

Multi-Use Games Area on the existing sports field – Greenfields Community Primary School, Oxford Road, Maidstone – MA/15/510092

A report by Head of Planning Applications Group to Planning Applications Committee on 10 February 2016.

Application by Greenfields Community Primary School to provide a Multi-Use Games Area on the existing sports field – Greenfields Community Primary School, Oxford Road, Maidstone (Ref: KCC/MA/0386/2015 and MA/15/510092).

Recommendation: Planning permission to be granted, subject to conditions.

Local Member: Mr B Clark

Classification: Unrestricted

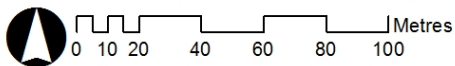
Site

1. Greenfields Community Primary School is situated within the residential area of Shepway, Maidstone. The application site is bounded by Oxford Road to the west, Rutland Way and Greenfields to the north, Beauworth Park to the east and County Council offices at Oxford Road along with the former Shepway Junior School site to the south. Residential property surrounds the site to the north, east and west (please see attached location plan).
2. The existing main school building consists of a primarily single storey flat roof construction housing the infant school classrooms and a double height administration block that houses office and ancillary accommodation, school hall, kitchen and dining room. The junior pupils are housed in new school buildings that are located nearest to the proposed application site and which was granted planning permission in 2006 (see Relevant Planning History in paragraph below for further information). This building also houses the Special Education Needs team, a Year 6 common room (which the pupils have planned and decorated themselves), a play therapy room and an ICT suite. Two recent planning applications have been approved at this site for a sports pavilion to be located near the hard standing area on the playing field and for an outdoor classroom to be located to the front of the school.

Background

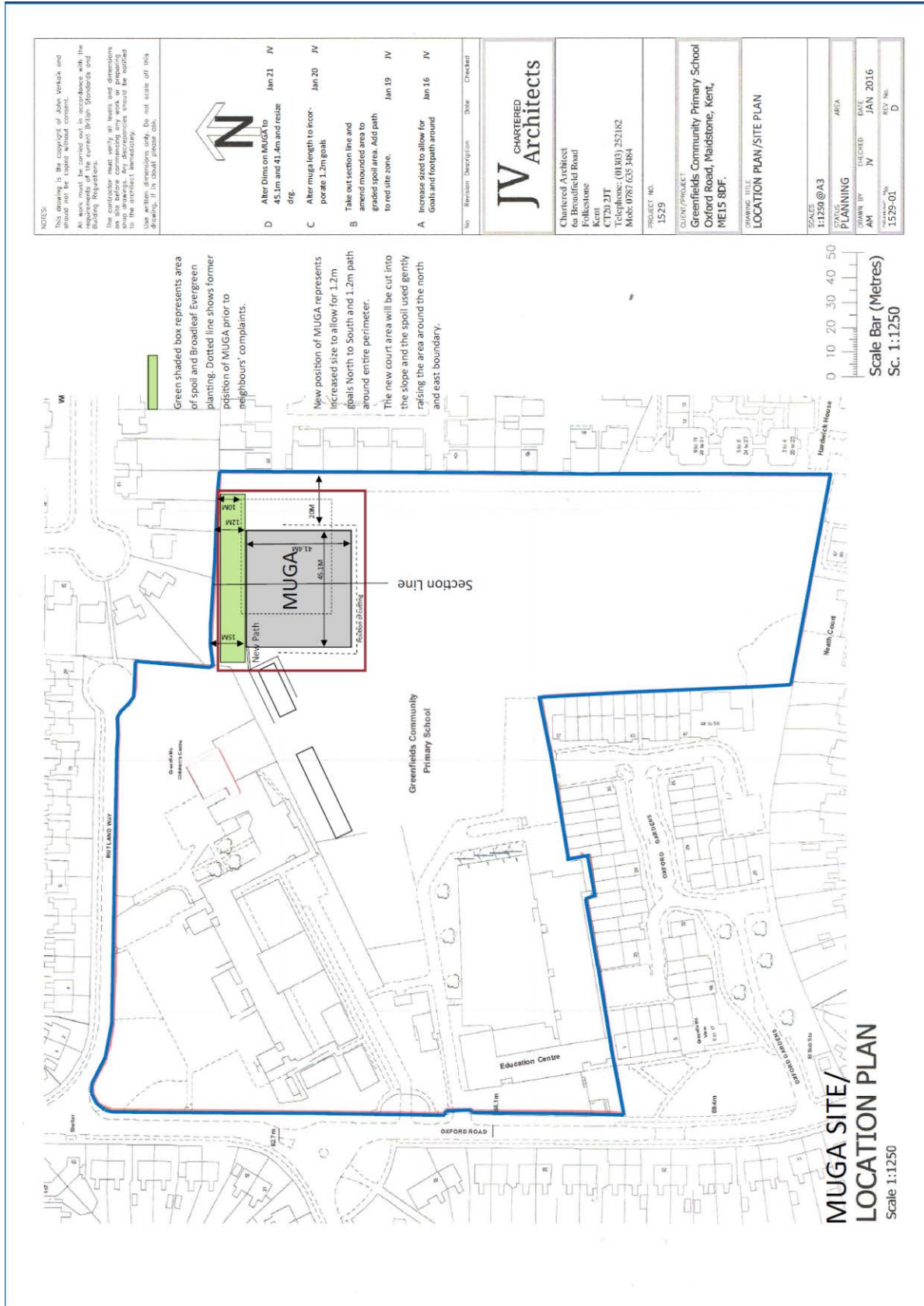
3. The original school was built around 1952 with the school operating from two separate buildings comprising Shepway Infant School and Shepway Junior School. About 10 years ago the two schools were amalgamated and were renamed as Greenfields Community Primary School. This school operates from the site that was originally the site of the infant school, with the former junior school now being used as office for Kent County Council.
4. The school currently has an intake of 1.5 FE (form entry) and so has a capacity for 315 children from Reception to Year 6. The school currently has 308 pupils. There are just over 50 members of staff. The school also has a nursery on the site with 43 children currently attending, but there is the capacity to accommodate 52 children. There is also a breakfast club, a youth club and various after school clubs all run at the school. A Children's Centre also operates from the school site.

Site Location Plan

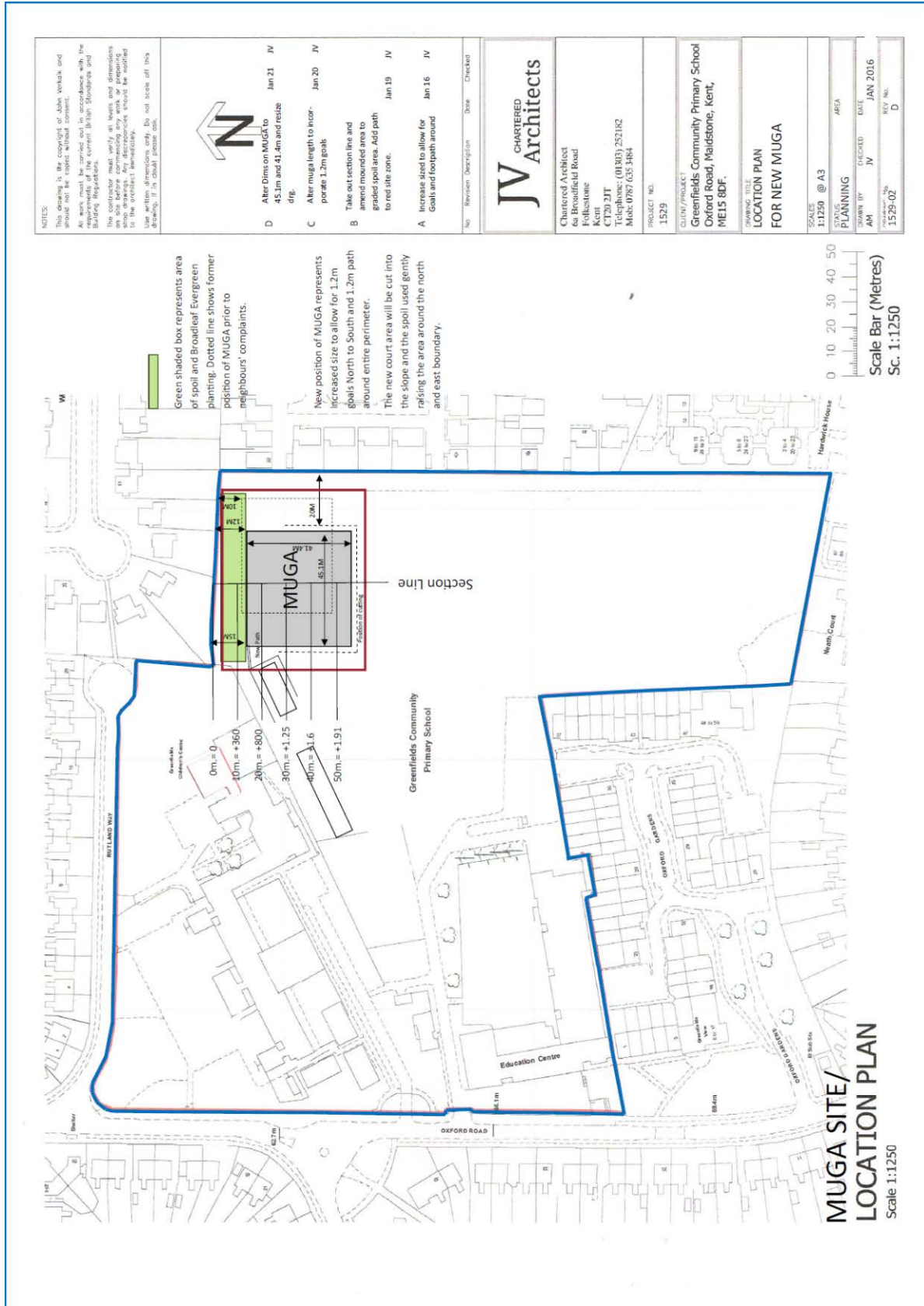


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Ordnance Survey 100019238

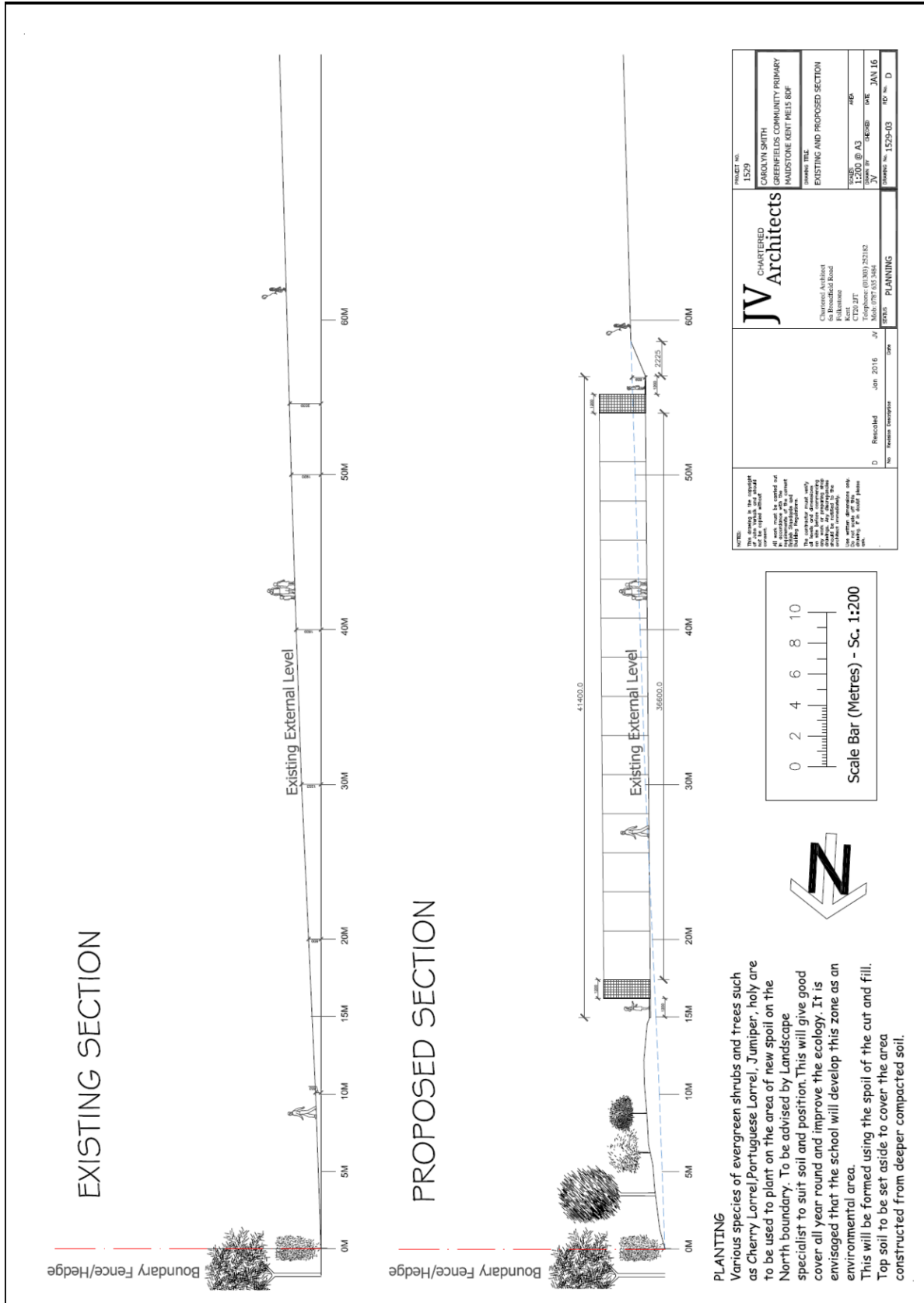
Multi-Use Games Area on existing sports field - Greenfields Community Primary School, Maidstone - MA/15/510092



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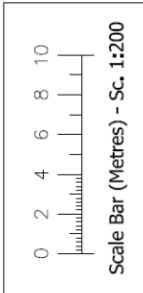
Multi-Use Games Area on existing sports field - Greenfields Community Primary School, Maidstone - MA/15/510092



EXISTING SECTION

PROPOSED SECTION

PLANTING
 Various species of evergreen shrubs and trees such as Cherry Lorrel/Portuguese Lorrel, Juniper, Holly are to be used to plant on the area of new spoil on the North boundary. To be advised by Landscape specialist to suit soil and position. This will give good cover all year round and improve the ecology. It is envisaged that the school will develop this zone as an environmental area.
 This will be formed using the spoil of the cut and fill. Top soil to be set aside to cover the area constructed from deeper compacted soil.



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PROJECT NO: 1529
CLIENT: CAROLYN SMITH
PROJECT: GREENFIELDS COMMUNITY PRIMARY
LOCATION: MAIDSTONE KENT ME16 8BF

DATE: 15/01/16
SCALE: 1:200 @ A3
BY: JVT
CHECKED BY: JVT
DATE: 15/01/16
PROJECT NO: 1529-03
REV. NO.: D

STATUS: PLANNING

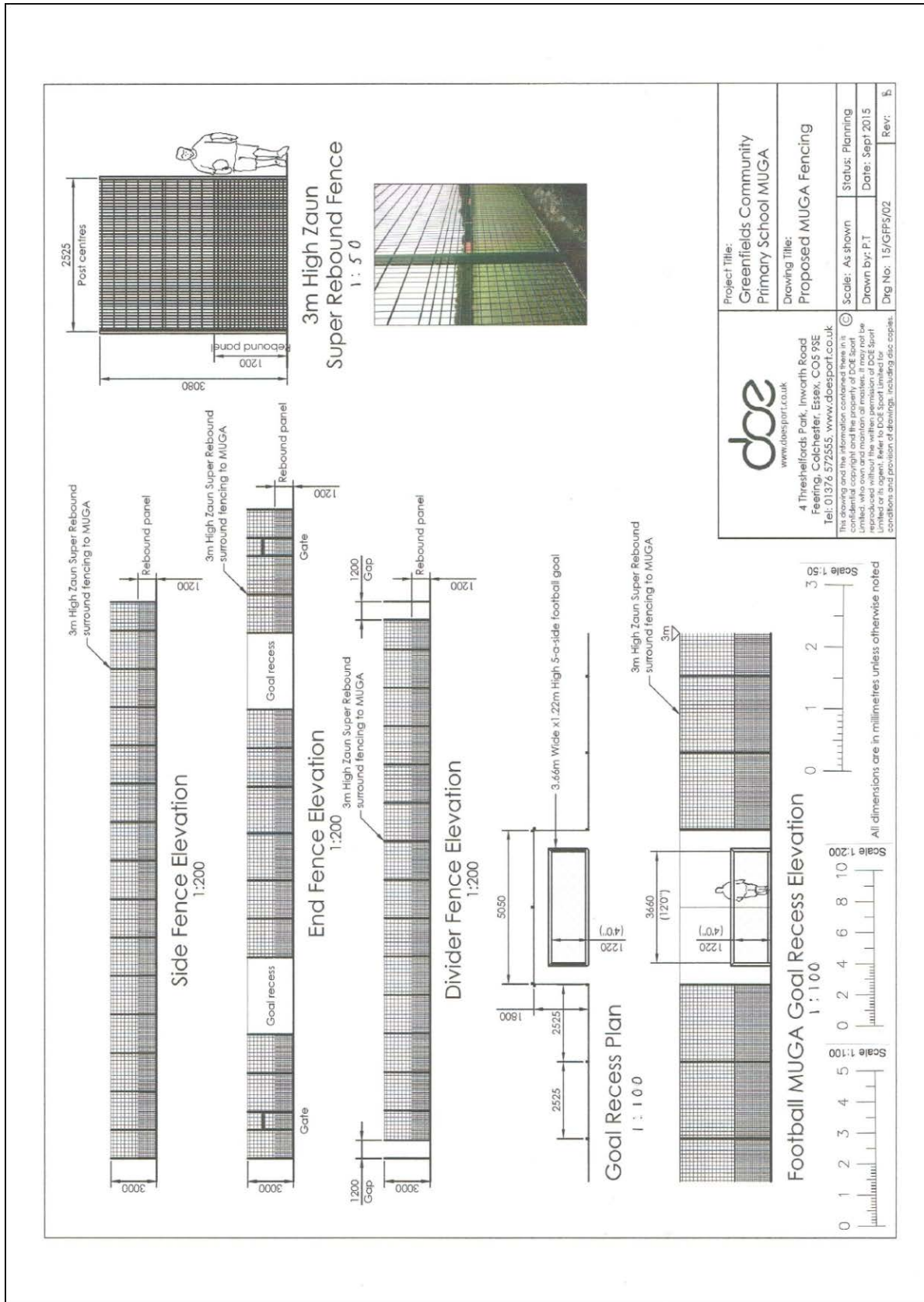
NOTES:
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Multi-Use Games Area on existing sports field - Greenfields Community Primary School, Maidstone - MA/15/510092



 www.doespport.co.uk		Project Title: Greenfields Community Primary School MUGA
4 Threshelfords Park, Inwath Road Feering, Colchester, Essex, CO5 9SE Tel: 01376 572555, www.doespport.co.uk		Drawing Title: Proposed MUGA Layout
<small>This drawing and the information contained therein is the confidential copyright and the property of DOE Sport Limited, who own and maintain all matters. It may not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of DOE Sport Limited. All rights reserved.</small>		Scale: 1:250@A3 Status: Planning
All dimensions are in millimetres unless otherwise noted		Drawn by: P.T Date: July 2015
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Multi-Use Games Area on existing sports field - Greenfields Community Primary School, Maidstone - MA/15/510092



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Project Title:	Greenfields Community Primary School MUGA	Status:	Planning
Drawing Title:	Proposed MUGA Fencing	Drawn by:	P.T
Scale:	As shown	Date:	Sept 2015
Dwg No:	15/GFF5/02	Rev:	5

Multi-Use Games Area on existing sports field – Greenfields Community Primary School, Maidstone – MA/15/510092

5. The school is located in an area of quite high deprivation and the School is trying to give the children as many different opportunities as possible. This project aims to strengthen the current sporting facilities at the school. One of the main drivers behind the proposal is that, in the views of the NHS, the school sits in an area of significant risk of future health issues due to the number of overweight and obese children. It is proposed that the Multi-Use Games Area (MUGA) would allow the school to develop the PE curriculum as well as giving them a much needed boost to the unusable area for playtimes and lunchtimes.

Recent Planning History

6. The most relevant recent site planning history is listed below:

MA/15/510018	Erection of detached outbuilding for ancillary use to the main school. Granted planning permission on 14 January 2016.
MA/15/509824	Proposed sports pavilion. Granted planning permission on 8 January 2016.
MA/12/87	Installation of new 1.8m high black welded mesh security fence and gates to school's entrances and driveways and to part of the southern boundary. Installation of 1.8m high chain link fencing to part of the boundary with adjoining residential properties to the north and east boundaries. Granted planning permission on 12 March 2012.
MA/07/2158	Retention of existing temporary classrooms. Granted planning permission on 15 November 2007.
MA/06/1560	New school buildings: junior classrooms, library, SEN (Special Education Needs) small group rooms, FSES (Full Schools Extended Services) building and staffroom. New junior hard play area; reconfiguration of existing car parking off Rutland Way (including additional parking); extension to existing dining room; extension and refurbishment of existing nursery building for use as a Children's Centre and reconfiguration of existing infants block. Reported to Planning Applications Committee at 7 November 2006 meeting and granted planning permission.

Proposal

7. The application has been submitted by Greenfields Community Primary School and seeks approval for a MUGA to be located on the school playing field. The proposed MUGA would scale 42.7m (140ft) in length (east to west) and 36.6m (120ft) in width (north to south), with 1.2m (3.94ft) depth goal recesses and a 1.2m (3.94ft) wide footpath proposed around the entire external perimeter of the MUGA. A 3m (9.8ft) high wire mesh fence, suitable for sport, is proposed and would be painted green to blend in with the surroundings. It is proposed to provide two marked out courts within the MUGA that would be separated by an internal 3m (9.8ft) high divide fence in the same weld mesh material as the external fencing. A new 1.2m (3.94ft) wide footpath link is also proposed between the MUGA and the existing footpath/hard standing area. There are no proposals to provide lighting as part of this planning application and the

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

proposed MUGA is intended to be used solely by the School, ie. with no community use

8. The MUGA is proposed to be located on the northern end of the school's playing field and was originally planned to be located 10m (32.8ft) away from both the northern and eastern site boundaries. However due to representations received from neighbours, it is now proposed to be located 20m (65.6ft) away from the eastern boundary and between 12m (39.4ft) and 15m (49.2ft) away from the northern boundary (please see the drawings for reference). This position had been chosen as it is the nearest location to the school's existing buildings and so it would be easily accessed by the children and so that they can be safely supervised from this location. It was also chosen from a security point of view. This proposed location would also not impact upon the existing sports facilities on the playing field.
9. The school benefits from a generous playing field, which is currently marked out with a running track, a football pitch and a junior hard play area. However the playing field is not flat and slopes gently from south to north. As a result of this there would need to be some excavation of the field to level off the proposed area of the MUGA. The excess soil would be spread about the northern and eastern peripheries of the MUGA and it is proposed to create a small mound of spoil between the northern boundary of the school site and the MUGA and create a landscape area, which would afford some level of screening of the 3m (9.8ft) high fencing of the MUGA and enhance the current vegetation on this site boundary.

Planning Policy Context

10. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:
 - (i) 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)**. These set out the Government's planning policy and guidance for England, and are 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.

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

- Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes.

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.*

- (ii) **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.

- (iii) **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.

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 area 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.

Consultations

- 11. **Maidstone Borough Council:** Raises no objection to the proposal.

Sport England: Raises no objection to the proposal and has the following comments to make:

“The proposal relates to the construction of a new MUGA on the existing playing field. The MUGA will be marked out for game court use to meet Sport England/NGB specifications and represents a qualitative improvement on existing hard court provision at this site. In addition, the facility does not impact on any existing sports pitches or the potential to site additional sports pitches in the future. Consequently, Sport England are of the view that the proposal meets exception E5 of our playing fields policy, in that it constitutes the provision of a facility where the benefits to the development of sport outweigh any detriment caused by the loss of part of the playing field.”

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

Environment Agency: Has no comment to make.

County Archaeologist: Raises no objection to the proposal.

Local Member

12. The local County Member Mr Clark was notified of the application on 1 December 2015.

Publicity

13. The application was advertised by the posting of a site notice, and the notification of 15 neighbours.

Representations

14. 4 letters of representation have been received to the original application from local residents, either raising concern or objecting to the application. The main points raised in relation to this application can be summarised as follows:

- Development would be only 10m away from our garden, which we use a lot and benefits from not being overlooked or subject to noise during school hours.
- Strongly object if games area was to be used during evenings, weekends and school holidays by people not attending the school.
- Strongly object if games area was to require floodlighting now or in the future.
- Strongly object if the existing tree line was to be altered in any way as a result of the development.
- The proposed plan to site this structure will overshadow not only my garden but several other residential properties backing onto the school field.
- The visual appearance of a huge caged enclosure will be very unsightly.
- Will certainly lose the privacy of our own garden in which we spend an enormous amount of time in.
- The siting of this structure will cause much disturbance when in use resulting in the loss of peace and quiet within our own garden.
- Currently the school break times, which are very noisy in themselves, are acceptable, as they only occur three times per day for short periods.
- Heavy use of the multi-use games area will exacerbate the noise to unacceptable levels for long periods per day.
- Cannot understand why the School has such a huge field and wants to cram everything into one corner by houses.

15. All the neighbours that were notified of the original planning application, which included those neighbours which commented on this application, were notified of the revised application, which is the subject of this report. 2 further letters of representation have been received, still maintaining an objection to the revised proposals. The main points raised in relation to the revised application can be summarised as follows:

- The MUGA is still sited too close to properties and all we are going to see is a big green cage with a load of screaming kids in it.
- Why can't it be sited at the other end of the field where there is already a natural screen of trees?

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

- The very slight movement south of the MUGA will make no difference at all to the noise and disturbance caused to the properties in Greenfields.
- The proximity of the MUGA will disturb the tranquillity we have enjoyed for nearly 50 years since moving to this house.
- Why can't the MUGA be placed much closer to the school so that we and our neighbours don't have to be disturbed by noise, lights and other problems during day and night?
- We clearly would like to see children of the school have the benefit of enhanced play space, but this does not need to be to the detriment of our right to peaceful enjoyment of our house and garden.

Discussion

16. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (10) 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 National Planning Policy Framework (NPPF), Planning Policy Statement for Schools Development and other material planning considerations arising from consultation and publicity.
17. This application is being reported for determination by the Planning Applications Committee due to neighbour representations received. The main issues relating to this application include siting and design, amenity issues, floodlight and usage of the MUGA.

Siting and Design

18. The planning application requests the permission to erect a MUGA, which would scale 42.7m (140ft) in length (east to west) and 36.6m (120ft) in width (north to south), with 1.2m (3.94ft) depth goal recesses and a 1.2m (3.94ft) wide footpath proposed around the entire external perimeter of the MUGA. A 3m (9.8ft) high wire mesh fence, suitable for sport, is proposed and would be painted green to blend in with the surroundings. It is proposed to provide two marked out courts within the MUGA that would be separated by an internal 3m (9.8ft) high divide fence in the same weld mesh material as the external fencing. A new 1.2m (3.94ft) wide footpath link is also proposed between the MUGA and the existing footpath/hard standing area. There are no proposals to provide lighting as part of this planning application and the proposed MUGA is intended to be used solely by the School.
19. Objection has been received due to the location of the MUGA being proposed close to the northern and eastern site boundaries. The original application proposed that the MUGA was sited 10m (32.8ft) away from both of these boundaries. However upon receiving these representations, it has been agreed to move the MUGA slightly further away from the school's site boundary and the distance has now been increased to 20m (65.6ft) away from the eastern boundary and between 12m (39.4ft) and 15m (49.2ft) away from the northern boundary. It must be noted that the MUGA cannot be moved any further into the playing field (southwards), as it would start to impact upon the existing sporting facilities at the school. It is also proposed to increase the landscaping along this northern site boundary to provide additional screening of the MUGA fencing.

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

20. The position of the MUGA had been chosen as it connects to the current play space. Other positions on the school site would not be so easily accessible and are already used for other sports. The proposed siting is near to the existing school buildings, so it has good access, offers good security and enables the children to be safely supervised from this location. Representations received wanted the MUGA to be moved to the other end of the playing field, where it was suggested that there was already a natural tree screening. However as mentioned above, this location had been chosen as it was closest to the existing school buildings and to locate it at the far end of the school's playing field would result in additional footpaths having to be constructed across the playing field and it would not afford the same sort of staff supervision if the MUGA was located elsewhere. All of the school's buildings are located to the northern end of the school site and so it makes sense to have this MUGA in a location where it can be easily accessed, would be close to the existing school buildings and where the children can be safely supervised.
21. The design of the MUGA accords with guidance issued for MUGA's. The height of the 3m (9.8ft) high weld mesh fencing is required to stop balls from ending up in neighbours gardens. If this fence was lowered in height, it might address the concerns about it being able to be seen from the neighbouring gardens, but it would potentially not contain balls within the MUGA area with some ending up in neighbouring gardens.
22. Under the circumstances, I do not consider that there is likely to be any significant detriment to neighbouring properties as a result of the siting or design, given that the school is proposing to move the MUGA slightly away from the school's northern and eastern boundary and to provide a landscaping scheme in front of the northern site boundary. That would minimise the impact of the development and would help to provide some visual screening of the MUGA. I would not therefore raise a planning objection to the proposal on grounds of siting and design.

Amenity issues

23. A number of comments have been received about the potential loss of privacy due to the noise of the children playing on the MUGA, the loss of peace and quiet in neighbouring gardens and from overshadowing of the fencing. Members will be aware that invasion of privacy and visual impact from public vantage points can be material planning considerations. As a result of these comments, the MUGA has been relocated slightly to reflect these comments and is now proposed to be located 20m (65.6ft) away from the eastern boundary and between 12m (39.4ft) and 15m (49.2ft) away from the northern boundary. The distances between the rear building walls of properties in Greenfields and the nearest MUGA fencing measures in excess of 27m (88.6ft), 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. In my view an acceptable balance has been found between residential amenity, site security, and impact upon other sporting facilities.
24. The current northern boundary to the school site is an evergreen hedge that is approximately 1.8m - 2.0m (5.9ft – 6.6ft) in height. The eastern boundary is a mixture of mature trees, which provides a good level of screening of the playing field. There are no proposals to remove any boundary trees or vegetation as a result of this proposal and measures can be conditioned to prevent any damage to the existing vegetation during construction, if Members were minded to grant planning permission.

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

25. Members will also note that in this instance the objections are being raised to the 3m (9.8ft) high weld mesh fencing that would be located around the MUGA and which is proposed to be painted green. This is a standard type of ball stop fencing that is used on MUGA's. The weld mesh fencing is not a solid structure and will allow views and light through it. The height of the fencing is essential to stop balls from ending up in neighbouring gardens so I do not recommend that the 3m (9.8ft) height of this fencing be reduced. Whilst the top of the fencing may possibly be seen from the neighbouring gardens, due to its distance and proposed additional landscaping, only the very top may possibly be glimpsed through the additional landscape screening that is being proposed.
26. Additionally as the site slopes towards the northern boundary, the proposal includes some cut and fill of the playing field so that the MUGA would sit flat on the ground and so the height of the fencing would be slightly lessened. There should also be no overshadowing of neighbouring properties as the proposed structure is not solid, is located over 27m (88.6ft) away from the nearest neighbouring back wall. Furthermore as the sun travels from east to west, then it is unlikely to be any shadow cast from the MUGA fencing into the neighbouring gardens to the north.
27. As mentioned previously, to help provide some visual screening of the MUGA fencing the School is proposing to spread the excavated soil from the cut and fill process, around the northern and eastern boundaries and to create a small mound of earth by the northern boundary and to landscape this area. No details of the proposed landscaping have been received but a landscaping scheme can be made a condition of a planning permission, if Members were minded to approve this application.
28. On the issue of loss of privacy, the School has confirmed that due to the current evergreen hedge located on the northern boundary, it is currently not possible to see through this hedge and that would not change. If anything, by adding a new landscaping scheme in front of this boundary, privacy would be increased.
29. The area where the MUGA is proposed forms part of the school's existing playing field. School children already play in this location and so there will be noise coming from this location and from the school in general. As the MUGA is only intended to be used during the school day and during term time only, then the level of general noise should be no greater than currently experienced. It is not expected that the noise would be any greater when in use during these lesson times as the children would be supervised by teachers and other staff.
30. Under the circumstances, I do not consider that there is likely to be any significant detriment to neighbouring properties as a result of the visual intrusion or loss of privacy, given that the generally accepted standard design guide distances for the spacing of residential properties. I also do not consider there to be an unacceptable impact upon the residents amenities as the proposed MUGA would be located over 27m (88.6ft) away from the rear building line of the properties located in Greenfields.

Floodlighting

31. Representation has been received which raises objection to any proposal to provide floodlighting for the MUGA either as part of this application or as part of a future application. There are no proposals to provide any form of lighting including floodlighting of the MUGA, as part of this application as it is only intended to be used by the school children, during school hours and term time only. The School has also

Multi-Use Games Area on existing sports field – Greenfields
Community Primary School, Maidstone – MA/15/510092

confirmed that they have no intention to provide lighting or floodlighting of the MUGA. However to ensure that no lighting or floodlighting could be installed in the future, then a planning condition could be included in the planning consent, if Members were minded to approve this planning application, that controlled any future lighting proposals and would require the recourse of a new planning application to be submitted.

Usage

32. The reason why the School is applying for planning permission for the MUGA is to provide as many sporting opportunities as possible and to strengthen the current sporting facilities that the school can offer. Therefore the proposed MUGA is for the sole usage of the School and it is proposed that it would be used at playtimes, just as the field is currently and also for PE and sports lessons. It is proposed to be used during school times only and only during school term time. It is not expected that the noise would be any greater when in use during these lesson times as the children would be supervised by teachers and other staff.
33. On the basis that the location of the proposed MUGA is located on existing school playing field, where children currently play during PE lessons and break time, it is intended to be only used by the School and the usage of the playing field has already been established, I would therefore not raise an objection to the proposed usage of the MUGA.

Conclusion

34. 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. I consider that the proposed development to be acceptable in terms of its location and design. It is noted that a number of concerns have been raised by nearby residents about, amongst others, the loss of privacy and noise, overshadowing and visual intrusion. However upon revising the proposed location of the MUGA and increasing the landscaping around the northern school boundary, I feel that the School has reasonably addressed local residents concerns. It must be noted that this is a school playing field and there is and will be noise coming from the playing field however it will be limited to periods during the school day and in term time only. In my view the development would be suitable in this location is sustainable and I would not raise a planning objection. I recommend accordingly.

Recommendation

35. I RECOMMEND that PERMISSION BE GRANTED subject to the following condition:
- The standard 5 year time limit.
 - The development to be carried out in accordance with the permitted details.
 - Hours of working during construction to be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 Saturdays, with no operations on Sundays or Bank Holidays.
 - The submission of details of a landscaping scheme and tree protection measures.
 - No lighting or floodlighting to be erected around the MUGA without the recourse to a further planning application.

Multi-Use Games Area on existing sports field - Greenfields
Community Primary School, Maidstone - MA/15/510092

Case officer – Lidia Cook	03000 413353
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Background documents - See section heading
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