



meeting **PLANNING COMMITTEE**

date **16 MARCH 2004**

from: **Director of Environment**

agenda item number

**6**

**BROXTOWE BOROUGH COUNCIL 5/03/00894/CCR  
INSTALLATION OF FLOODLIT SYNTHETIC PITCH  
KIMBERLEY COMPREHENSIVE SCHOOL, NEWDIGATE STREET,  
KIMBERLEY, NOTTINGHAMSHIRE  
APPLICANT: NOTTINGHAMSHIRE COUNTY COUNCIL EDUCATION  
DEPARTMENT**

### **Purpose of Report**

1. To consider a planning application for the installation of a floodlit synthetic pitch at Kimberley Comprehensive School. The application has given rise to various concerns principally relating to anti-social behaviour and visual, noise and light impact. The recommendation is to grant planning permission subject to planning conditions.

### **The Site and Surroundings**

2. The site lies relatively centrally within Kimberley and is bounded to the north and east by residential property along Corbiere Avenue and Chestnut Drive respectively. Further residential property lies to the south of the site within Lime Close and the corner of Beech Avenue. To the west of the site lies a series of recreational facilities comprising a cricket ground, playground, bowling green and football ground together with a small element of residential property within Noel Street.
3. The site comprises a relatively open complex, accommodating the main school buildings within the north-western part of the campus. The main school comprises a CLASP style, two storey building and to the immediate east of this lies the recreation centre. Beyond this complex of buildings, extensive playing fields are sited to the east and south, together with two moderately sized floodlit pitches just to the south-east of the recreation centre. A location plan is attached.

### **Proposed Development**

4. The application seeks to construct a large, single floodlit macadam synthetic pitch in a relatively central location within the playing fields. The proposal would be sited to the immediate east of a belt of mature trees just to the rear of the recreation centre and would also run partially parallel with the existing double floodlit synthetic sports pitch.

5. The scheme would comprise the construction of a macadam synthetic hockey pitch, giving an area of 6426 sq.m. and bounded on all four sides by twin bar weldmesh fencing to a height of 3m to 5m and colour-coated green. The proposal would also have two equipment storage recesses, measuring 8m by 3m, either end of the pitch.
6. The scheme would incorporate eight galvanised floodlighting columns to a height of 15.5m, with a proposed illumination value of up to 350 lux.
7. The synthetic pitch, which measures 102m by 63m, would be constructed over what is currently a grassed, open area forming part of the school playing fields.

### **Planning Policies**

8. The Nottinghamshire Structure Plan Review (November 1996) contains no policies that are relevant to the proposal, but Policy EV13 of the Broxtowe Local Plan, which is concerned with amenity issues and most specifically the need for high standards of design, is a relevant consideration. It states that a high standard of visual appearance for all development should be the aim.
9. The amenity issue is given greater clarification in the enhanced Policy E1 of the Broxtowe Local Plan Review Revised Deposit Draft (January 2001), which states that planning permission for new development will normally be granted provided that there is no significant adverse effect upon the amenity of the surrounding area and that the scale, mass and materials of the proposal are in sympathy with the character of the surroundings and respect the overall setting.
10. Policy RC3 of the Broxtowe Local Plan Review Revised Deposit Draft (January 2001) supports proposals for community facilities where:
  - (i) the proposal would be well located in relation to the community it serves and to public transport; and
  - (ii) the amenity of neighbouring properties would not be adversely affected; and
  - (iii) appropriate provision would be made for vehicle parking and highway safety; and
  - (iv) the character of the area would not be adversely affected.

All relevant policies are set out in Appendix 1.

### **Consultations**

11. **Broxtowe Borough Council** raises no objection.
12. **Powergen** has made no response.
13. **Severn Trent Water** has made no response.
14. **Transco** has drawn attention to the fact that there is apparatus in the area.

15. **EMEB** raises no objection.
16. **The Crime Prevention and Architectural Liaison Officer** raises no objection.
17. **Sport England** supports the application and acknowledges that although the proposal would result in the loss of part of the school's playing field, including a pitch, overall the new facility would provide sporting benefits to both the school and the wider community.

### **Publicity**

18. The application has been advertised by means of two statutory site notices and letters of notification sent to the occupiers of Nos. 17-21 (odds) Beech Avenue, Nos. 17-39 (odds) Chestnut Drive, Nos. 18-32 (evens) Corbiere Avenue and Nos. 2-22 (evens) Lime Close. Five letters of representation have been received from five different households. Four letters object to the proposal on the following grounds:
  - a) concern that the proposal would become a focal point for young people, encouraging even more anti-social behaviour on a playing field that already suffers from high levels of anti-social activity including motorbikes being driven around the school site and youngsters entering local residents' gardens causing damage, stealing property and giving verbal abuse;
  - b) a lack of security fencing to the site together with the fencing that is there being in a poor state of repair makes the site vulnerable to anti-social behaviour;
  - c) ample floodlit all weather pitches already available within close proximity to the school without the need for an additional facility;
  - d) increased noise pollution adding to the already continuous noise from existing pitches, which is evident from early evening through to late at night most evenings;
  - e) floodlights are in place on the existing pitches which are on occasion left on throughout the night;
  - f) loss of privacy and quality of life;
  - g) poor state of fencing along the site boundary with Corbiere Avenue means that people using the proposed facility would park along this cul-de-sac and gain access via the broken down fencing.

One letter does not expressly object to the proposal but raises the following concerns:

- a) increased parking along Chestnut Drive, as people access the school playing field along this boundary because of a complete lack of security fencing;
- b) safety of children running in front of cars as a result of increased traffic congestion;

- c) young people would see the new facility as a challenge to be vandalised.

### **Highway Observations**

- 19. There are no highway objections.

### **Observations**

- 20. The proposal forms part of Nottinghamshire County Council's NOF 3 Portfolio and would be funded as part of the New Opportunities Fund (NOF) Initiative. This scheme involves lottery money being made available to generate lasting improvements to the quality of life in disadvantaged communities through the upgrading of sporting facilities in schools, which can also be accessed by the local community. The proposal would enhance the delivery of the sports curriculum at Kimberley School, with the provision of a high quality floodlit synthetic pitch. It would enable extra curricular activities for pupils together with the development of sporting opportunities for the local community. This would increase the sporting proficiency of the school and foster an enhanced community use.
- 21. Kimberley School shares a campus with a recreation centre and there is a concentration of sporting facilities within this area. The proposal is part of an initiative to create a centre of excellence for sporting provision at this site and a valuable community resource. It is noted that the Kimberley School site is already used by the local community for various sporting activities, and there is already an existing double floodlit pitch. As a result of this, the proposed new development with its additional floodlighting would be introducing a cumulative impact in terms of floodlighting provision. In mitigation, the existing pitch is small-scale and is sited in close proximity to the recreation centre with a belt of mature trees to its immediate north, which affords a relatively high degree of screening for residents in Corbiere Avenue.
- 22. There will be an overall increase in the provision of floodlighting on this part of the school site, but it is recognised that the two facilities would have different sporting functions and both are actually required to meet the current level of demand. The existing pitch is used for 5-a-side football matches, whereas the larger new pitch would be used for football groups, hockey teams as well as other general sports and leisure users. In line with the new facility, a part-time community recreation officer will be appointed through the NOF Initiative, whose task will be to engage with community groups in order to address physical activity levels within the area. In addition, a Football Foundation bid, which is soon to be submitted, will be based upon the Kimberley School and recreation centre being a resource centre. The local Football Association (FA) will be using Kimberley School and recreation centre as a centre of excellence for club development, coaching education and mentoring. This would have practical implications in terms of the level of sports facilities required and it is recognised that this could only be met through a combination of retaining the existing double pitch and providing a new floodlit synthetic pitch.
- 23. The proposed floodlit synthetic pitch would have some impact on the appearance of the school campus. However, it is noted that there is a degree

of relatively mature hedging and trees along the northern boundary with Corbiere Avenue and part of the eastern boundary with Chestnut Drive, which would provide an element of screening of the proposal. In addition, none of the dwellings back onto the school site and there is some distance between these residential properties and the proposal, given the distance across both Corbiere Avenue and Chestnut Drive respectively and the playing fields. In addition, the aspect of the majority of the dwellings within Corbiere Avenue means that most properties do not face directly towards the school playing fields. All of these elements combine to give a degree of screening for adjacent residents. Finally, it is noted that the dwellings within Lime Close are single storey bungalows and that this aspect together with a degree of mature hedging along the southern boundary of the site and distance across the playing fields, means that the proposal is well screened from these properties even though they do back onto the school site.

24. Any visual impacts from the proposed floodlights on adjacent occupiers could be mitigated by the positioning and angling of the floodlights, together with incorporating into the scheme the lowest level of luminance required for the satisfactory use of the synthetic pitch. Planning conditions could ensure that the luminance level is controlled and the proposed floodlighting positioned correctly. In addition, the height of the columns at 15.5m actually mitigates the light impact from such a large pitch. The increased height of the floodlighting columns means that the lights can be positioned at a shallower angle, directing the light vertically onto the pitch and minimising any light spillage.
25. The proposed community use is estimated at approximately twenty hours per week. In seeking a balance between the needs of the school to maximise the use of the proposed synthetic pitch and those of the residents, in terms of their local amenity, it is considered reasonable to allow the facility to be used on weekday evenings and all day Saturday subject to a requirement for use to cease at 8.30pm on weekdays and 6.00pm on Saturdays. No use of the facility would be allowed on either Sundays and Bank and Public Holidays, so allowing residents to enjoy their local amenity uninterrupted at these key times.
26. Objectors have raised concerns that the proposed floodlit synthetic pitch would merely become a focal point for more anti-social behaviour. However, the intention is that the new facility will make a positive contribution to the local community and give young people a high quality sporting venue thereby encouraging them to do something more worthwhile with their time. Whilst a lack of adequate perimeter security fencing around the school site has made it vulnerable to those intent on carrying out anti-social activities, efforts have been made to address this issue. It is noted that new perimeter security fencing has been erected along the length of the northern boundary with Corbiere Avenue, which should go some way to securing the site at this point. In addition, it is acknowledged that a major problem exists along the eastern boundary with Chestnut Drive, as it is presently unsecured, giving unfettered access to the campus from the rear of the site. In recognition of this fact, funding has now been secured for the erection of perimeter security fencing along this boundary, subject to planning consent, and a separate planning application for this has now been submitted. Once in place, the security

fencing should go some way to curtailing the anti-social activity currently occurring on the school campus.

27. It is unlikely that the proposed development would result in any increase in traffic congestion along either Corbiere Avenue or Chestnut Drive. Once the school site is secured along the eastern boundary with Chestnut Drive there will be no point of pedestrian access along this boundary and likewise with Corbiere Avenue. The use by community organisations would take place outside normal school hours and it is envisaged that this would only involve a relatively low number of organisations. It is not anticipated that the level of use associated with the proposed floodlit synthetic pitch would generate any substantial increase in traffic. There is also adequate car parking provision on site, with the leisure centre car park being proposed for use in association with this facility.

### **Conclusions**

28. The proposed development will provide improved sports facilities for the school and an important resource for the local community. However, it is recognised that the siting of the proposed floodlit synthetic pitch in this location would introduce an additional sports use and floodlighting closer to residential properties within Chestnut Drive and Corbiere Avenue. Therefore, every effort should be made to minimise any loss of amenity for adjacent residents. Planning conditions restricting times of use of the facility and controlling levels of light illuminance and positioning of the floodlights should adequately mitigate any negative impact on the amenity of local residents.
29. It is anticipated that an improved perimeter security fencing scheme, once in place, will go some way to addressing the problem of anti-social activity presently occurring on the school site. In the light of this, it is not envisaged that the new floodlit synthetic pitch will become a focal point for increased levels of anti-social behaviour. Overall, it is important that the school can function properly and deliver high quality sports provision to its pupils, whilst also fulfilling its community role.

### **Statutory and Policy Implications**

30. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and users. Where such implications are material, they have been brought out in the text of the report. Members' attention is, however, drawn to the specifics as follows:-

### **Human Rights Act Implications**

31. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are affected. The proposal has the potential to introduce further impacts of light, noise and visual intrusion at the school site. However, these considerations need to be balanced against the benefit that the proposal would bring to both the pupils at Kimberley School and the wider community.

## RECOMMENDATION

32. It is RECOMMENDED that planning permission is granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in Appendix 2. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

## REASON FOR DECISION

33. The proposal has the potential to impact negatively on the amenity of local residents, but is considered capable of being successfully mitigated. The proposal is in accordance with policies of the Development Plan and will bring benefits to the school and local community.

PETER WEBSTER  
Director of Environment

### Director of Resources' Financial Comments

As this report considers only the planning proposals, there are no financial implications arising. [DJK 27.2.04]

### Head of Legal Services' Comments

Planning Committee has power to decide the Recommendation. [SHB 4.3.04]

### Background Papers Available for Inspection

1. Letter from Mrs E.G.Baidalla, 8 Lime Close, Nuthall, Nottinghamshire dated 07.10.03.
2. Letter from Mr & Mrs D. Whyatt, 26 Corbiere Avenue, Watnall, Nottinghamshire dated 08.10.03.
3. Letter from Mr D.L.Bentley, 17 Chestnut Drive, Nuthall, Nottinghamshire dated 13.10.03.
4. Letter from Mr D.J. Cole & Miss E.J. Davies, 20 Corbiere Avenue, Watnall, Nottinghamshire dated 13.10.03.
5. Letter from Ms V. Taylor, 14 Lime Close, Nuthall, Nottinghamshire dated 29.10.03.

### Electoral Division(s) Affected

Kimberley and Trowell

***Please note. Copies of plans referred to in this report may be obtained from: John Sheffield, Environment, Trent Bridge House, Fox Road, West Bridgford, Nottingham NG2 6BJ, tel 0115 977 4499, email john.sheffield@nottscc.gov.uk or from Peter Barker at the same address, tel 0115 977 4416, email peter.barker@nottscc.gov.uk.***

## RELEVANT PLANNING POLICIES

### Broxtowe Borough Local Plan

#### Policy EV13

THE BOROUGH COUNCIL WILL SEEK TO ENSURE A HIGH STANDARD OF DESIGN AND LAYOUT TO SECURE ATTRACTIVE DEVELOPMENT AND TO SAFEGUARD AND ENHANCE THE EXISTING ENVIRONMENT.

### Broxtowe Local Plan Review Revised Deposit Draft (January 2001)

#### Policy E1

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH DOES NOT MEET EACH OF THE FOLLOWING CRITERIA:

- a) THE CREATION OR MAINTENANCE OF A HIGH STANDARD OF AMENITY FOR ALL USERS OF THE NEW DEVELOPMENT AND OCCUPIERS OF NEIGHBOURING PROPERTY;
- b) DESIGN FEATURES TO ENABLE SAFE AND CONVENIENT USE OF BUILDINGS AND FACILITIES BY PEOPLE WITH LIMITED MOBILITY;
- c) MEASURES TO ASSIST IN WASTE MINIMISATION AND RECYCLING;
- d) A SAFE AND SECURE ENVIRONMENT, WHERE NECESSARY INCLUDING CRIME PREVENTION FEATURES;
- e) A HIGH STANDARD OF ARCHITECTURAL DESIGN IN TERMS OF SCALE, MASS AND MATERIALS;
- f) RESPECT FOR THE CHARACTER OF THE SETTING OF THE PROPOSED DEVELOPMENT;
- g) A HIGH STANDARD OF LANDSCAPING;
- h) A HIGH STANDARD OF DESIGN OF OPEN SPACES WITHIN THE DEVELOPMENT, WHERE PROVIDED; AND
- i) SAFE AND CONVENIENT ACCESS FOR VEHICLES, CYCLISTS AND PEDESTRIANS.

#### Policy RC3

PROPOSALS FOR COMMUNITY AND EDUCATIONAL FACILITIES WILL BE PERMITTED IN CIRCUMSTANCES WHERE ALL THE FOLLOWING APPLY:

- a) THE PROPOSAL WOULD BE WELL LOCATED IN RELATION TO THE COMMUNITY IT SERVES AND TO PUBLIC TRANSPORT SERVICES; AND
- b) THE AMENITY OF NEIGHBOURING PROPERTIES WOULD NOT BE ADVERSELY AFFECTED; AND
- c) APPROPRIATE PROVISION WOULD BE MADE FOR VEHICLE PARKING AND HIGHWAY SAFETY; AND
- d) THE CHARACTER OF THE AREA WOULD NOT BE ADVERSELY AFFECTED.



**SUGGESTED PLANNING CONDITIONS**

1. The development hereby permitted shall be begun within 5 years from the date of this permission.
2. Unless otherwise agreed in writing by the County Planning Authority (CPA) the development hereby permitted shall be carried out in accordance with the details shown on the approved Plan – Synthetic Hockey Pitch Layout, as received by the CPA on the 29<sup>th</sup> September 2003.
3. Prior to the commencement of the development hereby permitted, measures shall be taken for the protection of all trees and hedges from damage during the course of the development before any equipment, machinery or materials are brought onto the site for the purpose of the development. The means of protection shall include measures to prevent disturbance or reduction in soil levels within the area of the root spread of the hedgerow; and the adequate fencing off of all trees. The means of protection shall be implemented and retained on site until all equipment and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition and the ground levels within these areas shall not be altered nor shall any excavation be made without the prior written approval of the CPA.
4. Any trees or hedges which become damaged during the course of the development shall be replaced in the first available planting season with the same specimens to those originally planted; the size of these trees shall be at least 14-16cm in girth and the hedge shrubs 60-90cm in height.
5. Except with the prior written agreement of the CPA no construction work shall be carried out or plant operated other than between the following hours: 0730 hrs to 1730 hrs Monday to Friday, 0800 hrs to 1330 hrs on Saturday and at no times on Sunday, Bank or Public Holidays.
6. The floodlights shall not have a greater illuminance level than 200 lux and the floodlights shall be positioned, directed and angled downwards to avoid glare and dazzle to neighbouring residents such that this can be verified on site by the CPA within three months of the date of the commencement of the use of these floodlights, the date of which shall be notified to the CPA within 7 days.
7. Except with the prior written agreement of the CPA the synthetic pitch and the floodlights shall only be used between the hours of 0830 hrs to 2030 hrs Monday to Friday and 0900 hrs to 1800 hrs on Saturday and at no times on Sunday, Bank and Public Holidays.

**Reasons**

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
- 3-4. To ensure a satisfactory visual appearance for the development.

5-7. To protect residential amenity and to accord with Policy E1 of the Broxtowe Local Plan Review Revised Deposit Draft.

Note to Applicant

The applicant's attention is drawn to the advice from Transco.

EP4504