

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 1ST SEPTEMBER, 2022**

**PRESENT:** Councillor E Taylor in the Chair

Councillors B Anderson, C Campbell,  
S Hamilton, D Ragan, R Finnigan, T Smith,  
J Bowden, J Garvani, J Heselwood and  
N Walshaw

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

There were no appeals against refusal of inspection of documents.

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

There were no exempt items.

### **35 Late Items**

There were no formal late items.

### **36 Declarations of Interests**

No declarations of interests were raised at the meeting.

### **37 Apologies for Absence**

There were no apologies.

### **38 Minutes - 4 August 22**

**RESOLVED** – That the minutes of the previous meeting held Thursday, 4<sup>th</sup> August 2022 be approved as an accurate record.

### **39 22/01376/FU – former South Leeds Golf Course, Gipsy Lane, Beeston**

The report of the Chief Planning Officer proposed a new 3G pitch and tennis courts and associated fencing up to 4.5metres high at former South Leeds Golf Course, Gipsy Lane, Beeston.

Photographs and slides were shown throughout the presentation, with Members provided with the following information:

- The proposal was for 5% of the former South Leeds golf course to be used for a 3G pitch and tennis courts. The use would be primarily by Cockburn Academy but also for community use.
- The planning submission also showed the proposed diversion of public footpath 207 Leeds and Leeds links Permissive Bridleway which would be re-routed to the south of its current alignment. The proposal was also for soft landscaping to the south and west of the site to mitigate against tree/habitat loss due to the proposal.
- The proposal was for a pitch of artificial grass which would allow football and rugby to be played on it all year round. The artificial grass

would have rubber crumb and sand spread on it. The sub-base would act as a water attenuation tank under the pitch.

- Surrounding the pitch and courts the proposal has a 4.5m high visually porous fence so that the surrounding landscape can be seen through it.
- It was noted that 38 trees close to the proposed pitch would need to be removed to allow for a full-size pitch. 45 heavy standard trees 75 feathered trees would be planted to replace the trees. Members were advised that smaller trees were known to be better at establishing than the more mature trees. Members were advised that 130 trees to be planted was compliant with current Council policy.
- This application had first been presented to the Panel as a position statement on 7th July 2022 for information and comment. Comments were summarised in paragraph 17 of the submitted report.
- The application had been submitted by the Council but would be run by Cockburn Academy Trust and used by its students but also be available for community use outside of school hours. The requirement for the additional formal play space was a result of the school increasing from 1,050 to 1,261 pupils on roll. To accommodate the extra pupils, a three-storey modular classroom had been built on the school's tennis courts. It was noted that the school currently has a deficit of 35% play space and would be unable to meet the education curriculum.
- Members were advised that the school had 10 years ago applied for a smaller 3G pitch which abutted residential properties to the North of the grass playing pitches. However, due to representations from the residents the location of the pitch had been moved to the Southern boundary. In part this was one of the reasons this location had been chosen as well as drainage issues which in themselves created further 'knock on effects'. Other locations for this proposal had been considered but would mean the loss of car parking, with cars having to be parked on the road or the loss of the athletics ground.
- The proposed development would be made available for community use. It was noted there is currently no Cockburn School specific Community Use Agreement but the lettings of the existing facilities at the school are managed by Leeds City Council's School and Community Lettings team in line with their hire policy/ charging schedule. It was acknowledged that academies are able to set their own charges and approve or reject applications for the use of their facilities. It was noted that existing facilities are available 6pm-9pm Monday-Friday and 9am – 6pm on weekends unless the school agree a later booking time. The Lettings Team had advised that Cockburn School does have a busy schedule for community bookings. It was also noted that the school would be prepared to have a school specific community use agreement that could be submitted as part of the discharge of conditions process. The process would still be managed by Leeds City Council School Lettings Team.
- A Construction Management Plan had been added to the conditions and detailed compound storage of materials.
- All new footpaths would be fully accessible with disabled access, resting and passing places.

- Changing and toilet facilities had been removed from the proposal. The existing on site school facilities would be utilised.

Members were advised of the following key issues to be considered:

- Design and visual impact which includes the planting of new trees and fencing. Number of trees to be planted was in excess of policy requirements with just over a 3:1 ratio to be secured. Members had been advised that this policy was due to be reconsidered by Development Plans Panel at a future meeting to increase numbers but has not yet been agreed and therefore only the existing policy is to be considered / carries weight in considering this application.
- Cabling for lighting would be included in the initial build but lighting columns would be covered by a further application if the applicant considered lighting was necessary in the future.
- Highways had assessed the application and raised no objections.
- Parks and Countryside had assessed habitat and had advised that this area was not used for the release of hedgehogs. It was noted that the ancient woodland was used for the release of hedgehogs. The ancient woodland would not be affected by the proposals.
- The path close to the proposal site would not be removed but would have restricted access due to safeguarding issues.
- Flood Risk Management had raised no objections. The permeable layers used for the artificial grass was endorsed by Sport England for this type of pitch.
- Members should consider if this proposal was harmful to the Greenbelt. It was noted that sporting facilities fall within the exceptions to what will be regarded as inappropriate development in Greenbelt, such that the pitches themselves were not considered inappropriate development in the Greenbelt. Screening would be provided by the existing woodland and the additional planting. However, the fencing uprights might be considered to be inappropriate development in the Greenbelt because of their impact upon openness.
- With the expansion of the school, it now has a deficit of play space provision. To allow the school to continue to be outstanding and provide the curriculum the school requires more play space.
- Additional conditions have been requested for car parking management plan, future maintenance of landscaping to be agreed with Parks and Countryside and a construction and environmental management plan and a biodiversity monitoring programme.
- 2 further letters of objection had been received the day prior to the Panel meeting. Which included the following points, it was noted that the points raised had been covered in the submitted report:
  - PROW changes
  - Impact on Greenbelt
  - Issues around climate emergency
  - Impact on wildlife habitat
  - Increase in flood risk
- Objection had also been received from Cllr Carlisle which covered most of the same points.

- Cllr Andrew Scopes had sent an email just prior to the start of Panel. It presented his and Cllr Burke's views. This was read out at the meeting and their comments noted – that is, that they accepted on balance the benefits of the development outweighed any disbenefits.

Objectors to the proposals attended the meeting and provided the Panel with the following information:

- This development would permanently change the land which was given to the Middleton Park Estate in 2019 following the closure of the golf course.
- A 3G pitch would require significant landscaping and putting man-made materials down for the pitch and cabling. It was the view that cabling was required if the site was to be viable.
- This is Greenbelt land not covered by exceptions listed in planning policy framework. It was the view that some addition for sport could be developed but not a plastic pitch. It was the view that the 3G pitch would be devoid of life, whereas, currently there are insects, butterflies and birds. It was noted that this site was also used for the release of hedgehogs.
- Research showed that loose rubber crumb can be cancerogenic and could make its way into waterways.
- It was the view that this was not wanted by the community, and most did not play on a full-sized pitch.
- The pitch is not sustainable and could expose children to harmful chemicals. Pollution can be caused by the rubber crumb and other plastics.
- Artificial grass has a short lifespan and there is currently no policy for recycling.
- It was the view that the development would harm ancient woodland and the ancient cobble path.

Responding directly to questions from Members the objectors provided further information:

- The Beeston Neighbourhood Plan mentions the ancient cobble path as a historical asset of Middleton Park.
- The Panel were advised that the artificial grass will need replacing after 8 to 10 years and every 1 to 2 years more rubber crumb is required. There are currently no recycling centres in the UK which can take artificial grass. It is currently stored in warehouses after use and in some cases sent to third world countries.
- Members were informed that the hedgerows were shown on maps from the 1800's.
- Middleton Park was used by the community as it was close to residential properties. The openness of the area meant that people felt safe using it. However, the erection of a fence would change this.
- Members noted that there were other sporting facilities close to Cockburn Academy such as John Charles Centre, but this would require a trip in the minibus.

The Head of Cockburn Academy and the agent attended the meeting and spoke in support of the application:

- Cockburn Academy is currently listed as an outstanding school and should remain so. The school is required to teach the whole curriculum. Due to the expansion of the school, which has seen the numbers of pupil on roll increase. This has required the building of some modular classrooms on the old tennis courts to accommodate the increase. The school now has a 35% deficit of play space therefore, the school have had to reduce the offer of sports for learning. The new pitch would be used for football and rugby with 3 replacement Tennis Courts.
- The DofE in their report had described the school as one working in challenging circumstances in an area of deprivation with the school attended by local children from the local area.
- Decontamination units to be placed at each gate for cleaning of footwear to remove any particles to avoid transference of the rubber crumb.
- The new playing area and paths would be built of a porous material to allow rainfall to seep through them and to be contained in a layer of gravel separating it from the soils beneath by an impermeable membrane. The manhole would contain a flow control, the device would control the outflow of water and sand would be used to clean any silt or fine materials.
- It was agreed that the loss of the trees was regrettable. However, mitigation planting with 130 trees would result in net gain and biodiversity and new habitat would be created for small mammals such as hedgehogs.

Responding directly to questions from the Panel, Members were provided with the following points:

- Most of the pupils on roll at the school live less than 1 mile away.
- Other locations had been assessed for the new pitch. However, none were suitable as the pitch is too big, if it is to be full sized, to allow competitive sport and community use. Anything smaller would not be suitable for use by anyone aged 16+. It was noted that it was compulsory for all students to have 3 lessons of sport a week, this addresses obesity, mental health, and wellbeing.
- Members were informed that no hedges were to be removed where the cobbled path is. There was to be more planting, and the fencing was required to address safeguarding issues.
- Members were advised that the paths and pitches had resting places and passing places and pathways would be wide enough for wheelchair users. It was noted that the pathways would be made of 2 types of flexi paving and suitable for horse riders and wheelchair users.
- The cabling for lighting was to be added at this stage but there was currently no plan for lighting to be used. This would need separate planning permission and consideration of any subsequent application would enable the impact of such lighting to be assessed and considered.

- A highway condition survey could be added, which would include before and after survey of the highways, and any repairs required as a result of construction traffic. Cleaning and wheel wash provisions would be covered as part of the construction management plan condition.
- The 3G pitch in use at the school is coming up to 10 years old and will be removed by an expert.

Development Management Officers clarified for the benefit of Members that the Beeston Neighbourhood Plan has not yet been adopted and is in its formative stages of development. In any event, the site lies outside the boundary of the plan area. The Beeston Neighbourhood Plan therefore does not carry any weight, nor is to be considered, as part of the decision-making process for this application.

The Panel were provided with guidance from the Legal Officer in relation to what was and what was not deemed to be appropriate or inappropriate development in the Greenbelt, as well as the 'tests' established when considering development in the Greenbelt under the National Planning Policy Framework. In addition, concerns raised in relation to health risks from the proposed pitch surface were acknowledged. However, Panel were reminded of the need to consider only planning matters and not duplicate considerations that are catered for and regulated by other independent (non-planning) legislation in this regard.

Members comments included:

- Trying to do the best for the children whilst considering if this was inappropriate development in Greenbelt.
- The view that steps were being taken to mitigate impact on wildlife.
- Unsure if the proposals would benefit the community
- Footpaths needed to be usable by everyone.
- More detail could have been provided in relation to issues such as drainage.
- The policy in relation to trees is still to be considered by Development Plans Panel. However, it was the view that if this had been a private application, the applicant would have been expected to meet emerging policy.
- The use of whips was not considered to be the best approach to planting new trees as the Council had not had good success rates with whips in other locations.
- Members were of the view there should be some form of recycling policy in place for artificial grass once it is at the end of its lifespan.
- There needs to be a clear management plan for the community use of the facilities and Members were not convinced that it could be used all year round as the light fades about 4:00pm during the winter months.
- Members were of the view that further information was required from Public Health on the impact of the particulates from the artificial grass surface proposed on people's health.
- This is a deprived community where education is not what it should be, it requires these facilities to allow children access to sporting facilities.

- This is a small area of land which would have enormous benefit to this community and could be used by all age groups.
- In relation to climate emergency, there are fewer trips by car or bus as the children live in the local area.
- It was the view that the Headteacher had been given cross-questioned more vociferously than some developers. It was the view this school was trying to give opportunities for children to aspire to be whatever they wished and that included providing tennis to local working-class students.
- The Panel were of the view that more engagement should be undertaken by the applicant with the local ward councillors and the local community.
- Some Members had no specific issue in relation to the creation of the pitches but, were against the use of 3G pitches.

Cllr Campbell proposed a motion to defer for one cycle for further consultation between planning officers, the school, local ward councillors and the community. He also said that additional conditions and further information was required.

Conditions:

- Landscape Management plan
- Car park management plan
- Construction Environmental Management Plan
- Bio-diversity Enhancement and Management Plan
- Bio-diversity Monitoring Programme
- Construction Access Management Plan
- End of life strategy condition for rubber crumb.

Community use plan to part of the approval, i.e., a finished document forming part of the approved documents.

With regards to the end-of-life strategy Members requested a condition concerning in effect the disposal of the 'rubber crumb' and further information of what happens to it.

Members requested further information regarding how any potential rubber crumb/microplastic debris will be intercepted before it gets into the watercourse, as well as clarification regarding the health concerns raised vis-à-vis particulate matter.

And some additional tree planting would be 'nice'.

Cllr Anderson seconded the motion. On being put to the vote, this motion was carried.

**RESOLVED**– To defer for one cycle for the following conditions and information:

Conditions:

- Landscape Management plan

- Car park management plan
- Construction Environmental Management Plan
- Bio-diversity Enhancement and Management Plan
- Bio-diversity Monitoring Programme
- Construction Access Management Plan
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And some additional tree planting.

#### **40 Date and Time of the Next Meeting**

The date and time of the next meeting is scheduled to take place on Thursday, 29<sup>th</sup> September 2022 at 1.30pm.