

## Item No. 12

<b>APPLICATION NUMBER</b>	<b>CB/17/04133/FULL</b>
<b>LOCATION</b>	<b>Fulbrook Middle School, Weathercock Lane, Aspley Guise, Milton Keynes, MK17 8NP</b>
<b>PROPOSAL</b>	<b>The Construction of a Synthetic Turf Pitch With Associated Floodlighting, Fencing, and Ancillary Features</b>
<b>PARISH</b>	<b>Aspley Guise</b>
<b>WARD</b>	<b>Aspley &amp; Woburn</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Wells</b>
<b>CASE OFFICER</b>	<b>Stuart Kemp</b>
<b>DATE REGISTERED</b>	<b>26 October 2017</b>
<b>EXPIRY DATE</b>	<b>21 December 2017</b>
<b>APPLICANT</b>	<b>Fulbrook Middle School</b>
<b>AGENT</b>	<b>Geraint John Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application site is council owned land and an objection has been received which cannot be overcome through condition.</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

### **Reason for Recommendation:**

The proposal constitutes the construction of a synthetic turf pitch with associated fencing and flood lighting within an existing school playing field. The proposal is considered appropriate development within the Green Belt as it would provide an appropriate facility for outdoor sport and recreation, would preserve the openness of the Green Belt, and would not conflict with the purposes of including land within the Green Belt. The proposed would not result in any undue detrimental harm to the character or appearance of the area, neighbouring amenity, trees or landscaping nor highways safety given its design and siting. As such the proposal is considered acceptable in accordance with policies CS3 and DM3 of the North Core Strategy and Development Management Policies, Sections 8, 12 and 13 of the National Planning Policy Framework and the Central Bedfordshire Design Guide.

### **Site Location:**

The application site comprises of Fulbrook Middle School and associated school grounds located to the north Weathercock Lane and south east of Burrows Close in Woburn Sands.

The site is located within the Green Belt.

### **The Application:**

Planning permission is sought for the construction of a Synthetic Turf Pitch With Associated Flood lighting, Fencing, and Ancillary Features.

The pitch would have a maximum width of 61 metres and depth of 97 metres, it would benefit from open panel fencing along the perimeter at a maximum height of 4.5 metres. 6 floodlights would be installed outside of the parameter fencing at a maximum height of 15 metres.

**RELEVANT POLICIES:**

**National Planning Policy Framework (NPPF) (March 2012)**

**Core Strategy and Development Management Policies - North 2009**

CS1 Development Strategy

CS3 Healthy and Sustainable Communities

CS14 High Quality Development

DM3 High Quality Development

**Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

SP1: Growth Strategy

SP4: Development in the Green Belt

HQ1: High Quality Development

T2: Highway Safety and Design

T3: Parking

EE13: Outdoor sport, leisure and open space

CC5: Sustainable Drainage

**Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

## Design Supplement 7 Householder Alterations and Extensions

### Relevant Planning History:

None Relevant

### Consultees:

Aspley Guise Parish Council	No response received
Highways Officer	No objection.
SuDS Engineer	We are pleased to see an integrated SUDS solution for this development proposal and recommend a condition be applied to secure the final detailed design of the surface water drainage system, its implementation and long term maintenance/management.
Trees and Landscape Officer	No objection subject to condition.
Pollution Officer	No objection subject to conditions.
Sports England	No objection subject to conditions following revised plans.
Archaeological Officer	No objection

### Other Representations:

Neighbours	
1 Neighbour Objection	Objection (Summary) - Object to hearing adults shouting and using foul language from rear garden and the possible chances of footballs landing in garden or striking children.
1 Neighbour Comment	Comment (Summary) - Impact on Highways leading to overcrowding and parking of cars along Weathercock Lane. - Impact of sustained levels of increased noise. - Lack of consultation as outside of district boundary.

### Considerations

#### 1. Principle

- 1.1 The application site is located within the Green Belt and therefore Section 13 of the National Planning Policy Framework (NPPF) is a key consideration in the determination of this application.
- 1.2 Section 13 of the NPPF explains that the government places great importance on the protection of Green Belts. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 1.3 The five purposes of including land within the Green Belt as outlined in paragraph 134 of the NPPF are as follows:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

1.4 Paragraph 144 of the NPPF states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that 'very special circumstances' will not exist unless the harm that would be caused to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

1.5 Paragraph 145 explains that the construction of new buildings should be regarded as inappropriate development, unless it falls within the provided list of exceptions. The applicant is relying on exception 2: provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

1.6 The proposal is for the construction of a synthetic turf pitch as well as associated fencing and flood lighting within the existing school playing field. As such it is considered that the proposal would constitute the provision of outdoor facilities for outdoor sport. The proposed pitch would be well located adjacent to existing development and would be constrained within the application site through the existing boundary treatment to the east, large woodland to the north and residential development to the west and south. Given the siting and nature of the proposal, whilst it would result in an increased developed form within the site, it is not considered to conflict with any of the 5 purposes of including land within the Green Belt and as such would aid in preserving the openness of the Green Belt. As such the proposal would not result in any undue impact on the openness of the Green Belt.

1.7 Given the above, the proposal is considered to constitute appropriate development within the Green Belt which would not result in any undue harm to the openness of the Green Belt.

1.8 Policy CS3 of the North Core Strategy and Development Management Policies Document (2009) states that the council will ensure that appropriate infrastructure is provided for existing and growing communities by supporting in principle the upgrading of community, education, open space, recreation, sports, play and health facilities and will approve new development which makes provision of the above. The proposal is considered to be in accordance with the above policy through the upgrading of the existing sports facilities (playing field).

1.9

Given consideration of the above the proposal is considered to be acceptable in accordance with both Sections 8 and 13 of the NPPF in regards to Green Belt and Policy CS3 of the North Core Strategy and Development Management Policies as such the proposal is considered to be acceptable in principle.

## **2. Impact on the Character and Appearance of the Area**

- 2.1 The proposed synthetic pitch has been set back from the front of the application site to ensure that it does not form part of the existing streetscene along Weathercock Lane.
- 2.2 The materials to be used for the perimeter fencing are similar to those utilised in the existing boundary fencing around the school planning field and as such the erection of such fencing would not result in any undue impact on the character or appearance of the area.
- 2.3 The number of proposed floodlights have been kept to a minimum and would be designed to reduce light spill around the site. The site is well screened by existing landscaping and is contained by both the landscaping and neighbouring residential development. Given this, the proposal would not result in an undue impact on the character or appearance of the area.
- 2.4 It is considered that the proposal would not have a detrimental impact on the character and appearance of the surrounding area and that it is in accordance with policies in the Core Strategy and Development Management Policies Document dated 2009, Chapter 12 of the NPPF and the Central Bedfordshire Design Guide.

## **3. Neighbouring Amenity**

- 3.1 The proposed pitch would be located adjacent to the boundary of the rear garden of the nearest neighbouring property at No.43 Weathercock Lane. Given the nature of the proposed development it would not affect No.43 in terms of loss of light or privacy and would not appear as unduly overbearing.
- 3.2 The pollution team have been consulted on the proposal in regards to the impact of light spill and noise on neighbouring amenity. Revisions have been made to the proposed flood lighting in order to reduce light spill to an acceptable level. As such the pollution team have raised no objection to this aspect subject to conditions to further control the extent of illumination.
- 3.3 The noise assessments submitted are considered to be satisfactory, whilst the pollution team have noted that the community use associated with the pitch would result in increased use of the site in comparison to the existing playing field. Given this increased use a condition has been attached to require further noise mitigation measures in order to further protect existing neighbouring occupiers from noise.

3.4 Given the above assessment and having consideration to the comments of the pollution officer the proposal is considered to have an acceptable impact on neighbouring amenity subject to conditions.

#### **4. Trees and Landscape**

4.1 The Trees and Landscape Officer has been consulted on the proposals and following revisions to the siting of the proposed flood light columns has raised no objection subject to condition.

4.2 The revisions ensure that any potential conflict of the existing trees along the boundary to the east of the site is kept to a minimum and as such the proposal is considered acceptable in this regard subject to condition.

#### **5. Highways**

5.1 The site currently benefits from extensive parking adjacent to the main school building, during school hours the pitch would be used by school pupils only and would not generate any increased parking provision. Outside of school hours the existing car parking would be utilised to serve a wider community use of the proposed pitch. The Highways Officer has been consulted on the proposal and has raised no objection.

5.2 The existing car park is considered adequate to serve the pitch outside of school hours in accordance with the requirements of the Central Bedfordshire Design Guide, as such the proposal is considered to be acceptable in this regard.

#### **6. Other Considerations**

##### **6.1 SuDS Engineer:**

The councils SuDS engineer has been consulted on the proposal and has made no objection subject to further details in regards to the surface water drainage for the site being provided through condition.

##### **6.2 Sport England:**

Sport England have also raised no objection to the revised proposals subject to the inclusion of conditions relating to the final material finish and layout of the pitch.

##### **6.3 Neighbour Objection / Comment:**

The formal objection and comment of the neighbours in regards to this application have been addressed in the relevant sections above. The proposed noise and highways impacts are considered to be minor and acceptable with neither the Pollution Officer or Highway Officer raising any objections in relation to these issues. The Local Authority conducted an extensive consultation on this application including the direct consultation of 20 neighbouring properties (adjoining the red line plan of the site as required) and a site notice was erected on Weathercock Lane on 31/10/2017.

**6.4 Human Rights issues:**

The development has been assessed in the context of human rights and would have no relevant implications.

**6.5 Equality Act 2010:**

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

**Recommendation:**

That Planning Permission be **GRANTED** subject to the following:

**RECOMMENDED CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 All external fencing works hereby permitted shall be carried out in materials as shown on approved plan no.CBC/001.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.  
(Section 12, NPPF)

- 3 **Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.**

**Reason:**

**To protect the amenity of neighbouring residential occupiers from adverse impacts due to obtrusive or spillover light or glare (Chapter 12 NPPF).**

- 4 **Prior to development, an Arboricultural Method Statement, prepared by a suitably qualified arboriculturist, shall be submitted to the Local Planning Authority for approval, specifying the appropriate tree maintenance work required for the adjacent woodland edge, located along the southeastern boundary of the new sports pitch, in respect of the initial installation and future maintenance of the floodlighting columns. The tree work shall be specified in accordance with BS 3998 :**

**2010 "Tree Work - Recommendations", and shall only stipulate the minimum work required to facilitate provision and upkeep of the lighting columns, and therefore seek to maximise tree cover by avoiding unnecessary and excessive pruning work. The approved Arboricultural Method Statement shall then be used throughout the entire course of development works, and future site usage of the floodlit sports turf facilities.**

**Reason:**

**To ensure that the screening value and visual amenity of the adjacent woodland strip is maximised, and that only the minimum access facilitation pruning and future maintenance work is carried out, thereby preventing unnecessary and excessive pruning works from being undertaken.**

- 5 No development shall take place until details of the method of disposal of surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.**

**(Section 14, NPPF)**

- 6 No development shall commence until full details of the design and layout of the proposed artificial pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The facility shall not be constructed other than in accordance with the approved details.**

**Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.**

- 7 Use of the development shall not commence until:**  
**(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and**  
**(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy.**



8 The artificial grass pitch and its associated sports lighting shall not be used outside the hours of:

- a) 8 a.m. and 9 p.m. Monday to Friday;
- b) 10 a.m. and 6 p.m. on Saturday and Sunday

Reason:

To balance illuminating the sports facility for maximum use and benefit to sport with the interest of amenity and sustainability and to accord with Development Plan Policy, (Chapter 12, NPPF).

9 Use of the artificial grass pitch shall not commence until a community use agreement prepared, in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy (Chapter 12, NPPF).

10 Prior to commencement of use of the new facility, the existing artificial cricket wicket shall be relocated in accordance with a scheme to be submitted to, and approved in writing by, the local planning authority in consultation with Sport England.

Reason: To ensure this facility is retained in a suitable location to meet Sport England/ECB guidelines, and to accord with Development Plan Policy

11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers NSFMS001 B, NSFMS002 B, NSFMS003, NSFMS004 C, NSFMS005 C, NSFMS006 D, NSFMS007, NSFMS008 B, NSFMS009 B, HLS02790/LED, CBC/001.

Reason: To identify the approved plan/s and to avoid doubt.

**INFORMATIVE NOTES TO APPLICANT**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
  
2. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
  
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).
  
4. Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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