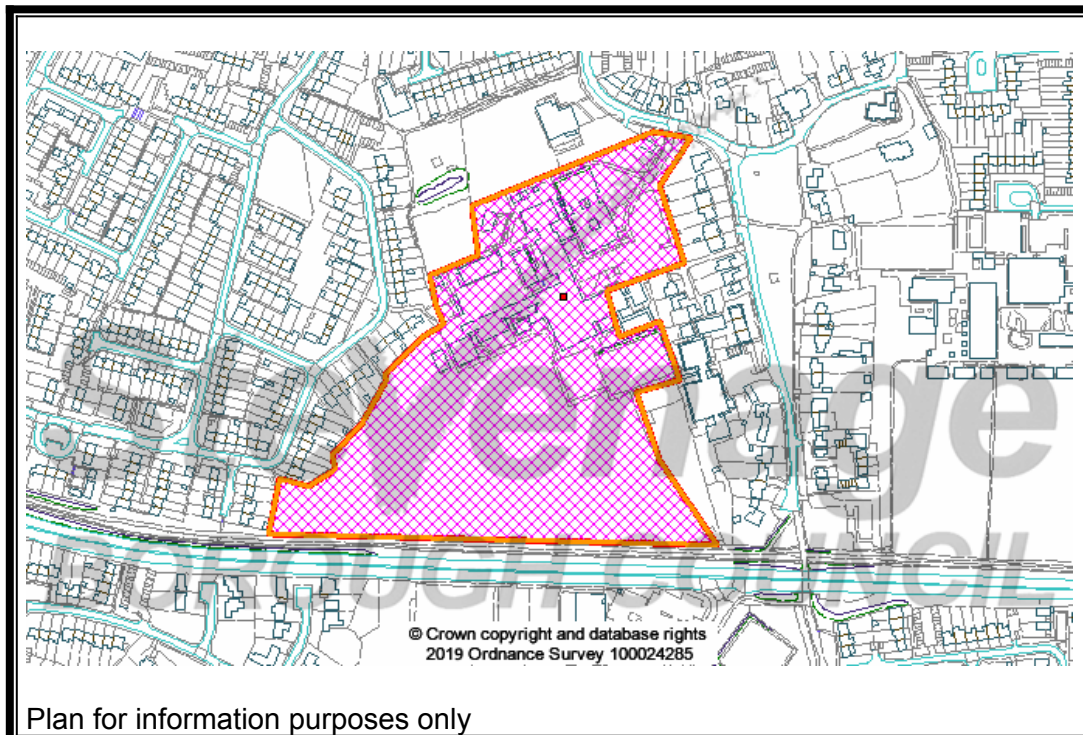


Meeting: Planning and Development Committee
Agenda Item:
Date: 3 March 2020
Author: Rebecca Elliott 01438 242836
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: Rebecca Elliott 01438 242836

Application No:	19/00283/FP
Location:	Barnwell Middle School, Shephall Green, Stevenage
Proposal:	Extension and resurfacing of playing courts, erection of 6no. 12m high floodlights, installation of 4.5m high fencing and siting of storage container.
Drawing Nos.:	SSL 2587 03 Rev 04; SSL 2587 04 Rev 02; SSL 2587 07 Rev 02; SSL 2587 02 Rev 01; SSL 2587 06 Rev 01; SSL 2587 01; SSL 2587 02.
Applicant:	Mr A Petitt, Barnwell Middle School
Date Valid:	10 May 2019
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the western side of Shephall Green which is also designated a conservation area. The site comprises the Barnwell Middle School (formerly Heathcote School) which has a number of single storey and two-storey utilitarian designed school blocks. The blocks are generally of steel frame construction with single glazed crittall windows along with metal cladding and flat roof areas finished in a ply membrane. The school site comprises a brick-built single storey building with a gable-end roof clad in concrete inter-locking roof tiles along with single-storey mobile classrooms. The school site also comprises a large area of playing fields and a Multi-Use Games Area (MUGA), which is also the subject of this application, which is constructed from concrete and is enclosed by a 2.5m high wire mesh fence.
- 1.2 The surrounding area comprises 1960's suburban style terrace properties through to detached properties which have a unique architectural style. To the east of the site lies Greenside School. In addition, there are many buildings in the conservation area, particularly houses, which date back from the 1960s and 70s along with more modern developments such as The Grove which comprises of detached and terraced houses. The main character of the conservation area is low density with green areas and mature trees, resulting in a semi-rural atmosphere. There is also the church of St. Mary's which dates from the 14th Century. The area also comprises the Rectory and a public house (The Red Lion).

2. RELEVANT PLANNING HISTORY

- 2.1 Planning consultation reference 01/00107/REG3 from Hertfordshire County Council under Regulation 3 sought the Council's comments on the erection of a single storey building to accommodate four new classrooms. Objection was raised to the proposed development in May 2001.
- 2.2 Planning consultation reference 04/00026/REG3 from Hertfordshire County Council under Regulation 3 sought the Council's comments on the erection of a Mobile learning support unit. No objection was raised to the proposed development in February 2004.
- 2.3 Planning consultation reference 04/00513/REG3 from Hertfordshire County Council under Regulation 3 sought the Council's comments on the erection of 5-bay double mobile classroom unit. No objection was raised to the proposed development in November 2004.
- 2.4 Planning consultation reference 13/00004/CC from Hertfordshire County Council sought the Council's comments on the erection of 1no. eight classroom teaching block, 1no. two classroom teaching block, external canopy, construction of new footpath, covered walkway, new pedestrian access, new informal recreation space, fencing and associated matters. No objection was raised to the proposed development in February 2013.
- 2.5 Planning application 14/00414/FP sought permission for the installation of a 2 class mobile classroom (relocated from Barnwell East Campus). This application was granted permission in November 2014.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to increase the size of the existing football court from 32.20m by 31.20m to 39.67m by 31.20m. The football court would be re-laid with a 3G artificial turf carpet and would be enclosed by a 3m high wire mesh fence. The fence would incorporate a double leaf gate at the northern end with foot well and boot scraper and a double entrance gate at the southern end.

- 3.2 The proposal also seeks permission to re-lay the tennis court and netball court area with a two-tone colour coated macadam. The total court area which currently measures 33.7m by 50.60m would not be extended as part of the development proposal. However, it would be enclosed by a 4.5m high wire mesh fence along with a single-leaf gate and foot well along with a double entrance gate at the southern end. To the south of the court a shipping container is to be erected which would measure 6m by 2.44m with an overall height of 2.59m and would be painted green. This application also seeks permission for the installation of 6 no. 8m high floodlight columns around the 3G pitch.
- 3.3 This application comes before the Planning and Development Committee as it was called-in by Councillor Sarah Mead. The application was called-in on the following grounds:-
- Impact on neighbouring amenities;
 - Car parking; and
 - Highway issues.
- 3.4 In addition, the call-in was made as it was advised that concerns were raised about the light spill in the evening and the impact this would have on neighbouring properties in Greencote Mews. In addition, it was advised that there was no public communication regarding the anticipated usage of the facility. Furthermore, it was set out that there is restricted parking as well as limited road space for turning etc and the potential traffic of car collecting/dropping off users which will impact residents. Moreover, it was advised in the call-in request that residents already alter their day to day routine during school hours and further impact into the evening would be overbearing. Concern was also raised about noise during evening times and the disturbance this will cause local residents. This is due to the application proposing this facility to be open every weekday and weekend until 9pm. Therefore, the level of noise may become overbearing in terms of regularity.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining premises and site notices have been erected. At the date of drafting this report, five objections have been received from numbers 40, 48, 50 and 54 Shephall Green and 339 Lonsdale Road. A summary of the objections raised are as follows:-
- The proposed lighting would have a detrimental impact on amenities of local residents;
 - The development would generate unacceptable noise levels which would affect the amenities of local residents;
 - The development is a commercial enterprise and not a community facility;
 - There would be insufficient parking to serve the development;
 - The development will result in on-street parking;
 - There are already similar facilities in the area which are already in operation, so the proposed development cannot be justified;
 - The scheme is in an inappropriate location due to the school site being surrounded by private housing;
 - This scheme will affect the well-being of local residents;
 - The information provided by the applicant in terms of the proposed development is inaccurate and misleading;
 - The development would result in a loss of privacy;
 - Will the Council reduce rates/council tax to compensate the impact the development would have on residents;
 - The development would further exacerbate existing highway issues in the area;
 - Similar applications in the past were rejected by the Council;
 - The development would not benefit pupils in the evening;

- The Council has failed to make the documents available for residents to view;
- No consideration has been given to the concerns raised by local residents;
- The applicant has not engaged with the local community on the application;
- The amendments to the scheme are a complete disregard to the problems the community will face if permission was granted;
- The development is of no real benefit for the school;
- The school should look at using other facilities as it would be cheaper for the school and this would have less of an impact on local residents.

4.2 Please note that the above is not a verbatim copy of the representations which have been received. A full copy of the representations received by the Council can be viewed on the Council's website.

5. CONSULTATIONS

5.1 B.E.A.M.S

5.1.1 In accordance with NPPF, para. 189 the application has been accompanied by a Heritage Statement which considered the impact of the proposed development upon the setting of the Shephall Green Conservation Area. The application has been amended and the floodlighting to the courts on the east side, closest to the Shephall Green CA boundary have been omitted which could be considered a visual improvement in relation to the local amenity and setting of the Conservation Area.

5.1.2 The proposed new / replacement playing courts with associated fencing, storage container and floodlighting (at a reduced level) are considered to preserve the setting of the Shephall Green Conservation Area and will not have an adverse impact upon the setting of any Listed Buildings within Shephall Green, no objection.

5.2 Sport England

5.2.1 The proposed development would enhance two games court areas by converting one area to a small artificial grass pitch (AGP) with a 3G surface and resurfacing the other court. The games court would be extended to the south onto the adjoining natural turf playing field. The proposal to convert one of the games court areas into a small AGP with a 3G surface suitable for football would provide an all-weather outdoor sport facility which could be used continuously throughout the year and intensively due to its surface. Unlike the macadam surface that it would replace, the AGP could be used for pitch sports such as football and tag rugby.

5.2.2 Due to the ground conditions of the existing natural turf playing field, it will unlikely to be available for use by the school for some parts of the year especially in the winter. The AGP would help address any capacity and surface quality restrictions associated with the use of the natural turf playing field and could substantially improve the delivery of the PE curriculum. In addition to helping meet the school's needs, it would also offer potential for community use and the proposal to make the facility available for community use outside of school hours is welcomed. Stevenage Borough Council's Playing Pitch Strategy acknowledged demand for additional 3G AGP provision to meet club training needs and while the size of the facility would prevent any formal match use (for FA affiliated football clubs), it would still be suitable for training and small sided recreational matches played on an informal basis.

5.2.3 The implementation of the facility if it had secured community access would therefore make a contribution to addressing local community playing pitch needs. I have consulted the Football Foundation (who represent the Football Association and the Herts County FA) who have advised that they are supportive of the principle of proposal due to the potential benefits it will offer for meeting local community football needs.

- 5.2.4 The resurfacing of the remaining courts would improve their quality and providing a higher quality consistent surface with new link marking for tennis, netball and basketball. The new fencing proposed around both games court areas would provide an enhancement to the facilities by providing modern weldmesh fencing that would be more durable from a ball stop and maintenance perspective than the chain link fencing that it would replace. The proposal for sports lighting around both areas would also be welcomed as this would allow the games courts to be used for community use in the evenings as well as extra-curricular use by the school.
- 5.2.5 In terms of the impact on the playing field, the extension to the games court area to the south would encroach onto part of the natural turf playing field that is (or has been) marked out for playing pitches especially summer athletics tracks and throwing areas. However, the encroachment is considered to be modest and sufficient space would appear to exist on the remaining playing field for any pitches that would be affected to be realigned or relocated without impacting on other pitches.
- 5.2.6 As a non-statutory consultee, the proposed development would provide significantly enhanced games courts that would offer potential to make a contribution towards meeting community sports facility needs in the Stevenage area for the reasons set out above. The proposals are considered to meet the above objective therefore. Sport England would therefore wish to confirm its support for the principle of the proposed development as a non-statutory consultee. The proposal for the facilities to include sports lighting is welcomed and this is considered essential as this will offer significant sports development benefits in terms of facilitating use during peak community use periods. Without sports lighting, it would not be possible for the facility to meet the needs that it has been designed to address and it may not be financially viable to implement.
- 5.2.7 While Sport England would not require a planning condition to be imposed relating to the hours of use of the games courts or their lighting, it is acknowledged that the Council may wish to impose such a condition in order to address potential impact on residential amenity or the environment. If planning permission is granted, it is recommended that any condition that may be imposed by the Council is not overly restrictive in this regard. It is advised that peak community use of similar facilities usually extends until 10.00 pm on weekday evenings. If the Council wishes to impose a planning condition restricting the hours of use of the games courts or their sports lighting, consideration should be given to using condition 14 from our model conditions schedule.
- 5.2.8 It should be noted that if the Council sought to remove the proposed sports lighting from the application or impose significant restrictions on the hours of use of the games courts or their sports lighting in the evenings this may affect our position on the planning application. If such an approach is to be taken it is requested that Sport England be advised before the planning application is determined to provide an opportunity to review our position on the planning application.
- 5.2.9 If noise generated from the use of the MUGA is an issue in the determination of the planning application, Sport England has published a guidance note on the planning implications of artificial grass pitch acoustics. This is intended to aid in developing a more consistent approach when assessing the noise associated with artificial grass pitch use and to provide some rules of thumb when assessing noise impact.
- 5.2.10 Sport England does not wish to object to the application as the benefits of sport are considered to clearly outweigh the detriment caused by the impact on the playing field. This is subject to conditions if permission were to be granted. These conditions would be as follows:-
- Games Court Area Design Specification;
 - Community Use Agreement;

- Hours of operation.

5.2.11 Following further correspondence with Sport England (09th September 2019) due to additional information being provided by the applicant in terms of the specifications of the MUGA, Sport England have confirmed that these details are satisfactory. Consequently, Sport England recommend the condition on the games court area design specification is not required if planning permission were to be granted.

5.2.12 Following the omission of the floodlighting to the eastern courts further consultation with Sport England advised that the absence of floodlighting around these games courts would diminish the sports development benefits of the overall proposal as the ability for Barnwell School and the community to use these games courts during the evening and other periods of poor daylight would be restricted.

5.2.13 However, having reviewed the application our position would remain as set out in our response of 30 May 2019 (contained above in paragraphs 5.2.1 to 5.2.10) as the benefits of the project to sport would still be considered to outweigh the impact on the playing field despite the proposed omission of the floodlighting from the games courts i.e. the proposal would still meet exception 5 of our playing fields policy. In summary, no objection is made to the application subject to a condition being imposed relating to a community use agreement as previously set out.

5.3 Hertfordshire County Council Highways

5.3.1 The County Council as the Highways Authority consider the development would not result in any highways issues. Therefore, it does not wish to restrict the grant of planning permission.

5.4 Environmental Health

5.5.1 From an Environmental Health perspective, the playing hours requested are excessive. I would suggest that 18.00 is a more suitable finishing time for Sundays and Bank Holidays, taking into account the likely community use on these days. Monday to Saturday it should be established that all activity is ceased, cleared away and personnel are gone by 21.00, not that the last match finishes at this time. I understand Planning can recommend a 12- month trial period, and I would support this. I would remind all parties that Statutory Nuisance provisions still apply, notwithstanding.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local

Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.

- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Stevenage Borough Local Plan 2011-2031 (2019)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP8: Good Design;
Policy SP9: Healthy Communities;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT5: Parking and Access;
Policy GD1: High Quality Design;
Policy HC5: New health, social and community facilities;
Policy HC7: New and refurbished leisure and cultural facilities;
Policy FP7: Pollution;
Policy FP1: Climate Change; and
Policy NH10: Conservation areas.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009
Shephall Green Conservation Area Management Plan July 2012.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area and the setting of the conservation area, impact upon neighbouring amenity, impact on the highway network and parking provision.

7.2 Land Use Policy Considerations

- 7.2.1 Policy HC5 of the Stevenage Borough Local Plan 2011 – 2031 (2019) states that planning permission for new health, social or community facilities, or to modernise, extend or re-provide existing facilities, on an unallocated site will be granted where:
- a. A need for the facility has been identified;
 - b. The site is appropriate in terms of its location and accessibility; and
 - c. The facility is integrated with existing health, social or community facilities where appropriate.
- 7.2.2 Policy HC7 of the Local Plan (2019) stipulates that for new and refurbished leisure and cultural facilities, or to modernise, extend or re-provide existing facilities on an unallocated site will be granted where there is a need for the facility, the site is appropriate in terms of its location and accessibility and with the exception of sports facilities, a sequential approach to site selection can be satisfactorily demonstrated and an impact assessment has been provided where required by Policy TC13 and it has been demonstrated that there will be no significant adverse impact.
- 7.2.3 The proposed development seeks permission to re-surface one block of tennis courts and re-surface and extend the football court with 3G artificial grass with new fencing and floodlights. The proposed development would help to provide an all-weather outdoor sports facility which could be used continuously though the year. This is because unlike the current surface, the Artificial Grass Pitch (AGP) could be used for pitch sports such as football and tag rugby. In addition, the existing natural turf pitches are not always available all year round, especially in the winter months. As such, the AGP would address any capacity and surface quality restrictions associated with natural turf playing field and therefore, as advised by Sport England, would help to improve the delivery of the PE curriculum.
- 7.2.4 Further to support the schools requirements for PE, the facility has also been designed so that it can be used by the community outside of school hours. The Council's Sports Facility Assessment and Strategy 2014 – 2031 (2014) identifies that there is a demand for additional 3G AGP provision in order to meet club training needs. In addition, as advised by Sport England, whilst the size of the facility would prevent any formal match use (for FA affiliated football clubs), it would still be suitable for training and small sided recreational matches which are played on an informal basis. Therefore, Sport England considers the development would make a contribution to addressing local community playing pitch needs. They also advised that the FA and Herts County FA are supportive of the proposal due to the potential benefits it will offer for meeting local community football needs.
- 7.2.5 The resurfacing of the remaining courts would help to improve their quality by providing a higher quality surface which would be more suitable for tennis, netball and basketball throughout the year. This will be utilised by the school as part of the PE curriculum and would also be available outside of school hours for the local community.
- 7.2.6 Notwithstanding the above, it is noted that due to the enlargement of the football court, this would encroach onto part of the natural turf playing field that is marked out for playing pitches especially the summer athletics tracks and throwing areas. However, the level of encroachment is limited and sufficient space would appear to exist on the remaining playing field for pitches that would be affected to be realigned or relocated without impacting on other pitches. As such,

Sport England with regards to playing fields does not raise any concerns with the proposed development in this instance.

- 7.2.7 Given the aforementioned, there is an established need for the development in terms of both the school as well as meeting the needs of the local community as identified in the Council's Sports Facility Assessment. Looking at the site's location, it is already an existing facility which is utilised by the school and is within a sustainable location due to the site being located within the urban area of the town. The site is also accessible by foot, by bicycle and by public transport as there are bus stops along Hydean Way which is located just to the north of the site. The development would also be integrated as part of the school and being a sports facility, a sequential assessment and impact assessment does not need to be undertaken in this instance.
- 7.2.8 Therefore, it is considered that the principle of the development is acceptable as it would help to firstly improve the facilities used by the school in relation to the PE curriculum. Secondly, the development would help to meet the needs of the community in terms of providing suitable facilities for sports such as football and touch rugby along with netball, tennis and basketball. However, to ensure that the facility is secured for the use of the local community, Sport England recommends a condition be imposed if permission were to be granted. This condition will require the preparation of a community use agreements which has to be submitted to the Council and is prepared in consultation with Sport England. This agreement will set out the School's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings and restrictions on community use.
- 7.2.9 The above condition is therefore, justifiable as it would help to alleviate a situation where community access to the facility outside of school hours does not take place. In addition, this agreement will provide clarity and formalisation to community access to the facility which also helps to meet the Council's Playing Pitch Strategy priorities.

7.3 Impact on the Character and Appearance of the Area and the Setting of the Conservation Area.

- 7.3.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions".
- 7.3.2 Turning to the impact on the setting of the Shephall Green Conservation Area, paragraphs 193 to 196 of the NPPF have to be considered in the determination of this planning application. This is because, as established through case law, if there is any harm to these heritage assets, great weight has to be given as to the impact the development may have on these assets. Dealing with Paragraph 193, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 195 sets out that where a proposed development will lead to

substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 7.3.3 In reference to paragraph 196 of the NPPF (2019), this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.3.4 Policy GD1 of the Local Plan (2019) requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. Policy NH10 of the same document states that development proposals affecting a conservation area should have regard to the relevant Conservation Area Management Plan SPD.
- 7.3.5 The proposed development, as detailed in paragraphs 3.1 and 3.2 of this report, seeks planning permission for extension and resurfacing of the playing courts combined with the erection of 6 no. 8m high flood lights. The scheme also comprises new fence enclosures and the erection of a container which would be used for storage of equipment. The proposed courts themselves are already in place with a very minor enlargement to the existing football court. The proposed fence enclosures are similar in height to existing fencing in the school premises including fencing utilised at Greenside School which adjoins the application site. With regards to the floodlights, whilst they would be visible from certain vantage points in the conservation area, they have been reduced in number and height and would have a slim profile and as such, are not overly obtrusive. In addition, the majority of the development would not be readily visible from the public realm as it would be screened by existing buildings within Barnwell Middle School, Greenside School as well as residential properties which border the school site.
- 7.3.6 Following consultation with the Council Conservation and Historic Advisor, they consider that the proposed development would preserve the historic character of the setting of the conservation area. In addition, the majority of the development would not be readily visible from the public realm and is set against the backdrop of the existing school. Consequently, the proposed development would not have a detrimental impact on the visual amenities of the wider street scene.

7.4 Impact upon Neighbouring Amenity

- 7.4.1 Policy FP7 of the adopted Local Plan (2019) states that all proposals should minimise, and where possible, reduce air, light and noise pollution. Applications where pollution is suspected must contain sufficient information for the Council to make a full assessment of potential hazards and impacts. However, planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:-
- a. The natural environment, general amenity and the tranquillity of the wider area, including noise and light pollution;
 - b. Health and safety of the public; and
 - c. The compliance with statutory environmental quality standards.
- 7.4.2 The proposed development site is located within 5m from the residential properties in Greencote Mews. As such, due to the nature of the proposed development combined with the installation of floodlights, the level of noise generated from the development along with the

level of illumination from the floodlighting could potentially have a detrimental impact on nearby residential properties.

7.4.3 Further to the concerns raised over light spillage, the scheme has been amended to remove the floodlighting associated with the eastern courts which provide netball, tennis and basketball facilities. The remaining 6no. floodlights for the 3G pitch are of sufficient distance from the occupiers of Greencote Mews that luminance levels from light spillage are of an acceptable level, especially give the reduced height of the light columns.

7.4.4 In respect of noise nuisance, it is noted that the nature of the courts for sports use will undoubtedly bring with it a level of noise which is unavoidable, especially being an existing school site. The main issue with possible further noise nuisance relates to the community use of the courts outside of school hours, and over the weekends. The school have agreed and submitted a Noise Management Plan which addresses potential noise sources, the nearest noise sensitive locations, a noise policy for use of the facilities, a noise complaints procedure, and complaint recording. Furthermore the proposed hours of use have been revised to reflect the following –

- Monday to Friday 08:00 to 20:00 hours
- Saturday 10:00 to 20:00 hours
- Sunday 10:00 to 18:00 hours

7.4.5 The proposed hours and Noise Management Plan are considered to be acceptable in terms of reducing noise nuisance for neighbouring residential properties. The Council's Environmental Health team support a 12 month temporary permission to allow for monitoring of the revised proposed hours, in conjunction with the Noise Management Plan which would be controlled by imposition of a condition. This will help to reduce the level of impact the development would have on the amenities of residents who reside in nearby residential properties and allow the Council to assess the impact for the 12 month period of time.

7.5 Impact on the Highway Network

7.5.1 The proposed development site is currently served by an existing vehicular access off Shephall Green which is a local access road with a speed restriction of 30mph. The access has acceptable visibility splays in accordance with Manual for Streets and Hertfordshire County Council's Roads in Hertfordshire Guidance. This application does not seek to extend or alter the existing access arrangements into the school.

7.5.2 In terms of vehicle traffic generation, there would be a limited increase in vehicles travelling to and from the site after school hours by persons looking to use the courts. However, the increase in traffic generation will generally occur outside of peak hours. Therefore, and following consultation with Hertfordshire County Council as Highways Authority, they do not consider the proposed development would prejudice the safety and operation of the highway.

7.6 Parking provision

7.6.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards as set out in the Council's Car Parking Standards SPD (2012). The Council's Car Parking Standards SPD (2012) sets out the maximum number of parking spaces which would be required to support the proposed development. The relevant parking requirements for the school are as follows:-

- 1 space per full time member of staff;
- 1 space per 100 pupils,
- 1 space per 8 pupils over aged 17+;
- 1 space per 20 pupils aged under 17.

- 7.6.2 Taking the above standards into consideration, as the proposed development is not seeking to increase the number of staff or pupils at the school, then no additional off-street parking would be required to serve the development in this instance. In terms of the use of the courts after school hours, as this would be considered ancillary to the established use of the site as a school, the Council can only assess the proposal against the aforementioned standards.
- 7.6.3 Notwithstanding the above, a professional judgement has to be made as to whether or not there is sufficient off-street parking to serve the development for after school hour's visitors. The school currently has approximately 80 parking spaces and 4 disabled spaces. This is considered to be more than sufficient to accommodate the use of courts in out of school hours. Therefore, it is unlikely the development would result in generating on-street parking which could have a detrimental impact on the safety and operation of the highway network.

8. CONCLUSIONS

- 8.1 In summary, it is considered that the proposed development would provide suitable facilities in order for the school to meet its PE curriculum requirements. In addition, the proposed development would also help to address the shortage of AGP facilities as identified in the Council's Sports Facility Assessment and Strategy 2014 – 2031 (2014). The development would also not have a detrimental impact on the visual amenities of the street scene or the historic character setting of the conservation area. Furthermore, and through appropriate conditions, the development is not considered to have a detrimental impact on the amenities of nearby residents. Moreover, the scheme would have sufficient off-street parking and would not prejudice the safety and operation of the highway network.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the following conditions:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
SSL 2587 03 Rev 04; SSL 2587 04 Rev 02; SSL 2587 07 Rev 02; SSL 2587 02 Rev 01; SSL 2587 06 Rev 01; SSL 2587 01; SSL 2587 02
REASON:- For the avoidance of doubt and in the interests of proper planning.
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The approved hours of use as outlined in condition 4 shall be for a temporary period of 12 months only following first use of the facilities, the date of which shall first be notified in writing to the Local Planning Authority. On expiration of the 12 month period or before that date the hours of operation shall revert back to those of the school operating times.
REASON:- To enable the Local Planning Authority to reconsider the appropriateness of the extended operating hours on the amenity of neighbouring residential properties at the expiration of the temporary period.
 - 4 The sports facility and its associated sports floodlights shall be operated in accordance with the approved Noise Management Plan and only during the following hours (excluding a 30 minute allowance for closure of the facilities after the specified times):

- a) 08.00 and 20.00 hours Monday to Friday;
- b) 10.00 and 20.00 Saturday; and
- c) 10.00 and 18.00 Sunday.

REASON:- To balance illuminating the sports facility for maximum use and benefit with the interest of amenity and sustainability.

- 5 No occupation shall commence of the enhanced games court until a community use agreement has been prepared and a copy of the completed agreement has been provided to the Local Planning Authority. The agreement shall apply to the sport facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review the Local Planning Authority. The development shall not be used at any time other than in strict compliance with the approved agreement.

REASON:- To secure well managed safe community access to the sports facilities and ensure sufficient to the development of sport.

- 6 The games court area in regards to surfacing, fencing and line markings shall be carried out in accordance with the approved details and specification as agreed by Sport England.

REASON:- To ensure the development is fit for purpose and sustainable.

Pro-active Statement

Planning permission has been granted for this proposal. 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 in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10. BACKGROUND DOCUMENTS

- 1. The application file, forms, plans and supporting documents having the reference number relating to this item.
- 2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
- 3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
- 4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
- 5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
- 6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.