

<b>APPLICATION NO</b>	<b>PA/2016/1631</b>
<b>APPLICANT</b>	Mr Richard Briggs
<b>DEVELOPMENT</b>	Planning permission for installation of multi-use games area incorporating flood lighting, storage container, boundary treatments and associated works
<b>LOCATION</b>	Baysgarth School, Barrow Road, Barton upon Humber, DN18 6AE
<b>PARISH</b>	Barton upon Humber
<b>WARD</b>	Barton
<b>CASE OFFICER</b>	James Roberts
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Third party request to address the committee

## **POLICIES**

### **National Planning Policy Framework:**

Paragraph 11 states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 – at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 34 – developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 – plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

Paragraph 37 – planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 56 – good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 60 – planning decisions should not attempt to impose architectural styles or particular tastes, and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek or promote or reinforce local distinctiveness.

Paragraph 70 – local planning authorities should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Paragraph 74 sets the criteria for ensuring that existing open spaces/sports facilities are not lost without satisfactory replacement elsewhere.

Paragraphs 128 and 129 require an applicant to submit sufficient information about the significance of any heritage assets that their proposals may affect that allows the local planning authority to assess the degree of impact on heritage assets and their settings, and how this impact may be mitigated, if at all; paragraph 128 states that consultation of the HER is a requirement of this assessment process.

Paragraph 135 – the effects of an application on non-designated heritage assets are a material consideration and local planning authorities are directed to have regard to the scale of any harm or loss and the significance of the heritage asset when judging the planning balance.

### **North Lincolnshire Local Plan:**

Policy T1 – Location of Development

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

Policy R1 – Protecting Playing Fields

Policy R3 – Built Sports Facilities

Policy DS1 – General Requirements

Policy DS14 - Foul Sewage and Surface Water Drainage

Policy DS11 – Polluting Activities

Policy HE9 – Archaeological Evaluation

**North Lincolnshire Core Strategy:**

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS22 – Community Facilities and Services

Policy CS23 – Sport, Recreation and Open Space

**CONSULTATIONS**

**Highways:** No objections.

**Environmental Health:** No objections following the submission of a revised noise report. Conditions recommended.

**HER Team:** No objection subject to conditions.

**Sport England:** No objections subject to conditions.

**TOWN COUNCIL**

No objections.

**PUBLICITY**

Neighbouring properties have been notified and a site notice posted. Three letters of objection have been received raising the following concerns:

- The proposal may result in intrusive lighting which would be detrimental to neighbouring living conditions.
- The proposal will result in unacceptable noise disturbance at neighbouring properties.
- The submitted noise report doesn't adequately address noise issues.
- The operational hours of the facility should be restricted to protect neighbouring living conditions.
- Management controls should be in place to limit disturbance.
- The proposal should be heard at Planning Committee.

**ASSESSMENT**

The application site is an area of playing field at Baysgarth School, Barton upon Humber. The school has undergone a recent rebuilding phase and benefits from extensive playing fields. Surrounding uses are predominately residential in nature.

Full planning permission is sought for a multi-use games area (MUGA) which would predominately be used for football. The key features of the proposal are as follows:

- 106m x 70m football pitch that can be subdivided to provide smaller pitch/match areas
- installation of 4.5m high ball stop fencing to the perimeter of the facility
- internal pitch barrier to provide 'Respect' spectator area within the facility
- installation of new floodlighting
- installation of container within the facility to provide storage for equipment
- proposed hours of use 9am to 10pm Monday to Friday and 9am to 8pm on Saturdays, Sundays and public/bank holidays
- the proposal would be utilised by the school and the local community
- pedestrian access to the proposal would be via the existing main car park located in close proximity to the main school building.

During the consideration of the application the applicant has supplied an amended noise report to address initial comments raised by the council's Environmental Health team.

## **Material considerations**

### *Principle of development*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations DPD (HELA DPD) which was adopted in March 2016. Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The current development plan shows the site wholly inside the development limits of for Barton. The site is allocated as a playing field (R1), and this matter is discussed in more detail below. The proposed leisure/recreational facility would be within the grounds of the existing school and would not result in a material change in use of the land. Notwithstanding the issue relating to development on sports fields, the broad principle of development is considered acceptable.

### *Sports facilities*

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built upon 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 recreational provision, the needs for which clearly outweigh the loss.

Policy R1 (Protecting Playing Fields) of the North Lincolnshire Local Plan echoes the guidance in the NPPF in terms of loss of playing fields.

The proposed sports facility would result in the partial loss of a playing field. However, this would be more than offset by the creation of a modern sports facility on the land that would provide year-round facilities for the school and the local community.

Sport England require the benefits of a scheme such as this to outweigh the harm caused by the loss of a playing field. In this instance they have agreed that such benefits have been demonstrated to outweigh the harm, subject to conditions ensuring community use and management to be satisfactorily controlled.

In light of these factors, and subject to appropriate conditions suggested by Sport England, it is considered that the scheme would result in net benefits in terms of the provision of sports facilities and is considered acceptable in this regard.

#### *Visual amenity/impact on neighbouring uses*

Both national and local policy and guidance aim to ensure that new developments should respect, and where appropriate enhance, the character of the locality within which they are situated. The proposed facility within the site would be partially screened from some neighbouring dwellings by mature trees. However, it is acknowledged that it will be clearly visible from other properties. It is considered that the proposal would be wholly in keeping with the educational/sporting character of the site. The physical structures (container/fencing etc) would be discreet in colour (predominately green) and it is considered that the facility would be located in the most logical position within the site to limit visual impact. It is therefore concluded that the scheme would not have an unacceptable impact on the character of the site or surrounding area.

It is noted that objectors have raised concerns relating to noise and light pollution from the proposed facility. During consideration of the application a revised noise report was submitted after initial concerns were raised by Environmental Health. This documentation has been inspected by the relevant Environmental Health Officer (EHO) who has advised as follows:

*“This information has been inputted into the noise modelling software CadnaA to determine the likely noise levels at the nearest residential receptors. The modelling concluded that the highest predicted noise levels at properties on Caistor Road is 46dB (LAeq, 1 hour) and 43dB (LAeq, 1 hour) at properties on Nightingale Road. These levels are below both World Health Organisation Guidelines (1999) and British Standard 8233 (2014) criteria for internal and external noise levels at residential properties.*

*Existing background levels within the vicinity of residential properties has also been measured to determine the likely impact of the AGP on the existing acoustic environment. It was confirmed that the predicted increase is likely to be less than 3dB for the majority of the time the AGP is in use, with a slight increase to 4dB on a small number of occasions. It is*

*confirmed in various guidance that this increase will result in no adverse impact/minor impact on residential properties.”*

Various conditions are recommended limiting hours of use, maximum noise levels, the submission of a noise management plan, the specification of fencing and construction hours. Subject to such conditions it is considered that sufficient technical justification has been supplied to demonstrate that the proposal would not have an unacceptable impact as a result of noise pollution.

In relation to light pollution, the EHO has confirmed that the technical information supplied with the application is sufficient to demonstrate that the proposal would not result in an unacceptable increase in light pollution subject to appropriate conditions controlling hours of use and lighting specification.

### *Highways*

The council's Highways team has raised no objection to the proposed development. Users of the facility would utilise the existing car parking provision at the site. During school hours it is considered that there would be no discernible increase in vehicular movements as a result of the proposal. Outside of school hours it is considered that there is ample parking provision to serve the proposed facility.

The submitted documentation suggests that construction vehicles will access the site via Nightingale Close to the west. This is a residential street and it is recommended that a condition be attached to any approval ensuring the submission of a construction traffic management plan to limit disturbance and potential vehicle conflicts in this area.

With these factors in mind it is considered that the scheme would not have an unacceptable impact on vehicular or pedestrian safety, or highway efficiency.

### *Archaeology*

Records show that the application site is located in an area near where Anglo-Saxon settlement remains have been found. There is the potential for any below-ground construction works in this area to encounter archaeological deposits associated with this settlement.

Given the nature and scale of the proposals, the HER does not consider that the impact of the development would amount to a significant adverse effect on the non-designated archaeological heritage asset as a whole and does not wish to object to the application. It is important, however, that a programme of archaeological work should be carried out so that any remains that might be uncovered by the development can be properly identified and recorded.

Subject to appropriate conditions ensuring such work is carried out, it is considered that the proposal would not have an unacceptable impact on archaeological assets.

### *Drainage/flood risk*

The application site is not located within an area known to be at high risk from flooding and any drainage solution can be controlled via condition.

It is therefore considered that the scheme would not result in an unacceptable increase in flood risk at the site, would not result in an increase in flood risk at any neighbouring site and would not exceed the capacity of existing drainage infrastructure. The proposal is therefore considered acceptable in this regard.

### *Land contamination*

The council's Environmental Health team have no objections to the scheme in relation to contaminated land but have advised a condition be attached to ensure that any contaminated materials found during the construction period are appropriately dealt with. However, they have not suggested that the site is fundamentally unsuitable for the proposed development. Furthermore, the proposal is an existing educational site and the proposal is not introducing a more vulnerable use at the site. With these factors in mind, and subject to an appropriately worded condition, it is considered that the scheme would not result in an unacceptable risk from ground contamination.

### **Conclusion**

For the reasons set out above, it is considered that the scheme sufficiently accords with adopted planning policy and guidance subject to appropriately worded conditions. There are no material considerations which preclude the granting of permission in this instance.

### **RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

#### Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: Environmental Noise Report reference 6598/DO/pw, Guidance Notes for the Reduction of Obtrusive Light GN01:2011, Design and Access Statement with Planning Statement SSL2155, SS2155 Drawing 03, SS2155 Drawing 06, SS2155 Drawing 08, SS2155 Drawing 09, SS2155 Drawing 05, SS2155 Drawing 01, SS2155 Drawing 04, SS2155 Drawing 02, SS2155 Drawing 07, Drawing CC6081, "Proposed Materials and Appearance", Lighting specification dated 07-10-2016 prepared by Sam McDonald.

#### Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation by record of archaeological features of identified importance

- (ii) methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

4.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

5.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological significance.

6.

The level of noise emitted from the use of the artificial grass pitch shall not exceed 46 dB, measured as an LAeq, 1 hour at any residential façade.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.



7.

The use of the facility hereby approved shall be limited to the following hours:

- Monday to Friday 9am to 10pm
- Saturday, Sunday and public/bank holidays 9am to 8pm.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

8.

Prior to the use of the site commencing, a noise management plan shall be submitted to, and approved in writing by, the local planning authority. The noise management plan shall detail methods to minimise the potential noise impact on local residents and methods to deal with noise complaints from the general public. The use of the site shall not take place except in strict accordance with the approved noise management plan.

Reason

In the interests of residential amenity and to accord with policy DS1 of the adopted Local Plan.

9.

The perimeter ball stopping fence surrounding this pitch shall be of the specification detailed in Section 3.9.2 of the Design and Access Statement with Planning Statement SSL2155.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

10.

Construction operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

11.

The floodlighting hereby approved shall not be switched on outside the following hours:

- 9am to 10pm Monday to Friday

- 9am to 8pm on Saturdays, Sundays and public/bank holidays.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

12.

The development hereby approved shall be installed, maintained and operated in strict accordance with the layout, beam orientation, luminaire type, mounting height and aiming angles detailed in the Lighting specification dated 07-10-2016 prepared by Sam McDonald, unless the local planning authority gives its written consent to a variation.

Reason

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

13.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

14.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

15.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

## Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

### **Informative 1**

Developers are advised to contact the North Lincolnshire Historic Environment Record for a discussion about the archaeological mitigation strategy at least 20 working days prior to the proposed commencement of development (email [alison.williams@northlincs.gov.uk](mailto:alison.williams@northlincs.gov.uk); telephone 01724 297471).

Measures to achieve preservation by record of any archaeological remains should include a programme of archaeological observation and recording work during all groundwork associated with the development, followed by appropriate assessment, analysis and reporting of the results. The Historic Environment Office can prepare a brief for this mitigation strategy; alternatively an archaeological contractor may prepare a specification for approval.

### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



**Baysgarth School**  
3G Artificial Grass Pitch (AGP)

PA/2016/1631 - Proposed Site Plan - NTS

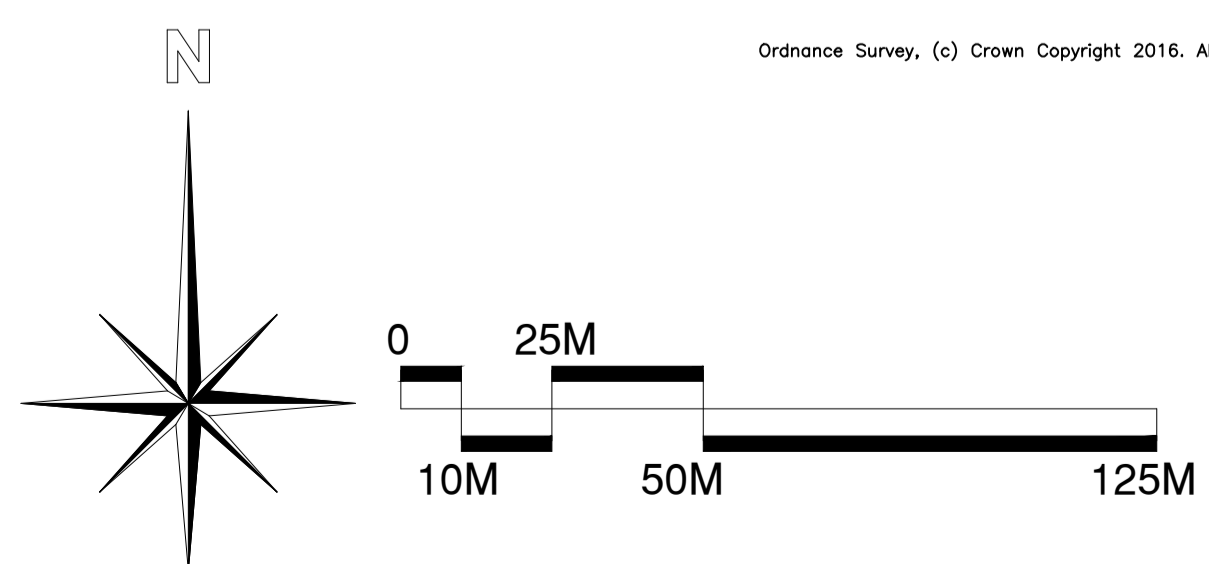
1 - DO NOT SCALE FROM DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.  
2 - THIS DRAWING IS COPYRIGHT TO SURFACING STANDARDS LTD.  
3 - ALL PERSONNEL SHOULD BE AWARE OF THE HEALTH AND SAFETY PLAN WHICH IS RETAINED IN THE SITE MANAGERS OFFICE.

NOTES

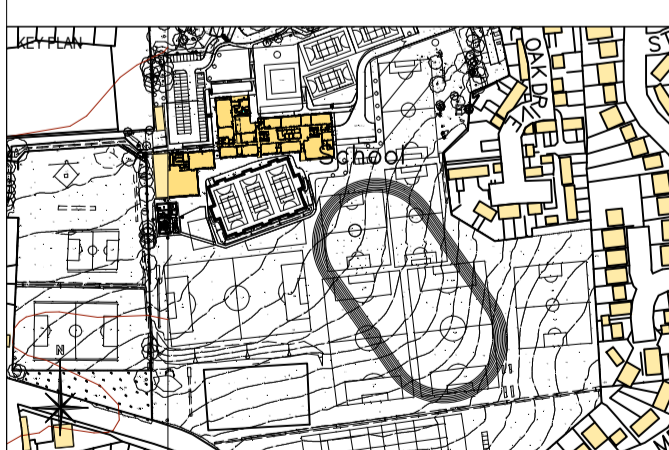
- 3G Artificial Grass Playing Area
- Main Pitch Marking
- Secondary Pitch Markings
- 4.5m High Ball Stop Fencing
- 2.0m High Pitch Perimeter Barrier
- 1.2m High Pitch Perimeter Barrier
- Low Level Timber Rail Fencing
- Paved Mowing Margin
- Hard Standing Area
- Maintenance Equipment Store
- Relocated Grassed Embankment
- Relocated Athletics Facilities
- New Sculpted Grass Mound / Bund



Ordnance Survey, (c) Crown Copyright 2016. All rights reserved. Licence number 100022432



00	PLANNING ISSUE	SMD	07/10/16
REV	DESCRIPTION	BY	CHK/ DATE



AUTHOR  
Sam McDonald

TITLE  
**Baysgarth School**  
3G Artificial Grass Pitch (AGP)  
Proposed Site Plan

PROJECT	SCALE	SIZE
SS2155	1:1250	A1
DRAWING No	REVISION	
03	00	