

Report to: PLANNING COMMITTEE **Date of Meeting:** 2nd June 2021

Subject: [DC/2021/00287](#)
[Chesterfield High School, Chesterfield Road, Crosby, L23 9YB](#)

Proposal: Construction of a 3G synthetic turf pitch with associated sports fencing, spectator area, sports lighting and earth mound

Applicant: Mr Peter Tallant
Chesterfield High School **Agent:** Neil McHugh
MUGA UK Ltd

Ward: Manor Ward **Type:** Full Application - Major

Reason for Committee Determination: Petition endorsed by Councillor JJ Kelly

Summary

The proposal is to replace an existing grass pitch at the school for a third-generation (3G) artificial pitch. The proposal would improve the existing facilities and is acceptable with regard to the designated land use. Sport England has not raised any concerns in relation to the pitch itself however has objected to the inclusion of a landscaped bund which displaces part of the playing field. On balance it is not considered this is significantly harmful, while there are benefits to the bund such as reducing noise and improving the biodiversity of the field.

In terms of the impacts of increased usage, the applicant has submitted detailed noise and light reports which have been reviewed by the Environmental Health Manager. It is considered that subject to conditions, including a restriction to the hours of use, there would not be an unacceptable level of harm caused to neighbouring residents. In regard to parking it is considered that sufficient space exists within the existing car parks to accommodate the busiest periods of play.

Overall the proposal is considered acceptable. It would contribute to an identified need for full-sized 3G pitches in Sefton providing health and wellbeing benefits for the school itself and the wider community. The application is therefore recommended for approval subject to referral to the National Planning Casework Unit which is required due to a recommendation contrary to the wishes of Sport England.

Recommendation: Approve with Conditions Subject to Referral to the National Planning Casework Unit

Case Officer Steven Healey

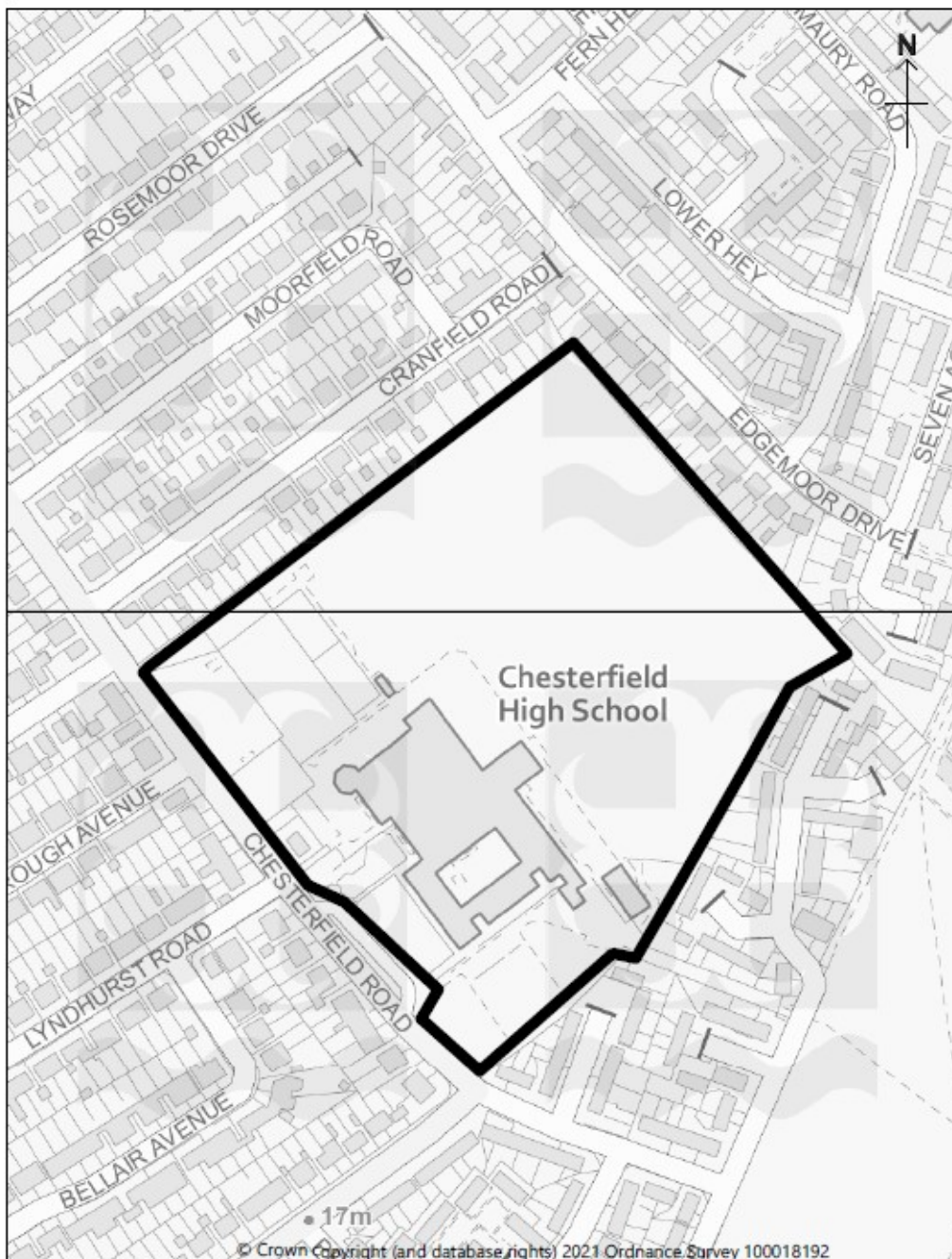
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QNWSL6NWHDV00>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 21/05/2021
Scale: Scale 1:3000
Created by: Initials

The Site

The application site comprises the playing fields of Chesterfield High School in Crosby.

History

Various applications associated with the school building itself. Most recently planning permission was granted in October 2018 for the 'Erection of a two-storey teaching block extension to the rear of the school including internal alternations and the demolition of the existing two storey block' reference (DC/2018/01550).

Planning permission granted in April 2001 for 'Resurfacing of the existing hardstanding to form two all-weather tennis courts with surrounding fence' (S/2001/0172).

Permission granted in April 1995 for the 'Erection of one and two storey extensions to the existing school to form additional classrooms and library, construction of new car park, tennis courts and relocation of mobile classroom' (S/1994/0768)

Consultations

Environmental Health Manager

No objection in respect to contaminated land given findings of the submitted ground investigation.

Flooding and Drainage Manager

No objection.

Highways Manager

No objection subject to conditions.

Merseyside Environmental Advisory Service

No objection.

Sport England

Object due to the presence of the bund which would result in the loss of 0.59 ha of playing field capable of serving future sporting need such as rounders/softball, warm up area, training grids, grass sprint track. There is insufficient justification for the bund and this is contrary to paragraph 97 of the NPPF and Sport England Policy Exception E4:- As you will be aware, where the area of playing field lost and/or use is prejudiced by a non-sport development, in this case the bund, then the area of playing field needs to be replaced in accordance with paragraph 97(b) of the NPPF and Sport England Policy Exception E4:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Should the Local Planning Authority be minded to grant planning permission for the proposal, contrary to Sport England's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

Neighbour Representations

A 59-signature petition opposing the development and endorsed by Councillor John Joseph Kelly has been received by Planning Services objecting on the grounds of light disturbance associated with floodlights and use up to 10pm weekdays, noise associated with adult use of a full-sized pitch, loss of privacy with fields open to public, increased demand for parking on Chesterfield Road and increased pollution.

Objections received from 32 individual addresses and via MP Bill Esterson including properties bordering the application site on Rimrose Valley Road, Cranfield Road and Chesterfield Road on the following grounds: -

- Prolonged and increased usage into the evening causing noise disturbance, with shouting and foul language. Some state the management plan and complaints' procedure would be ineffective. Validity of the noise assessment also questioned.
- Floodlights would cause light disturbance with luminance exceeding guidelines
- Proposed pitch is too close to residential properties, and there are already existing facilities nearby
- Pitch would no longer only be used by school but by adults
- Increased traffic and congestion with inconsiderate parking already taking place
- Construction traffic noise and disturbance
- Health implications of rubber crumb used in construction of pitch
- Security risks, loss of privacy and possible anti-social behavior
- A pitch and floodlighting has previously been refused
- Increased flood risk and run off of surface water
- Insufficient time to comment on proposals
- Proposal is for profit and does not consider residents
- Loss of property value

Letters of support received from 162 individual addresses primarily within the Crosby area stating the proposal would enhance the facilities at the school and be of great benefit to the physical and mental health of children. Some residents state proposal would also be an asset for the wider community.

Policy Context

The application site lies within an area designated as Education and Care Institution in the Urban Area in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

The proposal is for the installation of a full-sized (11 a-side games) 3G pitch (100m x 64m) to replace an existing grass pitch situated adjacent to the school building and for the creation of an earth mound/ bund to the east separating the facility from properties on Rimrose Valley Road. The pitch would be capable of accommodating a number of smaller games at the same time and would not be inhibited by the weather in the same manner as the existing pitch, thus allowing increased usage.

The proposal is one of a number of 3G pitches being developed within Sefton at the moment spurred on by Football Federation Funding which has been made available following completion of the Local Football Facility Plan which identifies the need for a full-sized pitch within an undetermined location in the Crosby area.

The main issues to consider are the principle of development, environmental impacts and the matters relating to access and design.

Principle of Development

The site lies within an area designated as an Education Institution in the Urban Area which is subject to Local Plan policy HC7. This states that the development of uses directly related to the existing use of the site or which sustain the viability of the existing use of the site is acceptable in principle. It is considered that a replacement sports pitch of higher quality is directly related to the use of the school site, with particular reference to physical education.

The 2016 Playing Pitch Strategy states that Chesterfield High School includes 'one adult football pitch assessed as poor quality. Available for community use but not used'. The gain of a 3G pitch capable of accommodating more matches and training sessions across all age groups is supported in principle. The provision of a 3G pitch in this location is also in line with the Local Football Facility Plan (2019) which identifies Crosby as one of its priority areas in need of a full size 3G pitch. Subject to a condition requiring the submission of a Community Use Agreement it is considered that the proposal would be of greater benefit than the existing grass pitch and that the proposal accords with local and national policy with regard to replacements sports facilities.

Sport England has been consulted as statutory consultee for developments concerning playing fields. While there is no objection to the 3G pitch itself, Sport England has objected to the landscaped bund to the eastern perimeter of the pitch. This has been included by the applicant to

act as a noise barrier and to provide ecological enhancement. The applicant has favoured this approach over the inclusion of an acoustic fence as there are concerns regarding visibility, security and potential anti-social behaviour. The applicant also suggests it would be cost prohibitive and risk the viability of the scheme to remove the bund at this stage. The Noise Assessment which has been submitted has been prepared on the basis of the bund being included although it is described as 'an additional mitigation measure' by the applicant therefore it is unclear how noise levels would be affected without it. Nevertheless, the Environmental Health Manager has supported its inclusion and the applicant's noise consultants later clarified that without the bund a 'no-whistle' policy may have to be applied due to higher noise levels.

Sport England considers that there is insufficient justification for the bund stating that it is a means of dealing with excavated soil as opposed to being an essential noise mitigation measure. The area lost to the bund would measure 5,860sqm. While it is acknowledged that the constraints of the area of the site mean that it isn't capable of accommodating a playing pitch, Sport England considers that it could be used for sport such as sprinting or rounders.

Paragraph 97 of the National Planning Policy Framework states:- *'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location'*.

The applicant has indicated that they would be willing to improve existing facilities and pitches within the field in order to justify the loss of part of the field. Sport England has stated a preference for quantitative improvements as opposed to qualitative (i.e. a greater area of playing field to mitigate the loss). At the time of this report being published discussions are continuing to take place between the applicant, Sport England and Planning Services regarding this matter.

While it is appreciated and agreed that an area of playing field would be lost due to the bund without appropriate replacement of equal or better quality, and that this fails to comply with national policy, in practice the harm is considered to be minimal. The benefits of the 3G pitch itself are clear, while there are also visual and ecological benefits of a landscaped bund. It is considered that extensive areas of playing field remain where various sporting activities could take place alongside each other. Although there is no detailed assessment of need, it is considered unlikely that the field in its entirety including the land in question would ever be required for sporting purposes simultaneously.

Environmental Matters

Noise, Light and Pollutants

The proposal would result in increased usage of the school site outside of school hours, which is the primary concern of local residents. The application is accompanied by various documents

including a Noise Assessment and Floodlighting Impact Study which have been reviewed to the satisfaction of the Environmental Health Manager.

Firstly, in regard to noise, while the Noise Assessment concludes that with the inclusion of a bund between the pitch and closest residential properties there would be no unacceptable impact or need for further mitigation (i.e. acoustic fencing), the Environmental Health Manager requested a reduction to hours of use on weekdays due to the possibility of intermittent noise sources causing nuisance such as whistles, especially towards the north where no acoustic mitigation is proposed. The applicant has stated that 21.30 is the earliest time use of the pitch can cease due to requirements of the Football Federation regarding hours available for community use. On balance this has been accepted by the Environmental Health Manager. The applicant has also submitted a Noise Management Plan which can be secured by condition. Although concerns have been raised over the potential effectiveness of such a plan, this would provide assurance for local residents. In any case, the identified level of noise associated with the proposal is not significant.

In terms of light disturbance, the Environmental Health Manager is satisfied with the design, height and positioning of the floodlights and that they would not cause unacceptable glare towards residential properties. The use of the floodlights and pitch itself can be restricted by way of a condition to the hours of 08:00 to 21:30 weekdays. The applicant proposed shorter hours of use at the weekend. Overall while there would be an increase in use of the site, the applicant has demonstrated that this would not result in unacceptable adverse impacts on neighbouring residents in accordance with Local Plan policy EQ4 (Pollution and Hazards).

Flood Risk and Drainage

The site is within Flood Zone 1 indicating low flood risk. The Design and Access Statement contains a Flood Risk Assessment which the Flooding and Drainage Manager has raised no objection to. The proposed pitch would be porous with below ground attenuation connecting to the existing surface water drain to the north of the pitch. These arrangements are acceptable and would not result in increased flood risk to the site or neighbouring properties.

Ecology

Merseyside Environmental Advisory Service has raised no objection as it considered that the site is unlikely to be used by any protected species. The introduction of the landscaped bund is supported as it would provide biodiversity gain on site.

Access, Transportation and Highway Safety

The proposal has been reviewed by the Highways Manager who has raised no objection on highway safety grounds.

The applicant has submitted a Design and Access Statement which considers the increase in traffic, different types of transport used to get to the site, site accessibility and existing parking facilities.

Calculations have also been submitted which estimate busiest times of use would be during evenings and weekends, likely facilitating the need for 53 parking spaces. There are no proposals to adjust the site's present parking arrangements, which comprise 90 spaces. These far exceed the level of parking required at peak time which is also outside of school hours so would not conflict with staff or parent parking. Nevertheless, the Highways Manager has requested the submission of a Travel Plan in order to encourage sustainable modes of transport as well as the provision of cycle parking facilities, which accords with the Council's Guidance on 'Sustainable Travel and Development'. It is also not considered that the increased traffic levels would have a discernible impact on local air quality.

A Construction Traffic Management Plan has been submitted with the application, and although delivery times are not those sought as standard by the Council in the case of development affecting schools, the applicant which is a school has agreed that deliveries be restricted between 8 – 8.30am and 2.45 and 3pm only.

Design, Character and Landscaping

The proposal would not be immediately visible from the public realm as the site is encompassed by residential properties. Artificial pitches are a common feature within school sites, and it is considered to be in keeping with the character of the existing playing fields. The pitch would be enclosed primarily by see-through mesh fencing thereby minimising visual impact. The bund of 2.5m in height is deemed unlikely to harm the outlook of neighbouring residents and overall the proposal is considered to be of acceptable design.

Other Matters

General Amenity Impacts

The applicant has stated that the Community Use Agreement will include a management strategy for this site which covers maintenance and security matters. In terms of loss of privacy, the proposed pitch is set well away from residential properties so as not to cause an unacceptable loss of privacy when in use. Concerns have been raised over construction noise and disturbance. A Construction Traffic Management Plan will control hours of construction and deliveries. The applicant has also committed to implement 'best practicable means' (i.e. keep the impact on local residents to a minimum) during the construction period. Should any unexpected incidents of noise or disturbance occur, powers exist within Environmental Health legislation to address this.

Neighbour Comments

The majority of neighbour objections are addressed within the above report. Aside from this matters such as loss or property value are not material planning considerations.

Concerns have been raised over the lack of time to comment on the application, however Planning Services has notified local residents in accordance with the Statement of Community Involvement in accordance with statutory timeframes.

Concerns have also been raised over a pitch which is purported to have been refused previously on site, however there is no history indicating this. In any event, each application is to be considered on its merits.

Another concern raised by residents relates to the health implications of potentially carcinogenic 'rubber crumb' used to surface artificial pitches. It is understood that various studies have been conducted and continue to take place into the matter although the current position of various industry bodies including the Football Federation are that the risks are negligible.

Planning Balance and Conclusion

The proposal would enhance sporting facilities on site in terms of quality. It would support Chesterfield High School's curriculum and provide more reliability in all-weather conditions for both the school and the wider community. The inclusion of a bund which results in the loss of playing field which could be used for various purposes in the future is considered to cause minimal harm. While discussions are continuing with a view of mitigating this harm through improving other aspects of the playing field, even without mitigation it is considered that the level of harm and conflict with policy is outweighed by the benefits presented by the 3G pitch itself.

The proposal incorporates measures to reduce noise disturbance (such as a bund), and subject to conditions restricting the hours of use would not cause unacceptable noise, disturbance or light pollution into the evening and night time. The Highways Manager has raised no objection to the proposal and overall it is considered to comply with the adopted policies of the Local Plan and the requirement of the National Planning Policy Framework. However, as this recommendation is contrary to that of Sport England as statutory consultee for playing fields, it is necessary to refer the application to the Secretary of State via the National Planning Casework Unit for agreement.

Recommendation - Approve with Conditions Subject to Referral to the National Planning Casework Unit

Conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) The development shall be carried out in accordance with the following approved plans and documents:
- Proposed Location Plan (MCA-MUK2419-09 Rev A)
 - Proposed Site Layout (MCA-MUK2419-02 Rev I)
 - Proposed Pitch Layout (MCA-MUK2419-07 Rev E)
 - Proposed Line Markings (MCA-MUK2419-11)
 - Kerb Detail to Spectator Area (MCA-MUK2419-16)
 - Path Kerb Detail (MCA-MUK2419-20)
 - Pitch Kerb and Infill Containment Barrier (MCA-MUK2419-23)
 - Kerb and Infill Containment Barrier to Spectator Area (MCA-MUK2419-24)
 - Matwell Detail (MCA-MUK2419-25)
 - Goal Recess Detail (MCA-MUK2419-26)
 - Proposed Landscaping (MCA-MUK2419-40 Rev D)
 - Container Elevations (MCA-MUK2419-18)
 - Proposed Sports Lighting Scheme (MCA-MUK2419-12 Rev B)
 - Proposed AGP Elevations (MCA-MUK2419-10)
 - Proposed Fence Layout (MCA-MUK2419-09 Rev C)
 - Proposed Car Parking (MCA-MUK2419-42 Rev A)
 - Proposed Drainage Layout (2129/E02 Rev A)

Reason: For the avoidance of doubt.

During Building Works

- 3) The provisions of the approved Construction Traffic Management Plan (McArdle Sport-Tec Ltd) shall be implemented in full during the period of construction.

Reason: In the interests of highway safety.

Before the Development is Occupied

- 4) Use of the development 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. The agreement shall apply to the Artificial Grass Pitch and changing rooms, and include details of pricing policy, hours of use, access by non-partner club 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 facilities, to ensure sufficient benefit to the development of sport and to accord with Local Plan policy NH5 and paragraph 97 of the NPPF.

- 5) The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority and they shall be retained in perpetuity thereafter.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car based modes of travel.

- 6) The development shall not be occupied or brought into use until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

Ongoing Conditions

- 7) The approved Noise Management Plan must be implemented in full and retained throughout the life time of the development.

Reason: In order to protect the living conditions of neighbouring residents from undue noise and disturbance.

- 8) The 3G pitch hereby approved must not be utilised outside of the hours 08:00 – 21:30 Monday to Friday, 08:00 – 18:00 Saturday, Sunday and Bank Holidays with floodlighting to be turned off before 21:45 and 18:15 respectively.

Reason: In order to protect the living conditions of neighbouring residents from unacceptable noise and light disturbance.