

Application No: 13/0484M

Location: All Hallows Catholic College, Brooklands Avenue, Macclesfield, Cheshire, SK11 8LB

Proposal: Proposed erection of a new changing facility and all weather pitch with floodlights, relocate the existing bike sheds and reconfigure the existing fence and gates

Applicant: All Hallows Catholic College

Expiry Date: 01-Apr-2013

**Date Report Prepared:** 24.04.2013

**SUMMARY RECOMMENDATION**

**APPROVE, SUBJECT TO  
CONDITIONS**

**MAIN ISSUES**

- Design/impact on the character and appearance of the area
- Impact on provision of school sports fields/facilities/open space
- Impact on residential amenity
- Highways safety
- Impact on landscape, forestry, nature conservation

**REASON FOR REPORT**

The application has been called to committee by Cllr Andrew for the following reasons: The proposed pitch is directly behind houses on Oxford Road, particularly number 130. Representations have been made raising concerns about the proximity of the pitch, unneighbourliness, impact on levels of amenity currently enjoyed by residents due to noise and flood-lighting (noting the hours of use are 10.00pm weekdays and 7.00pm weekends). A site inspection is also requested.

**DESCRIPTION OF SITE AND CONTEXT**

The site to which the application relates is All Hallows Catholic College, Brooklands Avenue, Macclesfield. The School's main access is off Brooklands Avenue. The main School car park and entrance/reception area is located just off the western end of Brooklands Avenue. There is a secondary access to the east of the site off Oxford Road, where there is also additional staff parking. The School buildings are located to the south of the site (near to Brooklands Avenue). The playing fields (inc. redgra area and tennis courts) are sited to the north of the site and are bounded by residential properties on Oxford Road and Holly Road to the east

and Westbury Drive to the west. There are commercial properties to the north accessed off Chester Road.

The playing field boundaries are planted and primarily screened from neighbouring properties. The playing fields are set at a lower level than the School buildings and surrounding properties. There is an embankment mainly along the eastern boundary (and part of the northern boundary in the eastern corner) rising up to Holly Road and the rear gardens of properties on Oxford Road. The playing fields are enclosed with mesh fencing, approx. 3m high. An area of the embankment in the north-eastern corner of the site (leading up to Holly Road) is currently enclosed and used to house some of the School's livestock (eg. goats and llamas).

The site is designated as Existing Open Space within the Local Plan.

It is noted that revised plans have been received and additional information submitted that have sought to address the issues raised and requests for additional information.

## **DETAILS OF PROPOSAL**

The proposed seeks full planning permission to install an all weather artificial sports pitch with floodlights, erect a new changing facility, relocate the existing bike sheds and reconfigure fences and gates. In more detail this consists of:

1. installing an all weather 3G sports pitch (artificial turf, coloured green) positioned in the north-eastern area of the site (sited over approx. two thirds of the existing redgra area and partially over the existing grassed playing fields);
2. install 8 No. 15m high flood-lights (galvanised steel, brushed silver colour), sited along the northern and southern sides of the all weather pitch (4 No. either side);
3. install "ball stop" fencing to the perimeter of the pitch (open mesh fencing, coloured green, generally 3m high and rising to 4.5m high behind the goal mouth areas; synthetic rubber inserts are to be installed to all fencing mesh panels and post fixings to reduce noise/rattle/vibration from ball impacts;
4. erect a new changing pavilion sited close to the sports hall, which will have an office/reception area, from which the School's perimeter fencing will be maintained and surveillance of the car park area and all weather pitch will be provided;
5. access from the pavilion to the pitch will be via the existing steps/ramps; handrail fencing will be provided along the pathway 1.2m high and low level bollard lighting will be installed to illuminate the path;
6. the existing cycle sheds are to be re-sited to the rear of the proposed changing facility.

### ***Use of the facilities***

The proposed is to enhance existing provision and seek to increase community use and school participation, in order to encourage and inspire more people of all ages to participate in sport. The pitch will mainly be for football but can be used for other sports.

The revised proposed hours of use are:

Monday to Friday – 09.00 to 21.30

Saturday – 09.00 to 16.00

Sunday & Bank Holidays – 09.00 to 16.00

### ***Alterations to & retention of sporting facilities on the existing playing fields***

- The 400m track is reduced to 200m (the track doesn't meet current standards)
- Tennis courts will be retained/realigned
- A Cricket Wicket is provided
- Grass Football pitches are provided

### **RELEVANT HISTORY**

There have been applications on the site over the years but none directly relevant to the proposed.

### **POLICIES**

#### **North West of England Plan Regional Spatial Strategy to 2021**

DP1 (Spatial principles applicable to development management)

DP2 (Promote sustainable communities)

DP4 (making the best use of existing resources/infrastructure)

DP7 (Criteria to promote environmental quality)

L1 (Health, sport, recreation, cultural and education services provision)

#### **Macclesfield Borough Local Plan – saved policies**

BE1 (Design principles for new developments)

DC1 (High quality design for new build)

DC3 (Protection of the amenities of nearby residential properties)

DC6 (Circulation and Access)

DC8 & DC37 (Landscaping)

DC9 (Tree Protection)

NE11 (Nature Conservation)

DC13 (Noise generating developments)

DC64 (Floodlighting)

H13 (Protecting residential areas)

RT1 (Protection of Open Space)

#### **National Planning Policy Guidance**

National Planning Policy Framework

## **CONSULTATIONS**

### **Highways:**

No objections, subject to a condition preventing use of the facility by community groups at times when school staff are likely to be parked in the car park.

### **Environmental Health:**

Comments initially received from the Environmental Protection Service raised a number of issues/posed a number of questions requiring clarification:

- Future use of the tennis courts
- Extent of evening and weekend use by school and community groups
- Insufficient information regarding existing and future use by school and community partners
- Would prefer to see no light spillage over neighbouring residential area
- Could a revised lighting scheme be implemented? Or, could the pitch be re-sited (to prevent light spillage on to any residential areas?)
- A management/supervision agreement is required
- Will any of the other facilities be used when the pitch is being used?
- A Sports Development Plan is required
- Clarification required re distances from pitches to residential properties
- Support the inclusion of an acoustic barrier and the use of rubber inserts on fences
- Recommend no public address system.

Additional information has been submitted which addresses the issues raised/questions posed by Environmental Protection:

- Issues of use (users and facilities), a sports development plan and management arrangements have been partially addressed in a submitted Sports Strategy. Appropriate details will be finalised in the Community Use Agreement and Maintenance & Management Plan and appropriate conditions can be attached to any approval to address such matters
- The pitch has been moved 2m further from the eastern boundary (and the properties on Holly Road and Oxford Road). Some distances are noted on the revised plans, though this matter will be addressed below when discussing impact on residential amenity
- Cowls are to be attached to the 2 No. floodlights closest to the residential properties on Holly Road and Oxford Road. A revised light spillage assessment has been undertaken/submitted (taking account of the repositioning of the pitch and the cowls to be installed) which shows that there will be no light spillage to the residential properties
- An acoustic barrier is to be installed at the eastern end of the proposed pitch which extends beyond the width of the pitch and in front of the western elevation of the building noted as 132 Oxford Road on the plans (i.e. the annex to number 130)
- Rubber inserts on the fences can be conditioned
- A condition preventing any public address system can be attached

- The proposed hours of use have been reduced and these can be conditioned. The revised hours of use are those set out in the Details of Proposal section of this report above.

Hence, with the revisions made and the additional information submitted the Environmental Protection Service raise no objections to the proposal subject to conditions re hours of use and no public address system.

### **Leisure Services:**

No objections, subject to conditions re Community Use Agreement, confirmation that the new and existing facilities meet Sport England's standards

### **Sport England**

Sport England initially objected to the proposal, as the proposed involves losing part of a playing field, and there was insufficient information within the application to assess whether it met one of the exceptions to Sport England's loss of playing fields policy or para 74 of the NPPF.

The concerns initially identified by Sport England, and the recommendations made to address these, were as follows:

- Loss of one grass football pitch
- Recommend a full sized football pitch 100m x 64m, with run off 3m, which accords with current FA guidance
- Pile length of the artificial grass is unknown
- The artificial pitch is located within close proximity of trees and the canopies of the trees would overhang the pitch. Issues related to this are: 1) potential root damage to the artificial grass, 2) safety hazard of leaf dropping and 3) maintenance problems from leaf dropping
- Although light levels are low it is advised that a light spillage plan at 1.5m from ground level be provided
- The cricket wicket should not be located within a pitch because this area will experience significant wear and erosion during the football season leading to an unplayable wicket during the summer
- Details of proposed community use with links to how the proposed artificial pitch and the remaining pitches would be used are required
- A Sports Development Plan (SDP) is required setting out how the AGP and remaining pitch sports will be utilised by the school and community users
- Existing community use agreement and how this will be adapted to reflect the objectives of the SDP
- A Maintenance and Management Plan is required, which will need to reflect the particular maintenance and management requirements of the Artificial Grass Pitch and changing rooms
- A Landscape Plan is required

- Applicant needs to liaise with the regional Facilities and Funding Manager at the England & Wales Cricket Board to discuss the impact on the cricket pitch and any possible resolution

As noted above, revised plans and additional information required by Sport England has been submitted. Sport England has withdrawn its objection - subject to conditions – as it is considered that the proposal meets the policy exceptions, i.e., the proposed development is for an outdoor sports facility which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field.

Sport England recommend conditions requiring a 'Community Use Agreement' (to include a Sports Development Plan as an Appendix) and a 'Maintenance and Management Plan'.

### **Heritage & Design – Landscape**

The Landscape Officer has not expressed an objection to the proposed, being of the opinion that there would not be a detrimental impact on the landscape. It is noted that he considers there would be a visual impact from a number of properties on Holly Road and Oxford Road.

### **Heritage & Design – Forestry**

Formal consultation comments are awaited as additional information has been requested from the applicant re impact of the proposal on trees. However, the Arboricultural Officer has indicated verbally that an objection is unlikely.

### **Heritage & Design – Nature Conservation**

No objections. Although there is a known badger set within the vicinity of the site, the Nature Conservation Officer considers this to be of a sufficient distance from the proposed development not to cause any concern.

## **REPRESENTATIONS**

Representations have been received from the occupants of 9 No. neighbouring properties, inc. the occupants of the building shown on plan as being number 132 Oxford Rd. It is noted that this building is an ancillary building - a 'granny annex' - to number 130 Oxford Rd). A petition signed by 3 No. residents residing on Brooklands Avenue has also been received. The range of issues/objections are summarised as follows:

- Detrimental impact on residential amenity/quality of life – noise disturbance (eg. people shouting on the pitches, balls hitting the fence), light disturbance from floodlights and invasion of privacy from eg. intensified use of overspill car park
- Highways safety – impact on traffic flow (particularly on Brooklands Avenue) and insufficient parking
- Impact on badger set within the vicinity of the site
- Current application for a dwelling in the garden of number 3 Holly Road (12/4450M) should be a material consideration. Proposed would have implications for others that may wish to develop in a similar manner in the future. Also, approved outline application (11/2006M) for a dwelling in the rear garden of 128.

- Inaccuracies in information submitted, eg. distance of proposed from neighbouring properties/gardens, 'cricket nets' illustrated on plan are now pig pens, redgra area is currently used (contrary to the information submitted)
- Proposed is 14.5m from 'granny annex' (noted as 132 Oxford Road on the location plans) and 12.5m from the associated garden area
- Proposed has a football bias and could limit the playing of other sports on the school's outdoor sports pitches
- Impact on range of sports pitches on site
- Impact on trees/and impact of the trees on the proposed pitch
- Devalue neighbouring properties
- The need for such a pitch has not been demonstrated

A number of the objectors accept the desire by the school to improve sporting facilities and, bearing in mind the issues raised, the following suggestions/requests have been proposed:

- Re-site the proposed all weather pitch (4 No. alternatives have been offered)
- Restrict the hours of use and limit use to certain periods of the year
- Install acoustic fencing the full length of the pitch
- Install additional fencing to reduce impact of overspill parking area

## **APPLICANT'S SUPPORTING INFORMATION**

The following additional information has been submitted:

*Design & Access Statement*

*Planning Statement*

*Noise Assessment*

*Guidance Note For The Reduction of Obtrusive Light*

*Manufacturers Details of Lights*

Details of the documents can be read on file.

Additional information has been submitted during the course of the application in response to questions and concerns raised by, in particular, Sport England and CE Environmental Protection Service. Revised plans have also been submitted.

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of the proposed is acceptable, subject to according with relevant Development Plan policies and guidance in the NPPF.

### **Policy**

The relevant policies are listed above and are related to the issues identified. The key issues relate to impact on residential amenity and the College's sports fields/open space. Therefore,

the key policy considerations are Local Plan policies DC3 (amenity), DC13 (noise generating developments) and RT1 (open space) and paras. 17 and 73 of the NPPF.

DC3 states that *“development...should not significantly injure the amenities of adjoining or nearby residential property...due to...: loss of privacy, overbearing effect, loss of sunlight and daylight, noise, vibration, smells, fumes, smoke, soot, ash, dust or grit, environmental pollution, hazardous substances & industrial processes, traffic generation, access and car parking.”*

DC13 states the following: *“Noise generating developments which cumulatively would increase the ambient noise level to an unacceptable level, will not normally be permitted.”*

RT1 states that *“Areas of recreational land and open space...will be protected from development. Redevelopment of a building footprint which does not harm the integrity of the open space will normally be permitted. Open space uses will be enhanced as appropriate. Additional or replacement educational buildings may be permitted provided that the integrity of the open space is not harmed.”*

Para 17 of the NPPF outlines its core principles, within which it is stated that the planning system should *“always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”*

Section 8 of the NPPF deals with “promoting healthy communities”. Within this section Para 74 states that *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.”*

### **Design/impact on the character and appearance of the area**

Details of the proposed are noted above. Given the nature of the site and its location it is considered that the proposals will have an acceptable impact on the character and appearance of the area. The proposed pitch and floodlights are sited on the College’s current sports fields and the proposed changing rooms are sited adjacent to existing College buildings. There is no conflict with development plan policy.

### **Impact on provision of School sports field/facilities & open space**

Sport England is satisfied with the impact of the proposed Artificial Grass Pitch on the overall sports facilities/provision on site, considering that the proposed meets their policy tests and complies with para. 74. of the NPPF. The Leisure Services Officer does not object to the proposed use of the open space. Hence, it is considered that the proposed complies with objectives for use of open space and Local Plan policy RT1 and para. 74 of the NPPF.

### **Impact on residential amenity**



One of the key issues in the appraisal/determination of the application is the impact of the proposed on the amenities of neighbouring residential properties, stemming mainly from the intensified use of the site, noise disturbance and light disturbance.

Various figures have been provided within the information provided and representations submitted regarding the relationship of the proposed with neighbouring properties and their gardens. Following submission of revised plans (which moved the pitch 2m further away from the eastern boundary and the properties on Holly Road and Oxford Road) the following distances are noted: 1) the nearest residential properties on Westbury Drive are approx. 75M from the playing fields; 2) the nearest residential property on Holly Road to the proposed pitch is number 14, the front elevation of which is approx. 40m from the eastern edge of the pitch; 3) the nearest property on Oxford Road to the pitch is number 128, the nearest part of the rear elevations being approx. 50m from the pitch; 4) it is noted that a building that is illustrated as number 132 Oxford Road on plans is an ancillary building (granny annex) to number 130; the nearest elevation of the annex. to the pitch (the western elevation) has a habitable room window at first-floor level, which is approx. 21m from the south-eastern corner of the proposed pitch. The rear gardens of the properties on Oxford Road face towards the proposed pitch and the rear gardens of properties on Holly Road are to the rear of the properties facing away from the proposed pitch.

The acoustic report broadly concluded that *“without any mitigation measures in place, with the exception of the ball impacts affecting 132 Oxford Road, noise levels would approximately comply with the maximum allowable limits...at the rear façade of 132 Oxford Road and 14 Holly Road.”*

It is noted that mitigation measures are to be included, i.e. 1) rubber inserts on the fences and 2) an acoustic barrier (2m high fence) is to be installed at the eastern end of the pitch.

The proposed hours of use have been reduced, as noted above.

The Strategic Highways Officer is satisfied that, with an appropriate condition, the level of parking within the site will be sufficient to accommodate the proposed uses.

Following the amendment to the position of the proposed pitch, the proposal to attach cowls to the 2 No. flood-lights closest to the properties on Oxford and Holly Roads and the request by Sport England to undertake a light spillage assessment at 1.5m above ground level, light spillage has been reassessed. The revised light spillage plan shows that there is very little spillage at any of the neighbouring properties/gardens.

The Environmental Protection Service is satisfied that, with appropriate conditions, the levels of noise and lighting generated by the proposed are acceptable in terms of potential impact on the amenities of neighbouring properties.

As noted above, the indicative layout of approved outline application 11/2006M shows the property sited adjacent to number 14 Holly Road. The location of the proposed dwelling to the rear of number 3 Holly Road (12/4450M) is a similar distance from the proposed pitch. However, given that neither of these dwellings are constructed, and indeed, one is an outline permission and one hasn't been determined yet, little weight can be afforded them.

Bearing the above points in mind it is considered that the proposed, subject to conditions, has an acceptable degree of impact on the amenities of neighbouring residential properties. As such, it is considered that the proposed complies with Local Plan policies DC3 and DC13 and the core principle of the NPPF outlined in para. 17.

### **Highways safety**

Bearing in mind the comments of the Strategic Highways Manager, it is considered that, with a condition restricting the hours of use outside School hours, there would be no highways safety issues arising from the application as sufficient parking exists to accommodate the wider community use after 5pm. The parking provision to be used all exists within the College grounds at present. Complies with policy DC6.

### **Landscape, forestry, nature conservation implications**

#### ***Landscape***

As noted above, the Landscape Officer considers that the proposed would not have a detrimental impact on the landscape.

#### ***Forestry***

As noted above, at this stage, from the information submitted and the Arboricultural Officer's site visit, it is not envisaged that any objection would be raised on the grounds of impact on trees. However, further information has been requested to evidence the impact. It is likely that some mitigation will be required to replace trees possibly lost near the north-eastern corner of the proposed pitch. Conditions could be attached to any approval requiring such details as well as details of the root protection barrier system required to prevent the trees impacting on the pitch once installed.

#### ***Nature conservation***

As noted above, the Nature Conservation Officer is of the opinion that the proposed would not have any detrimental impact on any ecological aspects.

No conflict with development plan policies.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

To summarise and conclude, the issues raised in objection have been fully considered. It is considered that the designs of the proposals are acceptable and in keeping with the context of the site/area. The proposed development will provide improved sports facilities and increased sporting opportunities for the School and also members of the wider community; therefore the proposed all weather pitch will make a positive contribution to the School's sports facilities. The revised plans and proposed conditions are considered to ensure that the impact of the proposed on residential amenity is of a limited and acceptable degree. The proposed development is considered to be acceptable in respect of impact on the landscape, ecological aspects and trees on site. The proposed development will not create any highways safety/parking issues.

The proposed development accords with all relevant Development Plan policies and it is recommended the application be approved, subject to outstanding consultations and conditions.

#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved revised plans
3. A06EX - Materials as application
4. Submission of Community Use Agreement (To Inc. Sports Development Plan)
5. Submission of Maintenance & Management Plan
6. Restriction on hours of use
7. No public address system to be used
8. Use not to coincide with peak periods of staff parking
9. Submission of details of acoustic barrier
10. Cowls to be attached to specific floodlights
11. Rubber inserts to be used on pitch perimeter fence
12. Submission of root protection barrier details

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