

BOROUGH OF KETTERING

Committee	Full Planning Committee - 29/04/2014	Item No: 5.5
Report Originator	D Law Development Officer	Application No: KET/2014/0104
Wards Affected	St. Michaels and Wicksteed	
Location	Bishop Stopford C Of E School, Headlands, Kettering	
Proposal	Full Application: Provision of a new Multi-use games area, resurfacing of games court and creation of additional car parking	
Applicant	Mrs L Blake	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

REASON: To ensure an appropriate form of development and in the interests of neighbourhood amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy

REASON:

3. During the period 1 October to 31 March each year, the Multi Use Games Area (MUGA) shall not be used outside the hours of 09:00 - 16:00 on any day; and during the period 1 April to 30 September each year, the MUGA shall not be used outside the hours 09:00-20:00 on Monday to Friday, 09:00 -18:00 Saturday and 10:00 -16:00 on Sunday.

REASON: In recognition that in winter this area will not be lit, and to protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Use of the Multi Use Games Area shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed

approved agreement has been provided to the Local Planning Authority. In respect of this condition the agreement shall apply to the Multi Use Games Area and include hours of use, proposals for traffic management and parking by non-educational establishment users, management responsibilities of the site and a mechanism for review of how it is being used. The development shall not be used at any time other than in strict compliance with the approved agreement.

REASON: To secure well managed community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and in the interest of the amenities of nearby residents to accord with policy 13 of the North Northamptonshire Core Spatial Strategy

Officers Report for KET/2014/0104

This application is reported for Committee decision because there are unresolved, material objections to the proposal and a ward member has asked for it to be considered.

3.0 Information

Relevant or recent planning history

KE/97/0281 - Renewal of KE/95/0103: Floodlighting to 6 no. tennis courts to 'club level' standard. Approved 08/07/1997.

KET/2012/0464 - Retain contractor car park as additional staff parking. Withdrawn 17/09/2012.

KET/2013/0778 - Four storey extension block to the south of the site with associated parking and improved service area access 11/02/2014

In addition to the above, an inspector (Ref: T/APP/L2820/A/98/290013/P7) issued a decision regarding the 2 year renewal requirement of KE/95/0103 - Floodlighting to 6 no. tennis courts to 'club level' standard. The decision gave a permanent approval to operate the lights between 08:00 and 21:00.

Site Description

Officer's site inspection was carried out on 03/04/2014

Bishop Stopford School is a secondary school and sixth form that has recently gained academy status. The wider application site is located at the southern extent of the Headlands area of Kettering town in the St Michaels and Wicksteed ward. The purpose built secondary modern school was constructed in 1965 and has undertaken a wide-ranging programme of new buildings and refurbishment over time in an effort to meet the demands of students and a changing curriculum as evidenced by the planning history above. In more recent years, the additional building projects that have been undertaken include an expansion and refurbishment of the design and technology department, library, science department, construction of the sixth form centre, Octagon building and sports hall.

The school's Community Sports Centre opened in 1999. In addition to its use for physical education lessons, the facility is intended for use by the wider community. The centre is used by local sports clubs, an aerobics group, and hosts holiday sport and art activities. There is a large grassed playing field to the north and east of the site that includes hard courts, sports pitches, running track and additional athletic facilities.

The surrounding use on the periphery of the playing fields is residential but also includes Kettering Fire Station adjacent to the site entrance.

Proposed Development

Provision of a new Multi-use games area, resurfacing of games court and creation of additional car parking. The new MUGA will allow increased utilisation by students during PE lessons, club use and during dinner breaks etc. It is also the intention for the local community to be able to hire the

improved facilities outside of school hours for a variety of sports.

Any Constraints Affecting the Site

Protected Open Space - ID 641

4.0 Consultation and Customer Impact

Community Services

No objection

Environmental Health

No objection to the application subject to the following conditions being applied, should consent be given.

1. Multi Use Games Area (MUGA) – hours of use

The Multi Use Games Area shall not be in used outside the hours of :

Monday-Friday	0900 - 2000
Saturday	0900 -1800
Sunday	1000 -1600

Neighbours

One objection from residents at 3 Lonsdale Road

- Proximity of MUGA to nearest part of garden
- Additional noise and disturbance
- Suggested MUGA use hours restricting use of MUGA after 20.00 weekdays, 18.00 Saturdays and 16.00 Sundays
- Loss of parking

5.0 Planning Policy

National Planning Policy Framework (NPPF)

Paragraph 17 – Core planning principles

Policy 4. Promoting sustainable transport

Policy 7. Requiring good design

Policy 8, paragraph 70 – Promoting healthy communities

Paragraph 74 – open space protection

Development Plan Policies

North Northamptonshire Core Spatial Strategy (CSS)

Policy 1. Strengthening the Network of Settlements

Policy 5. Green Infrastructure

Policy 8: Delivering Economic Prosperity

Policy 9. Distribution & Location of Development

Policy 13. General Sustainable Development Principles

Local Plan for Kettering Borough

58. Employment: Within Towns

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Character and Appearance
3. Residential amenity
4. Protected open space
5. Parking and highways

1. Principle of development

The National Planning Policy Framework (NPPF) encourages the planning system to have a social role and it that it should create ‘a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.’

The NPPF requires that plan-making and decision-taking by local planning authorities and others should:

- take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs. (Paragraph 17)
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. (Paragraph 17)
- plan positively for the provision of and use of shared space and community facilities (such as sports venue)to enhance the sustainability of communities and to ensure that established facilities are able to develop and modernise in a way that is sustainable and retained for the benefit of the community (Policy 8, paragraph 70)
- should give great weight to the need to create, expand or alter schools(Policy 8, paragraph 72)

This approach is reinforced by policy 13 of the CSS that states development should:

- a) incorporate flexible designs for buildings enabling them to be adapted to future needs
- c) maintain the and improve the provision of accessible community services
- h) be of a high standard of design, architecture and landscaping
- j) be designed to promote healthier lifestyles and for people to be active outside their homes and places of work.

The introduction of a MUGA, additional car parking and the resurfacing of an existing outdoor sports facility will improve and enhance an existing accessible community facility, expands a school and supports health improvements by modernising a recognized facility, consequently the principle of development is supported subject to the satisfaction of the criterion below.

2. Character and Appearance

The character and appearance of the proposals are considered against Section 7 of the NPPF where the importance of good design is outlined. A stance that is supported by CSS Policy 13 (h) that requires new development to be of a high standard of design, architecture and landscaping, to respect and enhance the character of its surroundings and to be in accordance with the environmental character of the area.

The character of the proposal site is that of an educational institution surrounding by associated playing fields and outdoor sports facilities as part of a wider complex. These include sports pitches, running track and 3150m² of fenced hard surface courts (that includes a pitch to be resurfaced as an all weather astro-turf pitch with existing floodlights), large car park and the school buildings themselves. The resurfacing is to occur on an existing court therefore it is considered that it would not look out of place or adversely affect the character of the educational complex locale. The MUGA will replace an unauthorised area of car parking but has been designed to reflect its surroundings sports facilities with the appropriate boundary treatment of 2.7m fencing with a dark green powder coated finish as utilised around the existing sports amenities. The 8 additional car spaces will extend an existing car park that will be resurfaced and relined to maximise the number of parking spaces in accordance with parking standards. Therefore it is considered that the development as proposed accords with the design principles of section 7 of the NPPF and policy 13 of the CSS.

3. Residential amenity

Paragraph 17 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupiers of land and buildings. Policy 13 (l) of the CSS states that development should not result in an unacceptable impact on the amenity of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The NPPF supports local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

An objection to the application was received from the residents of 3 Lonsdale Close which is adjacent to the site. The objection focused on the proximity of the MUGA to their property and the potential for resultant loss of privacy and undue noise and disturbance.

The resurfacing of the existing hard court may intensify the use of the court by enabling its use during poor natural lighting conditions however the principle of

sports activities outside school hours being carried out on this site was established with the approval of KE/95/0103 - Floodlighting to 6 no. tennis courts to 'club level' standard. Approved 23/05/1995. This two year temporary permission prevented the use of the floodlights before 08.00 or after 21.00. The requirement to renew this hours condition every two years was removed by an inspectors decision (Ref: T/APP/L2820/A/98/290013/P7) thereby allowing the restricted hours to carry on in perpetuity. The condition preventing the use of the floodlights on the pitch to be resurfaced before 08.00 or after 21.00 will remain and it is not proposed to artificially light the MUGA.

With regard to concerns over noise, given the context of the location of a sports field within the grounds of a busy school, there is potential for noise, a view supported in the inspectors decision (Ref: T/APP/L2820/A/98/290013/P7) to remove the requirement for renew the lighting hours which stated:

'residents overlooking a schools sports field have to expect some noise and disturbance from time to time, although for many this would be offset by the advantages of having an open aspect'.

The objector has put forward a schedule of hours as follows:

Monday-Friday	0900 - 2000
Saturday	0900 -1800
Sunday	1000 -1600

As the MUGA is not to be artificially lit, its use will be curtailed by daylight hours in the winter months however hours restricting the use as suggested by the neighbouring objector and confirmed as suitable through consultation with Environmental Health will be conditioned but taking account of available daylight in winter. This will retain any impacts of noise from the MUGA to within sociable hours when the existing sports facilities are already in use.

The location of the MUGA in 'close proximity' to the objector's property was questioned by the objector. This location was chosen due to its proximity to existing car parking and service road so as to avoid additional works and to be accessible for all parties. It would involve the replacement of a temporary car park thereby avoiding any further loss of the playing field. This accords with Policy 4 – 'Promoting sustainable transport' of the NPPF which states that development should be located and designed where practical to accommodate safe and suitable access to the site for all people and give priority to pedestrian and cycle movement to create safe and secure layouts.

It is considered that the proposal is functionally linked to the school with wider benefits to the community and the Academy that outweigh the potential for the proposal to adversely affect the amenity of the nearby residents. The residential amenity impacts of the proposals are not considered unacceptable when judged against Core Spatial Strategy Policy 13 or paragraph 17 of the NPPF.

4. Protected open space

The playing field associated with the Academy has been identified as protected Open space and categorised as an outdoor sports facility through the PPG17 Open Space study (ID 641). Paragraph 74 of the NPPF and policy 13 (g) of the CSS are protective of open space. The proposal for a new MUGA would be constructed on an area of unauthorised car parking that has encroached onto the playing field. This lost area of the field is to be replaced by an improved outdoors sports facility. This could be utilised in all weathers therefore the benefits of the proposal are considered to outweigh the loss of the small area of underemployed playing field that is currently hard standing thereby improving the existing facility and in so doing according with the above policies. The proposal has received support from Sports England subject to the imposition of a condition requiring a community use agreement prepared in consultation with Sports England has been submitted and approved by the Local Planning Authority. The elements of direct planning impacts are identified in the relevant condition on the recommendation.

5. Parking and highways

Policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety. Policy 4 – ‘Promoting sustainable transport’ of the NPPF states that development should be located and designed where practical to accommodate safe and suitable access to the site for all people and give priority to pedestrian and cycle movement to create safe and secure layouts.

The current on-site provision is 120 car spaces, 10 motorcycle spaces, 8 disability spaces plus 25 ‘other’ spaces for minibuses etc. The MUGA is to be located on an area currently utilised as an unmarked and unauthorised car park for 22 cars. The temporary car park did not become permanent owing to an objection from Sport England as the area had previously been school playing field. If this proposal does not gain approval, the temporary car park will be required to revert back to playing fields. An objection from nearby neighbours on Lonsdale Close highlighted the loss of parking and the potential knock on effect on the surrounding highway network. However as stated, there is a net gain of 8 spaces on site and there is no evidence to suggest that the loss of temporary spaces will result in adverse highway conditions off site.

The proposal for MUGA, resurfaced pitch and an additional net gain of 8 authorised car spaces accords with the parking and highway aims of policy 13 of the CSS and 4 of the NPPF.

Conclusion

The proposal accords with policies in the Development Plan and is recommended for approval subject to the imposition of relevant conditions.

Background Papers

Title of Document:

Previous Reports/Minutes

Ref:

Date:
Contact Officer:

Date:
D Law, Development Officer on 01536 534316