

APPLICATION REPORT - PA/341172/17

Planning Committee, 6 June, 2018

Registration Date: 04/01/2018
Ward: Chadderton South

Application Reference: PA/341172/17
Type of Application: Full Planning Permission

Proposal: 1) Construction of an artificial surface - multi use games area (MUGA) 2) Associated fencing on an area of the school playing field 3) Increase the sporting provision, outdoor education facility and community use.

Location: Yew Tree Community School, Alcester Street, Chadderton, OL9 8LD

Case Officer: Richard Byrne

Applicant Yew Tree School
Agent : Pentagon Sport Ltd

THE SITE

This application relates to Yew Tree Community School, Alcester Street, Chadderton. The area of the development is part of the existing playing field adjacent to the north eastern boundary and a car park serving the school.

THE PROPOSAL

Planning permission is sought for the construction of a multi-use games area with an artificial surface. The proposed pitch is enclosed by a green 3 metre high paladin welded mesh fence. The pitch would measure 60 metres in length by 30 metres in width and is laid with a 50mm high artificial grass on a 400 mm compacted surface.

The applicant states that the pitch would be used by the pupils during the school day and a limited number of local children's teams during the evenings, weekends and in the day outside of term time. Notwithstanding the normal school day the proposed pitch would be open to external use between 0800 Hours – 1900 Hours (Monday to Friday), 0900 Hours – 1300 hours (Saturdays) and 1000 Hours – 1300 Hours (Sundays and Bank Holidays).

RELEVANT HISTORY OF THE SITE

PA/333930/13 - 1) Single storey extensions (including link building with the creation of an internal courtyard and extension to main entrance) 2) Extension of car parking 3) Various external alterations to elevations. Granted 31 October 2013.

PA/059470/11 - Extension of existing car park from 19 spaces to 29 spaces. Granted. 26 April 2011

There have also been various other minor applications associated with the school.

RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

This requirement is reiterated in Paragraph 11 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated on the Proposals Map associated with this document.

The following DPD Policies are considered to be relevant:

Policy 1 - Climate change and sustainable development;
Policy 5 - Promoting accessibility and public transport choices;
Policy 6 - Green Infrastructure
Policy 9 - Local environment;
Policy 19 – Water and Flooding;
Policy 20 - Design;
Policy 21 - Protecting Natural Environmental Assets;
Policy 23 - Open spaces and sports; and,

CONSULTATIONS

Pollution Control	No objection subject to the attachment of a planning condition to restrict the times of the use of the pitch.
Traffic Section	No objection in principle subject to the submission of a parking management plan secured by planning condition.
Sport England	No objection as the proposal broadly meets the requirements of paragraph 74(iii) of the NPPF and the following exception to Sport England Policy: 'E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'.
Drainage Engineer	Drainage plan required
The Ramblers Association	No objection

REPRESENTATIONS

The proposed development has been advertised by means of individual consultation letters sent to the occupiers of the neighbouring properties and a site notice erected adjacent to the site. As a result of the publicity two representations have been received and are summarised as follows:

- Opening times are queried;
- Adverse effect to highway safety;
- Inadequate vehicular parking;
- Increase of noise and general disturbance;
- Increase in light pollution and air pollution;
- Effect on house prices.

PLANNING CONSIDERATIONS

The main issues for consideration comprise the following:

- Principle of land use;
- Design and Appearance;
- Residential Amenity;
- Highway safety; and,
- Effect on drainage.

Principle of land use

DPD Policy 2 states that the Council will support development that contributes to the health and wellbeing of people. DPD Policy 23 states that the development of a site that is currently or was most recently used as open space or for sport and recreation will be permitted provided it can be demonstrated the development brings significant benefits to the community that would outweigh the harm resulting from the loss of open space.

The existing area is currently used as part of the school playing field for the delivery of physical education and for children's outdoor play. The proposed new artificial playing field with associated fencing would provide an all-weather facility which would benefit the school and external community users including local clubs.

In terms of open space and sports provision, the proposal would provide an improvement to the existing and create a new facility with a significant benefit to the community. Whilst the proposal would not provide new space as such, it would provide an enhanced facility to the existing playing field which would enable sport to be played throughout the year whereas at present the grass playing field can only be used during periods of good weather.

On the basis of the above, it is considered that the proposal would give rise to considerable benefits to the school and to the wider community through the provision of an enhanced playing facility and is supported by local and national planning policy.

Furthermore, Sport England has been consulted and in response it does not wish to raise an objection. Sport England considered the proposal would broadly meet the requirements of Paragraph 74 of the NPPF and that it constitutes the provision of a facility where the benefits to the development of sport outweigh any detriment caused by the loss of part of the playing field.

Design and Appearance

The new pitch would be surfaced with artificial grass and enclosed with a modest 3 metre high paladin fence.

It is considered the pitch and enclosing fence would assimilate against the setting of the school and the backdrop of the playing field. It will not compromise the views from any onlookers, looking into the site.

Security

It is considered that the proposed pitch is appropriately enclosed which promotes its security when not in use. Given the perimeter of the school is also enclosed by a fence and views of the pitch can be readily seen it is not considered the development would further harm the level of site security.

Residential Amenity

DPD Policy 9 aims to safeguard the users or occupiers of adjoining land or properties from significant impacts associated with development proposals. It also requires developments to be appropriate for their intended end users or occupiers.

Taking into account the open nature of the pitch, the enclosing paladin fencing and the separation distance to residential properties it is not considered there would be a loss of sunlight, daylight, or outlook, that there would be an overbearing impact on the existing neighbouring properties that are adjacent to the school field boundary. The resulting effect to residential amenity relates to the noise and general disturbance from balls hitting the enclosing fencing and from users/spectators during open play.

Effect on Gordon Avenue, Sycamore Avenue and Williams Crescent

This new pitch does not have any floodlighting and therefore would only be able to be used

during daylight hours. There are therefore no light issues raised by the proposed pitch. Nevertheless, it is recognised that residents would be likely to experience more shouting from players / spectators than currently experienced and this additional noise outside of normal school hours could affect the enjoyment of the rear gardens which back onto the school field or when windows are open. In these circumstances, there will be some loss of residential amenity to these residents.

The applicant states that the use of the pitch would be restricted to the use of the school during term time. After school and during holidays the pitch would be available for use for up to 9 a side matches. Chaddy Park Football Club and Midway FC have expressed an interest in the use of the pitch during evenings, weekends and outside of school term time.

The anticipated hours of use would finish at 1900 hours during the weekday and 1300 on weekends. It is therefore not considered that the noise from the pitch will be significant enough to outweigh the community benefit of providing a multi-weather pitch which will be used by the school children and local sports clubs. Given the absence of an objection from Environmental Health, it is considered that the noise levels from such a usage will be of a type or length of time that would not unduly cause disturbance to such an extent it would be difficult to sustain a reason for refusal on having an adverse effect on residential amenity.

Highway safety

The existing car park which serves the school will provide a parking space for 35 vehicles available for the users of the proposed pitch outside of school hours. The control of the gate for access would be in the control of either a member of staff of the school or regular users of the pitch (such as sports clubs).

The traffic section acknowledges parking demand in the area is high and there is an existing problem in the area with congestion caused by parked vehicles during the school drop off and pick up periods.

Taking into account the anticipated level of usage governed by the size and the availability of the existing car park outside of the school day, it is considered the peak amount of vehicles can be accommodated safely off the public highway. In this instance it is considered expedient to require the submission of a parking management plan to ensure that parking within the school grounds is managed during the use of the pitch to alleviate any significant impact on the public highway and to highway safety from parked vehicles.

Effect on drainage

The proposed pitch is laid on an open texture surface course which is based on a crushed aggregate layer with 100 mm perforated pipes running at 10 intervals leading to a natural soakaway. This would enable the permeable surface to manage the flow of surface water.

It is considered expedient to attach a condition to require the details of the drainage to be submitted and a maintenance plan be submitted once the works are complete. This is to ensure that the drainage issues are assessed in totality, once the development is completed. .

Details of the pitch construction and its drainage are considered to be acceptable in principle.

Other Issues

Property Values

Residents have raised concern that the proposal would have a detrimental impact on property values in the area. In response it is noted that this is not a material planning consideration that can be taken into account in considering the merits of a proposal.

Effect on air pollution

It is noted the school is located in an air quality management area due to the close proximity to major and local transport routes. Given the absence of an objection from the Environmental Health section of the Council and the size of the sports pitch it is not anticipated that the level of use would result in significant rise in air pollution to recommend refusal of the application.

Conclusion

There are a number of positive planning considerations which weigh in favour of this proposal. The proposal would provide an additional sport facility for the school which can additionally be used by local groups for sport and recreation purposes which is in line with national and local planning policy that seeks to improve and increase the number of such facilities. The development would promote healthy communities and the benefits sports participation brings.

The effect of noise has been balanced against the benefits the development would bring, taking into account the fact that no floodlighting is proposed and the use would mainly be during daylight hours.

The effect on drainage and highway safety, subject to planning conditions, is acceptable.

Overall, it is considered the proposed pitch is acceptable.

RECOMMENDATION

Approve, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be fully implemented in accordance with the following plans and specifications:

Location Plan - received 22 May 2018;
Proposed Block Plan received 4 January 2018;
Proposed Site Plan received 8 December 2017; and,
Proposed elevations of the paladin fence - received 8 December 2017.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No development shall commence unless and until a Parking Management Plan, showing the operation and availability of the school car park during the opening times of the proposed sports pitch, has been submitted to and approved in writing by the Local Planning Authority. Thereafter all measures that form part of the approved management plan shall be implemented and remain available for users of the facility.

Reason - To ensure that adequate off-street parking facilities are provided for the development so that parking does not take place on the highway to the detriment of highway safety.

4. The use hereby approved shall not operate outside of the following hours:

0800 Hours – 1900 Hours (Monday to Friday)
0900 Hours – 1300 hours (Saturdays)
1000 Hours – 1300 Hours (Sundays and Bank and Public Holidays)

Reason - To protect the residential amenity of adjacent residents from noise and disturbance.

5. No development shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- separate systems for the disposal of foul and surface water;
- details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including any necessary flow attenuation measures and the use of SUDS (where appropriate), to ensure that the post-development discharge rate does not exceed the pre-development discharge rate (including an appropriate allowance for climate change).

The duly approved scheme shall be implemented before the development is first brought into use and shall be maintained as such thereafter.

Reason - To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere and that adequate measures are put in place for the disposal of foul and surface water (including an appropriate allowance for climate change).

6. Prior to the commencement of use of the sports pitch, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and,

b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason - To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

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