and ridges are significantly lower than the main existing roof of the sports pavilion.
10. The school grounds approaching the existing building are gently sloping but are defined under building regulations as level and not ramped. The site supports a network of level paths which provide level access from the school's entrance and car park. The planning application also proposes a 1.8m (5.90ft) wide bound gravel footpath which will provide inclusive access to the pavilion, which route currently does not exist. The proposed design seeks to provide level access entrances from ramped approaches. The accessible ground floor also proposes an accessible toilet and changing facilities.
11. The existing fields and boundary landscaping around the proposed building would be supplemented and maintained as part of the proposed construction process. However as result of the proposed extensions, four trees would have to be removed. However the supporting tree report indicates that these trees presently have a limited life span. As part of this proposal, the School intends to plant three similar trees around the site for each of those trees removed. Hence it is proposed to plant twelve replacement trees around the school's boundary.
12. The ground surrounding the existing pavilion gently slopes. There are a series of accesses to the existing interior all of which are stepped. Access to the existing verandah is also stepped. The approach to the existing building is achieved across the school playing fields.
13. If the proposed improved facilities at the sports pavilion are to be granted planning permission, the School intends to partner with local sports clubs and teams to provide a wider use for the building. The possible use of the enlarged building could enable a wider community use of the facilities, including the local rugby club.

Planning Policy

14. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:

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- (i) **National Planning Policy and Guidance** – the most relevant national planning policies and policy guidance are set out in:

The **National Planning Policy Framework (March 2012)** and the **National Planning Policy Guidance (March 2014)** set out the Government's planning policy and guidance for England, and is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF and its guidance replace the majority of the former Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's). 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 of particular relevance:

- Achieving the requirement for high quality design and a good standard of amenity
- The promotion of healthy communities
- Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes
- Conserving and enhancing the historic environment.

In addition, Paragraph 72 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted.*

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

- (ii) **Local Planning Policy**

Maidstone Borough-Wide Local Plan (2000) (Saved) Policies:

Policy ENV6 Seeks to ensure that where required a landscape scheme, including surfacing and boundary treatment, to be carried out as part of the development proposals.

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Policy ENV23 Seeks to ensure that proposals for new development which would result in the net loss of open space or sport and recreation facilities, will not be permitted unless there is a proven overriding need for the development and there is no deficiency of open space or recreation facilities in the locality and alternative provision of an equivalent community benefit can be provided to replace the loss.

Maidstone Local Development Framework: Core Strategy (2011) Public Consultation Policies

Policy CS1 Seeks new development to be focused within and next to Maidstone's urban areas and infrastructure to be brought forward in a timely way to provide for the needs arising from development.

Policy CS3 Seeks development within the urban boundary of Maidstone that contributes positively to the locality's distinctive character.

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

Policy CS7 Seeks to guide the location of development in order to reduce the need for private transport and maintain highway safety, and ensure the highways, public transport, walking and cycling needs arising from development are satisfied.

Consultations

15. **Maidstone Borough Council:** Raises no objection. The submitted plans for the extension and refurbishment of the pavilion seem appropriate in design, maintaining the overall character of the building. There is some significant tree planting to the southern boundary which also offers some screening to the building. Due to the position and height of the roof, the proposed roof lights are unlikely to create any views of the neighbouring dwellings. Having said that, Maidstone Borough Council would like the issue of neighbouring amenity to be fully assessed. Conditions regarding material samples and joinery should also be imposed to secure a quality appearance and character of the building.

Environment Agency: Raises no objection to the proposal. As no evidence of contamination has been found therefore we do not recommend any planning conditions regarding contamination.

The County Biodiversity Officer: Raises concerns about the information provided and requires more information and clarification. The submission of a Bat Survey concluded that the existing pavilion building is a bat roost. One bat was seen roosting within the roof void and one bat was recorded emerging from the building during the emergence survey. The emergence and re-entry surveys were carried out outside the optimal survey period and while the weather conditions were suitable for active bats, the time of year means that there is potential for more than just one bat to using the building.

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Furthermore, whilst it is proposed to retain some bat roosting space within the apex of the roof space, the loss of most of it (through the proposed partitioning of the existing space) is a material change to the bat roost such that it is effectively the loss of its existing function. The information that has been provided to date is lacking in information such as the dimensions of the existing roof space or the area that will be retained, is not sufficient to allow the County's Ecologist to agree that the roost is being retained.

Therefore, prior to determination, additional information is required on the dimensions of the proposed bat loft to establish whether the proposed mitigation will enable the bat roost to retain its functionality. If the space is not sufficient to retain its functionality, clarification is required on what mitigation will be implemented (such as the creation of a new bat loft in the proposed extension) within the proposed development.

Furthermore, further clarification is required on the need for a European Protected Species (EPS) licence and that the applicant proposes to use a Type 1F bitumen felt with a hessian matrix. Also if any external lighting is proposed, then it should be designed to avoid illumination of the proposed bat roosting points and tree-line to the south of the site.

The County Archaeologist: Raises no objection subject to the imposition of a condition regarding the implementation of a programme of archaeological work, to be undertaken in accordance with a written specification and timetable. The site lies within an Area of Archaeological Potential associated with the Roman villa and related activity. In addition a WWII anti-tank trap is considered to cross the site on a north east to south west alignment. Remains associated with the Roman activity especially may be revealed during the proposed groundworks.

The County Council's Landscape Advisor: Raises no objection subject to the imposition of conditions regarding the protection of existing trees during the construction phase through the provision of a Tree Protection Plan and also the submission of a Landscaping Plan for the proposed replacement trees. The contents of the Tree Survey have been accepted and the reasons why the trees closest to the proposed pavilion extension need to be removed have also been accepted.

Local Member

16. The local County Members, Mr Bird, Mr Clark and Mr Daley were notified of the application on 20 October 2014.

Publicity

17. The application was advertised by the posting of a site notices and the notification of 27 neighbours.

Representations

18. 3 letters of representation have been received from local residents objecting to the application. The main points raised in relation to this application can be summarised as follows:

- Whilst I do not entirely object to the development, I have serious concerns about the height of the 2 adjacent extensions.

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- One of the extensions will extend almost entirely along the rear of my property.
- The eave to ridge height is unnecessarily great and will have a detrimental effect on my property, my property value and view.
- The current dimensions are for aesthetic appearance only and there seems to be no intention for such roof space to be used.
- If the side extensions were no more than 13ft, max 14ft then that would be more acceptable.
- I was assured the proposed extension would be a flat roof and no taller than the present level.
- Object to any increase in the present height dimensions but happy with the extension in ground length.
- The new proposed extension and demolishing of the low building will affect the sale and value of my house.
- The height will affect my right to a view.
- The height of the new extension must be lowered and is too high near my property.

Discussion

19. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (14) 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, including the new National Planning Policy Framework (NPPF) and other material planning considerations arising from consultation and publicity.
20. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from three local residents. The main issues relating to this application include siting & design, amenity impacts, landscaping and ecology issues.

Siting and design

21. The planning application requests the permission to demolish the two modern flat roof extensions located to the east and west of the existing sports pavilion, and replace them with two larger extensions with a pitched roof, which would replicate the original 1930's sports pavilion. The proposed design seeks to provide up to date facilities whilst maintaining the existing character of the pavilion building, including replicating the existing materials.
22. Three representations have been received from residents who live directly behind the existing pavilion. Whilst the current modern extensions to either end of the pavilion are existing, these extensions are relatively low in height and are therefore relatively unobtrusive. This planning application proposes to rebuild these extensions that they would be 9.25m (30.35ft) longer than the current extensions, but also propose to increase the height of these extensions from 2.75m (9.02ft) to 5.83m (19.13ft), an increase of 3.08m (10.10ft). This increase of just over 3m is due to the proposed removal of the flat roof and the proposed replacement of a pitched roof. The overall existing ridge height of the pavilion from floor level is 8.06m (26.44ft). However, the proposed increase in both length of the two extensions and height, has resulted in representations objecting to the overall size of the new extensions, which neighbours

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fear would affect the views from their properties and ultimately may affect the value of their properties.

23. The applicant was therefore asked to review the proposed height of the new extensions. Unfortunately this was not deemed possible as to reduce the height of these extension would have an effect on the available headroom within the proposed buildings. The new extensions provide an opportunity to update the existing facilities to modern standards whilst being sympathetic to the existing building. The new facilities allow for disabled access and the ground floor would therefore be at a constant level throughout the building. The side extension eaves are a lower level than the existing and as low as they are able to allow sufficient headroom within, thereby the extensions would remain subservient to and maintain the hierarchy of the existing building. The roof pitch is determined by the existing pavilion roof. Having investigated a possible reduction to pitch roof, it was decided that it did not make any significant reduction to the ridge height but would make a significant detrimental effect on the building's appearance.
24. Furthermore it was concluded that the existing ground level of the school playing field and pavilion, in relation to the neighbouring properties is lower and would assist in reducing the impact of the proposed extensions.
25. Having carefully considered the increased height and length of the two proposed extension, I do not consider that the scale and massing of the proposed new extension buildings would be unacceptable. They propose to replace out of keeping flat roof extensions, which have little aesthetic value. The proposed extensions propose to copy the style, design and materials of the existing 1930's pavilion and to continue with the pitched roof, albeit at the lower height than on the original building. The proposed extensions would be subservient to the original taller building, but would continue the style of this building and make it more in keeping with the original building. The proposed extensions would also allow for the facilities within the sports pavilion to be updated to current standards and to allow for a greater community use than at present.
26. Unfortunately there is not enough space between the back of the sports pavilion and the site boundary to screen the building through the use of vegetation. Nor it is possible to consider placing these extensions elsewhere than at the locations proposed in this application as it allows for the expansion of this existing building by being sympathetic to the original design
27. Overall I consider that the siting and layout are appropriate in planning terms taking consideration the site levels, and surrounding properties. I also consider that the proposed design of the building, including the scale, form, appearance and materials to be appropriate and acceptable, bearing in mind the design and massing of the existing sports pavilion and materials on this building. I would not therefore raise a planning objection to the proposal on grounds of design, siting and layout as discussed above.

Amenity Impacts

28. Members will be aware that the protection of privately obtainable views is not a material planning consideration, but invasion of privacy and visual impact from public vantage points can be material planning considerations. Nevertheless, the distance

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between the rear building walls of properties in Holtye Crescent and the rear of the sports pavilion measures in excess of 30m (98.43ft), and it should be borne in mind that 21m (68.9ft) is generally used as a guideline for positioning adjacent dwellings to avoid loss of privacy or overshadowing. Whilst there are roof lights proposed on the rear of the roof of the proposed extensions, it would not be possible to see out of these roof lights as they would be too high for anyone within the building to see out. Therefore I am satisfied that there would be no overlooking or loss of privacy from these proposed extensions. Nor would there be any overshadowing of neighbouring properties as a result of the proposed development, given the distances between.

29. Members will be aware that they are unable to consider the effect of proposed development upon private property values. As a general rule, planning decisions have to be based on land use planning considerations, such as the scale or design of what is proposed. Therefore the effect on local property values is not a planning consideration.
30. Furthermore a 1.8m (5.90ft) wide bound gravel footpath is also proposed as part of the development. It is proposed to provide improved access for all users and would not raise any unacceptable amenity impact and would not affect the loss of any playing pitches.
31. Under the circumstances, I do not consider that there is likely to be any significant detriment to neighbouring properties as a result of visual intrusion or loss of privacy given that the generally accepted standard design guide distances for the spacing of residential properties could still be achieved with the proposed layout. I also do not consider there to be an impact upon the residents' amenities as the proposed extensions to the existing pavilion would be located over 30m (98.43ft) away from the rear building line of the properties located in Holtye Crescent.

Landscaping

32. The application proposes the removal of four existing trees, which are located nearest to the area of the proposed extensions. It is proposed to remove two trees from each side of the pavilion. Whilst one tree of the trees to be removed, a Small Leaved Lime, has been identified as being of the highest quality and value within the Arboricultural Development Report, the other three trees have lower classifications. Whilst it is always unfortunate to remove trees, especially as they provide a level of screening around the school boundary, the County's Landscape advisor has concluded that the proposed tree loss is reasonably localised and that it would be reasonable to lose the trees nearest to the pavilion.
33. In mitigation for the loss of trees from the site, the applicant would provide three trees for every one tree lost as a result of the proposed development, and it is proposed to locate these twelve replacement trees around the school site. The County's Landscape advisor has suggested that the choice of species of trees proposed for this site should be broader than narrowly focused upon specimen trees. The proposed replacement tree plan could be made a condition, if Members are minded to grant planning permission. I would therefore not raise any objection to the application on landscape grounds, subject to conditions covering, amongst other matters, the completion of the landscape scheme, replacement planting should there be any failures within the scheme and tree protection measures during construction for the remaining trees on site.

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Ecology issues

34. A Bat Survey was carried out to accompany the planning application and it concluded that there was evidence of a bat roost within the existing pavilion roof space. However the County's Ecologist has concluded that the information provided so far, is insufficient to enable the Ecologists to agree that the roost is being retained. More information is therefore required for the County's Ecologist to be satisfied that the bat roost can either be retained within the existing pavilion roof space, or due to the proposed partitioning within this area, and the subsequent reduction in the available space below the standard required, then whether the creation of a new bat loft in the proposed extension can be achieved. Whilst it has been acknowledged that there would be the provision of bat roosting space post-construction, this does not equate to the retention of the existing roost as the changes in dimensions would not provide the same functionality as that which would be lost. Therefore the County's Ecologist also concludes that a European Protected Species mitigation licence would be required.
35. Further clarification is also sought about the proposed "*modern bat friendly breathable membrane*" since it is the County Ecologist's understanding that no breathable roof membrane has been proven to be 'bat friendly'. The County's Ecologist proposes to use of a Type 1F bitumen felt with a hessian matrix in this location.
36. I consider that all of the issues outlined above, and in the County Ecologist's comments in paragraph 15 above, can be resolved satisfactorily once the requested additional information has been received. However this information has not been received in time to include the findings within this report but discussions are currently ongoing. I therefore propose that if Members are minded to recommend approval of this planning application in all other respects, that prior to any permission being issued to the applicant, that all these outstanding issues are resolved to the satisfaction of the County Ecologist. Additionally, planning conditions can also be attached to a planning consent to ensure that all the required work is carried out in accordance with the ecological requirements. Therefore the issue of whether the applicant needs to require an European Protected Species mitigation licence will be resolved once the required additional information on bat protection is provided.

Conclusion

37. In summary, I consider that, subject to the County's Ecologist being satisfied on the bat issues referred to above, and the imposition of appropriate planning conditions, this proposed development constitutes sustainable development, with an appropriate standard of design and layout, which would not have significantly detrimental effects on the residential or local amenity, and character of the area. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, as well as the National Planning Policy Framework. Other than the potential impacts on bats, I am aware of no material planning considerations that indicate that the conclusion should be made otherwise. However I recommend that various conditions be placed on any planning permission, including those outlined below.

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Recommendation

38. SUBJECT TO the submission of further details on bat protection to the satisfaction of the County Ecologist, I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard 5 year time limit;
- the development carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally, including details of joinery;
- a detailed scheme of landscaping, its implementation and maintenance;
- measures to protect trees to be retained;
- no tree removal during the bird breeding season;
- details of a biodiversity statement;
- any external lighting to be designed to avoid illumination of the proposed bat roosting points and tree line to the south of the site;
- a programme of archaeological works;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations of Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway;
- measures to prevent dust nuisance during the demolition phase.

Case officer – Lidia Cook

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Background documents - See section heading
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