

**3/09/0918/FP – Floodlit all weather pitch, 3 floodlit replacement tennis courts and 2 tennis courts (not floodlit) at The Leventhorpe School, Cambridge Road, Sawbridgeworth for The Leventhorpe School**

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**Date of Receipt:** 16.06.2009

**Type:** Full

**Parish:** SAWBRIDGEWORTH

**Ward:** SAWBRIDGEWORTH

**Reason for report:** Major application

**RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T12)
2. Programme of archaeological work (2E02)
3. Cycle Parking Facilities (2E29)
4. Wheel Washing Facilities (3V25)
5. Landscaping Design Proposals (4P12)  
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6. Landscape Works Implementation (4P13)
7. Prior to the commencement of development, detailed drawing and specifications of the proposed fencing to the all weather pitch and the tennis courts, including the colour of the fencing, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

**Reason:** In the interests of the appearance of the development and its impact on the adjacent Metropolitan Green Belt in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

8. Prior to the commencement of the development, detailed drawings of the floodlighting columns including lighting specifications shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interest of the impact of the floodlights and light spillage on the surrounding rural area and nearby residential properties, in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

9. The floodlights hereby permitted shall not be used before 08:00 or after 21:00 on any day of the week unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of rural character of the surrounding area and the nearby neighbouring properties, in accordance with ENV23 of the East Herts Local Plan Second Review April 2007.

10. Prior to the commencement of the development, details of a scheme to make the all weather pitch and tennis courts hereby approved available for public and community use, shall be submitted to and approved in writing by the Local Planning Authority, and the facilities shall thereafter be made available in accordance with the approved scheme.

Reason: To ensure that dual use is made of educational facilities in accordance with policy LRC2 of the East Herts Local Plan Second Review April 2007.

11. Prior to the commencement of development, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007.

#### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular GBC1, GBC4, TR7, TR13, ENV1, ENV2, ENV4, ENV23, LRC1 and LRC2. The balance of the considerations having regard to those policies and the grant of outline planning permission in November 2008 (ref. 3/07/1569/OP) is that permission should be granted.

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## **1.0 Background**

- 1.1 The application site is shown on the attached OS extract. The application site, The Leventhorpe School, is located on the northern edge of the settlement of Sawbridgeworth and is accessed from Cambridge Road. The site is located within the Metropolitan Green Belt (policy GBC1), with the built up part of the site having been allocated in the Local Plan as a Major Developed Site (policy GBC4). The playing fields to the west of the school buildings are allocated in the Local Plan as existing playing fields (policy LRC1).
- 1.2 Outline planning permission was granted subject to a S106 agreement in November 2008 (ref. 3/07/1569/OP) for a new school sports hall, classroom building, all weather pitch, replacement tennis courts, extended hard play area, car parking and access works, and residential development of the land to the south of the school buildings. This application seeks permission for a floodlit all weather pitch, 3 floodlit replacement tennis courts and 2 tennis courts (not floodlit) to be sited to the west of the existing school buildings on part of the existing school playing fields. Members will note that this is the second application relating to Leventhorpe School on this agenda. As explained in the report relating to application ref. 3/09/0919/RP, this application seeks permission for the proposed outdoor pitches in the applicant's preferred location. Due to an error by the Applicant in the drawing of the red site outline in the submission of the outline application, the preferred location for the pitches cannot be achieved in the reserved matters application. The Applicant has therefore had to submit this separate application for full planning permission for the location of the pitches in the preferred location.

## **2.0 Site History**

- 2.1 As stated earlier in this report, outline planning permission was granted subject to a S106 agreement in November 2008 (ref. 3/07/1569/OP) for a new school sports hall, classroom building, all weather pitch, replacement tennis courts, extended hard play area, car parking and access works, and residential development of the land to the south of the school buildings. Whilst there have been a number of applications submitted for school related development on the site in recent years, these are not relevant to the consideration of this current application.

### **3.0 Consultation Responses**

- 3.1 Environmental Health have commented that any permission which the Planning Authority may give shall include conditions relating to construction hours of working, no external loudspeakers, dust, air quality reports, lighting, soil decontamination, refuse disposal facilities and piling works.
- 3.2 County Highways have commented that although the location of the facilities differ from the reserved matters application, this submission is in line with the considerable pre-application discussions and consultations that led to the outline approval. They comment that the proposal makes use of the existing school access onto Cambridge Road, the on-site vehicle parking and manoeuvring areas are satisfactory and any traffic generation will not be significant in terms of impact upon the existing traffic generation in and through Sawbridgeworth, particularly at peak hours. Having regard to these considerations, County Highways therefore recommend that they do not wish to restrict the grant of planning permission subject to conditions relating to the submission of details of the materials to be used for the access road and vehicle parking and turning areas; provision of space within the site for the parking, storage and delivery of materials associated with the construction of the development; the provision of wheel washing facilities and the provision of cycle storage.
- 3.3 Planning Obligations, HCC have commented that as no residential development is proposed they do not require any planning obligations from this particular application.
- 3.4 The Historic Environment Unit, HCC have commented that the proposed development is such that there is a reasonable likelihood of significant archaeological remains being present, and therefore recommend that a condition is attached to any grant of permission requiring a programme of archaeological works to be undertaken.
- 3.5 Sport England have commented as a statutory consultee that they have no objection to the application subject to a condition being placed on any grant of permission requiring the submission of details of the proposed floodlighting. As a non-statutory consultee, they have commented on whether the all weather pitch is suitable for county/regional competitions and the relationship of the proposed car parking and the sports hall.

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- 3.6 The Environment Agency have commented that the proposed development will be acceptable if a planning condition is imposed requiring that development shall not be begun until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.
- 3.7 The Council's Landscape Officer has commented that the proposal would have no impact on trees and that the arrangement and layout of the all weather sports pitch and replacement tennis courts is acceptable, and they therefore recommend approval.

#### **4.0 Town/Parish Council Representations**

- 4.1 Sawbridgeworth Town Council has no objection to this planning application but would ask that all floodlights are directional with splash backs and that the hours of opening are restricted due to possible noise nuisance.

#### **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

#### **6.0 Policy**

- 6.1 The relevant Local Plan policies in this application include the following:-

GBC1	Appropriate Development in the Green Belt
GBC4	Major Developed Sites
TR7	Car Parking – Standards
TR13	Cycling – Facilities Provision (Non-residential)
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV4	Access for Disabled People
ENV23	Light Pollution and Floodlighting
LRC1	Sport and Recreation Facilities
LRC2	Joint Provision and Dual Use

#### **7.0 Considerations**

- 7.1 The determining issue in this case is the acceptability of the siting, design and appearance of the proposed all weather pitch and tennis courts. It is a material consideration that outline planning permission has been granted

for an all weather pitch and tennis courts on part of the application site. The area on which it is proposed to site the pitch and courts is allocated as existing playing fields in the Local Plan, and policy LRC1 states that proposals which result in the loss of school playing fields will be refused unless suitable alternative facilities are provided on site which are at least equivalent in terms of quantity, quality and accessibility to the ones that would be lost.

- 7.2 The proposed siting of the pitch and courts will have a limited impact on the existing arrangement of the outdoor sports pitches on the school playing fields. Furthermore, the all weather pitch would address problems associated with traditional grass pitches not being available for use during poor weather. This facility would be available all year round due to the artificial surface and floodlighting. Furthermore, although the proposed tennis courts are replacements and not new facilities, the new surfaces and floodlighting would be superior to the existing therefore resulting in an improvement to the sports facilities on site. It should also be noted that Sport England have raised no objection to the layout of the pitches as proposed by this application, and they have commented that in considering the outline application they stated that the benefits of the proposed facilities clearly outweighed the impact that the facilities would have on the playing fields. Taking all these considerations into account therefore, Officers are satisfied that suitable alternative facilities would be provided on site which would compensate for the loss of part of the school playing fields, and the proposal would accord with policy LRC1 of the Local Plan.
- 7.3 The proposed all weather pitch and tennis courts are in keeping with the existing use of the site, and would not impact detrimentally on the character and appearance of the site. The proposals will have a limited impact on the character and appearance of the surrounding area. The fencing surrounding the pitches will only be partially visible from outside of the site due to the existing landscaping along the school's boundaries, and officers are therefore satisfied that the proposed pitches would not result in an unacceptable impact on the character and appearance of the site or the surrounding area to warrant refusal of the application.
- 7.4 The proposed floodlighting to the pitches will however be visible from outside of the application site. It is proposed that four floodlighting columns of up to 10 metres high are erected around the proposed tennis courts, and 8 floodlighting columns of up to 15 metres high are erected around the all weather pitch. Policy ENV23 of the Local Plan outlines the necessary considerations when dealing with applications for external lighting schemes. It is considered that the number of floodlights proposed are appropriate to the operational purpose and size of the proposed courts/pitch. The floodlights are situated some distance from existing residential properties

(approximately 165 metres), however they are proposed to be located close to the site to the south of the school which is a housing allocation site in the Local Plan. Although a reserved matters permission has not yet been granted for the development of this site, it is a material consideration that it is an allocated site in the Local Plan and has outline permission. Having regard therefore to the proximity of the floodlighting to this site and to safeguarding the amenities of future occupiers, including the amenities of occupiers of existing nearby residential properties, Officers consider that it would be appropriate to restrict the hours of operation and the specifications of the proposed floodlights by condition, to ensure that the proposed floodlights would not result in any unacceptable impact on the amenities of nearby residential properties.

- 7.5 Being on the edge of the built-up area, the proposed floodlights will be visible from the Metropolitan Green Belt to the north and west of the application site, and when in use will impact upon these dark rural landscapes. However, having regard to the above considerations, and the ability to control the time of operation of the floodlights, Officers are satisfied that the impact of the floodlights when in use on the rural area would not result in significant harm to warrant refusal of the application. Furthermore, when viewed from the north and west, the site will be seen in the context of the built-up area of Sawbridgeworth with its associated street lights and residential lighting. It should also be noted that Sawbridgeworth Football Club which is to the south of the application site, does also benefit from floodlights. Having regard therefore to the above considerations it is concluded that the proposed floodlights are acceptable and would accord with policy ENV23 of the Local Plan.
- 7.6 Having regard therefore to all of the above considerations, Officers are satisfied that the proposed all weather pitch and courts would not result in the unacceptable loss of existing school playing fields, and also that the proposed development would not result in any unacceptable impacts on the character and appearance of the site and the surrounding area or the amenities of nearby neighbouring properties, including the amenities of the future occupiers of the allocated housing site to the south of the application site.
- 7.7 Turning now to the issue of conditions, the outline planning permission which was granted at the site in November 2008 is subject to a community use agreement which will ensure that the approved sports facilities will be available for public use. As the provision of the pitch and courts in this position is not covered by the outline or reserved matters application, it is necessary to ensure that any grant of permission is subject to a condition which ensures that the pitch and courts are made available for public use.

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Such a condition would also accord with policy LRC2 of the Local Plan which states that the District Council will in appropriate locations promote the dual use of educational and other leisure facilities.

## **8.0 Conclusion**

- 8.1 Having regard to the above considerations, Officers are satisfied that the proposed siting, design and appearance of the all weather pitch and tennis courts are such that the proposal would not result in the unacceptable loss of existing school playing fields and that the proposal would not result in any unacceptable impacts on the character and appearance of the site and the surrounding area or neighbour amenity. It is therefore recommended that planning permission be approved subject to the conditions outlined at the head of this report.