

COMMITTEE REPORT

Date: 10 August 2017 **Ward:** Rawcliffe and Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council

Reference: 16/02205/FUL
Application at: Bootham Junior School, Rawcliffe Lane, York. YO30 6NP
For: Construction of synthetic turf sports pitch and warm-up area with flood lighting, acoustic fence, fence enclosure and reorganisation and extension to car park
By: Mr Andy Woodland
Application Type: Full Application
Target Date: 17 August 2017
Recommendation: Approve

1.0 PROPOSAL

THE SITE

1.1 The planning application relates to land at Bootham Junior School's playing fields, on Rawcliffe Lane in the Clifton area of the city. The single storey school buildings are located on the east side of Rawcliffe Lane along with pedestrian and vehicle access to the school. The playing fields generally lie to the east of the school buildings and are bounded on three sides by the rear gardens of residential properties on Fairway to the north, Elston Close and Jacobi Close to the east and Brompton Road to the south.

1.2 The application site comprises approximately the northern half of the existing playing fields and part of the existing car park. The approximate site area is 1.8ha. To the west, across the road from the school buildings are the Clifton (Malton Way/Shipton Road) Conservation Area no. 19 and Clifton Conservation Area no. 2. The site itself is not within a conservation area, nor in an area of archaeological importance. It is located wholly within flood zone 1 (low probability of flooding).

PROPOSAL

1.3 The existing playing fields are poorly drained and cannot be used throughout the year. This means teaching and fixtures are difficult to arrange. Various revisions have been made to the proposals since the original submission. The final scheme is for a new astroturf pitch, and warm up area, enclosed by perimeter mesh fences and floodlighting. They will be constructed in the north-west part of the existing playing fields, east of the existing car park, sports pavilion and tennis courts. The warm up pitch and full size pitch will be surfaced with a green, synthetic grass carpet, which will

be sand dressed. The surface will be suitable for hockey and multisports. A spectator area will be on the west side of the pitch. The proposal will involve the stripping of the existing grass covered pitch, the removal of top soil off site and the laying of a new perforated pipe drainage scheme underneath the synthetic grass.

1.4 The pitch and warm-up area will be surrounded by a 5m high 'moss green' painted mesh fence with timber toe board, carpeted with synthetic grass carpet to reduce the sound of balls hitting the boards. Eight 13m high steel galvanised floodlighting columns which will weather to a grey colour are proposed, running north south along the two lengths of the main pitch. A further four, 10m in height, are proposed on each corner of the warm-up area.

1.5 The existing school car park is to be reorganised and extended and the former staff car park closed off. A total of 50no. car parking spaces and 12no. additional cycle spaces above those already available at the school are proposed in the application.

1.6 The school has agreed to the hours of use for the pitch being term time only. However they are seeking hours of use as 08.30 to 21:00 Mondays to Fridays, although this will be capped at 19:00 when flood lights are in use, 08:30 to 16:00 on Saturdays and 08:30 to 14:00 on Sundays.

1.7 The astroturf pitch will enable year round play on the fields and enable hockey and other sports to be played at a higher level, enabling the school to better compete against other schools who do have such facilities. It will be used primarily by school children from the junior school, as well as by older age pupils from the senior school on Bootham who will need to travel to the facility. Community use is also being sought by the applicant.

RELEVANT PLANNING HISTORY

1.8 The Junior School has benefitted from a series of planning permissions. Those of most relevance include:

- 3/27/51B/FA Erection of sports pavilion, planning permission granted 04.09.1995
- 99/03048/FUL Erection of pitched roof one and a half storey Junior School with associated access and parking and additional tennis court, planning permission granted 08.08.2002. It is noted that the hours of use of the school and playing fields were not restricted by condition. It is also noted that the site prior to implementation of the planning permission was already in use as playing fields by the school
- 07/01605/GRG3 Construction of an outdoor play area, planning permission granted 31.08.2007

1.9 Reference has also been made to the planning permission for the installation of multi use sports pitch with 8no floodlights, 4m high fence and associated spectator benches at Canon Lee School in 2011 (ref. 10/02738/GRG3). This facility is to the north of Fairway, approximately 120m to the north-east of the application site at its nearest point.

1.10 This application is reported to planning sub-committee as it has been called-in for determination by Councillors Lisle, Dew and Rawling due to concerns about the impact of proposals on neighbouring residential amenity.

2.0 POLICY CONTEXT

2.1 Policies:

Draft York Local Plan (2005, 4th set of changes) – relevant policies include:

CYED11: Protection of playing fields

CYGP1: Design

CYGP4a: Sustainability

GP15a: Development and flood risk

Draft York Local Plan Publication Draft (2014) –relevant policies include:

CF1: Community facilities

ED8: Community access to sports and cultural facilities on education sites

G15: Protection of open space

ENV2: Managing environmental quality

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management (Archaeology)

3.1 Whilst a watching brief during the construction of the school did not reveal any archaeological deposits, this proposal includes large areas which need to be stripped to create the proposed new sports pitches. Therefore a condition to secure an archaeological watching brief during the groundworks is advised.

Flood Risk Management (FRM)

3.2 Initially FRM raised concerns about the proposals, requesting further information on surface water drainage from the new car park as no design details were submitted for the proposed permeable paving areas. They also objected to the proposals to raise land by 300mm adjacent to existing residential gardens without perimeter cut off

drains on the north and east boundaries of the playing fields. However both the bunds and land raising have now been removed from the proposals and the perimeter drains are therefore not required.

3.3 Following the submission of revised information, officers state that the attenuation and restriction of the discharge rate to 1.4 l/s appears satisfactory, although final details of the 1.4l/s flow control device are still to be agreed. Therefore subject to consent from YW and the EA on the connection to the sewer, FRM advised they remove their objections to the proposals, subject to a condition to agree the final drainage details.

Highway Network Management (HNM)

3.4 Highways officers requested clarification about the parking arrangements and pupil and staff numbers. They subsequently advised that whilst car parking is 10 spaces over CYC maximum standards, it can be justified by the proposed community use of the facility, which may be during school hours. However as it may also encourage car usage rather than more sustainable means of travel, a condition to agree a travel plan to mitigate the reliance on the motor vehicle is advised. The proposed cycle parking for 12 bicycles by the Sports Pavilion is supported.

Public Protection (PP)

3.5 Throughout the course of the application, environmental health officers have expressed concerns about the impact of noise and lighting from the proposals on residential amenity for neighbours on Fairway, Elston Close and Jacobi Close. Discussion around these impacts has resulted in the addition of a 2m high acoustic barrier parallel to the northern site boundary. Further information has been submitted including a noise assessment of existing noise levels arising from the playing pitch during cricket, rounders and hockey play and a revised lighting scheme.

3.6 Officers agreed with the applicant's acoustic report and addendum that the noise impact from the pitch would be clearly audible against the existing acoustic environment during the daytime but that the levels would be within the Lowest Observed Adverse Effects Level (LOAEL) with the acoustic fence installed. However in the evening, as set out in the consultant's noise report, it was agreed that sound levels would be likely to exceed the LOAEL during the evening period. As such if the noise levels cannot be limited to reduced hours and term time only, the application should be refused. These hours should be 08:30 to 19:00 Monday to Friday, 09:00 to 16:00 on Saturdays and 09:00 to 14:00 on Sundays.

3.7 In response to the original lighting scheme, officers advised that the predicted levels appear to exceed guidance levels by 2 lux and so alterations to the design will be required to ensure compliance with the guidance. Following the submission of revised lighting scheme and additional information, the anticipated levels of lighting at

the windows of the nearest properties in the new scheme is below thresholds and is therefore considered acceptable. In terms of garden areas, if the hours are restricted then providing the lighting is installed as per the submitted plans, and is not used beyond 19:00, the flood lighting proposals are acceptable as there will be limited impact. The previous advised condition is no longer required but the levels at the site boundary should not exceed 10 lux. Standard development informatives are advised.

Lifelong Learning and Leisure

3.8 LLL have no objections to the development and do not object to the loss of playing field as it is providing an additional sporting amenity and the ward has a statistical surplus of grass playing field space. However a community use agreement is sought to ensure community access for a minimum of an average of 10 hours per week when the use is restricted to term time only, at a price comparable with other similar facilities in the city. However term time only prevents the school running day time summer schools, hockey coaching camps etc during holidays, which avoids the need for lighting and noise in evenings. These would have counted as community hours.

EXTERNAL

Sport England

3.9 Initially Sport England reported a holding objection to the proposals as it had not been demonstrated that there was strategic need for the artificial pitch that outweighed the loss of the playing field. (Artificial pitches cannot provide for the full range of 15 sports/training that can be played on grass pitches as defined by its surface and fixed dimensions, surrounded by fencing.) In arriving at this opinion, they consulted England Hockey who advised there was no strategic need for the facility and that the local club were not intending to use it. However the design was in line with their requirements and they had no objections to the school using it for their own purposes.

3.10 Following the submission of further information by the applicant explaining their need and how there were unable to compete at a competitive level with other schools, Sport England withdrew their objection to the proposal. This is because the benefits to the school in providing the facility would clearly outweigh the loss of the grass pitch in this location. This is subject to the attachment of a condition requiring community use of the facility and for its maintenance.

Environment Agency

3.11 Provided that the surface water drainage runoff rate is restricted to 1.4l/s as specified by City of York Council's Flood Risk Team and the revised drainage information submitted, then the EA have no objections to the proposed development.

Yorkshire Water

3.12 Yorkshire Water objected to the original drainage scheme as further evidence was required to show that other means of surface water disposal had been considered other than discharge to the public sewer. The applicant has worked with Yorkshire Water to address concerns including demonstrating that soakaways are not viable and submitting a revised drainage scheme. Yorkshire Water confirmed that they had no objections to the revised proposals which connect to a private surface water drain from the site and into the 300mm diameter surface water sewer to the rear of 11 Jacobi Close. The MUGA pitch will be controlled under a bespoke agreement with Yorkshire Water outside of planning permissions. A condition is advised if officers consider it appropriate.

Rawcliffe Without Parish Council

3.13 The Parish Council objects to the proposals as the proposed pitch would be sited too close to housing predominantly on Fairway but would also affect other neighbouring streets. The development would be detrimental to the local environment. The proposed warm up area is too close to local housing and should be relocated to elsewhere on the site. If the application is to be approved, the Parish Council would like to see the usage and lighting reduced to school opening hours only.

Neighbour Notification and Publicity

3.14 One neighbour has made general comments about people using the fields out of hours and another has commented in support, providing the use of floodlighting is restricted to not beyond 21:00. Any construction work should be limited to sociable hours.

3.15 Thirteen neighbours have objected to the proposals on the following grounds:

- The pitch is too close to the houses on Fairway and should be sited elsewhere.
- Why cannot the school use the astroturf pitch at Canon Lee School which is close to the site or the York Rugby Club on Shipton Road?
- Sport England has reported there is no strategic need for the facility.
- Noise impact including the theoretical nature of the noise report, increased hours of use of the playing fields, a reduction in hours of use to 19:00 and harm caused by the use of both the proposed and existing noise from Canon Lee school's astroturf pitch on the north side of Fairway.
- Existing problems with car parking and parking on surrounding streets will be increased.

- Light pollution from the flood lights into properties with impact on health and ability to sleep. They are too tall at 13m in height. Can a review mechanism be in place for after installation?
- Impact on views of the acoustic fence and mesh fencing.
- The revised plans showing the 2m high earth mounds will encourage anti-social behaviour, loss of privacy and opportunities for thieves to look into properties.
- Negative impact on property values and problems selling.
- Insufficient consultation with the community.
- The proposals are believed to be a commercial enterprise rather than for the benefit of Bootham School pupils. Existing playing fields are not well used so it is unlikely the astroturf pitch will be either.
- It is not reasonable that the proposals are acceptable just because the dwellings already back on to playing fields.
- Existing drainage problems in gardens will be worsened as a result of the astroturf pitch and raising of land by 300mm.

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues are considered to be:

- The need for the facility
- Design and visual impact
- Impact on neighbouring amenity: Light and noise
- Access and parking
- Drainage
- Use of facility by wider community

PLANNING POLICY

National Planning Policy Framework

4.2 The National Planning Policy Framework (March 2012) (NPPF) sets out the Government's overarching planning policies, paragraph 14 advises that at its heart is a presumption in favour of sustainable development, which has three dimensions: economic, social and environmental. Twelve core planning principles are identified including proactively supporting sustainable economic development and always seeking high quality design and a good standard of amenity for future occupants of buildings. Planning should take account of the different roles and character of areas and support strategies to improve health and deliver sufficient community facilities.

4.3 Chapter 8 promotes the creation of healthy communities. This includes delivering the social and recreational facilities and services the community needs and planning positively for shared facilities to enhance the sustainability of communities and residential environments. Paragraph 74 explains that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless the loss resulting from the proposed development would be replaced by equivalent of better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision which the need for clearly outweighs the loss.

Planning Policy Guidance (PPG)

4.4 The PPG on 'Noise' (March 2014) advises that whilst noise can override other planning considerations, it must be considered alongside economic, social and other environmental dimensions of proposed development. In decision taking, account must be taken of the acoustic environment and whether a significant adverse effect will occur, the likelihood of it occurring and whether or not a good standard of amenity can be achieved. As noise increases, it crosses the lowest observed adverse effect level boundary above which the noise starts to cause small changes in behaviour and attitude. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects. The use of planning conditions/obligations to restrict activities and hours of operation may be appropriate. Noise is a complex issue and specialist advice should be sought.

City of York Draft Local Plan (incorporating 4th set of changes, April 2005)

4.5 Although there is no formally adopted local plan, the City of York Draft Local Plan (incorporating 4th set of changes, April 2005), (DCLP 2005) was adopted for development control purposes in April 2005. It does not form part of the statutory development plan, but its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

4.6 Policy ED11 protects playing fields and their loss will not be permitted, unless exceptional circumstances are proven to exist. Policy GP1 'Design' expects development proposals to respect and enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and character of the area. Particularly, outdoor lighting schemes should be energy efficient and provide the minimum lighting level required taking into account any adverse impact on residential amenity, the character of the area and night sky illumination and ecological systems. Residents nearby should not be unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.7 Policy GP4a on sustainability stipulates that development should minimise pollution including from light and noise. Development proposals should set out accessibility by means other than the car. Policy GP15a provides drainage guidance, encouraging the use of sustainable drainage systems and ensuring the capacity of existing and proposed receiving sewers and watercourses is not exceeded.

City of York Emerging Local Plan - Publication Draft

4.8 At this stage, policies in the 2014 Publication Draft Local Plan are considered to carry little weight in the decision making process (in accordance with paragraph 216 of the NPPF), particularly as the emerging Local Plan is to be the subject of further consultation and a revised publication draft is anticipated. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of planning applications. The up to date evidence considered relevant to this application includes:

- City of York Playing Pitch Strategy 2013 - Consultation Draft
- Built Sports Facilities Strategy 2013 - Consultation Draft

4.9 Policy CF1 supports the development of new or improved community facilities to promote social cohesion and strengthen communities in accessible locations. Policy ED8 explains that community use of new/extended education facilities, including existing sports facilities, will be secured unless a local sufficiency can be demonstrated. Policy G15 protects playing pitches and states that development proposals will be supported which improves the quality of existing pitches and that new pitches should be designed to a high standard. Policy ENV2 on managing environmental quality states that development would not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as noise and light pollution without mitigation measures.

Sport's England's Design Guidance Note, 'Artificial Grass Pitch Acoustics - Planning Implications (2015)

4.10 States that artificial grass pitches (AGPs) are a key part of the modern sporting landscape and provide valuable facilities for local communities. Referencing World Health Organisation 'Guidelines for Community Noise' (1999) it states that noise level outside residential properties during the daytime about 1 metre from façades of living spaces should not exceed 50 dB LAeq and for outdoor living areas, to avoid 'moderate annoyance' during the daytime and evening the noise level should not exceed 50 dB LAeq(T). However, if these levels are exceeded, it may still be that it may be that significant impacts do not occur.

4.11 Research found that the most significant noise source from typical use of AGPs was from voices, even when shock absorbing noise reduction measures were

incorporated on perimeter strike boards and goal back boards around such pitches during hockey play. It concludes that with suitable noise mitigation measures, it is considered that acceptable noise levels can be achieved for the majority of AGP sites and will operate without adversely affecting neighbouring residential properties.

ASSESSMENT

4.12 This is an application where the planning balance has to be carefully weighed. During the course of the application it has been clear that both consultees and neighbours have had concerns about the proposals, including loss of grass playing pitch, drainage issues, highways, visual, lighting and noise impacts. Specialist technical advice has been provided by environmental health officers in the Council's Public Protection team and engineers in flood risk management as well as consultation responses from external consultees. In line with guidance, the local planning authority has sought to work positively and proactively with the applicant to see whether the scheme can be amended such that these objections can be resolved. The final scheme in this application has been considered against the statutory development plan and associated legislation, and consideration given to whether the attachment of conditions can render the scheme acceptable.

The need for the facility

4.13 The NPPF sets a presumption in favour of sustainable development, economic growth, the promotion of healthy lifestyles and community facilities. The application is essentially for an intensification of existing playing fields associated with an established school. It will provide significantly better and more appropriate sports facilities in the same location for the same users. The proposals comprise developing a full size astroturf pitch, suitable primarily for hockey, but which could also be used throughout the year for other sports, such as football. There is particular desire and enthusiasm by current staff to enhance hockey play. The pitch cannot be located elsewhere on the fields as they need to be close to the existing hardstanding of the car park and the sports pavilion to minimise the contamination of the pitch by muddy boots crossing the grass to access the pitch and enable the rest of the playing fields to be used for a range of other sports. Its north-south orientation is in line with Sport England recommendations to minimise sun glare during play. One full size and one junior size grass games pitches will be retained on the playing fields, outside the application site.

4.14 Both the Senior and Junior Schools do not have access to a full size artificial hockey pitch. The Junior School has a full size grass pitch, but it is often water logged and drainage is a problem for a significant part of the year, preventing its use for both hockey and other sports. This inability to plan for its use affects teaching and fixtures, and the school cannot also compete with other schools that predominantly only play on artificial pitches. Similarly, playing football at the school is restricted because of poor drainage of the field and is generally limited to before October and after February

in the school year. There is very limited opportunity currently for the sports pitches to be made available for wider community use.

4.15 The school has investigated using alternative facilities at York St Johns University on Haxby Road, Canon Lee school, St Peter's School, and York Rugby Club and there is very limited availability during either school hours or at weekends. Whilst the Rugby Club on Shipton Road and Canon Lee School do have all-weather pitches, the school advises they are not practical to use, even should they become available. Roads can be congested, coaches would need to be hired (as minibuses do not have sufficient capacity for pupils and kit) and even if pupils were to walk, a large amount of kit would need to be carried to the Rugby Club which is not possible. An all weather pitch would increase the popularity of the sports, and allow fixtures between schools and support physical education of the school children.

4.16 The proposed pitch meets England Hockey's design and specification. Sport England has withdrawn their objection to the proposals, subject to a Community Use Agreement being conditioned. They have recognised that the facility would primarily be used by the school and there is a clear need, and enthusiasm for the sport, which balances the loss of grass playing pitch would generally allows a broader range of sports to be played.

4.17 It should be noted however in that formulating their opinion and removing their objection, Sport England have advised that they consider the pitch will primarily be for school use as England Hockey (EH) report that the local club, City of York, are unlikely to use the site as there is no unmet need, it is not in a suitable location and because of floodlighting restrictions. The Football Association (FA) confirm that whilst there is a football need for six additional full-size 3G AGP's in York, the proposed pitch surface in this application which is primarily for hockey, is not the preferred surface for the playing of football.

4.18 It is accepted by officers that it is neither practical or feasible for the school to use other astroturf pitches in the locality and that the need is genuinely required and is necessary for the successful and competitive nature of sporting activities at the school and to promote and encourage healthy lifestyles of the children.

Impact on neighbour amenity - Design and Visual Impact

4.19 As discussed above, and following consultation response by Sport England in association with England Hockey, the proposed design of the pitch is appropriate. The technical specification meets the England Hockey guidance for Artificial Grass Pitches.

4.20 The location of the artificial pitch is close to residential properties on Fairway. However it cannot be located any further away without compromising the use of the rest of the playing fields. The use of the site for playing fields has long been in

established use and could be used for longer periods without the need for planning permission.

4.21 The residential properties on Fairway are generally semi-detached properties of 1950s era, benefitting from front and rear gardens. Those directly north of the proposed pitch and warm up area have gardens measuring between 9m and 21m in length and generally 9m to 10m in width. With the exception of one property which has lattice timber fencing, all have a deep hedge at the boundary with the playing fields of at least 2m in height, extending to over 3m with hedge trees in the north east corner of the playing fields. Properties on Elston Close are of late 20th/early 21st century modern design. Boundary treatment at the end of their gardens comprise a double row of timber and palisade fencing.

4.22 The pitch would be surrounded by twin 6mm and 8mm bar steel mesh mounted to steel posts with rubber spacing washers to help deaden impact sound. The fence will be finished in a green polyester powder coated paint (RAL 6005 Moss Green). There will be 8no. 13m high floodlights around the pitch and a further 4no. 10m in height around the warm up area.

4.23 The 5m high fence surrounding the warm up area is located at a distance of 8m from the end of the rear garden of the nearest property. The 5m high fence to the playing pitch is located at a distance of 7m from the end of the rear garden to the nearest property. As these properties directly north of the proposed pitch benefit from reasonable gardens, the pitch will be between 18m and 28m from the rear elevation of these properties at their nearest points. As such, there is a degree of separation between the 5m high fencing and the houses and gardens. Well established natural screening provided by the hedgerow for all but one of the properties and the moss green colour of the fencing provide mitigation and a visual barrier at ground floor level. The proposed acoustic fence is 2m in height and will be positioned 3m from the edge of the hedge. This is not considered to be harmful from a visual perspective. The distance of both types of fencing from Elston Close is not considered to have a material impact, although may be visible.

4.24 The proposed floodlighting at 13m high will be significantly more visible, particular for the residents of Fairway and in the evenings during the winter months when the floodlights are in use. For residents at Elston Close and Jacobi Close there would also be visual impact but at a distance of at least 120m. The floodlights would illuminate what is otherwise an unlit area at the rear of properties. However, restrictions in hours can ensure that the unlit appearance of the playing fields would be restored for the majority of the night throughout the week. The galvanised steel columns of the floodlights which will weather to grey is considered appropriate in terms of blending with the sky rather than a darker colour. Thus whilst there would be a change in the appearance of the playing field and outlook from properties from a flat open grassed playing fields to a more enclosed and developed space, in an urban

area, with established recreational/sporting use, this is not considered incompatible nor is it considered sufficiently harmful to warrant refusal of the application.

4.25 From Rawcliffe Lane the lighting columns and floodlighting as well as the fencing would be visible. However set back from the road and behind the car park and sports Pavilion they would be viewed within this context and whilst a change would be noticeable it would not cause harm to the street scene.

Impact on neighbour amenity - Floodlighting and noise

4.26 Environmental health officers (EHO) have expressed concerns during the course of the application about the impact of light and noise from the proposals. However, taking a positive, proactive approach, they have sought to work with the applicant to fully understand the implications and seek clarification.

4.27 It should be noted that the EHO has confirmed verbally that no complaints have been received by the Council's Public Protection team associated with the use of the astroturf pitch at Canon Lee School which was developed in 2011. It is highlighted that the officer's report for the application at Canon Lee School states that the pitch is 26m from the nearest property on Saville Grove and 24m from the nearest property on Fairway. The main pitch and/or warm up area in this application for Bootham Junior School is between 18m and 28m from properties on the south side of Fairway. Certainly therefore there are differences between the two sites as the current application proposes pitches closer to some residential properties whilst at a similar distance for others. It should also be noted that existing tennis courts at Bootham Junior school are positioned adjacent to the warm up area and are an equivalent distance from neighbours as the warm up pitch.

Noise

4.28 The EHO has highlighted how the applicant's noise report states noise levels from the pitch could be up to 13dB higher than the existing Leq and up to 15dB higher than the existing L90. At these levels, sound from the pitch would remain clearly audible. However as the area is already used by the school for playing of sport, and has been since before 2002 when the junior school was built, they requested information on the existing levels of noise currently experienced by use of the existing pitches. Noise levels from current users were found to be consistent with those predicted from the astroturf pitch during hockey games on the playing fields, although it was higher than cricket and rounders that were also monitored.

4.29 Reference to Sport England's guidance stated that when artificial pitches were surrounded by fencing with noise suppressant carpet/padding on perimeter strike boards, the dominant noise would be from voices which would be concentrated in spectator areas during competitive games and at entrances to the pitch. In the application these are positioned closest to the car park. As such, the level of noise

which can be generated from hockey play on the playing fields is at a similar level to that forecast from the artificial pitch with the acoustic fence in place. Both guidance documents and the acoustic consultant's report state the desirable limit is 50dB LAeq. With the acoustic fence in place, as shown on the plans on the northern boundary, the noise levels expected from a hockey game, being the likely noisiest sport and the most frequently played on the artificial pitch, is calculated as being 46dB LAeq at Fairway (ie below), 44dB LAeq at Brompton Road (ie. below) and 51dB LAeq at Elston Close (ie 1dB above LAeq).

4.30 The submitted noise report addendum reports the recording of cricket and rounders on the current playing pitches at between 41.1 dB LAeq and 46.8 dB LAeq and for hockey between 52.9 LAeq and 60.1 LAeq for the warm up. As the school is able to use the playing fields unrestricted, then these levels of sound could be generated more regularly from the playing of hockey on the fields, once a drainage system was in place in any instance and are in fact above those predicted from the proposed artificial pitch. It could therefore be argued that the proposals in this application would in fact reduce noise levels from the playing fields.

4.31 However the proposal would result in an intensification in use of this part of the playing fields, the provision of a formal spectator area, an intensification of the play of the noisiest sport and an extension in hours beyond what the hours that the playing fields are currently used as a result of an improved surface for plan and floodlighting. Residents in Fairway and Elston Close will have an expectation that the use of the playing fields would generally fall within school hours.

4.32 Therefore there are some concerns about noise impact from the proposals as explained by the EHO. This is particularly the case if the community use would result in the use of the playing fields extending throughout the year and to 21:00 in the evening during summer months. As submitted in the applicant's noise report, it is expected that the evening use of the pitch would generate the same noise levels as daytime, whilst the tolerance levels are accepted as being lower in the evening (a reduction of 5db to 10db of the Lowest Observable Adverse Effect Level (LOAEL) from daytime levels of 50dB LAeq, ie. 40-45dB LAeq is the acceptable limit.)

4.33 Therefore there would be significant adverse effect of noise on the amenity of nearby residential properties in the evening and an intensification of use. The environmental health officer's view is that the application should be refused if hours of use are not restricted to term time only and 08:30 to 19:00 Monday to Friday, 09:00 to 16:00 on Saturdays and 09:00 to 14:00 on Sundays. Whilst there would still be noise with these hours of use, it would generally fall within what would be expected at a school site. Whilst the applicant has agreed to term time only, officers are recommending restrictions in hours further to no later than 19:00 throughout the year and a later start of 09:00 at weekends.

4.34 The implication of this is that the community use of the facility is restricted only to these hours and may be less than the 10 hours per week during term time sought by the officer in lifelong learning and leisure. It is also noted that school holiday camps (if any) will not benefit from using the astroturf pitch and warm up area, although the rest of the fields could be used unrestricted.

4.35 Sport England has agreed to the community use being term time only but has not been consulted on the earlier finish of 19:00. They have not specified how many hours the community should be able to use the facilities and therefore this further restriction, to avoid significant harm to neighbour amenity through the evening use, is considered reasonable and justified. Without such a restriction in hours, then the application cannot be supported, and the school will lose out on a much needed sports facility. A community use condition is advised and the level of use can be agreed through condition.

Lighting

4.36 The pitch and warm up area are to both be floodlit at a level suitable for hockey. Detailed consideration has been given to the proposed column height to ensure safe levels of illumination for hockey whilst minimising light spillage onto neighbouring properties. The height allows light to be directed more accurately onto the pitch rather than on a lower column at a wider angle with greater spillage. The artificial pitch will have 4no. 13m high floodlighting columns on each length (8no. in total) supporting 20no. 2kW Philips 'Optivision' low glare floodlights. The warm-up area will have 4no. 10m high floodlighting columns with 4no. 1kW Philips 'Optivision' low glare floodlights. The proposals are supported by a technical report prepared by SJB Floodlighting Ltd.

4.37 Initially the lighting levels exceeded the Institute of Lighting Professionals (ILP) guidance thresholds. Following alterations to the design the anticipated levels of lighting at the windows of the nearest windows would now fall below this threshold. Concerns were still raised about lighting levels in gardens but it was agreed that submitted calculations showed 'worst case scenario' and did not take into account obstructions such as fences, trees and outbuildings and were similar to levels from street lighting in front gardens. The EHO concluded that if hours of use were capped to 19:00 and levels of 10lux at garden boundaries were specified by condition, they had no continued objections to the proposals.

4.38 In justifying this position it is likely that during the late afternoon and early evening in darker winter months when flood lights would need to be in use, then most residents would choose to be inside with curtains drawn. Most residents, are unlikely to retire to bed before 19:00, which is the latest the floodlights would be operating and there would not be any impact on normal sleeping patterns. Therefore the floodlights will not erode residents' enjoyment of their homes and gardens, although there is a significant change visually from what residents currently experience. However, in terms of light spillage it is within acceptable limits as confirmed by the EHO, providing

they are switched off at 19:00 and this can be conditioned. There will be very limited impact during summer months when days are longer.

Drainage

4.39 The school and neighbours concur that the area suffers existing drainage problems and is a key driver for the proposals for the artificial pitch as current conditions prevent year round use of the playing fields, as well as particular sports that require a level and good quality turf pitch.

4.40 A new drainage scheme is proposed, comprising perforated pipes beneath the artificial pitch connecting east to an existing drainage system in Jacobi Close. Vertical tanking membranes beneath stone is also proposed. Permeable paving on stone over an intergrid and tanking membrane is shown for the car park.

4.41 The original scheme had land raising proposed of generally 300mm in the north east corner of the site, but with a bund of up to 800mm as a result of the removal of top soil to create the artificial pitch. There were concerns that this would direct seepage towards garden areas on the northern and eastern boundaries and requested perimeter cut off land drains along these boundaries. The applicant has decided that rather than provide these drains they will remove the sub soil off site and not raise the land.

4.42 The new drainage scheme from the artificial pitch and car park areas attenuating and restricting the discharge rate to 1.4 l/s appears satisfactory, however consent from Yorkshire Water and the Environment Agency will still be required. Final details of the 1.4l/s flow control device are the only point yet to be agreed but this can be conditioned.

4.43 Yorkshire Water have accepted the proposed connection and amount of surface water/land drainage that will ultimately be discharged to the public water sewer in Elston Close. A petrol/oil/grit separator/interceptor will be used. The drainage from the artificial pitch will be controlled under a bespoke agreement with Yorkshire Water outside of the planning permission and as such, planning officers concur with Yorkshire Water that the potential condition proposed is unnecessary.

4.44 The planning application cannot resolve existing drainage issues. As a result of the improvements to a large area of the playing fields as a result of the scheme, it is hoped this will provide wider improvements to neighbours.

Access and parking

4.45 The proposals will increase the available parking at the school from 36no. car parking spaces to 50no. car parking spaces, plus 4no. disabled spaces and 2no. minibus parking spaces through a reorganisation and extension of the existing car

park, and closure of access to the existing staff car park. Six Sheffield style cycle stands are proposed in front of the Sports Pavilion providing space to securely lock 12no. bikes. In total the school will thus provide space for locking 37no. bicycles. The new use of the staff car park area is outside of this application. Access to the car park will be as existing arrangements with separate access and egress. Two additional lighting columns are proposed in the car park.

4.46 Highway officers confirm that for the size of the school, the shared use of the facility with the Junior School and potential community use the proposed parking is acceptable, subject to the implementation of an agreed Travel Plan to encourage sustainable modes of travel and avoid highway implications and on street parking as much as possible.

Community use

4.47 Community use of the school facility is advised by Sport England and officers in 'lifelong learning and leisure' who specify a minimum of 10 hours per week (average in term time). Policy ED8 of the Publication Draft explains that community use of new/extended education facilities, including existing sports facilities, will be secured unless a local sufficiency can be demonstrated. This policy carries little weight however.

4.48 Sport England has advised that England Hockey report the local club has no need for an additional facility and the Football Association state the surface is not preferred by local clubs. Background documents to the emerging local plan explain that 49 community and university teams with further school teams play hockey during the week. The majority of the teams are part of City of York Hockey Club which currently states there is no need for an additional facility. The report also notes that all community hockey is now played on sand or water based artificial grass pitches which concurs with the schools report that their lack of access to such a pitch prevents play at a competitive level with other teams. The 'Built Sports Facilities Strategy' identifies nine artificial grass pitches across the city (2013) on nine separate sites. There are additional small size artificial pitches and others being resurfaced. This report also states that there are sufficient pitches to meet demand in accessible locations. They are of good quality. Therefore the evidence base suggests the restriction in use of Bootham School's facility will not have adverse impact on demand across the city as there are sufficient facilities elsewhere.

4.49 Whilst the facility will be available for a limited time from after school hours to 19:00 in the evening during the week as specified by the EHO and at weekends during term time, it is recognised this significantly affects the availability of the facility by the wider community, should demand arise. However this use has to be balanced against the protection of neighbour amenity which in this case is given greater weight, particular when there is not a need for additional facilities. A community use

agreement is proposed as a condition, and the levels of use can be agreed in due course.

5.0 CONCLUSION

5.1 The application is for a new astroturf pitch, and warm up area, enclosed by perimeter mesh fences and floodlighting at Bootham Junior School in the Rawcliffe area of the city. They will be constructed in the north-west part of the existing playing fields, east of the existing car park, sports pavilion and tennis courts. The warm up pitch and full size pitch will be surfaced with a green, synthetic grass carpet, which will be sand dressed. The surface will be suitable for hockey and multisports. A spectator area will be on the west side of the pitch. The proposal will involve the stripping of existing grass covered pitch, the removal of top soil off-site and the laying of a new perforated pipe drainage scheme. It will be used primarily by junior school children from the school on site, as well as by older age pupils from the Senior School on Bootham. Reorganised and extended car and cycle parking is proposed.

5.2 There is a clear need for the pitch at the school but not a clear need for use by the community as there are sufficient good quality facilities elsewhere and thus the additional restriction in hours is not considered to outweigh the harm to neighbour amenity which is given more weight in this case. In attempting to resolve the issues raised in this application, particularly for neighbour amenity (the proposed lighting and intensification and extension of use of this part of the field), it is considered that the application can only be acceptable if hours are reduced to term time only and 08:30 to 19:00 Monday to Friday, 09:00 to 16:00 Saturday and 09:00 to 14:00 on Sunday. Subject to this condition the application is considered to be in accordance with the general principles at paragraph 17 and section 8 on promoting healthy communities in the NPPF. It is also found to be in accordance with DCLP (2005) policies GP1 Design and GP4a on Sustainability.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

PL-05-001 Revision A - Site location plan (received 07.02.2017)

PL-05-002 Revision J - Proposed site layout plan. (received 18.07.2017)

PL-05-003 Revision G - Proposed parking layout plan. (received 26.05.2017)

SJB15-001-02 Revision B - Floodlighting details showing maintained illumination levels and 2&5 lux vertical illuminance contour (received 16.05.2017)

5154-001 Revision A - Proposed lighting layout extended car park (22.09.2017)

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BS/STP/02 Revision H - Proposed layout. (received 09.06.2017)
BS/STP 03 Revision E - Pitch detail. (received 09.06.2017)
BS/STP/04 Revision B - Site section AA. (received 06.06.2017)
BS/STP/05 - Proposed fence elevations. (received 22.09.2016)
BS/STP/07 - Proposed ground section BB. (received 23.05.2017)
BS/STP/08 - Revision A - Proposed site section CC. (received 06.06.2017)
37527-100 Revision C - Alan Wood and Partners' Proposed drainage layout.
(received 21.07.2017)
34196-110 Alan Wood and Partners' – Proposed site plan (construction) (received
05.06.2017)

Bootham Junior School's Maintenance Guide for Sand Dressed Synthetic Grass
(November 2015, Issue 1)

Design and Access Statement (September 2016, except where updated by
subsequent plans identified above. The plans will take precedence)

Noise impact analysis of proposed synthetic turf sports pitch and addendum,
prepared by S&D Garritt Ltd.

Reason: For the avoidance of doubt and to ensure that the development is carried out
only as approved by the Local Planning Authority.

3 The use of the artificial pitch hereby approved for the playing of sports or any
other function shall be restricted to the following times:

School term time only:

08:30 to 19:00 Monday to Friday

09:00 to 16:00 Saturday

09:00 to 14:00 Sunday

The flood lights shall be switched off no later than 19:00.

The artificial pitch hereby approved for the playing of sports or any other function shall
not be used during school holidays.

Reasons: In the interests of the residential amenity of surrounding occupants.

4 Prior to the development being brought into use, a Community Use Scheme
shall be submitted to and approved in writing by the Local Planning Authority, after
consultation with Sport England. The Scheme shall include details of pricing policy,
hours of use, access by non-college users/non-members, management
responsibilities and include a mechanism for review. The approved Scheme shall be
implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the grass playing field, and to accord with policy.

Informative: A model Community Use Scheme is available on the Sport England website www.sportengland.org

5 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences. It shall be undertaken in accordance with these approved details.

Reason: The site lies within an Area of Archaeological Interest and the development may affect important archaeological deposits which must be recorded during the construction programme.

6 The astroturf pitch and warm up area shall not be used until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in complete accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes. As submitted by email on 05.06.2017, the cycle stands shall be Toastrack (or equivalent Sheffield style stands), unless otherwise agreed in writing with the local planning authority. For the avoidance of doubt, the car parking areas as shown on the submitted plan 'Parking layout plan' PL-05-003 revision G, shall be fully implemented prior to the pitch coming into use and include the drop-off bays, disabled bays, raised traffic tables with rumble strips, pedestrian and vehicle gates and pedestrian pathways as shown.

Reason: In the interests of highway safety.

7 Prior to first occupation, a Travel Plan to encourage staff, pupils and other users of the school and/ or artificial pitch to travel by sustainable means to the site should be submitted and approved in writing by the LPA. The Travel Plan should be developed and implemented in line with local and national guidelines. The Travel Plan shall thereafter be implemented in accordance with the approved aims, measures and means of monitoring it contains.

Within 12 months of the first use of the artificial pitch or extended car park, a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure the development complies with advice contained in local and national planning and transportation policy, and to ensure adequate provision is made

for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users rather than on the public highway and local roads.

8 No construction works shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the local planning authority. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

9 All construction and demolition works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

Reason: To protect the amenity of local residents

10 Prior to the astroturf pitch hereby approved coming into use, full design details of the acoustic fence, shall be provided and approved in writing by the local planning authority. It shall be in the location shown on the approved drawings and a minimum of 3m away from the outside edge of the hedge on the northern boundary. It shall be erected in accordance with these approved details and maintained as such for the lifetime of the development.

Reason: To protect neighbour amenity, the vitality of the existing hedgerow and provide a corridor of sufficient width to maintain the grass and hedgerow in this location

11 The floodlighting columns and lights shall be erected in complete accordance with the submitted details on the plan 'Flood lighting details - maintained illumination levels and 2 and 5 lux vertical illuminance contour' SJB15-001-02 Revision B. In accordance with the proposed mitigation measures on the lighting consultant's email of 01.06.2017, the corner columns at the northern end of the pitch shall be fitted with side cowels to minimise light spillage.

Once installed, the lighting levels shall be recorded within one week of their installation and monitored at agreed locations and times with the local planning authority. The maximum levels of 10 lux shall be observed at the site boundary. If these levels are exceeded, the floodlighting shall not be used until adjustments are

made to the lighting to meet these maximum lux levels.

NOTE: These adjustments may comprise the requirement for additional screening and this shall be agreed in writing with the local planning authority prior to installation and thereafter implemented in accordance with these agreed details.

Thereafter, at each one year anniversary of the approval of the installed lighting levels, these measurements shall be repeated and recorded. Any necessary adjustments shall be made prior to the continued use of the astroturf pitch and warm up area for the lifetime of the development. This schedule of measurements and subsequent adjustments shall be kept by the school and made available for review by the local planning authority as and when requested.

Reason: To protect residential amenity

12 Prior to first use of the artificial pitch and warm up area, as detailed in the applicants Design and Access Statement, the perimeter fence to the pitch will be erected as shown on the approved plans being not more than 5.0m in height at each end and on the eastern side and 1.2m high with spectator rail on the western side. The fence on the west side of the spectator area will be no more than 5.0m in height. The warm up area will be surrounded by a maximum 5m high fence. Both fences will be clad with twin 6mm and 8mm bar steel mesh mounted to steel posts with rubber spacing washers to help deaden impact sound. It will be finished in a green polyester powder coated paint (RAL 6005 Moss Green) unless otherwise agreed in writing with the Local Planning Authority.

The timber toe boards at the bottom of the fences will be covered with synthetic grass carpet to match the pitch surface.

The finish of the floodlighting columns shall be silver galvanised steel, without a painted finish, so that they weather to grey.

Reason: For the avoidance of doubt and to protect residential amenity in terms of visual and noise impact

13 There shall be no land raising in the north-east section of the playing fields or the creation of any bunds or mounds as a result of the approved development. Following completion of the development, the land shall have been maintained as shown on the 'Proposed Layout' BS/STP/02 Rev. H and associated cross sections AA, BB and CC.

Reason: For the avoidance of doubt and to prevent adverse impact on drainage in the locality as a result of the development.

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Sought to resolve objections reported by Sport England, Yorkshire Water, flood risk management, public protection and neighbours to develop a scheme, subject to conditions that could be made acceptable.

2. DEVELOPMENT INFORMATIVE

The developer's attention should also be drawn to the following which should be attached to any planning approval as an informative.

- The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".
- Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions.
- All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers' instructions.
- There shall be no bonfires on the site.
- In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part 2A of the Environmental Protection Act 1990.

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