

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 21ST DECEMBER, 2023**

**PRESENT:** Councillor H Bithell in the Chair

Councillors C Campbell, R Finnigan,  
T Smith, J Garvani, E Bromley, N Manaka,  
A Rontree, P Wray, B Anderson and  
R Jones

### **55 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

### **56 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That, in accordance with Schedule A to the Local Government Act 1972 and Access to Information Procedure Rules 10.4 (1), the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- A) That the appendix to Agenda Item 7 – 22/03466/FU – Guiseley School, Fieldhead Road, Leeds and referred to in minute no.43 be designated as exempt from publication and considered in private. This is on the grounds that it contains information relating to protected characteristics and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information at present.

### **57 Late Items**

There were no formal late items.

### **58 Declarations of Interests**

Members did not declare any interests.

### **59 Apologies for Absence**

Apologies were received on behalf of Councillors E Taylor and L Buckley. Councillor R Jones attended as a substitute on behalf of Councillor E Taylor and Councillor B Anderson attended as a substitute on behalf of Councillor L Buckley.

### **60 Minutes - 23 November 23**

**RESOLVED** – That the minutes of the previous meeting held Thursday, 23<sup>rd</sup> November 2023, be approved as an accurate record.

**61 22/03466/FU - Guiseley School, Fieldhead Road, Guiseley**

Further to the minutes of the previous meeting held Thursday, 23<sup>rd</sup> November 2023, the report of the Chief Planning Officer presented an application for a new artificial grass pitch with floodlighting; storage container; new emergency access; relocation of existing long jumps; associated landscaping works at Guiseley School, Fieldhead Road, Guiseley.

The application was brought to the Plans Panel held on Thursday, 23<sup>rd</sup> November 2023 and was deferred following a receipt of an updated consultation response from Sport England which was considered to result in the introduction of a new material planning issue. They raised concern in regard to the loss of the grass running track. It was noted that the running track was not used for any community purposes and, only used by the school during certain days throughout the year for events such as sports day. Sport England withdrew their representation further to this and did not consider it relevant for any new material conditions to be imposed.

At the previous meeting, Panel Members also requested that best endeavours are made by officers to obtain information from an objector which was raised during a previous closed session of South and West Plans Panel held on the 3<sup>rd</sup> of August.

In terms of wider public consultation measures, a community exhibition and consultation event were held on the 16<sup>th</sup> of October 2023, at Guiseley School.

Outstanding representations from objectors include concerns that the application disproportionately affects them and poses serious health implications. An Equality Impact Assessment (EIA) has been conducted in order to have due regard to the protected characteristic and therefore designated as exempt under Access to Information Procedure Rule 10.4 (1) and Schedule 12A to the Local Government Act 1972.

An objection had also been received following publication of the agenda regarding hazardous material references and the updated position statement from the EU regarding the ban on rubber crumb. Officers confirmed that matters relating to rubber crumb and regulated legislation are covered under the planning application presented at the South and West Plans Panel on the 23<sup>rd</sup> of August 2023. It is therefore not considered relevant to alter the application.

Photographs and slides were shown throughout the officer presentation and the following information was provided to the Panel:

- To the south-east of the playing pitches is where the 3G pitch is intended to be situated.

- The site is adjacent to Green Meadows Academy and to the east, adjoins the rear of residential properties from Aldersyde Road. The site is also located adjacent to the Tranmere Park Estate Conservation Area.
- A designated footpath separates the wider school site and runs along its south-eastern boundary with Fieldhead Drive.
- The existing access off Bradford Road is to be widened to allow for construction and emergency vehicles. The road will run through a section of treelines, and it is noted there are no trees proposed to be removed. The applicant will submit a poplar tree management strategy, where the trees are to be retained and protected.
- There will be 6 floodlights, 15m in height.
- To the west of the pitch, there will be a storage container.
- To the north of the pitch, will be the re-located long jumps.
- To the south-east and south-west of the site will include landscaping measures and provide a visual screen to the development. Biodiversity Net Gain targets have been met.
- The pitch will be enclosed by a 4.5m mesh fence.
- The applicant has agreed to undertake additional planting. Particularly where the rear elevations of the properties on Aldersyde Road face.
- The acoustic fencing to the site will be 3.5m tall on the eastern boundary and 2.5m tall on the southern boundary.
- In terms of any lighting spill, it is considered that the lighting will be contained on the site and no lighting spill will project onto any of the nearby properties.
- There is evidence of localised flooding on the pitch currently, and this is primarily due to there being no existing drainage infrastructure. The application proposes mitigation measures regarding this.

Members were informed that a number of changes over time had been made to the proposals, and along recommended conditions, these include:

- The reduction in hours of use of the pitch. Previously this was proposed as 10pm, and it is now 8:50pm with a 10 minute egress period.
- A ban on whistles after 6pm during weekdays.
- Provision of funding for any Traffic Regulation Orders (TRO) that may be required.
- Reduction in the use of floodlights from 8pm to 6pm. As well as revisions to the floodlighting to change the colour in lighting from 5000k to 4000k which is considered a warmer light.
- Artificial lighting not to be used during bat foraging seasons.
- The provision of a noise management plan.
- The provision of a framework management car plan.

It was considered that with the changes made and the adequate safeguards in place, considerable weight could also be attached to the benefits of the scheme. Therefore, the officer recommended approval as per the submitted report.

At this point in the meeting, members moved into private session to consider the appendix to the submitted report designated as exempt from publication under the provisions of Access to Information Procedure Rules 10.4 (1)

The private session concluded, and attendees that has been excluded from the session were welcomed back into the meeting. The Chair explained that members considered private information during the closed session, and this was necessary so that members were provided with the opportunity to have due regard to the public sector equality duty by being in receipt of all necessary information regarding this application.

Further to questions from Panel Members, the following information was confirmed:

- A noise report had been assessed by an environmental health officer and it was confirmed that a very low base level of noise is observed, and a high number of measures have been applied in terms of noise mitigation. Existing and projected levels of noise could be found on paragraph 41 of the covering planning report, and it was considered they will be slightly lower than the current noise levels when the pitch is in use. With the addition of conditions as per the submitted report, it was believed that the noise levels during pitch use observed by the closed properties would be lower than it is at the moment. Although, the noise levels would be quieter, use of the pitch would be intensified and used more often and therefore there would be a time where there would be more noise.
- There will be a construction management plan as per condition 22. Mitigation measures will be incorporated prior to construction taking place.
- There is no floodlighting permitted after 8pm in August, September, and October. The rest of the months floodlighting will not be permitted after 8:50pm.
- Whilst there is no recorded evidence of reported incidents, officers had been made aware of localised flooding in the area and there is currently no drainage infrastructure there at the moment. There is a proposal to include 275mm bed of stone that will be layered with 30% of voids in the stone. There will also be a geo textile membrane that will act as a soakaway. It was considered that this is better than what is there at the moment in that it will provide drainage infrastructure.
- In terms of the access road on Bradford Road, there is a proposal to have that surfaced long term for construction traffic and will act as an emergency access for the sporting facility.
- It was acknowledged that the pitch will be intensified with its use, but it was considered that the noise impacts will be slightly lower than they are at present when the pitch is in use. The pitch will be managed in a controlled way.
- Councillor Thomson (elected member for the Guiseley area) had made a request for the Panel to determine the application, due to the level of interest and comments put forward in regard to this application.

- Leeds City Council will not have any financial responsibility in terms of the deployment of staff for the pitch, and this will be the responsibility of the school. This arrangement is contained in the management plan.
- Any variation of planning conditions will require a formal variation planning application to be submitted. The school will be required to adhere to any condition as per the planning consent. It was acknowledged that such an application would be referred to the Panel to consider any variation applications that are submitted regarding the pitch.
- A grass pitch would not be able to be used in all-weathers and the applicant would not be able to use a grass pitch in the same way they want to use a synthetic pitch.

Further to comments from Panel Members, the following was highlighted:

- There was an opportunity to explore improving the existing pitch and this would have been in-line with climate emergency considerations and mitigate some of the objections received.
- It was acknowledged that officers have sought to mitigate the concerns raised and put a number of proposed measures in place. The applicant has also gone over and above what may have normally been required to ensure acceptability.
- Whilst there was reservation about the type of pitch being put forward, the application meets legal legislation and planning tests.
- A number of comments were made regarding the difficulty and sensitive nature of the application.
- Concerns regarding car parking arrangements.
- Concerns regarding the intensified use of the pitch, in regard to the information presented during the private session of the meeting and the ability to fully address such concerns.
- Concerns regarding the ability to enforce the conditions as set out in the submitted report and to ensure that any conditions are robust and enforceable. Officers confirmed any conditions can be checked by Enforcement Officers prior to issuing the decision.

A motion was put forward to grant planning permission as per the officer recommendation with the inclusion of having conditions checked by Leeds City Council Enforcement Officers. This motion was moved and seconded, and the vote was carried. Therefore it was

**RESOLVED** – To grant approval as per the officer recommendation including the commitment from officers to ensure Enforcement Officers approve robustness of conditions with regard future enforceability before decision is issued.

## 62 Date and time of next meeting

**RESOLVED** – To note the date and time of the next meeting as Thursday, 11<sup>th</sup> January 2024 at 1.30pm.

The meeting ended at 15:35.

