

SECTION '2' – Applications meriting special consideration

Application No : 14/04624/FULL1

Ward:
Cray Valley West

Address : Kemnal Technology College Sevenoaks
Way Sidcup DA14 5AA

OS Grid Ref: E: 546921 N: 170230

Applicant : Mrs Tracy Cullen

Objections : YES

Description of Development:

Creation of 3G artificial turf sports pitch with 4.5m high perimeter ball-stop fencing, 8 x 15m high floodlights, hard surfacing for pedestrian access, and storage equipment container.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Urban Open Space

Proposal

It is proposed to construct a new 100m x 64m outdoor 3G artificial turf sports pitch on playing fields within the northern part of the site for use by both school students during school time, and the local community during the evening and at weekends. The proposals would offer a variety of football pitches and training areas within the same enclosed playing space, and the scheme is supported by the Football Association.

The proposals would include the erection of 4.5m high perimeter ball-stop fencing, 15m high floodlights, paths for pedestrian access and viewing, and a storage equipment container to the south of the pitch adjacent to the school buildings. An area of natural bunding is also proposed between the pitch and a line of trees situated along the northern boundary with properties in The Green.

The hours of use originally submitted were 09.00-22.00 hours Mondays to Fridays, 09.00-21.00 hours on Saturdays, and 10.00-20.00 hours on Sundays. However, the opening hours have now been amended to:

08.00-22.00 Mondays to Thursdays
08.00-21.00 on Fridays
09.00-16.00 on Saturdays
10.00-14.00 on Sundays.

The weekday 8am start is intended for a pre-school breakfast club with official usage starting at 9am.

The proposals originally proposed access to the site for parking from The Avenue only which can accommodate 153 spaces, but the scheme has been revised to allow use of the parking area accessed from Sevenoaks Way outside school hours which would make a further 40 spaces available.

Following concerns raised to the original proposals by the Council's Environmental Health Officer, amendments were made to the floodlighting scheme, including the provision of Philips OptiVisors to all luminaries located along the north-western pitch perimeter to reduce light overspill to neighbouring properties, and a Noise Management Plan was submitted.

Location

Kemnal Technology College is located to the west of Sevenoaks Way close to the junction with the A20, and occupies a site area of 0.82ha. It is bounded to the west by The Avenue, to the south by properties in Valley Road, and to the north by the A20 and Nos.1-11 The Green. Kemnal Lodge in The Avenue also backs onto the north-western part of the site.

The site currently has vehicular access from both Sevenoaks Way and The Avenue which serve two separate parking areas.

The site is designated as Urban Open Space within the UDP, and the original school buildings are Statutorily Listed.

Consultations

A large number of letters of objection, including a 168-name petition, have been received from neighbouring properties, and from a number of residents' associations along with the local Neighbourhood Watch. The main points raised are summarised as follows:

- * noise and disturbance to neighbouring properties during the evenings and at weekends
- * noise from players and supporters during matches and training
- * the Noise Management Plan would not solve the noise problems
- * examples of similar all-weather pitches that have been refused in other parts of the country

- * light pollution from floodlights which are located too close to neighbouring properties
- * loss of green open space, contrary to Policy G8 of the UDP (Urban Open Space)
- * increased traffic and congestion along Sevenoaks Way
- * The Avenue is already heavily parked and would become even more congested
- * inadequate on-site parking provision
- * how would coaches park?
- * access to the site for parking should be from Sevenoaks Way only
- * neighbours have not been properly consulted by the school
- * visual distraction to motorists on the nearby A20
- * increased pressure on the sewer system
- * the pitch, floodlights and fencing would be an eyesore
- * detrimental impact on local wildlife, including bats
- * a smaller pitch should be proposed which would reduce traffic and levels of noise and disturbance
- * the pitch would not necessarily be used by residents in the local area
- * increased litter in neighbouring gardens
- * tree screen adjacent to The Green is inadequate to protect properties
- * pitch should not be used outside school hours
- * number of parking spaces available on the site has been overestimated
- * other alternative sites should be considered.

Further letters re-iterating objections were received from local residents in relation to the revised opening hours, increased parking provision, amendments to the floodlighting and the Noise Management Plan. The reduction in the opening hours are not considered to sufficiently overcome residents' concerns, and the use of the Sevenoaks Way access for parking could exacerbate traffic congestion in the area. The additional 40 car parking spaces provided off Sevenoaks Way are already in use by school staff and visitors and therefore should not be taken into account.

A number of letters have also been received from local residents, including Longbury Residents' Association, who consider that the proposals would be a great asset to the school and to the wider community.

Comments from Consultees

The Council's Highway Engineer is satisfied that sufficient car parking would be provided on-site to meet the needs of the development, and no highways objections are raised to the use of either vehicular access to the site to reach the parking areas. In order to prevent excessive parking demand, a condition is suggested which should restrict any non-school use of the pitch during school hours.

The Council's Environmental Health Officer accepts that the proposals would inevitably cause some loss of amenity to nearby residents, however, he considers that both the revised lighting scheme and the Noise Management Plan would reduce the impact to a level where neither are likely to constitute a statutory nuisance which would be actionable by Environmental Health.

No drainage objections are seen to the proposals in principle, and Thames Water has no concerns.

The London Borough of Bexley was consulted on the application, and no objections were raised by them.

The site lies within an Area of Archaeological Significance, and English Heritage therefore recommends a condition requiring the submission of details of an archaeological evaluation of the site.

Sport England raises no objections to the proposals subject to a condition requiring the submission of a community use agreement prepared in consultation with Sport England.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

G8 Urban Open Space
C8 Dual Community Use of Educational Facilities
T3 Parking
T18 Road Safety
ER10 Light Pollution
NE5 Protected Species
BE1 Design of New Development
BE8 Statutory Listed Buildings

Conclusions

The main issues in this case are the impact of the proposals on the visual amenities and open nature of this area of Urban Open Space, the pressure for parking in surrounding roads, the amenities of nearby residential properties, and the setting of the Statutorily Listed school building.

The site is designated as Urban Open Space, and Policy G8 of the UDP allows built development where it is related to the existing use of the site, or where it is small-scale and supports the outdoor recreational use of the site. The scale, siting and size of the proposal should not impair the open nature of the site.

The site is currently in use as school playing fields, and the proposed use would still be for outdoor recreational purposes, but would be used by the wider community as well as the school. The open nature of the site may be affected to a certain degree by the 4.5m high ballstop fencing and the 15m high floodlighting columns, but taken within the overall context of this large area of playing fields, and the position of the pitch to the rear of the school buildings and adjacent to the A20, the proposals are not considered to unduly affect the open nature of the site nor have a detrimental impact on the visual amenities of the area generally.

Policy C8 of the UDP encourages proposals which bring about the beneficial and efficient use of educational land and buildings for and by the community provided that the privacy and amenities of adjoining properties are adequately safeguarded, and that the proposal would not have an unsatisfactory impact on on-street parking or highway safety.

The pitch would lie close to properties in The Green which back onto the site, and would be visible from properties in The Avenue which face the site. The proposals are to use the pitch until 22.00 hours on Mondays to Thursdays, until 21.00 hours on Fridays, between 09.00-16.00 on Saturdays, and between 10.00-14.00 on Sundays. This would result in an increase in the level of activity on this site outside normal school times, which would undoubtedly impact on the amenities of nearby residents, and careful consideration is needed as to whether the Noise Management Plan would sufficiently protect neighbouring properties from noise disturbance. Although the Council's Environmental Health Officer does not consider that the proposed use would cause a statutory noise nuisance actionable under the Environmental Health regulations, there would still be a certain level of noise and general activity and disturbance caused to neighbours, particularly during the evening hours when residents could reasonably expect some peace and quiet.

The revised floodlighting is not considered by the Council's Environmental Health Officer to cause undue light spillage to neighbouring properties to constitute a statutory nuisance, and there is an existing tree screen to the nearest properties in The Green. However, there would still be a very bright illuminated area visible from nearby residential properties, but this is not in itself considered to cause significant harm to warrant a refusal on those grounds alone.

With regard to residents' concerns about increased pressure on on-street parking in the area, the Council's Highway Engineer considers that sufficient parking would be provided on-site for the users of the pitch, such that it would not put undue pressure on parking in surrounding roads. Furthermore, the use of either of the existing parking areas which would be accessed from The Avenue or Sevenoaks Way by users of the pitch is not considered to cause any significant traffic congestion nor be harmful to road safety.

The original school buildings are Statutorily Listed, but the proposals are confined to the rear, and not considered to have a detrimental impact on the setting of the Listed Building.

In relation to residents' concerns about the impact of the proposals on bats in the area, a condition can be imposed which would require the floodlighting to be designed so as to minimise the impact on bats.

Members will need to carefully consider whether the benefits of the scheme to the school and the wider community would clearly outweigh the additional harm to neighbouring properties caused by the increased activity on the site outside school hours. Although finely balanced, it is considered that the development would be harmful to the amenities of nearby residents which would outweigh the overall benefits of the proposal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

as amended by documents received on 24.04.2015 01.05.2015

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposals would result in an unacceptable level of noise and general disturbance to neighbouring residential properties, particularly during the evening hours, and would thereby be contrary to Policy BE1 of the Unitary Development Plan.**