



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 19th June 2014

Subject: 14/01765/FU Upgrading of playing pitch to form Artificial Grass Pitch with fenced enclosure and floodlighting. At Brodetsky School, Wentworth Avenue.

APPLICANT

The Board of Governors
Brodetsky Primary School

DATE VALID

3 April 2014

TARGET DATE

3rd July 2014 (Agreed
Extension)

Electoral Wards Affected:

Alwoodley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Standard time limit for implementation
2. Compliance with approved plans
3. Compliance with lighting engineers report relating to light spillage and confirmation that compliance is achieved before first use of the flood lit pitch
4. The installation of an automatic timer switch which will turn off the flood lights at 21:00 hours
5. Use of the Artificial Grass Pitch (AGP) shall not take place after 18:00 on any Friday Saturday or Sunday
6. Submission of details relating to tree protection measures
7. Landscaping scheme and management plan to be submitted, approved, implemented and maintained.
8. Submission and approval of finished ground levels and how these relate to trees and their root protection zones.
9. Submission of finished colouration of proposed fencing
10. The grass pitches to be brought into use prior to first use of the AGP
12. The submission of a management plan relating to the continued management of the AGP including its detailed daily, weekly and monthly maintenance requirements.

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel due to the sensitive nature of the development proposals within an established residential area.

2.0 PROPOSAL

- 2.1 The proposal seeks approval for the creation of an Artificial Grass Pitch which will be enclosed by a 4.5 metre high fence and supported with the installation of 6 ten metre high floodlight poles to allow winter use of the pitch. The proposal also seeks to level the ground upon where the pitch is proposed to be located.
- 2.2 The primary aim of the provision of the AGP is to support and expand the curriculum use for the school itself; however it will also be used in the wider context of the school as a “community school” and therefore be used by a wider set of the community than just the pupils of the school itself.

3.0 SITE AND SURROUNDINGS:

- 3.1 Primary access to the Brodetsky School is off Wentworth Avenue although a secondary access point exists from Primly Park Road. The main school building complex lies at the southern end of the site whilst the northern end is playing fields.
- 3.2 In all directions the school is bounded by existing residential properties with those fronting Grange Court, to the north and Primley Park Road having the most exposed rear garden boundaries to the site. To the west, properties fronting St Andrews Walk (which is a small cul-de-sac off Wentworth Avenue), back onto a dense area of predominantly deciduous tree planting measuring well in excess of 35 metres depth at its narrowest.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 09/05167/FU – Alterations involving re-grading of site to provide improved playing pitches, installation of multi-use games area, extend existing hard playground area and landscaping to school – Approved 20 April 2010
13/03156/EXT Extension of time period for planning permission 10/03189/FU (Variation of conditions 3, 7, 10, 12 and 13 of planning approval 09/05167/FU to allow for implementation of regarding of plying fields).
- 4.2 There is also a history of permissions for various extensions to the school which has allowed for its use as a secondary school as well as a primary school. Whilst not directly relevant to this proposal, the whole history of the school’s development has led to an intensity of use demanding better facilities such as the pitch the subject of this proposal.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicants approached officers of the Council prior to submitting the scheme to gauge the likely response to the floodlighting part of the scheme in particular. At that time it was suggested that they undertake a public consultation exercise with local residents prior to any submission and they consider the imposition of certain types of conditions particularly relating to hours of usage and automated turning off of the flood lights at an appropriately agreed time. It is understood that this consultation was undertaken prior to the submission of the application.

5.1 To this end a public meeting was held on 18th April 2014, which was chaired by the Head teacher of the School. The residents that are most directly affected by the location of the AGP and associated floodlighting were invited, these being residents from Grange Court and on Primley Park Road. The occupants of a total of 40 properties were invited to the meeting. The feedback from that meeting as reported by the applicants was as follows:

“Feedback

- The expressed concerns of the residents were primarily about other operational issues, during school hours and security lighting around the school campus which did not form a part of the proposed AGP and floodlights.
- The Head clarified the nature of any light spillage, reflected light and light glow from the envisaged AGP floodlights and distinguished the separate and essential need for security lighting around the campus.
- Also that the School would continue to liaise with the Residents to ensure that the security lighting was managed and adjusted to obviate any intrusions.”

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by site notice posted in various locations around the site on 11 April 2014 time for comment expired on 2 May 2014 and as a result of that exercise, 23 letters of objection and one letter of comment has been received. Objections have been raised as follows:

6.2 24, 000 watts of Floodlighting is excessive
Light pollution
Restrictions on the Christian Sabbath should be imposed as well as on the Jewish Sabbath
Some residents were unaware of the consultation undertaken by the applicants prior to the submission
Council Officers have previously expressed an opinion that floodlights would be inappropriate
Noise from playing field
Young children living in surrounding dwellings will be most affected by extended hours of operation
Future use could lead to more intensive use by older age groups and for 5 a side tournaments.
Visual intrusion due to height of floodlights and fencing
The infrastructure of the estate is inadequate to take the scale of development that has already been carried out on this site, this will add more pressure.
Loss of outlook from homes
Additional vehicular movements adding to noise problems
Vehicle parking issues
Adequate drainage needs to be implemented
Negative impact on house prices

6.3 A request from one resident also asked if a “mock” pole could be erected to the height of the proposed floodlights in order that the resident can better assess what 10 metres will look like. This request was forwarded to the applicant’s agent who

regretfully could not fulfil this request due to technical difficulties in erecting such a temporary mast

7.0 CONSULTATIONS RESPONSES:

- 7.1 Sport England – No objection subject to conditions to be imposed relating to various issues including a management and maintenance plan, the implementation of other pitches granted consent previously. However some of the conditions that Sport England have recommended are considered unacceptable and unenforceable, they have been contacted to negotiate variations on the conditions and from the contents of their response it is now considered possible to impose conditions that will satisfy their requirements and still be enforceable. In addition to this, the applicants have indicated in the submission that due to the nature of the development, that the provision of the AGP is dependent upon the works that are necessary for the provision of the Grass pitch's and to this end, should it become necessary, they will undertake a unilateral undertaking under Sec 106 of the Town and Country Planning Act 1990 to make the grass pitch provision simultaneously with the AGP provision. Given the agreement reached with Sport England on the re-wording of their conditions however this is not considered necessary.

8.0 PLANNING POLICIES:

- 8.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Local Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Draft Core Strategy (DCS)

- 8.3 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013 and completed this process in the spring of this year. The weight to be attached is limited where representations have been made. There are no emerging policies that are considered to have any direct bearing on this development proposal.

- 8.4 UDP Policies:
Of the councils UDPR the following policies are considered relevant to this proposal:

SA6: - Seeks, inter alia, to encourage provision of facilities for leisure activities.”

GP5: – Seeks to deal with matters of detail at the planning application stage

LD1 – Seeks to ensure that development proposals are adequately landscaped.

National Planning Policy Framework

- 8.5 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design. It is considered that the NPPF does not contain any policies with direct relevance to the particulars of this case.

9.0 MAIN ISSUES

9.1 The main issue of this proposed development is the impact on the amenities of occupiers of the surrounding residential properties, as follows:

- Visual Impact of structures
- Light pollution including general glow and light trespass
- Noise generation

10.0 APPRAISAL

Visual Impact of Structures

- 10.1 The lighting columns proposed which number 6 in total are proposed to be erected at a height of 10 metres with the lighting attachment affixed atop of that column. The pitch is also to be enclosed by 4.5metre high double horizontal welded mesh fencing panels and gates. The lighting columns are proposed to be galvanized steel finish and the fencing is proposed go be colour coated green.
- 10.2 In respect of the lighting columns, they represent a fairly slim line structure not dissimilar to street lighting lamp posts except they will be taller than the average street lamppost. They will be evenly spaced and visible from most if not all the rear elevations of the surrounding residential properties. However the distances involved separating the columns from the nearest residential properties is in excess of 30 metres from the nearest property that fronts Grange Court. Those properties themselves have relatively short rear gardens measuring approximately 12 metres deep. Given the slim line nature of the poles it is not considered that the relationship between the dwellings, their gardens and rear elevations which will contain windows serving habitable rooms is such that the poles will be visually dominant and in and of themselves be a cause for the refusal of planning permission.
- 10.3 The next element of this proposal relates to the 4.5 metre high fences. It is proposed to colour coat these green and they will therefore be similar to existing fences which presently enclose other play/sports facilities closer to the school complex itself. These fences will be in closer proximity to the residential properties than those which exist presently. There is a degree of screening however the weakest part of that screening is in relation to the closest properties at Grange Court. To this end, a previous application for the laying out of additional pitches required this landscaping to be improved and it is recommended that in this instance the same condition be imposed. This will then all but screen the fencing from low level views from those properties. In respect of the proposed fencing and the views from other surrounding properties it is considered that they are at sufficient distances to minimise any impact on the visual amenities of occupiers of those properties and the screening of existing planting is more substantial to help screen and break up views from those properties also.

Light pollution including general glow and light trespass

- 10.4 Perhaps the major concern of the proposal is the potential for light pollution. This itself falls into two categories that of the general glow that will be caused by the floodlights whilst they are operational and the issue of light trespass either through beams directly facing gardens and windows to houses and general light spillage. Both these elements of the proposal of major concern and if allowed through the

grant of planning permission need to be carefully controlled to minimise any risk of un-necessary light pollution for the residents that surround the school.

- 10.5 The general glow of the lights that will occur as a result of the development proposal is something that simply cannot be avoided. However it can be minimized in two ways, firstly by the use of lamps that direct light to the intended source rather than simply illuminate an area uncontrolled and the second is through time management. The applicants have shown the use of asymmetrical lamps which are designed to focus the light in the area that needs to be illuminated and in a downwards direction. This reduces the amount of light that escapes as a direct result of the lamps themselves but cannot overcome the issue of reflected light which will result in a background glow whenever the lamps are turned on. In order to minimise the effect of this the applicants have agreed to conditions relating to the time management of the use of the floodlights to illuminate the AGP. This includes the imposition of a condition requiring that the lights shut off automatically at 21:00 hours regardless. This will not require human intervention or management and will occur every evening that the floodlights are in use. In addition to this the applicants are also agreeable to a condition preventing the use of the floodlights on Friday, Saturday and Sunday Evenings. This will provide a significant break for the occupiers of the surrounding residential properties over any seven day period and a break over what may be considered more sensitive times of the week. It should be noted that the time restrictions will relate to the operation of the floodlights only rather than the use of the pitches generally. At present there is no restriction on the use of the land which acts as the schools playing fields and it would be considered onerous to restrict the actual use of the pitches compared to the hours of use of the proposed floodlights.
- 10.6 Light trespass is proposed to be controlled by the imposition of conditions relating to the submission of engineers reports that will measure the amount of light spillage once the floodlights are installed. There are recommended guidelines issued by the institute of lighting engineers which give guidance on the level of 'spillage' which is considered acceptable so as not to be harmful to amenity. The conditions will require that notwithstanding that light spillage plots have been submitted showing that this is achievable, that it is actually measured and proven to be achieved prior to first use of the floodlights. It will also require that once achieved these levels are maintained as a maximum thereafter. In addition to this safeguard, a condition requiring that the lights be shut off automatically at 21:00 hours as discussed above will reduce the potential for light spillage/trespass to be a problem during more unsociable hours of the evening.

Noise generation

- 10.7 Noise generation is a further consideration. The use of the fields at present is unrestricted and therefore in practice they could be used late into the evening. The practicalities of this over the winter months are somewhat reduced due to the lack of illumination but during British Summertime there is potential for use until after 21:00 over which the planning authority have no control. The limitations that are being recommended for this development proposal will seek to restrict the additional usage that illumination will bring to the site. It is inevitable that there will be additional noise at times not presently endured by local residents however the safeguards recommend in this report are considered adequate to restrict this additional noise generation to times where it is an acceptable feature of the mixed community within which the school lies. In addition to this the floodlights which will be the cause of any additional usage will most likely be used during the winter months when darkness falls earlier in the day and prevents the safe use of the fields at present. It is during this period of the year when the use of the adjoining gardens is less likely and

windows and doors are more likely to be shut thus further reducing the impact that noise during the early evening will have on occupiers amenities. At present, there is no restriction on the use of the fields and the need for the floodlights during the summer months is less likely so the status quo will not be varied to any significant degree over the present potential of the fields to generate noise disturbance.

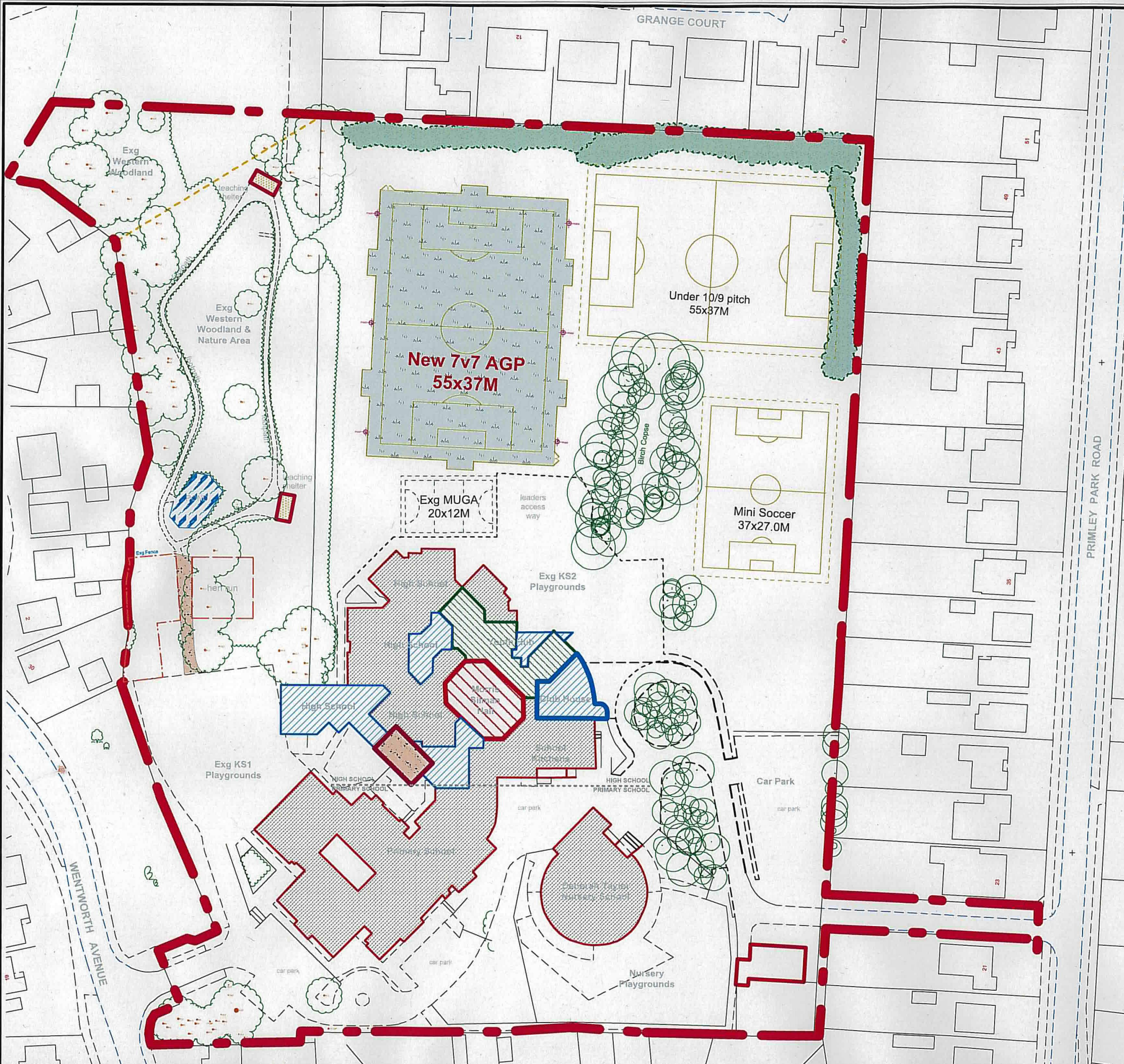
11.0 CONCLUSION

11.1 Whilst the concerns of the local residents are considerable, it is considered that the conditions suggested in the recommendations of this report will minimise any impact that the development of the AGP and associated floodlighting will have. The restrictions on hours of use and the installation of an automatic shut-off facility will ensure that the problems associated with floodlighting will not only be minimised but also limited in time. On balance it is therefore considered that the proposal complies with SA6, policies GP5 and LD1 and that planning permission should be granted subject to the conditions recommended.

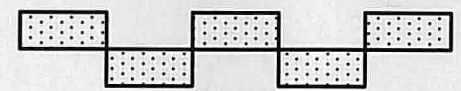
Background Papers:

Application files: 14/01765/FU

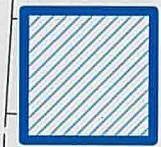
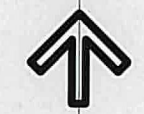
Certificate of ownership: Signed by the applicant as owner



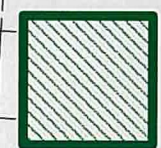
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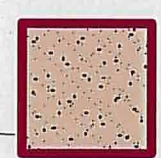
New Buildings Areas



Youth Hub - Altered Internal Areas



Morris Silman Hall



Changing Rooms



Floodlight Mast

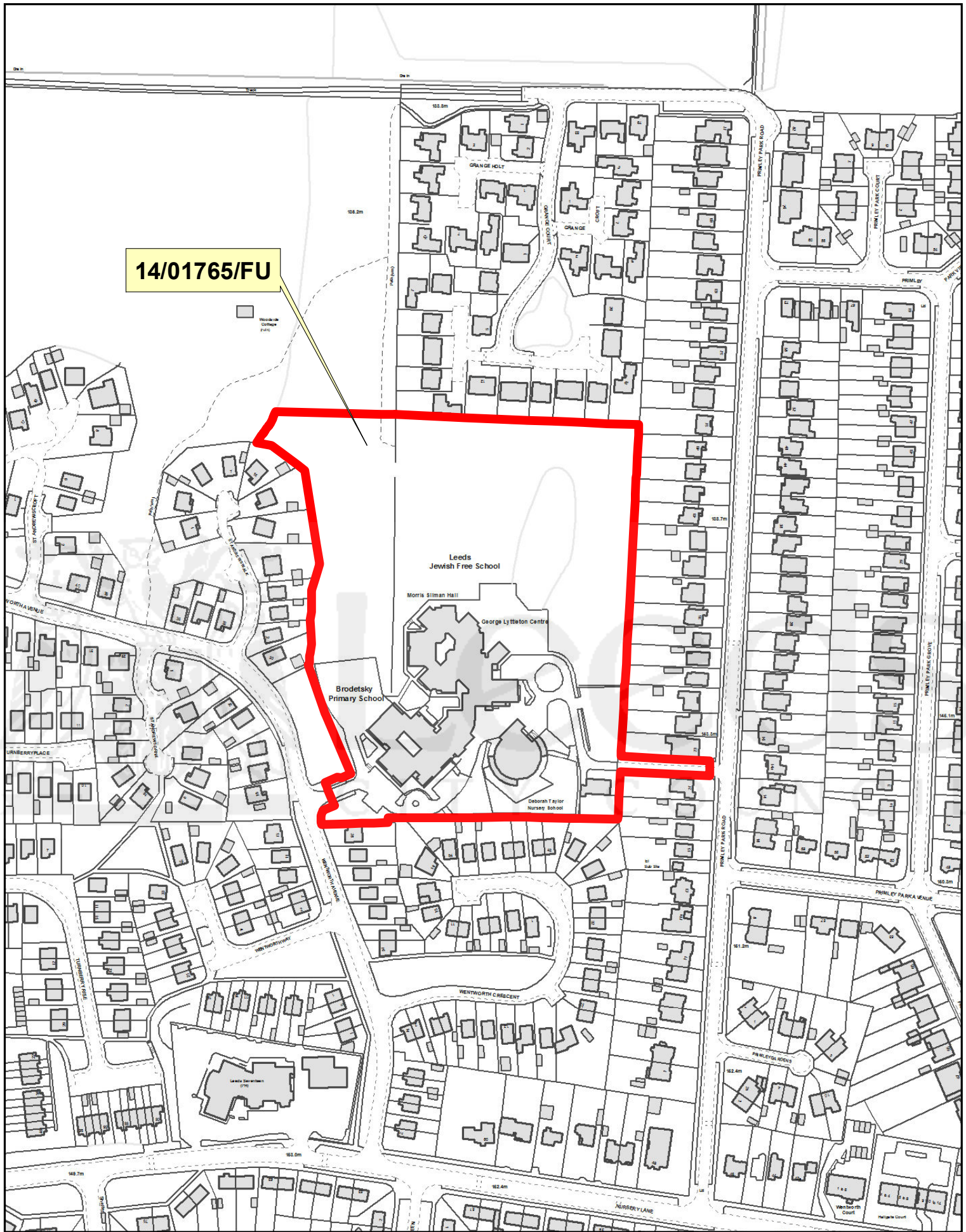
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03/04/14



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NORTH AND EAST PLANS PANEL

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