

REPORT SUMMARY

REFERENCE NO: - 22/503920/FULL		
APPLICATION PROPOSAL: Creation of a 3rd generation artificial grass pitch (AGP) with perimeter fencing, new macadam hardstanding area, 15-metre-high floodlight columns, soil bundling, goal storage areas and team shelters.		
ADDRESS: Cornwallis Academy, (The Cornwallis School) Hubbards Lane, Boughton Monchelsea, ME17 4HX		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions (subject to no adverse comments and any additional conditions recommended in a consultation by Sport England and KCC Highways)		
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none"> • The need for a new artificial grass pitch in the borough has been identified separately in two different assessments, with a particular gap in provision found in the south of the borough. • The loss of an area of the existing playing fields is in line with Sport England exception as the provision of the facility will provide sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of an area of the existing playing field. • With the housing on neighbouring roads a sufficient distance away and with existing intervening landscape screening supplemented by landscaping sought through a condition it is concluded that there is no significant visual impact. • The submitted noise assessment and lighting design information were found to be acceptable in relation to the potential impact on amenity. Additional measures such as a noise management plan and an acoustic fence are proposed to further reduce noise disturbance. • The existing academy site benefits from existing infrastructure such as changing rooms, a large car park with coach parking with separate entry and egress points on to Hubbards Lane the access was found to be acceptable with no 'severe' impact on the highway network. 		
REASON FOR REFERRAL TO COMMITTEE: The application has been referred to committee at the request of Loose Parish Council, with summarised comments from the parish council in section 4 below.		
WARD: Loose	PARISH COUNCIL: Loose	APPLICANT: Cornwallis Academy AGENT: Surfacing Standards Limited
CASE OFFICER: Gerald Chibumu	VALIDATION DATE: 23/08/22	DECISION DUE DATE: 23/12/22
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

NB: The planning applications below were considered by KCC as the site at that time was occupied by KCC run The Cornwallis School. Cornwallis School closed on the 31 August 2007 and the site redeveloped as Cornwallis Academy (08/2186 below). The current planning is submitted to Maidstone BC as the site is no longer run by KCC following the change to an academy.

- 77/1530 Use of land as additional playing field

- 87/1578 Provision of additional playing fields
- 75/0993 Erection of 3m high black plastic coated chain link boundary fencing
- 82/1427 Use of land as playing fields for Cornwallis School
- 08/2186 - Maidstone Borough Council consultation by Kent County Council for the demolition of existing school buildings (Cornwallis School), erection of new academy (Cornwallis Academy), provision of outdoor playing pitches, new 4 court MUGA, 220 car parking spaces including 14 disabled parking spaces, 250 bicycle spaces, strategic landscaping works and associated circulatory access roads. MBC raised no objection to the planning application which was being considered by KCC - 08/01/2009.

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 For the purpose of the Maidstone Borough Local Plan 2017, the application site is located in the countryside. The site has no special landscape designation. The site is in the KCC minerals safeguarding area and a site of potential archaeological importance.

Site layout approved by KCC under 08/2186



1.02 The application site, whilst in the countryside, is located close to four settlements as follows:

- *West - along the B2163 (Heath Road) the boundary of the designated larger village of Boughton Monchelsea is circa 0.9km from the site.*
- *East - along the B2163 (Heath Road) the boundary of the designated larger village of Coxheath is circa 0.7km from the site.*
- *North - along the B2163 (Heath Road) and A229 (Linton Road) the Maidstone Urban area boundary is circa 1.6km from the site*

- *South - along the B2163 (Heath Road) and A229 (Linton Road) Linton Village (St Nicholas's Church) is circa 0.9km from the site.*

- 1.03 The application site is an area of land within the existing playing fields of Cornwallis Academy (ages 11 – 19). The main school buildings and car park are located to the south of the playing fields.
- 1.04 Whilst located in the countryside, high density residential housing is located to the west of the playing fields in cul de sacs off Linton Road (Hansen Drive and Holmesdale Close).
- 1.05 Housing with a suburban layout is located to the north along Salt's Ave with housing bordering part of the boundary to the east along Hubbards Lane. There is a vegetated buffer zone to these east, west and north boundaries of the playing fields. The proposed facility is 50 metres from the rear elevation of the closest residential property.
- 1.06 Cornwallis Academy is located to the northeast of the signalised crossroads (known as Linton Crossroads) where Linton Road/Linton Hill (A229 running north south) meets Heath Road (B2163 running east west). The separate vehicle access and egress points to Cornwallis Academy are on the eastern boundary in Hubbards Lane.

2. PROPOSAL

- 2.01 Planning permission is sought for the creation of 3G artificial grass pitch (AGP) with perimeter fencing, new macadam hardstanding area, 15-metre-high floodlight columns, soil bundling, goal storage areas and team shelters.

- 2.02 The applicant has provided the following supporting information:

- *"This application seeks planning permission to create a new external Artificial Grass Pitch (AGP) in order to contribute to the improvement of sporting and recreational facilities at Cornwallis academy.*
- *The provision of a new AGP will provide increased usage in comparison to the existing grassed playing field, for benefit of the Academy, partner organisations and sports clubs in the surrounding area, via pre-arranged and structured access.*
- *The new AGP will offer a variety of football pitches and training areas within the same enclosed playing space to support development plans into grassroots football.*
- *In accordance with The Football Association's (FA) current technical guidance, the aspiration is to introduce multiple pitch markings to gain the maximum football developmental outcomes and benefit from the site footprint."*

<i>The AGP will be capable of supporting the following formal pitch arrangements: Size and Age grouping</i>	<i>Quantity</i>
<i>Main pitch size 100m x 64m (Over 18/ Adult Football) in white</i>	<i>1</i>
<i>63.8m x 46m* (U11/U12, 9v9) in blue</i>	<i>2</i>
<i>55m x 37m (U9 / U10, 7v7) in yellow</i>	<i>2</i>
<i>37m x 27m (U7 / U8, 5v5) in red</i>	<i>4</i>
<i>48m x 30m training grids in red</i>	<i>4</i>
<i>* 63.8m x 46m smaller than recommended size, but acceptable for match play use</i>	

- 2.07 The applicant advises that the aims of the project are as follows:
- *Provide opportunities for the local community and sports organisations to participate in sport and physical activity for health improvement and development of their skills, particularly amongst low participant groups;*

- *Operate in line with the national agenda for sport taking into account nationally adopted strategies.*
- *Generate positive attitudes in sport and physical activity by young people and reducing the dropout rate in sports participation with age.*
- *Increase the number of people of all ages and abilities participating in sport and physical activity including people with disabilities.*
- *Use the facilities to encourage the range, quality and number of sports club links and to stimulate competition that is inclusive of young people and adults.*
- *Provide affordable access to the facilities and to be self-financing in terms of community use.*
- *Contribute to The Football Association's strategic objectives for grassroots football development.*
- *Satisfy competition play and training needs with a robust sustainable business plan to monitor the delivery of the football development plan on a regular basis. The committee will review a variety of objectives and controls to correctly manage, adequately operate and maintain the facility.*
- *Ensure the AGP, once subjected to performance testing to validate necessary quality standards, is added to the FA register of approved sites for match play.*

3G Artificial grass playing surface

2.03 The following information is supplied:

- *The installed appearance of the playing surface will comprise a 3G artificial turf containing a 50mm pile and partially in-filled with silica sand (for stability) and granulate rubber (for performance), coloured grass green. This is consistent with current Football Association (FA) technical requirements to deliver adequate performance characteristics for the intended sporting activities.*
- *This surface type is recognised as the most suitable artificial playing surface for community football and youth football development.*
- *This surface type is credited as 'preferred football surface' and 'surface for high level competition / training' within Sport England's guidance document 'Selecting the Right Artificial Surface for Hockey, Football, Rugby League and Rugby Union' Issue 002 / December 2010".*

Images showing the type of ball stop fencing that is proposed



Ball Stop Fencing Discreet Against a Rural Background



High Level Ball Stop Fencing

Perimeter ball stop fencing

2.04 The following information is supplied:

- *"The proposed type and quality of ball-stop fencing is consistent with current Football Association (FA) technical requirements for fencing to enclose artificial grass sports pitches.*
- *The installed appearance of perimeter ball stop fencing (4.5m high) and a pitch perimeter barrier (1.2m high and 2.0m high) will be polyester powder coated RAL6005 Moss Green.*
- *The fencing type will be steel open mesh fencing containing a general 200x50mm aperture*

- *Fence panels are insulated from the posts using neoprene washers to be fitted to every fence post / mesh fixing point to aid noise reduction and acoustic attenuation by reducing rattle and vibration from ball impacts.*
- *Panels are fixed onto posts with 8mm galvanised security bolts to (U shape) brackets containing threaded inserts and neoprene washers (inserts) to reduce panel rattle and vibration from ball impacts”.*

Lighting

2.05 The following information is supplied:

- *Lighting “...will include six (6no.) slimline 15m high sectional hinged steel masts finished galvanised (Z275) self-coloured, mounted with sixteen (16no.) slimline LED luminaires and fittings finished raw aluminum.*
- *The LED floodlighting system will also have functionality and controls to dim the lighting to 10lux in order to act as amenity lighting to safely allow users to enter and vacate the site and follow the proposed lit pathway out from the site”.*

Hard standing and maintenance equipment storage container

2.06 The following information is supplied:

- *“The...new hard standing areas (access pathway, goal storage recesses/alcoves, ‘respect’ spectator viewing area) will be grey / black coloured porous asphalt.*
- *...the new maintenance store will be steel, powder coated RAL 6005 moss green to match the perimeter fence and measuring 2.59 metres in height”.*

Aerial image of application site location



3.00 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan (2017): policies
 - SS1: Maidstone borough spatial strategy
 - SP11: Larger villages
 - SP12 Boughton Monchelsea Larger Village
 - SP13: Coxheath larger village
 - SP17: Countryside
 - SP18: Historic environment (Archaeology)
 - DM1: Principles of good design
 - DM3: Natural environment
 - DM4: Development affecting heritage assets (Archaeology)
 - DM8: External lighting

DM20: Community facilities
DM23: Parking standards
DM30: Design principles in the countryside

- Loose Neighbourhood Plan (2019): policies
LP1 Views across village & countryside
LP3 Design of development in the countryside
LP4 Natural environment in Loose
DQ1 Design quality
- Landscape Character Assessment (2013) and Supplement (2012)
- Landscape Capacity Study: Sensitivity Assessment (2015)
- Kent and Medway Structure Plan 2006 Supplementary Planning Guidance (SPG4): Vehicle Parking Standards
- The National Planning Policy Framework (NPPF) (revised 2021)
- National Planning Practice Guidance (NPPG)
- Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 22) dated October 2021. - The Regulation 22 draft is a material consideration however weight is currently limited, as it is the subject of an examination in public that commenced on the 6 September 2022 (hearings are currently adjourned until early 2023). The relevant policies in the draft plan are as follows:

LPRSS1: Maidstone borough spatial strategy
LPRSPR6: Rural service centres
LPRSPR6(A): Coxheath
LPRSP9: Development in the countryside
LPRSP12: Sustainable transport
LPRSP14: The environment
LPRSP14A: Natural environment
LPRSP14(B): Historic environment (Archaeology)
LPRSP14(C): Climate change
LPRSP15: Design
LPRTRA2: Assessing the transport impacts of development
PRTRA4: Parking
LPRINF1: Publicly accessible open space and recreation
LPRINF2: Community facilities
LPRQ&D 1 Sustainable design
LPRQ&D 2: External lighting
LPRQ&D 4 Design principles in the countryside

- Sport England's Planning for Sport Guidance (June 2019)
- MBC Playing Pitch Strategy November 2020 (evidence for Local Plan Review).
- Football Association Maidstone 'Local Football Facilities Plan'

4.00 LOCAL REPRESENTATIONS

- 4.01 In response to public consultation 105 representations have been received and these representations are divided as follows:
- 34 representations objecting to the application.
 - 71 representations supporting the application.
- 4.02 The 34 objections to the proposal are made on the following summarised grounds:
- Noise and disturbance
 - Light pollution
 - Traffic congestion
 - Air quality
 - Commercial enterprise
 - Quality of life

- Property values
- Wildlife
- disrupt our sleeping schedules, impacting our everyday lives
- mental health with deprivation of sleep caused by the intrusive noise.
- Would support purely school use
- Would support an athletics track

4.03 The 71 comments in support of the proposal are on the following summarised grounds:

- Community and sports facility for local children.
- Facility will help to build networks within sports community
- Challenge local distasteful campaign against this new facility
- Golden opportunity to address the criticism relating to a lack of infrastructure connected to new housing development.
- Fantastic opportunity to enhance opportunities for girls football following success of local girl Alessia Russo.
- Will help youth behaviour issues
- Any additional resource that promotes physical activity, teamwork and sporting discipline should be weighed very carefully and with a high degree of favour particularly when targeted at young people.
- We want them to be active and engage in clubs and sport. This is fundamental to their physical and mental wellbeing.
- Saddened to hear that a local group has sent a very emotive letter worrying residents, making assumptions that are totally unfounded.
- Site will be expertly managed with strict protocols for use both in and out of school hours.
- Marden Academy recently installed a 3G pitch to a neighbouring retirement bungalow and have managed to co-exist happily.
- A 3G pitch located at Linton would be of a great benefit to the Cornwallis School and also the wider community.
- Disappointing and senseless that the town football club needs to use Medway town facilities due to the lack of our own.

Cornwallis Academy entrance elevation (facing east towards Hubbards Lane)



Loose Parish Council

4.04 Objection on the following grounds and if officers are minded to approved request that the application is called in to a planning committee:

- The location with residential properties in proximity on 3 sides. (Officer comment: As set out below adjacent properties are separated by sufficient distance and screening to avoid the significant additional harm that would be needed to justify the refusal of planning permission. The potential impact is

- further reduced by conditions relating to the control the floodlight illumination hours, the construction of the facility and the noise management plan)*
- Contrary to NPPF paragraph 99 as facility will be for hired by competitive football clubs and teams and will not be available for recreational use by local community. *(Officer comment: The future use of the facility will be the subject to a community use agreement that will be sought through a planning condition – the proposal is considered in line with the advice at NPPF para 99)*
 - Contrary to NPPF paragraph 185 as proposal does not
 - a) mitigate and reduce noise to a minimum and avoid harm to health and quality of life. *(Officer comment: These properties are separated by sufficient distance and screening to avoid sufficient additional harm to justify the refusal of planning permission, this potential impact is considered in the main part of this report)*
 - b) protect tranquil areas "...which have remained relatively undisturbed by noise and are prized for their recreational and amenity value". *(Officer comment: The application site is on existing school playing fields and the sport use is retained)*
 - c) "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation" *(Officer comment: These properties are separated by sufficient distance and screening to avoid sufficient additional harm to justify the refusal of planning permission, this potential impact is considered in the main part of this report)*
 - Noise and light pollution, impact on well-being and long hours of use *(Officer comment: The application site is on existing school playing fields that are currently available for sport during the hours of daylight (longest day sunrise to sunset 04:42 – 21:21, this potential impact is considered in the main part of this report)*
 - Parking and access issues *(Officer comment: The application site is on existing school site with a large car park and space for coaches, this potential impact is considered in the main part of this report)*
 - Fail to enhance local environment and will change the local dynamic. *(Officer comment: The application site is on existing school playing fields that are used for sport and this use will not change as a result of this proposal.)*
 - There are a good number of quality all weather pitches south of Maidstone already in less residential areas. *(Officer comment: two separate studies have indicated a need for new artificial pitches especially in the south of the borough)*

5.00 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report when considered necessary)

Mid Kent Environmental Health

- 5.01 No objection subject to conditions on hours of use (08:00 to 22:00hrs Monday to Friday, 08:00 to 18:00hrs on Saturdays, Sundays & Bank Holidays), and the submission and adherence to an approved noise management plan.

KCC Minerals and Waste Planning Policy Team

- 5.02 The County Council has no minerals or waste management capacity safeguarding objections or comments to make regarding this proposal.

KCC Highways

- 5.03 Response to follow

Sport England

- 5.04 Response to follow

6.00 APPRAISAL

6.01 The key issues are:

- Need
- Loss of existing natural turf playing surface
- Character and appearance (SP17, DM1, DM30)
- Residential amenity (DM1, DM8)
- Access, parking and traffic (DM1)
- Landscaping ecology and biodiversity (DM3)

Need

- 6.02 The advice in the NPPF (para 98) is that “*Access to ... opportunities for sport and physical activity is important for the health and well-being of communities...*” Sport England’s Planning for Sport Guidance (June 2019) sets out the importance of promoting healthy communities and achieving sustainable development.
- 6.03 The ‘Local Football Facilities Plans’ (LFFPs) produced by the Football Association for each local authority in England aim to provide a guide for investment in facilities. The Maidstone LFFP was published in July 2020 and contains the following key findings:
- There are currently four full-sized ‘3G’ football turf pitch in Maidstone, plus one slightly smaller facility at the YMCA.
 - A full-sized World Rugby Regulation 22-compliant artificial grass pitch is planned at Maidstone Grammar School and whilst the primary use will be for rugby, there will be some football training usage.
 - The ‘3G’ pitch surface at Maplesden Noakes School is poor quality and needs to be replaced.
 - There is a current requirement for two further full-sized ‘3G’ football turf pitches in the borough to meet current needs.
 - The existing facilities are located in Maidstone town and Lenham, which leaves gaps in the south of the borough.
- 6.04 As part of the evidence base for the Local Plan Review the MBC Playing Pitch Strategy was published in November 2020. The Playing Pitch Strategy provides a baseline for current and future supply and demand assessments and sets out a vision with a strategic approach to sport and recreation provision in the Borough in the short, medium and long term (to 2037). The strategy also establishes the principles to help inform where future resources should be focussed to ensure that proposed provision of pitches and related facilities will meet future demand and reflect sustainable development objectives.
- 6.05 The Playing Pitch Strategy found an issue with securing football pitches for community use with 25% of pitches on unsecured sites and a particular issue with ‘3G’ pitches, where two of the five full-sized pitches found to be on sites with unsecured community use.
- 6.06 The FA Maidstone ‘Local Football Facilities Plan’ and the Playing Pitch Strategy (carried out on behalf of the Maidstone Council) both identify a need for two additional 3G football pitches like the pitch that is currently proposed as part of this planning application.

Loss of existing natural turf playing surface

- 6.07 The NPPF advises “*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless...the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*” (para 99). Sport England exception E5. Exception E5 states that the loss of a natural turf playing field is acceptable where

"The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields".

- 6.08 The benefits from the Artificial Grass Pitch (AGP) over a natural turf surface include continuous use throughout the year and efficient use due to its artificial grass surface and floodlighting allowing community use. It is found that the loss of the area of natural turf playing fields is acceptable on these grounds.
- 6.09 The application site is located in the countryside and the starting point for assessment of applications in the countryside is Local Plan Policy SP17. Policy SP17 states that development proposals in the countryside will not be permitted unless:
- a) they will not result in harm to the character and appearance of the area, and
 - b) they accord with other Local Plan policies

SP17 a) Character and appearance.

- 6.10 Policy SP17 states that development proposals in the countryside will not be permitted unless: a) they will not result in harm to the character and appearance of the area. Policies DM1 (Principles of good design) and DM30 (Design principles in the countryside) also consider the potential impact of proposals on existing character.
- 6.11 The submitted proposal will impact on the character and appearance of the existing playing fields. The magnitude of the impact on existing character and appearance needs to be considered and then balanced against the extent to which the proposal accords with other Local Plan policies and any other material considerations that are present.
- 6.12 The application site is located on the existing playing fields of Cornwallis Academy. The playing fields border the rear gardens of residential properties to the west, north and partially to the east. This adjoining residential development is generally of urban and suburban density and layout. The school buildings of up to 4 storeys in height and car park are located to the south of the site that is adjacent to Heath Road.
- 6.13 The new artificial grass pitch is located closest to the western site boundary. This western boundary has existing screening provided by a vegetated border of between circa 15 and 23 metres in depth. This border contains Oak, Scots Pine, Common Beech, Bramble, Poplar, Spruce. To the north of the proposed site of the facility, the vegetated border is made up of Common Ash, Bramble, Poplar, Scots Pine and Common Hawthorn.
- 6.14 The perimeter ball stop fencing (4.5m high) and a pitch perimeter barrier (1.2m high and 2.0m high) will be polyester powder coated in a discreet colour of RAL6005 Moss Green. The proposal includes six 15m high slimline floodlight masts with associated luminaires around the perimeter of the Artificial Grass Pitch (AGP). The floodlight masts with a galvanised (Z275) self-coloured finish are slim profile tubular steel masts. The height of the masts is required to ensure that lighting is directed to where it is required, and it is considered that the slimline mast design will reduce the visual impact to an acceptable level.
- 6.15 The proposal site, whilst in the countryside is read in the context of the existing academy and its existing infrastructure including play equipment, and existing boundary planting. In this context the facility would not have a significant impact on local character and appearance, the proposal would not appear visually incongruous or dominant within the countryside.
- 6.16 Policy LP1 of the Loose Neighbourhood Plan states that consideration should be given to *'...identified short and long-range views across the countryside and the*

village...". The application site is on playing fields that are almost entirely enclosed by existing built development with areas of landscaping on a proportion of the site boundaries. In this context the application is in accordance with Policy LP1 of the Loose Neighbourhood Plan. The proposal providing sports facilities on existing playing fields is considered in line with policy LP3 Design of Development in the Countryside.

SP17 b) Accordance with other Local Plan policies

- 6.17 Policy SP17 states that development proposals in the countryside will not be permitted unless: b) they accord with other Local Plan policies.
- 6.18 Other relevant Local Plan policies include SS1 (Spatial strategy), SP11: Larger villages, SP12 (Boughton Monchelsea larger village) SP13 (Coxheath larger village), DM1 (Principles of good design – Amenity and access) DM3 (Natural environment), DM8 (External lighting) DM20 (Community facilities) and DM23: Parking standards

Site location – Policy SS1 (Spatial Strategy)

- 6.19 Policy SS1 advises that as the most sustainable location in the borough, the Maidstone urban area will be the principal focus for development in the borough. The roles of the rural service centres will be reinforced by directing suitable development and supporting infrastructure to Harrietsham, Lenham, Headcorn, Marden and Staplehurst.
- 6.20 The Local Plan advises "*The five larger villages ... (including Boughton Monchelsea and Coxheath) have fewer services than rural service centres, but can still provide for the day-to-day needs of local communities and the wider hinterland.*" (para 4.21). The Local Plan states "*The roles of the larger villages ... will be maintained through the delivery of limited development, where appropriate, together with supporting infrastructure*" (Spatial vision Page 8).
- 6.21 The application site, whilst located in the countryside, is within easy reach of the two larger villages of Boughton Monchelsea and Coxheath and the Maidstone Urban Area with pavements available to pedestrians to all these destinations from the application site and in all directions from Linton Crossroads. The site is an existing school and Local Plan policies SP11, SP12 and SP13 state that key services will be retained and supported in the larger villages.
- 6.22 The application site is an existing educational facility with supporting infrastructure already in place such as changing facilities, a large car park, coach parking and cycle parking. Whilst the site is not in a designated settlement, the site is in easy reach of two larger villages and the urban area. The Maidstone LFFP found a gap in similar sports pitch provision in the south of the borough and the current proposal would assist in meeting this need.
- 6.23 In the context of the existing academy use on the site which the proposed facility will support and the existing accessibility of the site, the site location is found to be acceptable in relation to Local Plan policy SS1.

Community facilities - Policy DM20 (Community facilities)

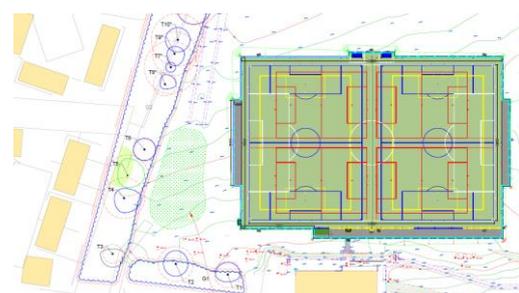
- 6.24 The supporting text to policy DM20 Community facilities advises that "*In order to build well-functioning, sustainable communities, it is essential that adequate community facilities are provided*" (para 6.94). The NPPF emphasises the importance of creating healthy, inclusive communities, with appropriate facilities, to create attractive residential environments. The Infrastructure Delivery Plan lists the key social infrastructure needed to support the level of development planned for the borough. Community facilities encompass educational...recreational facilities, including schools...and sports venues.

- 6.25 Policy DM20 states "The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the design of new schools and will encourage the dual use of education facilities (new and existing) for recreation and other purposes". The supporting text (para 6.96) adds "*School premises are generally only in operation during particular hours. These sites offer opportunities to provide additional community uses outside of school hours. Such dual uses can increase the range of community facilities and can help to maximise land usage in a suitable manner. The council will therefore encourage dual usage of educational premises in appropriate circumstances*".
- 6.26 Sport England's Planning for Sport Guidance (June 2019) sets out the importance of promoting healthy communities and achieving sustainable development. The guidance mentions that many educational sites have very good sports facilities which are often underused out of normal school hours. The document covers issues such as community use agreements and provides guidance on how they should be managed and to provide a safe environment as well as setting out how the community use is intended to operate.
- 6.27 The proposed playing surface offers greater resilience to adverse weather conditions and greater evening use especially in the winter months with the introduction of floodlighting. This is considered in line with the stated objectives of the Loose Neighbourhood plan (objective 4) which include seeking more efficient use of land and resources. A planning condition is recommended to seek the submission and approval of a formal community use agreement and for the facility to only operate in accordance with this agreement.

Residential amenity Policy DM1 Principles of good design

- 6.28 Amies House is a two storey block of 6, one bed flats in Holmesdale Close which is to the west of the application site.
- 6.29 The rear elevation of Amies House faces towards the shared boundary with Cornwallis School. At the closest point a distance of circa 50 metres separates this block from the closest part of the new facility. Within these circa 50 metres, there is a distance of circa 15 metres separating Amies House from the Cornwallis School boundary and a circa 22 metre deep vegetated area that includes several trees (T8 to T10).

Aerial image and proposed plan of the facility and the eastern site boundary



- 6.30 The rear elevation of terraced and detached properties in Hanson Drive face towards the shared boundary with Cornwallis School. At the closest point a distance of circa 58 metres separates these properties from the closest part of the new facility.
- 6.31 Within these 58 metres, there is a distance of circa 11 metres between the nearest property and the Cornwallis School boundary, a circa 16 metre deep vegetated area that includes several trees (T4 to T6) and a proposed earth bund that is up to a maximum height of 1.5 metres.
- 6.32 Detached and semi detached houses in Salt's Avenue are located to the north of Cornwallis Academy. At the closest point a distance of circa 124 metres separates

these properties from the closest part of the new facility. Within these 124 metres, there is a vegetated area of circa 37 metres along the majority of the boundary to the north of the proposed facility and the Cornwallis School boundary, that includes several trees (T122 to T21).

- 6.33 Detached houses in Hubbard's Lane border the northern section of the eastern site boundary. The closest property in Hubbard's Lane is circa 175 metres from the new facility with intervening landscape screening and two existing and retained natural turf pitches.

Noise and disturbance

- 6.34 Policy DM1 encourages new development to respect the amenities of neighbouring properties by ensuring that development does not result in, or is exposed to, excessive noise, air pollution, activity or vehicular movements, overlooking or visual intrusion.

Aerial image and proposed plan of the facility and the northern site boundary



- 6.35 The guidance recognises that noise associated with sport can come from various sources such as the players and balls hitting boards on artificial grass pitches. The guidance sets out that with appropriate siting and suitable mitigation measures, acceptable noise levels can be achieved without adversely affecting surrounding uses.
- 6.36 The current application is supported by a noise impact assessment. The noise impact assessment used noise levels measured at nine sports sessions on four separate existing AGPs. The measurements then provided a 'typical' noise level for an AGP sports session. A noise model was then generated for the application site based on these measurements
- 6.37 The predicted noise levels were found to be in line with World Health Organisation guidance which states "To enable casual conversation indoors during daytime, the sound level of interfering noise should not exceed 35 dB LAeq. British Standard 8233:2014 provides the same noise criteria for a bedroom during the daytime period".

- 6.38 The noise impact assessment noted "...we would expect that the development would potentially be noticeable but not intrusive and would result in 'no observed adverse effect'. This is defined in the NPPG as 'Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life'". The noise impact assessment found: "The predicted maximum noise level from voice and ball impact, are within the criteria and is thus considered acceptable"
- 6.39 Notwithstanding the findings of the noise impact assessment that noise levels will be acceptable, a number of measures are proposed to further reduce the potential noise disturbance to neighbouring properties.
- 6.40 These measures include the submission for approval of a noise management plan that will contain a procedure for the submission and assessment of any future complaints. Conditions will seek to ensure that the ball stop fencing is constructed with impact softeners to reduce the 'rattling' associated with ball impacts and the implementation of a no whistle policy. A planning condition is recommended seeking the installation of an acoustic fence. The condition will seek details of the height, materials and location of the proposed acoustic fence to be submitted, approved in writing and installed prior to the first use of the approved facility.
- 6.41 The Council's Environmental Health officer has assessed the submitted information and has raised no objection in relation to the noise generated by the current proposal. These comments are made on the basis that then use of the facility is restricted to between the hours 0800hrs to 2200hrs Monday to Friday and 0800hrs to 1800hrs on Saturdays, Sundays and Bank Holidays, and the submission and adherence to an approved noise management plan.

Lighting

- 6.42 Sport England's Planning for Sport Guidance (June 2019) mentions lighting of outdoor sports facilities which can provide extended hours and this is considered critical to long-term viability. It is reported that significant recent advances in lighting technology minimise the impact on local amenity and neighbouring properties.
- 6.43 The supporting text to DM8 (para 6.51) states "The council recognises that carefully designed external lighting can enhance the night-time economy and have benefits for security and the viability of recreational facilities. Policy DM8 advises that "Proposals for external lighting criteria will be permitted: i. It is demonstrated that the minimum amount of lighting necessary to achieve its purpose is proposed; ii. The design and specification of the lighting would minimise glare and light spillage iii. The lighting scheme would not be visually detrimental to its immediate or wider setting".
- 6.44 The submitted proposal includes 6x15 metre slimline high floodlighting columns. In support of the application the applicant has provided a Floodlighting Scheme plan, a Floodlighting Performance Report, LED Floodlight Data Sheet and Institute of Lighting Professional Guidance Notes.
- 6.45 The applicant advises that the lighting will have "An intelligent control system...that allows pre programmable switching of the lights for each allocated time slot to ensure lights are extinguished at the curfew hour every night of use". The system will "...operate within a pre-programmed time including a seasonal changeover facility for BST and GMT".
- 6.46 The proposal seeks to provide the minimum light necessary with measures to minimise glare and light spillage. The submitted information has been considered by the Council's Environmental Health officer who notes that the submitted information has demonstrated that the lighting would result in a low vertical overspill and backwards light and would fully and uniformly direct the light onto the

pitch surfaces. The Council’s Environmental Health officer has raised no objection in relation to light generated by the current proposal. After considering the submitted information, the proposal was found to be in accordance with policy DM8. With a condition to ensure that the lighting is installed and maintained in line with the approved details, the proposal was found acceptable in relation to the impact on wildlife.

Air quality

6.47 As set out earlier in this report, the application site is an existing school which is a short distance from two designated larger villages and the urban area, with pavements providing pedestrian access from these locations. There was no issue found in relation to the impact on air quality and there has been no objection received from Environmental Health.

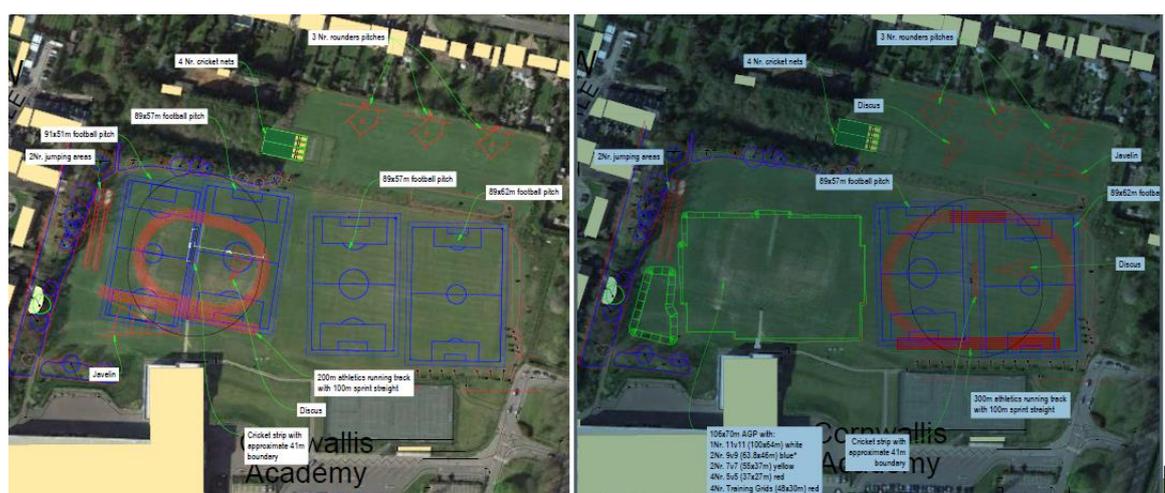
Traffic, parking and access.

6.48 Policy DM1 states that proposals should safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access. NPPF paragraph 111 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”.

6.49 The site is an existing school with the submitted application form stating that the school will retain 213 car parking spaces, 11 motorcycle spaces, 13 disability spaces, 30 cycle spaces and spaces for 11 buses. The main vehicle access to the site is from Hubbard’s Lane where there is a separate controlled entry and egress points.

6.50 The existing Hubbard’s Lane access is acceptable for the use associated with the proposed facility including in relation to driver sightlines. The existing car, cycle and coach parking is also considered acceptable in terms of the demand from the proposed facility. The traffic generated by the proposed facility can be safely accommodated on the local highway network. A planning condition is recommended seeking the submission for approval and implementation of a construction logistics plan.

Images of the existing playing field layout (left) and the proposed layout (right)



Landscaping, ecology and biodiversity

6.51 Policy DM1 sets out that proposed development should respond to the location of the site and sensitively incorporate natural features such as such as trees, hedges worthy of retention within the site. Policy DM 3 Natural environment 1. To enable Maidstone borough to retain a high quality of living and to be able to respond to

the effects of climate change, developers will ensure that new development protects and enhances the natural environment.

- 6.52 The NPPF (para 174) states that planning decisions should contribute to the local environment providing net gains for biodiversity. A planning condition is recommended seeking mitigation for the loss of this grassed field and ecological enhancement and demonstrating a net gain.
- 6.53 Planning conditions are recommended seeking the retention of the existing landscaping and additional landscaping to infill and supplement the existing around the boundaries of the site. A further condition is recommended seeking measures to ensure a net biodiversity gain with the loss of the natural grass turf pitch.

Other matters

- 6.54 The application site is in a safeguarding area for minerals. Following consultation with the KCC waste and minerals team, no objection has been raised in respect of the current application.
- 6.55 The application site is in and a site of potential archaeological importance. A condition is recommended seeking the submission of an archaeological watching brief to be submitted to and approved in writing prior to work commencing.
- 6.56 The submitted information includes a drainage strategy. The strategy set out that surface water is to be disposed of into a surface water drain. The applicant states *"Adequate attenuation within pitch base and upper surface (comprising a permeable granular sub-base) to ensure that excess volumes, which would be experienced during a critical storm event, does not bypass the control system, Hydro-Brake or similar"*. A condition is recommended stating that the drainage is installed and maintained in accordance with the submitted details.
- 6.57 The majority of the issues raised in consultation responses have been considered in the assessment above. The impact of development on property values is not a valid planning consideration.

PUBLIC SECTOR EQUALITY DUTY

- 6.58 Due regard has been had to the Public Sector Equality Duty as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine the objectives of the Duty.

7.00 CONCLUSION

- 7.01 The need for a new Artificial Grass Pitch in the borough has been identified separately in two different assessments, the Football Association Maidstone 'Local Football Facilities Plan' July 2020 and the MBC Playing Pitch Strategy November 2020 with a particular gap in provision found in the south of the borough.
- 7.02 The loss of an area of the existing Cornwallis Academy playing fields to Artificial Grass Pitch (AGP) is in line with Sport England Exception E5 as the provision of the facility will provide *"... sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of... (an area of the existing) playing field"*. The benefits over a natural turf surface include efficiency in the use of the space allowing continuous use throughout the year and intensively due to its artificial grass surface and floodlighting with community use secured by condition.
- 7.03 Whilst the playing fields where the application site is located has housing nearby, the housing is a sufficient distance away and has intervening screening to ensure that there is no significant visual impact. Planning conditions are recommended to supplement this existing landscaping.

- 7.04 The conclusions of the submitted noise assessment and lighting design information have been assessed and found to be acceptable in relation to the potential impact on amenity. The proposal will include several measures such as a noise management plan and an acoustic fence to further reduce the potential for noise disturbance. In this context the proposal is found to be acceptable in relation to neighbour amenity.
- 7.05 The artificial grass pitch is located on an existing academy site that benefits from and will make more efficient use of existing infrastructure such as changing rooms. The site has an existing large car park with separate entry and egress points on to Hubbards Lane. The access, parking and traffic generation from the proposal will not result in any 'severe' impact on the road network and the proposal is acceptable in these areas.
- 7.06 The proposed developments are acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. A recommendation of approval of this application is therefore made on this basis subject to conditions

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:
(subject to no adverse comments and any additional conditions recommended in a consultation by Sport England and KCC Highways)

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans and document:
 - SSL3028 01 – Topographical Survey
 - SSL3028 02 – Site Location Plan
 - SSL3028 03 Rev 01 – Proposed Site Plan
 - SSL3028 04 Rev 01 – Proposed ATP Plan
 - SSL3028 05 Rev 01 – Proposed Elevations
 - SSL3028 06 – Floodlighting Scheme
 - SSL3028 07 – Proposed AGP Drainage Layout
 - SSL3028 08 – Proposed AGP Drainage Strategy
 - SSL3028 09 – Proposed Playing Pitch Layout
 - Design and Access Statement
 - Appendix A – Floodlighting Performance Report
 - Appendix B – LED Floodlight Data Sheet
 - Appendix C – ILP Guidance Notes
 - Appendix D – Proposed Materials and Appearance
 - Appendix E – Drainage Strategy
 - Appendix F – Noise Management Plan
 - Appendix G – Tree Survey and Arboricultural Impact Assessment
 - Appendix H – Ecology and Landscape Use Assessment
 - Appendix I – Noise Impact AssessmentReason: in the interests of proper planning.
- 3) No development including site clearance shall take place until tree protection is in place for trees in accordance with the submitted Tree Survey and Arboricultural Impact Assessment. The tree protection shall be in accordance with BS 5837 and maintained until all equipment, machinery and any surplus materials have been removed from the site. All trees to be retained must be protected by barriers and/or ground protection. No equipment, plant, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local

planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 4) No development including site clearance shall take place until a Construction Management Plan for the site has been submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details-

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

(f) Measures to control dust

The construction works shall proceed only in accordance with the approved Construction Management Plan.

Reason: In the interests of residential amenity and highway safety.

- 5) No development including site clearance shall take place until the applicant has secured and had implemented a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the local planning authority. The development shall only proceed in accordance with the approved details.

Reason: To enable the recording of any items of historical or archaeological interest.

- 6) Prior to the first use of the approved facility biodiversity enhancement shall be in place that is in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity to achieve a net biodiversity gain through methods such as swift bricks, bat tube or bricks and habitat piles.

Reason: In the interests of ecological enhancement and biodiversity net gain.

- 7) Prior to the first use of the approved facility a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- show all existing trees, hedges and blocks of landscaping to the north and east of the academy boundaries and indicate whether they are to be retained or removed,

- provide details of on-site replacement planting to mitigate the loss of amenity and biodiversity value arising from the proposal and to provide a biodiversity net gain Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted.

- include a planting specification, implementation details and a [5] year landscape management plan.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 8) All planting, seeding, trees and turfing specified in the approved landscape details shall be completed by the end of the first planting season (October to February) following the first use of the approved facility. Any seeding or turfing which fails to establish or any trees or plants which, within five years from following the first use of the approved facility, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 9) The artificial grass pitch and the floodlighting hereby permitted shall only be in use between the hours of 0800hrs to 2200hrs Monday to Friday, and between the hours of 0800 to 1800hrs on Saturdays, Sundays and Bank Holidays. Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.
- 10) The approved artificial sports pitch shall only operate in accordance with an approved noise management plan. The noise management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the facility. The noise management plan shall include
- a no-whistle policy applying to the use of the facility,
 - confirmation that all perimeter fencing is constructed with neoprene isolators and that a maintenance regime is in place to ensure that the panels do not loosen over time.
 - procedures for response to complaints from residents or the local authority and a review mechanism in response to justified complaints
 - a named contact where complaints can be directed.
- Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.
- 11) An acoustic fence shall be provided prior to the first use of the artificial grass pitch hereby permitted. The acoustic fence shall be in accordance with details that have previously been submitted to and approved in writing with the fencing thereafter be maintained in position in perpetuity.
Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.
- 12) The floodlighting hereby approved shall be carried out in accordance with the written details as set out in the submitted Design and Access Statement/ SSL Flood lighting design report (received 8th August 2022/10/18) and maintained as such thereafter. The floodlighting shall only be operated within the approved hours of use.
Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers and in the interests of visual amenity.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order amending, revoking or re-enacting that order), the AGP hereby approved shall not be used other than for outdoor sport. Reason: To protect the AGP from damage, and to maintain the quality of and secure the safe use of the facility.
- 14) Prior to the first use of the facility a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement. Reason: To secure well managed safe community access to the sports facility.
- 15) Prior to the first use of the facility the drainage shown on the submitted details SSL3028 07, SSL3028 08 and Appendix E shall be implemented and thereafter shall be maintained as such. Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers

Informative:

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association on pitch construction when determining the community use hours the artificial pitch can accommodate.