

Item D2

Sports Hall extension to provide shower and changing facilities, a classroom/visitor learning centre and a classroom/conference room at Maidstone Grammar School for Girls, Buckland Road, Maidstone, Kent ME16 0SF – MA/19/502955 (KCC/MA/0110/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 9th October 2019

Application by Maidstone Grammar School for Girls for a Sports Hall extension to provide shower and changing facilities and a classroom/visitor learning centre and classroom/conference room at Maidstone Grammar School for Girls, Buckland Road, Maidstone, Kent ME16 0SF – MA/19/502955 (KCC/MA/0110/2019)

Recommendation: Permission be granted, subject to conditions.

Local Member(s): Mr Dan Daley & Mr Robert Bird

Classification: Unrestricted

Site

1. Maidstone Grammar School for Girls (MGGS) is located at the end of Buckland Road, which is a residential road, and is accessed via a bridge over the London to Ashford railway line. Maplesden Noakes School is located to the north of the school and Brunswick House Primary School is located to the south west of the site. The latter is accessed via Leafy Lane.
2. The proposed location of the sports hall extension is to the north of the existing sports hall, which is located at the east of the site.
3. To the north and east of the proposed sports hall extension is the Maidstone Barracks to Strood railway line and to the south the London to Ashford railway line with housing beyond in Buckland Road. To the west of the site beyond the railway line there is housing in Little Buckland Avenue.
4. The sports hall and proposed extension fall wholly within the urban area of Maidstone, as defined in the Maidstone Borough Local Plan. There are no physical boundaries between the Maidstone Grammar School for Girls and the Maplesden Noakes site and there are some shared access routes within the site.

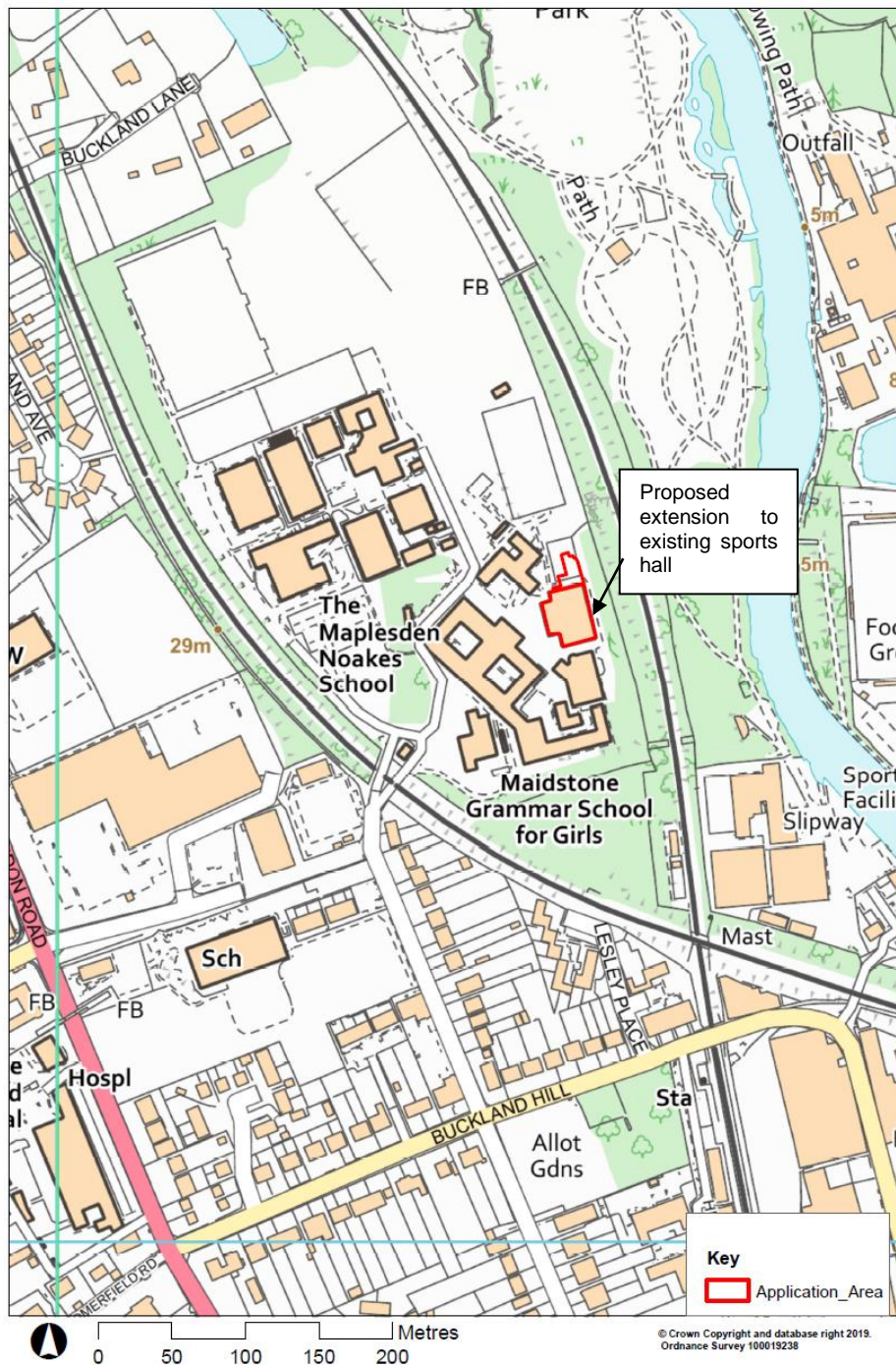
Background

5. In 2015 planning permission was granted for a new sports hall at MGGS following on from a series of applications concerning the demolition of the old sports hall and its replacement provision. Due to funding constraints, the 2015 permission was for a reduced size school hall and was built in 2016.
6. The current proposal aims to provide additional toilet and shower facilities for the existing sports hall; additional versatile classroom/conference room space for the school and also to provide new facilities to support viewings for the underground WWII bunker at the site for both primary school children and the public.

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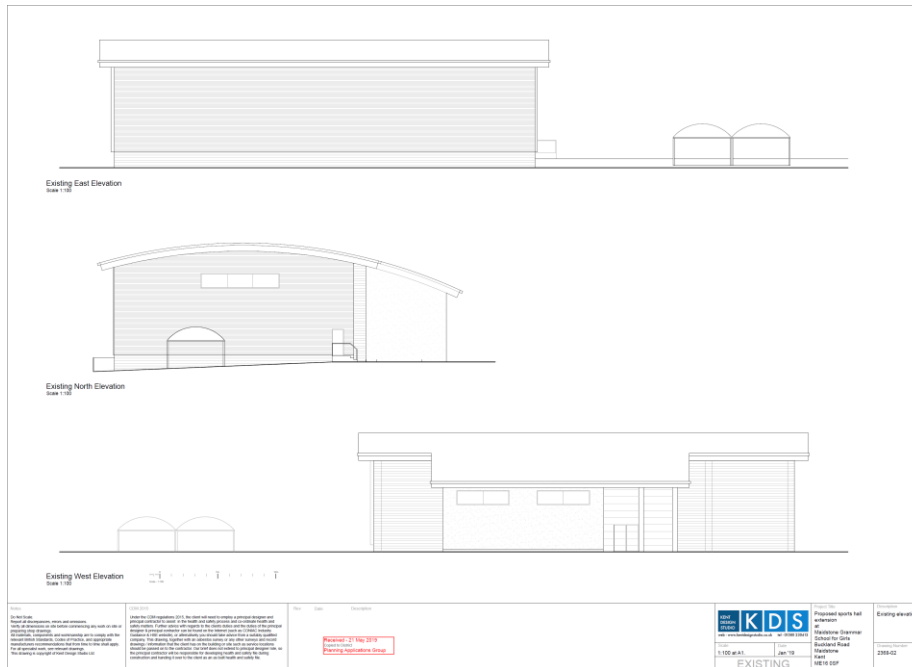
- The proposal does not seek to increase the current school roll which is currently 908 across years 7 to 11 and currently 335 in the sixth form. The applicant states that the smallest year groups are currently in the sixth form: the School expects the current sixth form numbers to increase by 25 in the next two years as the larger year groups come through the school to the sixth form.

General Location Plan

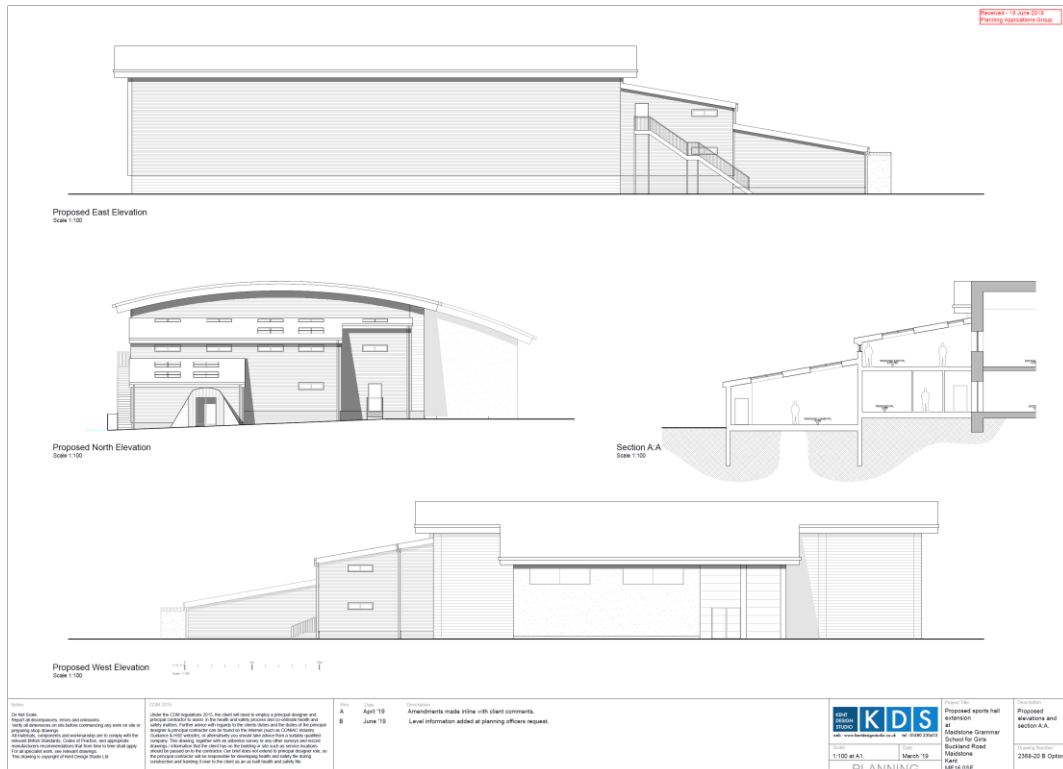


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Existing Elevations

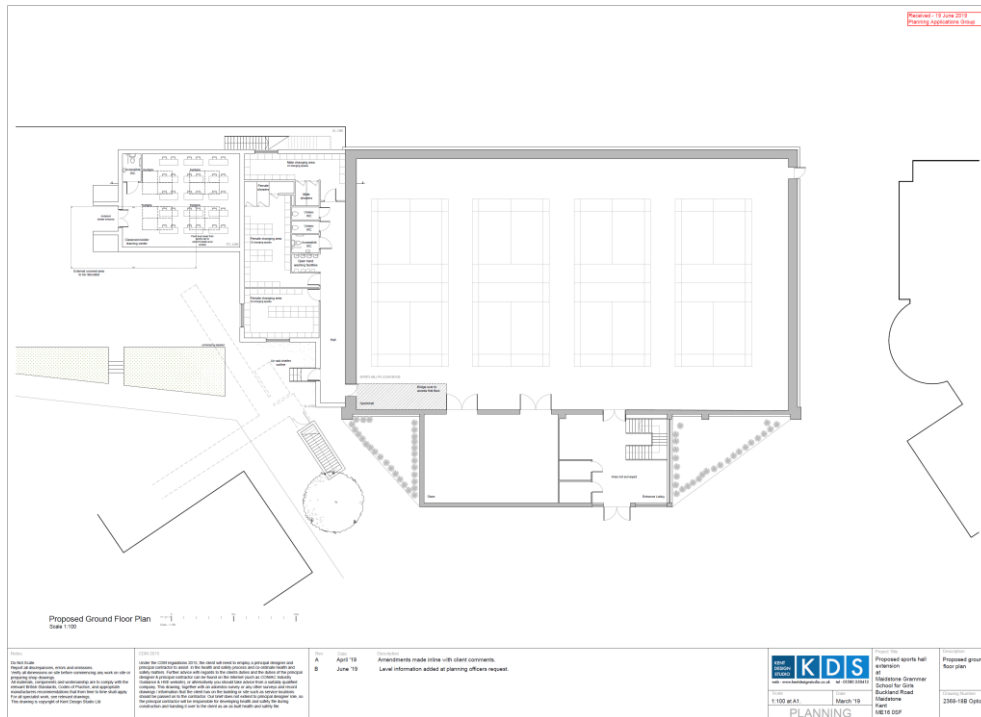


Proposed Elevations

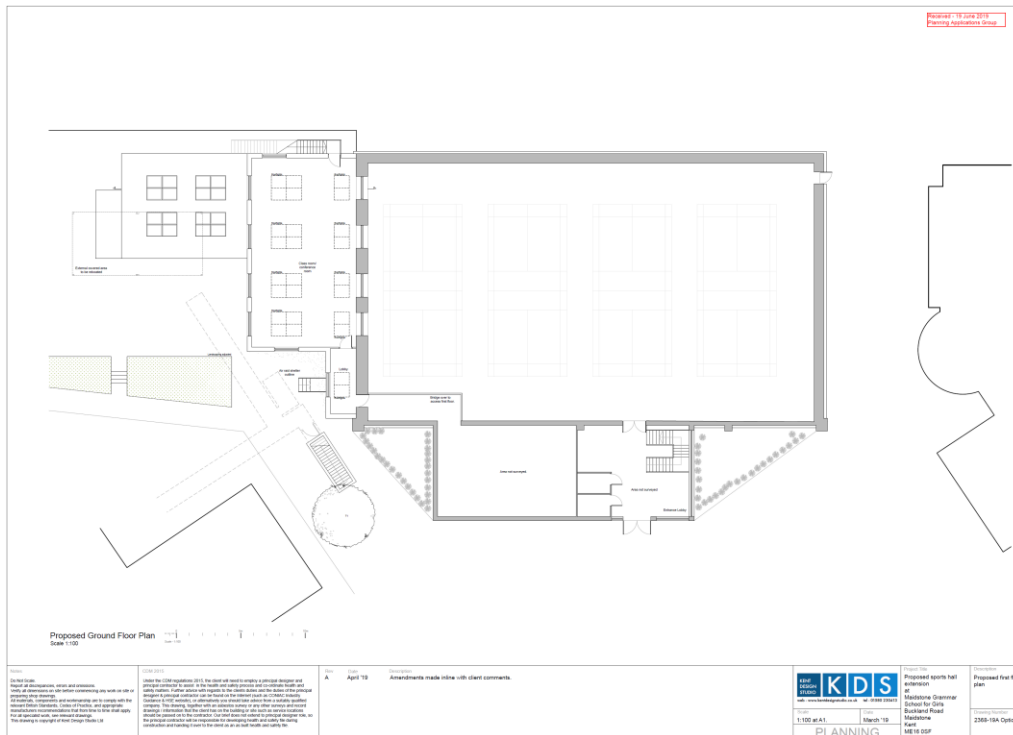


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Proposed Ground Floor Plan



Proposed First Floor Plan



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Recent Site History

8. Since 2002, the following decisions have been made concerning the site:

MA/15/500376 Proposed replacement sports hall implemented (alternative application to planning permission ref: MA/14/500814 which was not built)

MA/14/500814 Proposed demolition of existing sports hall and support facility and the proposed erection of a new sports hall and support facility (alternative application to MA/12/920 which was not built).

MA/12/920 Demolition of existing buildings and erection of replacement sports hall, dining hall and kitchens and music teaching accommodation together with external works (not built).

MA/09/1014 Erection of a two and three-storey classroom block on land to the rear of the existing school, the temporary re-siting of mobile accommodation before removal on completion and the formation of a car park and landscaped area at the front of the school.

MA/08/505 Proposed Woodland Pathway.

MA/06/657 Demolition of an external wall to insert a new single storey flat roof extension; to provide disabled access into the building and to fell/remove trees to a detached school teaching block.

MA/04/1386 Construction and installation of a new electrical intake building and the installation of the new electrical mains head.

MA/03/949 The construction of a single storey, multi-purpose hall with kitchen and ancillary areas within an existing enclosed quadrangle. (amended scheme from MA/02/1572).

MA/02/1572 The construction of a two storey, multi-purpose hall with toilet facilities, kitchen & ancillary areas within an existing enclosed quadrangle.

Proposal

9. The proposal is an extension to the northern end of the existing sports hall. The proposal seeks to provide dedicated shower and changing facilities for the existing sports hall; a classroom/visitor learning centre on the ground floor and classroom/conference room on the first floor. The ground floor classroom/visitor centre would be used to provide an area for hosting visitors to the underground WWII bunker which is located within the School site. The room has capacity for 30. The first floor classroom/conference room would be used as a versatile space by students for sixth form study and as an exam room. The room has capacity for a maximum of 50 students.
10. The existing sports hall is currently let out for community use during the week between 6pm and 10pm and at the weekend between 8am and 10pm, although the times of use at the weekend are agreed on an individual basis and usually finish by 4pm. It is

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proposed that there would be community use of the proposed sport hall extension during the same hours. During school hours (between 8am and 5pm Monday to Friday), the external community would not have use of the facility.

11. For the visitor learning centre, it is proposed that it would be used during school term time in the summer months (May to July and September) to provide a dedicated space for primary school visits for a class size of 30 with associated accompanying staff. The applicant proposes to open the facility up to the public (up to 30 visitors per session) in the school holidays in May and the Summer holiday. The proposed hours for this would be 10am to 4pm (with a maximum of 5 tours in a day). The proposal includes this use at the weekend on a Saturday and Sunday and Bank holidays.
12. The proposed extension is 364sqm housing both the changing facilities and the visitor learning centre. It has two floors and is approx. 8m high at the highest point. The proposed materials are to match those used in the existing sports hall and are brickwork; standing seam aluminium roof of natural finish; horizontal metal profile insulated sheeting; self-coloured acrylic render; powder coated aluminium windows and doors. The design incorporates an Anderson shelter entrance which would be corrugated metal sheeting with a grass top roof. An external staircase forming an emergency escape route is also proposed.
13. The proposal is located on an area of hard surface which is currently used for seating and would require the removal / relocation of two canopies.
14. The proposed construction hours are 0800 to 1800 Monday to Friday and 0900 to 1300 Saturday with no working on Sundays and Bank Holidays. A temporary construction compound is proposed within the school site during construction works.

Planning Policy

15. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:
 - (i) **National Planning Policy Framework (NPPF) February 2019** and the **National Planning Policy Guidance** (first published in March 2014), 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 along with the national policy practice guidance is a material consideration for the determination of planning applications 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 approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

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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:

- Promoting healthy and safe communities, including promoting social interaction and enabling and supporting healthy lifestyles and providing social and recreational facilities to meet community needs. In addition, Paragraph 94 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;
 - Promoting sustainable transport, including the requirement for developments that generate significant amounts of movement to provide a travel plan and for the application to be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed;
 - Taking a positive approach to applications that make more effective use of sites that provide community services such as schools, provided this maintains or improves the quality of service provision and access to open space and making decisions that promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions;
 - Achieving the requirement for well designed places including high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - Meeting the challenge of climate change, flooding and coastal change;
 - Conserving and enhancing the natural environment in relation to habitats and biodiversity, ground conditions and pollution including ensuring that new development is appropriate for the location;
 - Conserving and enhancing the historic environment.
- (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. In particular, the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt to improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.
- (iii) **Maidstone Borough Council Local Plan Policies (adopted October 2017):**
- Policy SP 1 **Maidstone urban area.** Defines the focus for new development seeking to achieve a good place to live and work by seeking to achieve development in a way that contributes positively to the locality's distinctive character.

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- Policy SP 18 **Historic Environment.** Seeks to protect and where possible enhance the characteristics, distinctiveness, diversity and quality of heritage assets including through the development management process, by securing the sensitive management and design of development which impacts on heritage assets and their settings.
- Policy SP 23 **Sustainable transport.** Seeks to mitigate the impact of development, where appropriate, on the local road networks and protect and enhance public rights of way; ensure the transport network provides inclusive access for all users; and address the air quality impact of transport.
- Policy ID 1 **Infrastructure Delivery.** Seeks to encourage and support infrastructure schemes that are brought forward by service providers where they are in accordance with other policies in the local plan.
- Policy DM 1 **Principles of good design.** Covers the principles of good design which proposed development should accord with, including reference to permeable layouts; responding to local natural or historic character and incorporating a high quality, modern design approach; high quality public realm; respecting the amenities of occupiers of neighbouring properties; respecting natural features such as trees and hedges; high quality design which responds to surrounding areas; maximising opportunities for sustainable development; protecting on-site biodiversity; safely accommodating vehicle and pedestrian movements; incorporating security measures to design out crime; avoiding areas at risk of flooding; incorporating adequate storage of waste and recycling; and providing adequate vehicle and cycle parking; and being flexible towards future adaptation in response to changing life needs.
- Policy DM 2 **Sustainable design.** Where technically feasible and viable, non-residential developments should meet BREEAM very good standards addressing maximum water efficiencies under the mandatory water credits and energy credits.
- Policy DM 3 **Natural environment.** The Policy seeks to protect and enhance the natural environment through measures to protect landscape character, avoid inappropriate development, control pollution, enhance biodiversity, maintain and manage natural assets, mitigate for climate changes, and positively contribute to the improvement of accessibility to natural green spaces. It seeks to ensure that where appropriate an ecological evaluation of development sites is made to take full account of biodiversity present, as well as arboricultural assessments and landscape/visual impact assessments.
- Policy DM 4 **Development affecting designated and non-designated heritage assets.** Seeks to ensure that new development affecting a heritage asset incorporates measures to conserve, and where possible enhance, the significance of the heritage asset and, where appropriate, its setting. Where appropriate, development proposals will be expected to respond to the value of the historic environment by the means of a proportionate Heritage Assessment which assesses and takes full account of: any heritage assets, and their settings, which could reasonably be impacted by the proposals; the

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significance of the assets; and the scale of the impact of development on the identified significance. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applicants must submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Policy DM 6 **Air Quality.** Seeks to ensure that the impacts to air quality in Air Quality Management Areas and identified exceedance areas are appropriately considered and that the air quality impacts of the development will be mitigated to acceptable levels, and that the air quality impacts of the development will be minimised.

Policy DM 8 **External lighting.** Seeks to ensure that proposals for external lighting use the minimum amount of lighting necessary to achieve the proposed purpose and that the design and specification of the lighting would minimise glare and light spillage and would not dazzle or distract drivers or pedestrians using nearby highways; and the lighting scheme would not be visually detrimental to its immediate or wider setting, particularly intrinsically dark landscapes.

Policy DM 20 **Community facilities.** The adequate provision of community facilities, including social, education and other facilities is an essential component of residential development. Where appropriate the dual use of education facilities (new and existing) should be encouraged for recreation and other purposes.

Policy DM 21 **Assessing the transport impacts of development.** Proposals must demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts; provide a satisfactory Transport Assessment and a satisfactory Travel Plan; and comply with the requirements for the policy for air quality.

Policy DM 23 **Parking standards.** Vehicle parking for non-residential uses will need to take into account the accessibility of the development and the availability of public transport; the type, mix and use of the development proposed; whether development proposals exacerbate on street car parking to an unacceptable degree; and the appropriate design and provision of cycle parking facilities.

Policy DM 29 **Leisure and community uses in the town centre.** States that proposals for community uses (Class D1) in the town centre in combination with any similar uses in the locality, should not have a significant impact on local amenity, including as a result of noise and hours of operation.

Sport England Guidance

Sport England's Planning for Sport Guidance (June 2019) which sets out Sport England's support of the NPPF and the importance of promoting healthy communities and achieving sustainable development.

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Consultations

16. The consultees have the following comments to make on the planning application.

Maidstone Borough Council: raise no objection to the proposal and state that the development accords with all the relevant provisions of the Development Plan and there is no material conflict with Policy DM1 directed to the design acceptability of built development, or with the provisions of policy DM20 which supports the provision of adequate community facilities.

Environment Agency (Kent Area): Raise no objection to the proposal. They comment that the site is located over a Principal Aquifer. The Application Form indicates that ground contamination is neither known nor suspected, but no information (e.g. a Preliminary Risk Assessment) has been provided to confirm this. The Environment Agency consider that planning permission should only be granted to the proposed development as submitted subject to planning conditions concerning submission of a scheme to deal with the risks associated with contamination; a remediation strategy for dealing with any unexpected contamination found during development; a verification report demonstrating completion of works set out in the approved remediation strategy; no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters; no piling or other foundation designs using penetrative methods other than with the express written consent of the Planning Authority.

Transportation Planning: Raise no objection to this application subject to submission of a Construction Management Plan for approval, prior to commencement and retention/maintenance of at least 50 car parking spaces being kept available for the use of the Anderson shelter and sports hall use outside of school times.

Sport England: Raise no objection to the proposal and is satisfied that the proposed development meets exception 3 of the playing fields policy, in that the proposed development affects only land incapable of forming part of a playing pitch and does not reduce the size of any playing pitch, result in the inability to use any playing pitch, reduce the sporting capacity of the playing field to accommodate playing pitches, result in the loss of other sporting provision or ancillary facilities on the site; or prejudice the use of any remaining areas of playing field on the site. Sport England do however comment that one of the changing rooms proposed will have no showers and another will only have 3 showers between 30 users.

Network Rail: Have no comments to make regarding the proposal.

Local Member

17. The local County Member(s) for Maidstone Central, Mr Dan Daley and Mr Robert Bird were notified of the application on 22 July 2019. No comments have been received to date.

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Publicity

18. The application was publicised by the posting of a site notice, and the individual notification of 3 nearby properties.

Representations

19. In response to the publicity, 2 letters objecting to the application have been received from the same person. The key points raised can be summarised as follows:

- The proposal would lead to an intensification of the usage of the school site by using the classroom/ visitor learning centre and the classroom/ conference room, to allow local schools to visit the underground World War II bunker, by opening the facility for one week in May and possibly four or five weeks during the summer holiday and by opening to the public and that there is an intention that the proposal would also lead to increased community use of the Sports Hall.
- That there has been no traffic and parking assessment for the whole of the surrounding area in relation to this proposal, in conjunction with the Maplesden Noakes proposal and that local residents could be subjected to more traffic movements, including in school holidays and that there is no provision of adequate parking onsite for the whole school community.
- That there has been no update of the school's travel plan.
- There should be no intensification of usage on this whole joint school site until all of the above issues have been addressed properly, to mitigate all traffic-related problems which are suffered by the local community.
- There are congestion and related problems caused by parking and movement of parent and student cars in a significant number of adjacent roads, not just those immediately adjoin the school.
- Parking restrictions should be introduced around Maplesden Noakes and Maidstone Grammar School.

Discussion

20. This application is being reported for determination by the Planning Applications Committee due to the neighbour objection to the planning application as summarised in paragraph 19 above.

21. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 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 my opinion, the key material planning considerations in this particular case can be summarised by the following headings:

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Need

22. The planning history for the replacement sports hall provision at this site shows that the school developed a smaller hall than they had wanted because of an urgent need for a replacement facility when the original hall was demolished and because of funding constraints at that time. The 2015 application was for a proposal that would meet the school core requirement but that would be extendable in the future to enable ancillary facilities to be added. The 2015 application was for a smaller hall than the one that had been permitted in 2014 and 2012.
23. The applicant states that the school does not currently have dedicated changing facilities for the existing sports hall. The applicant considers that the proposed development is now needed to provide dedicated changing facilities for the existing sports hall and to facilitate educational school visits for primary school children to the historic WWII bunker along with opportunities to provide facilities for the public to share access to the bunker. The first floor classroom/conference facilities would provide additional space for the sixth form and for examinations. The proposed extension would therefore provide supplementary facilities to the sports hall for the schools own use and facilitate the community use and dual use encouraged by Maidstone Borough Local Plan Policy DM20.
24. Maidstone Borough Council Sports Facilities Strategy January 2019 forms part of the evidence base for the review of the Maidstone Borough Local Plan. The existing sports hall facility at MGGS is not listed in the strategy and it is noted that the evidence in the document was collated in 2016 and was to be reconsidered once the review of the Local Plan had progressed further. For the facilities detailed in the strategy, it recommends capacity enhancements including extended and reconfigured changing facilities to cater for simultaneous adult/junior and male/female usage which would facilitate extra usage at existing sites. The Strategy also recommends other new sports facilities to meet shortfalls including for the equivalent of 1.6 four-badminton court sized sports halls with full community access. The existing facility at MGGS has a 4 court hall for a range of sports activities including badminton.
25. Given the recommendation about changing facilities at existing sites referred to above and policy support to adapting and improving school facilities along with supporting opportunities to create social interaction in promoting health and safe communities, and the policy support for dual use of educational facilities, I consider that need for the development is satisfied.

Location

26. The proposal is located on an existing school site, grouped with existing development and is an extension to an existing school sports hall. As such, I consider that it is appropriately located.

Design

27. The proposal is an extension to an existing building and sits below the height of the existing sports hall building so as to create a staggered effect, and this reduces the visual impact of the proposed extension. The existing building has PV panels. The

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proposed materials would match the existing building and comprise brickwork, standing seam aluminium roof of natural finish, horizontal profile insulated metal sheeting and powder coated aluminium windows and doors. There would also be an Anderson shelter entrance on the north elevation and the materials proposed are corrugated metal sheeting with a grass topped roof mimicking a WW2 shelter. There have been no objections to the proposed design including from Maidstone Borough Council in respect of Policy DM1 and I am satisfied that the proposed design would not be inappropriate in the location proposed.

Highways and Traffic Impacts

28. This is a minor development proposal on an existing school site. It is not likely to be a significant traffic generating proposal. The proposal does however extend the use of part of the school site outside of school term time into the school summer holidays and does generate community use, although it should be noted that there is already community use taking place at the Sports Hall and elsewhere within the MGGS site. The dual use of school facilities is encouraged by Maidstone Borough Local Plan Policy DM20, particularly in relation to recreation and other purposes as well as planning policy guidance. At out of school times parking facilities for at least 50 vehicles would be available within the school site. Furthermore it is noted that during school hours, the external community would not have use of the proposed facilities.
29. Given the development proposed, this application did not need to be accompanied by a Transport Assessment or a revised School Travel Plan. It was however accompanied by sufficient information to assess the highway impacts of the development. This has given rise to a neighbour representation objecting to the proposal as it is not accompanied by a traffic and parking assessment for the whole of the surrounding area in relation to this proposal and in conjunction with a proposal for the expansion of the Maplesden Noakes School. The representation also objects to no consideration of increased traffic movements for local residents including in the school holidays; no provision of parking for the whole school community on site and no recent update of the school travel plan.
30. The National Planning Policy Framework sets out that all developments that generate significant amounts of transport movement should be supported by a Transport Statement or Transport Assessment. Planning Practice Guidance states that Local planning authorities must make a judgement as to whether a development proposal would generate significant amounts of movement on a case by case basis. A Transport Assessment or revised School Travel Plan is not normally required for minor development proposals such as this. Furthermore, Transportation Planning has not requested that one be provided. Notwithstanding this, the applicant was asked to provide further information to clarify their proposal in relation to the level of community use expected and the transport implications of this.
31. As primary schools already visit the underground bunker during school term time in the summer months the proposal would not result in additional traffic over and above what is already occurring. However, the proposal would lead to additional visits by the public in the summer holiday for visits to the underground WWII bunker and the applicant has defined the number of additional visits as being limited to 30 at a time with potentially 60 visits on site at a cross over period and a maximum of 5 tours a day between 10am and 4pm for 1 week in May and in the MGGS Summer holiday. This could be on any day of

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the week, including weekends and bank holidays. The applicant also states that the proposal may also lead to additional lettings at the sports hall as the proposed facilities could make the venue more attractive for community users. Additional information has been provided in relation to korfbal. The korfbal match may typically comprise 31 competitors and officials and the application will enable competitions at weekends. Practices already take place on weekday evenings from 6pm to 9pm (9.30pm on a Thursday) without unacceptable impact on the local residential amenity. Whilst the amount of spectators is subject to estimation out of school times there are at least 50 parking spaces available which is considered acceptable.

32. The most recent School Travel Plan logged on the KCC Jambusters website for the site is 2008. The Jambusters system also includes the School's annual reviews dated 30th April 2011; 31st December 2018 and 6th January 2018. Whilst we would not usually require an updated school travel plan to be submitted with an application of this nature I consider that should Members decide in favour of the proposal, a condition should be added to require the School Travel Plan to be updated and submitted for approval to reflect new objectives relating to increased community use of the Sports Hall and for the proposed visits to the underground WWII bunker.
33. Whilst there are two school sites neighbouring each other with a shared access point in this location, the schools are operated separately. A planning application has been received in relation to the neighbouring Maplesden Noakes site (KCC/MA/0107/2019) for the proposed 2 form of entry expansion involving: a) the erection of a new freestanding three-storey teaching block; b) single-storey extension of existing dining area; c) provision of additional 22 car parking spaces; and d) associated landscaping works. This, as a major development proposal, is accompanied by a Transport Statement and a School Travel Plan. The proposal has not yet been determined and will be considered on its own merits. It is included within this Committee Agenda (item D3).
34. The wider provision of parking on site at the School during term time school use is not a matter that can be reviewed in relation to this application as the application does not propose any significant changes to term time use and there are no changes to the School roll. However, as this application gives rise to parking requirements as a result of the use of the facility outside of school hours the parking requirements to support these activities are relevant to the application. The applicant has stated that there is sufficient car parking on site for more than 50 cars. I consider that it would be appropriate to require at least 50 existing spaces on the MGGS site to be available for the use of the proposed development out of school hours. This could be required using a condition. Furthermore, it should be noted that the external community would not have use of the facilities during school hours when the parking spaces would be in use for the School.
35. The NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Borough Council has not objected to the proposal and furthermore, Transportation Planning as Highway Authority and statutory consultee, have no adverse comments in relation to the proposal and conclude that the proposed activities do not conflict with other peak periods on the road network or constitute, in the context of the NPPF, a severe impact on the highway.

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36. Whilst it is noted that the objector considers that there are congestion and related problems caused by parking and movement of parent and student cars in a significant number of adjacent roads and that parking restrictions should be introduced around Maplesden Noakes and Maidstone Girls Grammar School, this proposal does not give rise to any highway objections or Borough Council objections and I therefore conclude that there would be no grounds to refuse the proposal in relation to highway and transportation matters.

Community use

37. The principle of community use of the sports hall facilities at the School has already been accepted in planning terms and is encouraged by Maidstone Borough Local Plan Policy DM20 and Sport England.

38. The 2012 application established the use of the sports hall by others after school hours and the 2015 permission for the current Sports Hall was also granted with the expectation of community use and community use is taking place.

39. In relation to the 2015 permission, Sport England requested that a Community Use agreement be provided as prerequisite for community use of the sports hall in order to ensure that the development contributed to the wider overall benefit to sport and the community and to protect the amenities of the locality. Community use has been taking place since the sports hall was built. The school include information about community use and charges on their website. Sport England have not requested a similar prerequisite condition for a community use agreement in relation to this proposal and has no objection to this proposal.

40. I consider that it would be appropriate to define the hours within which community use, including use outside of school hours can take place in relation to this proposal. This would be appropriate in relation to any external community use of the proposed development.

41. The principle of community use of the existing sports hall has already been established in the 2015 planning permission. However, this does not impose any limits to hours. Given that there has been no objection to the proposal on highways grounds from the Highway Authority or from the Borough Council, and subject to there being no adverse residential amenity impacts, it is reasonable to impose a limit on hours to reflect current arrangements at the sports hall ie 0800 to 2200 hours on weekdays and weekends.

42. I also consider that it would be appropriate to restrict the community use of the proposal during the MGGs school hours such that the proposed development could not be used by the external community between 8am and 5pm Monday to Friday during MGGs term time and this can be required by condition.

43. In the interest of maintaining good community and neighbour relations, I also consider that the applicant should ensure that there are adequate arrangements in place to respond to any issues arising as a result of community use outside of the school normal hours, particularly relating to complaints or concerns raised by nearby residents and these arrangements should be set out in the lettings policy.

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Residential amenity

44. The application is located to the north east of the School and is well screened by vegetation. To the east of the site there is the London to Ashford railway line and beyond that the River Medway. This proposal is not likely to result in adverse impacts as a result of noise or lighting given the location in relation to residential neighbours. The nearest residential property is approx. 300m away in Little Buckland Avenue and approx. 195m away in Buckland Road. However, in relation to lighting I consider a condition would be appropriate to ensure that any lighting proposed has regard to the amenities of the locality and also to biodiversity matters as discussed below and in order to address the requirements of Maidstone Local Plan Policy DM8.

Biodiversity and landscaping issues

45. The proposal is located on an area of the site which is currently hardstanding. The applicant has confirmed that the proposal does not disrupt the tree belt to the east of the building and minimises encroachment of disturbance to ground and root systems and I therefore consider that the standard tree protection condition would be appropriate.

46. The proposal will require some landscaping works to be carried out although the detail of these works have not been submitted with the application and I consider that further information can be required as a planning condition. I also consider that a condition can be used in relation to details of any external lighting to ensure that any lighting has appropriate regard to biodiversity matters.

Construction impacts

47. The proposal is likely to give rise to temporary construction impacts. The applicant has agreed to submit a Construction Management Plan as a pre-commencement condition, and this can be used to control the timing of deliveries to avoid peak morning and afternoon times and also the timing of arrival of site personnel to avoid such times. A condition can be used to request submission of a Construction Management Plan.

48. The proposal is not located within the Maidstone Air Quality Management Area, is not major development and is not likely to give rise to negative air quality impacts having regard to policy DM6. I consider that the details of construction management arrangements for the control of dust during construction activity on site can be required by condition.

49. To address Environment Agency comments concerning protection of controlled waters, I am satisfied that conditions can be imposed in relation to submission of a preliminary risk assessment in relation to previous uses of the site; potential contaminants associated with previous uses and potential risks arising from contamination of the site, prior to commencement of the development. A condition can also be used to address any likelihood of unexpected contamination which may be found during development. The Environment Agency also request conditions relating to the infiltration of surface water drainage and piling or other foundation designs using penetrative methods and I am satisfied that these are also matters that can be dealt with by conditions.

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Archaeology and other matters

50. The site is located in an Area of Archaeological Potential. However, the site is located in an area that is currently hardstanding and on a surface that has already been disturbed and subject to any comments from KCC Heritage Conservation I consider that no archaeological measures are required in this instance.
51. Given that the site is also located on existing hard surface and does not impact on playing field land, Sport England have advised that they do not object to the proposal.

Conclusion

52. The NPPF has a presumption in favour of sustainable development which for decision making means approving development proposals that accord with an up to date development plan without delay. It would not therefore be appropriate to delay a decision on this application when the proposal accords with the development plan.
53. Whilst the proposal has drawn objection from one neighbour in relation to highway and transport impacts, the proposal has not drawn objection from Maidstone Borough Council or other statutory consultees, including the Transportation Planning as the Highway Authority and the proposal is in accordance with the development plan. The proposal seeks consent for a small extension to an existing sports hall to provide shower and changing facilities for both school and community use (although not at the same time). In addition, the proposal includes dedicated space for primary school pupils and community visits to the site to see the historic underground WWII bunker and provides additional classroom/conference facilities for the school. Other than for the primary school visits which take place during school term time, community use would only take place outside of the MGGS school day and car parking space for at least 50 cars would be available within the school site. I therefore consider that permission should be granted subject to conditions.

Recommendation

54. I RECOMMEND that PERMISSION BE granted SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- The standard 3 year time limit;
 - The development being carried out in accordance with the permitted details;
 - Submission of a scheme to deal with the risks associated with contamination of the site to address comments raised by the Environment Agency;
 - Submission of a Construction Management Plan;
 - Submission of a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation prior to occupation of the development;
 - Retention/maintenance of at least 50 car parking spaces being kept available for the use of the development outside of school times;
 - Concerning prevention of drainage systems for the infiltration of surface water drainage into the ground other than with the express written consent;

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- Measures for dealing with unexpected contamination found to be present during development at the site;
- Concerning the prevention of piling or any other foundation designs using penetrative methods other than with the express written consent;
- Concerning limiting construction hours to 08:00 – 18:00 hrs Monday – Friday and 09:00 – 13:00 hrs on Saturday;
- Concerning tree protection during construction works;
- Restricting the hours of use of the proposal to between 0800 and 2200 hours;
- External community use of the proposal during school hours (ie between 8am and 5pm Monday to Friday during MGS term time);
- Submission of details of external materials;
- Submission of details of external lighting, including bat sensitive lighting in relation to the site boundaries;
- Submission of an updated School Travel Plan within 6 months of occupation of the development.

I FURTHER RECOMMEND that the applicant BE ADVISED of the following informatives:

- Concerning submission of a community use agreement in relation to the existing Sports Hall and concerning ensuring adequate arrangements in response to complaints or concerns as a result of community use
- Regarding general highway approval matters

Case Officer: Mrs Hazel Mallett

Tel. no: 03000 413411

Background Documents: see section heading
