

COMMITTEE REPORT

Date: 9 June 2011 **Ward:** Skelton, Rawcliffe, Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council

Reference: 10/02738/GRG3
Application at: Canon Lee School Rawcliffe Drive York YO30 6NS
For: Installation of multi use sports pitch with 8no floodlights, 4m high fence and associated spectator benches (revised position)
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 7 March 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 SITE

The application relates to land at an existing secondary school on land between Rawcliffe Drive and Water Lane, within the built-up area of the City. The school buildings front onto Rawcliffe Drive and its vehicular access is from this suburban road. At the rear of the school buildings and extending to Water Lane are school playing fields. Residential properties abut the school playing fields to the north and south. The majority of the site falls within Flood Zone 1 (Low probability), though the far eastern end adjacent to Water Lane falls within flood zones 2 (Medium probability) and 3 (High probability).

1.2 PROPOSAL

The application involves the provision of an all weather multi-use sports pitch (AWP) at the eastern end of the playing fields, next to Water Lane. The pitch itself would be 91.4m long by 55m wide surrounded by a 3m perimeter area, which would be enclosed by a 4m high weld mesh fence with approximately 1.2m high kickboards to reduce sound. Eight 13m high floodlights would surround the area - four on each side. New access footpaths are proposed from the existing footway to the tennis courts that run parallel with the rear boundaries of the properties in Saville Grove. Two sets of spectator benches are proposed along the western side of the pitch. Landscape screening, consisting of semi-mature trees and indigenous hedge species, is proposed between the pitch and Water Lane. The provision of the pitch would necessitate the removal of one grass surface football pitch. A second pitch, closer to the school buildings, with an athletics track, would be refurbished.

It is accompanied by the following supporting documents: Design and Access Statement, Floodlighting Design and Scheme Arrangement and details of consultation. Further documents at the request of Sport England have been submitted including Sports Development Plan, Business Plan, Community Use Agreement and Planning Submission Summary. The various documents seek to

justify the need to the all weather pitch and confirm the intended hours of use. The Design and Access Statement and Planning Submission Summary point to the difficulties of playing on the existing pitch and highlight the flexibility that the AWP would provide. The hours of use are stated as being 8:30am-9pm Monday to Fridays, 9am-6pm on Saturdays and 9am-4pm on Sundays.

After concerns were expressed by officers, the scheme has been revised to its current form, including a reduction in the size of the pitch itself, its relocation to be equidistant between the houses on Saville Grove and Fairway, and a reduction in the hours of use at weekends to finish at 4pm on Saturdays and 2pm on Sundays (Parish Council suggestion).

1.3 HISTORY

There have been approvals for various extensions and alterations to the main school building. The tennis courts, located north of the proposed AWP, were approved in 1999. The proposal, the subject of this application, was submitted as a pre-application enquiry. The response given was that the AWP was acceptable in principle, but that further information would need to be submitted with regards the floodlights to ensure that development is sensitive to the local neighbourhood.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

Schools GMS Constraints: Canon Lee 0245

Schools GMS Constraints: Clifton Without Junior 0189

2.2 Policies:

CYGP1

Design

CYGP3

Planning against crime

CGP15A

Development and Flood Risk

CYED11

Protection of Playing Fields

3.0 CONSULTATIONS

3.1 PUBLICITY

The application has been advertised by means of internal and external consultations, including letters to local residents on Water Lane, Fairway and Saville Grove and the posting of a site notice. Further consultation with local residents has taken place following receipt of the revised plan and confirmation of proposed hours of use. This period expires on 2.6.2011.

3.2 INTERNAL

Environmental Protection Unit - No objections, subject to following condition to protect the amenity of properties nearby - the use of the pitches ceasing at 9pm and floodlights by 9:15pm.

Highway Network Management - No objections, subject to standard condition HWAY37 (avoidance of glare).

Engineering Consultancy (Drainage) - Development is in low risk Flood Zone 1 and should not suffer from river flooding. Object on grounds of insufficient information to determine the potential impact the proposals may have on the existing drainage systems.

Street Lighting - All the levels are well within what is acceptable. The application makes direct reference to the ILE guidance on light pollution. Suggest columns are painted to reduce their visual intrusion.

3.3 EXTERNAL

Sport England - Was consulted on the basis that 'the development is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or is on land that forms part of, or constitutes a playing field...' An objection was lodged in March, because of insufficient information and contradictory evidence to demonstrate the proposal meets one of the five exceptions of its playing fields policy. This policy aims to ensure an adequate supply of quality grass pitches. Following meetings between Sport England, CYC, England Hockey Board, Football Association and York City Hockey Club, agreement has been reached that allows Sport England to withdraw its objection subject to conditions. The agreement is that the facility would be a floodlit, sand based Artificial Grass Pitch - the pitch would not be of sufficient benefit to outweigh the loss of the playing field without the floodlights - and that the remaining grass pitch would be improved to compensate for the loss of the playing field. The conditions requested relate to details of the design and layout of the pitch, drainage of the existing playing field, management and maintenance scheme for the site, and a community use agreement.

Clifton Without Parish Council - Do not object, subject to support of neighbours and registered concerns regarding the potential level of noise. Recommend a night time limit of 9:30pm and Sunday operation to be limited to 9am to 2pm only.

Local residents - 9 contributions received to the original submission and 1 to the revised scheme, objecting on the following grounds:

- Noise disturbance during day and into evening from activity on pitch and associated vehicles;
- Light disturbance at night from floodlights;
- Anti-social behaviour with existing problems of nuisance, trespass, litter and damage exacerbated;
- Further loss of light in addition to that caused by The Cube sports hall;
- Need questioned as adequate provision at present for sporting activities;
- Request for high boundary fence to reduce amount of damage caused to surrounding properties;
- Request for caretaker to ensure facility is locked up and lights turned off;
- Property value lowered [not a planning matter].

4.0 APPRAISAL

4.1 KEY ISSUES

- loss of playing field;
- benefit to the wider community;
- visual impact;
- affect on residential amenity;
- highway safety implications;
- flood risk and drainage matters.

4.2 POLICY CONTEXT

Relevant Central Government planning policy is contained in Planning Policy Statement 1: Delivering Sustainable Development (PPS1), Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation (PPG17), Planning Policy Guidance Note 24: Planning and Noise (PPG24) and Planning Policy Statement 25: Development and Flood Risk (PPS25).

PPS1 encourages development that is sustainable and accessible in its location and advises against design that is inappropriate in its context or fails to take the opportunities available for improving the character and quality of an area and the way it functions.

PPG17 seeks to protect existing playing fields from development and advises against granting permission which results in the loss playing fields unless a replacement pitch of equivalent or better quantity and quality is proposed or where the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport (paragraph 15).

PPG24 contains advice on considering noise from recreational and sporting activities (Para. 22, Annex 3). It explains that LPAs will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to others.

PPS25 requires new development to take account of flood risk in the area and ensure that this is no worse as a result of the proposal.

Policies contained in the City of York Draft Local Plan (2005) are material to the consideration of the application. Relevant policies are summarised in section 2.2.

4.3 LOSS OF PLAYING FIELD

The proposal would result in the loss of one of the two grassed pitches and the summer athletics track. The loss of such facilities would be contrary to the Government's policy outlined in PPG17, which seeks to retain existing grass playing fields and protect them from all development, including hard surfaced pitches. As a result, an objection to the scheme by Sport England was lodged.

Subsequently, the applicant has met with Sport England and various football and hockey sports bodies, when it was agreed that a sand based artificial surface could be provided and that the existing grassed football pitch be improved. Sport England has since withdrawn its objection as it considers that the agreement would compensate for the loss of the playing fields, subject to conditions relating to detailed design of the artificial grass pitch, drainage of the existing grassed surface, management and maintenance of the artificial grass pitch and the development of a Community Use Agreement.

4.4 BENEFIT TO THE WIDER COMMUNITY

The scheme proposes an artificial grass pitch that would primarily be used by the school, throughout the school term and school day (8:30am to 4pm). Outside of this time, the pitch would be available for hire by sports groups and the wider community for sports use. The times of use proposed are:

4pm to 9pm (lights off by 9:30pm) on Monday to Friday during term time,
9am to 9pm (lights off by 9:30pm) on Monday to Friday during school holidays,
9am to 4pm on Saturdays, and,
9am to 2pm on Sundays.

This community use is encouraged by the City Council and Sport England. However, whilst it is clear that there is a need for the artificial grass pitch for use by the school to deliver its curriculum as well as wider community sports groups particularly for hockey, the benefits to the City need to be weighed against the impact on other material considerations.

4.5 VISUAL IMPACT

The proposal would result in a significant change in the appearance of the playing field both during the day and at night. What is currently a fairly flat and open grassed playing field would become a more enclosed and developed space, with views of the pitch, 4m high fencing and 13m high floodlights from Water Lane, albeit partially screened by a proposed landscaped mound, as well as from surrounding properties. The lighting columns are proposed to be galvanised steel with no colour finish, though it would be beneficial if they were painted or finished in a colour that would

help to soften their visual impact. This could be achieved through condition. In the evenings (particularly in the winter months), the floodlights would illuminate what is otherwise an unlit area, with the exception of street lights and lighting in the school and surrounding properties. The scheme has, however, been designed to focus lighting on the pitch only and this is explained in more detail in paragraph 4.6 below. In addition, the unlit appearance of the playing field would be restored for the majority of the night during weekdays and would be maintained at weekends. Whilst the appearance of the playing field would undoubtedly change, its character would be little altered given that the proposal is for sports related development on existing playing fields.

4.6 RESIDENTIAL AMENITY

The revised siting of the pitch makes it nearly equidistant between the rear elevations of the nearest houses on Saville Grove to the north and Fairway to the south. At its nearest point, the outer edge of the pitch would be 26.5m from 20 Saville Grove and 24m from 27 Fairway and the nearest floodlight being 32m and 30m away respectively. The properties on Water Lane would be 19m from the pitch and 25m from the nearest floodlight (133 Water Lane), with those on the opposite side of Water Lane being a minimum of 37m from the pitch and lights.

(i) Noise disturbance

Residents living around the site would very likely experience elevated noise disturbance, because of the increased level of activity associated with the pitch, which would be year round rather than restricted to the current usage when the weather and light level permits. This extends to usage of the existing school car park as well as the pitch itself. This increase in noise disturbance would be most noticeable in the summer months when residents are more likely to be outside or have windows open. Whilst it is acknowledged that an all-weather pitch can be more attractive to users than grassed playing fields, it should be noted that the pitches could be used more at weekends and evenings in the summer without any need for planning permission, and if drainage of the existing playing field was improved then potentially there would be more community use outside school hours at other times. Regardless of the time of year, use of the all weather pitch as proposed would cease by 9pm Mondays to Fridays and earlier on weekends, to prevent disturbance to sleep and give some respite to residents at weekends. Additional landscaping between the pitch and the houses to the north and south could be considered further. The Council's Environmental Protection Unit raises no objection to the proposal on the grounds of noise disturbance.

(ii) Light pollution

The floodlights have been of particular concern in terms of the impact they may have on the amenity of residents living adjacent to the site. The lighting columns would be visible during the day, but would be most noticeable in the evening when in use. They would be clearly visible from the houses and gardens; lighting up what is currently an unlit area.

However, the applicant is aware of the close proximity of residential properties and has appointed an approved lighting contractor to advise on lighting design. The area has been considered as an Environmental Area E2 'Area of Low District Brightness' as defined in the Institute of Lighting Engineers (ILE) Guidance Notes for the Reduction of Light Pollution, because of its low ambient light (examples being rural or small village locations). As such, the floodlights have been designed to keep within the requirements of the ILE for such areas in the following ways:

- The height of the columns (13m high) allow the lights to be mounted in a close to 'flat glass' orientation (parallel to the ground) in order to concentrate light on the pitch
- the lights would be angled at less than the 70 degrees advised limit stated in ILE guidelines aimed at avoiding glare (angle would be between 62 and 65 degrees) and reducing light spill to 5 Lux beyond the pitch, which is the equivalent of street light level.
- The floodlight chosen has been selected because of the control available of the asymmetric light beam, allowing accurate aiming, minimal spillage and reducing glare.
- The maximum source intensity of the lights is less than the value required by the ILE for an E2 environmental zone - a maximum of 2184 candelas compared to the ILE requirement of 7500 candelas.
- The hours of operation of the lights are proposed to be weekdays only and be switched off by 9:30pm at the latest.
- The position of the floodlights would mean that they would not directly face towards the houses that are closest to them on Saville Grove and Fairway. Where lights are facing towards properties, this would be at a distance of approx. 70m or more and would be at an angle or separated by the proposed landscaped mound.

In addition, it is reasonable to assume that the lights would not be used in the summer months given the length of daylight and proposed finish times and, therefore, would not erode residents' enjoyment of their houses and gardens. At other times, with darker and colder evenings, residents are more likely to be inside their houses with curtains drawn. The lights are proposed to be switched off before the time that the majority of residents would retire to bed.

It is accepted that the introduction of floodlights would be a significant change from what residents currently experience and that they would be aware of the lights. However, the information submitted with the application confirms that the actual impact from the lights in terms of pollution, spillage and glare, would be within acceptable levels as set by the ILE. The Council's Environmental Protection Officer and Street Lighting Officer confirm this.

(iii) Anti-social behaviour

The application confirms that a management presence would be at the site at all times and it is noted that the revised plan includes double gates at the eastern end of the site to help control access into the site in addition to the pedestrian gate to the pitch itself. There are currently no barriers to prevent access to the playing fields as the gate and railings to Water Lane are relatively low. The introduction of the all weather pitch would increase natural surveillance at the site as would the

introduction of lighting - as the section above confirms, any light spillage to the area beyond the pitch would be at a level of 5 Lux or the equivalent of a street light.

4.7 HIGHWAY IMPLICATIONS

The proposal would utilise the existing vehicle access point from Rawcliffe Drive into an existing car parking area that serves the existing sports facilities - The Cube. It is anticipated that most community users would choose to use this car parking area as it is closest to the changing facilities and would have easy direct access to the proposed all weather pitch along the existing footpath leading to the tennis courts. Access into the pitch itself would be via a pedestrian gate at this northern end of the perimeter fencing at the end of the footpath. In addition, new internal gates are proposed within the site to prevent access for vehicles to the main school car park and at the eastern end of the site next to 133 Water Lane to help control access into the site and parking within and around the site.

Although traffic movements may increase as a result of the proposal, the Local Highway Authority raises no objections on highway safety grounds - the existing access arrangements are considered to be adequate.

4.8 FLOOD RISK

The pitch has been located in a position to avoid Flood Zone 2 and 3, which encroaches onto the school site at its far eastern end. As the proposed pitch lies within Flood Zone 1, there is a low probability of river flooding. A suitable solution to drainage has been agreed with the Council's Drainage Engineer, which can be conditioned.

5.0 CONCLUSION

5.1 The application proposes the construction of an all-weather pitch with the introduction of floodlights on what is currently a grassed playing field associated with a Council secondary school. It would result in the loss of an existing grassed playing pitch, though a second pitch would remain and would be improved. As such, the scheme offers a significant benefit to the provision of the curriculum at the school as well as providing a sporting facility for the wider community outside of school use. There are no objections to the scheme on the basis of its impact on highway safety or flood risk. An approved lighting contractor has been appointed to ensure that the proposed floodlights are designed to comply with the requirements of the Institute of Lighting Engineers Guidance Notes for the Reduction of Light Pollution.

However, the provision of an all-weather pitch with lighting, as its name suggests, would result in likely intensification of use of the playing fields and, consequently, an increase in noise disturbance from activity associated with its use over and above what local residents currently experience. This is mitigated to some extent by the earlier finish at weekends to provide some respite and a finish time of 9pm throughout the week would prevent disturbance to sleep of the average person.

The balance to be made in the consideration of this application is the benefit to the wider community from enhanced sports provision for the school and residents of the

wider area, against the harm caused through noise disturbance to those residents adjacent to the site from activity on the pitch and comings and goings associated with it. However, in light of the existing nature of the site, the potential for some intensification of use regardless of this application, the reduced times of operation at a weekend and reasonable finish time on a weekday, on balance the proposal is considered to be acceptable and is therefore recommended for approval subject to conditions.

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:-

Drawing no. 0017/01 'Location Plan' dated Nov 2010 and received 2.12.2010;
Drawing no. 0017/02 rev.C 'Plan of Proposed Pitch' dated 16.5.2011 and received 18.5.2011;
Drawing no. 0017/03 'Elevation to Lighting Column' dated Jan 2011 and received 17.1.2011;
SJB Floodlighting Ltd Proposed Floodlighting Design and Scheme Arrangement Documents received 6.1.2011;

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

3 Development shall not begin until details of surface water drainage works for the all weather pitch, which take account of the intended drainage improvements to the remaining playing fields and which include the following measures, have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

(i) Peak surface water run-off from the development will be attenuated to Greenfield run-off rates (based on 1.4 l/sec/ha). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

(ii) Topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

(iii) Details should be provided of the future management / maintenance of the proposed drainage scheme.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk) and that provision has been made to maintain the proposed drainage system.

4 Prior to commencement of the development details of the design and layout of the Artificial Grass Pitch, which shall comply with Sport England Technical Design Guidance Notes and include the requirements of England Hockey Board, shall be submitted to and approved in writing by the Local Planning Authority. The Artificial Grass Pitch shall be constructed in accordance with the approved design and layout details.

Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable.

5 Before the development hereby permitted is commenced a scheme for the improvement and maintenance of playing field drainage, based upon an assessment of the existing playing field quality and including an improvement and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The pitch improvements shall be carried out on practical completion of the Artificial Grass Pitch and shall thereafter be improved and maintained in accordance with the approved scheme.

Reason: To ensure the quality of pitches is satisfactory and they are available for use prior to development.

INFORMATIVE: It is recommended that the drainage assessment and improvement/management scheme be undertaken by a specialist turf grass consultant.

6 Notwithstanding the details contained in the application supporting document 'Proposed Floodlighting Design', the floodlight columns shall be painted or finished in a colour to be agreed in writing by the Local Planning Authority beforehand. The columns shall be finished in accordance with the approved details and shall be thus maintained.

Reason: In the interests of visual amenity.

7 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs in the following locations:

- (i) the landscaped mound shown on the approved drawing;
- (ii) two additional areas of planting within the site at the northern and southern ends of the pitch hereby approved.

This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of visual amenity and in the interests of residential amenity.

8 Notwithstanding the information shown on the approved plan, details of the proposed fence and gates to the south of the approved pitch, including its relationship to the boundary enclosure of 133 Water Lane shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area and to improve security of the site.

9 Prior to the Artificial Grass pitch being brought into use, a Management and Maintenance Scheme for a period of ten years to include measures to ensure the replacement of the artificial surface within the next ten years and, management responsibility, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: To ensure that new facility is capable of being managed and maintained to deliver a facility, which is fit for purpose, sustainable, and to ensure sufficient benefit of the development to sport (PPG17 Para 14).

10 Prior to the first use of the development, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Agreement shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Agreement 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 and in the interests of residential amenity and security of the site.

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

Term time:

Monday to Friday - 08:30 to 21:00 with floodlights switched off no later than 21:15;

School holidays

Monday to Friday - 09:00 to 21:00 with floodlights switched off no later than 21:15;

Weekends

Saturdays - 09:00 to 16:00 with floodlights switched off no later than 16:15;

Sundays - 09:00 to 14:00.

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

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- loss of playing field;
- benefit to the wider community;
- visual impact;
- affect on residential amenity;
- highway safety implications;
- flood risk and drainage matters.

As such the proposal complies with national planning advice contained within Planning Policy Statement 1 "Delivering Sustainable Development", Planning Policy Statement 17 "Planning for Open Space, Sport and Recreation, Planning Policy Guidance Note 24 "Planning and Noise, Planning Policy Statement 25 "Planning and Flood Risk", and Policies GP1, GP3, GP15a and ED11 of the City of York Development Control Local Plan.

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