

SOUTH LAKELAND DISTRICT COUNCIL

South Lakeland House Kendal, Cumbria LA9 4UQ

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Wednesday, 15 June 2022

Dear Sir/Madam

Planning Committee - Thursday, 16 June 2022

I am now able to enclose, for consideration at the above-mentioned meeting, the following late representations.

6 Planning Application No. SL/2021/0495 Sandgate School at Queen Katherine School site, Appleby Road, Kendal, LA9 6PJ

To consider an application for the extension of Sandgate SEN School site, Appleby Road, Kendal, LA9 9PJ.

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Planning Application no. SL/2021/0495

Sandgate School at Queen Katherine
School site, Appleby Road, KENDAL,
LA9 6PJ

Addendum Report

1.0 Late Representations

- 1.1. Since publication of the officers' report we have received further representations from one neighbour and the applicants agent which has generated a further response from Sport England. These have all been published online and are summarised below along with additional officer comments as relevant.

Neighbour representation

- 1.2. A further letter of objection has been received from 5 Ash Meadow.
- 1.3. The resident is unable to attend planning committee and states that a neighbour made him aware of the committee as he did not receive a letter.
- 1.4. He continues to strongly object and considers the revised proposal has brought additional concerns over the extraordinary loss of privacy, traffic, noise and now additional light pollution, risk of flood, negative impact both mental and physical on human wellbeing, residents, adults and children, directly on their properties and surrounding area, to the detriment of the environment, loss of playing fields as previously objected to not to mention the negative impact on the market value of our properties and has only exacerbated the negative impact that it was going to cause. The location of the development is not the appropriate one and continues to cause extraordinary negative impact on the residents, their lives, properties and surrounding area.

Officer comments

- 1.5. The comments received reflect the residents' concerns and objections included in the Committee report.
- 1.6. A Councilors site visit was undertaken to allow Members the opportunity to assess the current on site relationship between residential properties and the existing school site and the site of the proposed extension and ancillary development.

Additional information from the applicants agent

- 1.7. A letter was received on and dated 13 June 2022 from the applicants agent followed by a Key Issues Paper produced by Tetra Tech on behalf of the applicant received on 14 June 2022.
- 1.8. The letter and the Tetra Tech report set out the following:
 - Places for SEN children are at a premium and this project will allow more vulnerable Kendal children the opportunity to be

educated in their hometown and benefit from an improved family home life rather than being sent to an out of county provision

- There are significant budget pressures and these can be avoided if some of the current residential placements which rely on out of county provision could be accommodated in the new facilities
- The project would bring benefits of a modern specialist provisions as well as allowing advantages obtained from integration with the adjacent school
- The proposal will lead to the loss of a small playing field area of 0.3 hectares which has never supported any community sports use
- The area has been declared surplus by the Department of Education on 9 May 2022.
- The Sport England exceptions policy includes that where there is a robust and up to date assessment (note: such as a Playing Pitch Strategy (PPS) as part of the local plan process) which demonstrates that there is an excess of provision the development could be permitted. In this case the Councils Playing Pitch Strategy dates from 2008, is out of date and cannot be used as evidence.
- Sport England object to the application and consider that in the absence of an up to date playing field assessment did not make the case that the playing field is surplus and in the absence of any mitigation for the loss continue to object.
- The application has been hampered by the lack of an up to date PPS and the strict Sport England policy. Meeting have been held to try to address this and seek a mitigation strategy through identifying possible alternative locations that could accommodate the equivalent size/type of playing field lost.
- A site opposite the school was identified but following comments received from the South Lakeland planning that a separate planning application may be needed for a new playing field together with identified issues with trees and Sport England advice that an assessment must be undertaken by an agronomist and consultations required with sports bodies to understand need and potential usage. This would also lead to delays with the delivery of 40 much needed SEN places in Kendal.
- It has become evident to the consultant team that the alternative playing field option would require significant works and costs and the site is not required by the school for additional playing fields and discussion with the Football Association and Football Foundation suggest that they have no need of the potential new pitches and without an end user the site would not be sustainable and could be a white elephant.

- Despite considerable efforts it has not been possible to find a policy compliant solution which meets Sport England requirements and is deliverable and sustainable. Replacing the pitch would be policy complaint but of limited value and significant costs with little or no need.
- A mitigation package is therefore proposed to benefit sports in the area which may include upgrading the nearby England Athletics clubroom, long jump pit and other athletics facilities as well as any emerging priorities identified from an updated Playing Pitch Strategy when this is available.
- A payment of £400,000 as a one off payment will be paid to Queen Katherine School to improve its outdoor facilities, both sports and social, that all pupils at both schools will benefit from through shared learning, peer development and understanding.
- Significant delays with the project will place the project at risk and result in significant unbudgeted financial pressures and a school start date of September 2024 will be lost.

Sport England consultation

1.9. Sport England were re-consulted regarding the letter/report received from the agents as above, and their response was received on the 14 June 2022. This reiterates their objection to the proposal and that:

- Sport England's Playing Fields Policy is consistent with National Planning Policy Guidance, specifically paragraph 99.
- It is not only Sport England Playing Field policy that needs to be met but National Planning Policy
- The last known position was that the applicant/agent was exploring the feasibility of creating a new playing field on land opposite the school. This may have been broadly policy compliant but would create only a small playing field only suitable for mini pitches. A better option may have been to expand an existing playing field elsewhere and whilst from the agent's submissions this has been discounted, options to improve existing facilities on the Queen Katherine/Sandgate School site are unlikely to comply with Sport England or National Planning Policies.
- The Playing Field Strategy from 2008 is out of date but as well as possibly demonstrating the site would be surplus it could also demonstrate the Playing Field is need and should not be built on without being replaced.
- National Planning policy sets out playing field should not be built on unless certain criteria are met.

- On the basis that the applicant is not offering any scheme to replace the playing field lost to development Sport England has no grounds on which to remove its objection and maintains its objection.

Officer comments

- 1.10. Sport England maintain their objection and the main committee report sets out the position with regard to National Planning Policy and the Sport England objection.
- 1.11. The financial/budget issues raised, and the offer of a financial package as mitigation against the loss of the playing field are not in this case a material consideration in either local or national planning policy terms, and the financial package referred to cannot be subject of a planning condition requiring its payment, use or amount and does not satisfy the criteria of Sport England policy.

2.0 Recommendation

- 2.1 That the representations above are noted as part of the Planning Committee procedure and the recommendation as set out in the Committee report remaining unchanged.

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