

DELEGATED

AGENDA NO.

**PLANNING COMMITTEE
6th December 2006**

**REPORT OF CORPORATE DIRECTOR
OF DEVELOPMENT AND
NEIGHBOURHOOD SERVICES.**

06/3113/FUL

**Our Lady and St Bedes School, Bishopton Road West
Erection of sports changing facility, with associated classroom and toilets,
drama/dance studio and cafeteria and erection of 3m high weld mesh type
fence around building and football pitches.
Expiry date: 12th December 2006**

Summary:

The application site comprises educational units located to the south of Bishopton Road West. To the east of the proposed building lies Stockton Sixth Form College, to the west lies Our Lady and St Bedes Comprehensive School. A cycle track bounded by mature trees lies to the west of the application, Grangefield Comprehensive School lies to the south and the new Persimmon Homes development lies to the east of the application site.

The applicant seeks permission for the erection of sports changing facility, with associated classroom and toilets, drama/dance studio and cafeteria and the erection of 3m high weld mesh type fence around building and football pitches.

The main planning considerations in respect to this proposal relate to the impact of the proposal on the streetscene and the neighbouring properties.

There have been 4 letter of objection received with regards to the development and 5 consultation responses from Consults. The objections relate to the increased noise, anti-social behaviour and the visual impact of the proposed fence.

It is considered that the proposed building is in keeping with the surrounding area in terms of size, style and design, the field is currently used as football pitches and the fence is not considered to have a detrimental impact on the neighbouring properties. It is considered that the proposal accords with adopted Local Plan policy and it is recommended that planning permission be granted.

RECOMMENDATION

It is recommended that the decision in respect of planning application (06/3113/FUL) be delegated to the Head of Planning and subject to no new issues raised within the neighbour notification period that planning permission be approved subject to the following conditions.

In the event that there matters that cannot be resolved or unresolved on 12th December 2006 planning permission is refused.

01. ***The development hereby approved shall be carried out in accordance with the following approved plan(s): unless otherwise agreed in writing with the Local Planning Authority.
Drawing Number(s): - DRWG001, DRWG002, DRWG003, DRWG004, DRWG005, DRWG006***

Reason: To define the consent.

02. ***Details of all finishing materials shall be submitted to and approved in writing by the Local Planning Authority prior to work being carried out on site. Development shall be carried out in accordance with the approved details.***

Reason: To enable the Local Planning Authority to control details of the proposed development.

03. ***Notwithstanding the submitted information, secure cycle parking spaces shall be provided within the site, details of which must be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development.***

Reason : To ensure a satisfactory form of development

04. ***Notwithstanding the submitted information, prior to the commencement of the development details of the colour of the proposed fence shall be agreed in writing with the Local Planning Authority and implemented on site, and maintained thereafter for the life of the fence hereby permitted.***

Reason : In the interests of the visual amenity of the locality.

05. ***Details of a scheme in accordance with BS5837: 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include details of a protective fence of appropriate specification, and that the fence as approved shall be erected before construction commences, and maintained to the satisfaction of the Local Planning Authority, and throughout the entire building period, that changes in levels near the branch spread of the trees will be avoided, where tree roots are encountered only hand digging will be allowed, compaction to the root spread of the tree will be avoided and no storage of materials will be permitted within the branch spread of the trees. The approved scheme shall be implemented in full.***

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

06. ***Prior to the commencement of development of the site a Community Use agreement shall be approved in writing by the Local Planning Authority in respect of the provision of the replacement playing pitches. The plan shall include details of pricing policy, hours of use, management and maintenance. The plan shall then be implemented upon commencement of use of the pitches.***

Reason: To ensure the satisfactory provision and use of the playing pitches

The decision to grant planning permission has been taken having regard to the policies and proposals in the Adopted Stockton on Tees Local Plan set out below

Policy GP1

BACKGROUND

1. The proposal is intended to give greater community access to the existing playing fields as well as improved changing and sports facilities for the college and school. In addition to the college use, Stockton Football Club will be use the building and it will be supported with contributions via the Football Foundation. The proposal is also supported by Stockton Borough Council's Sports Development Team as part of improving sporting participation within the Borough.

THE PROPOSAL

2. Planning permission is sought for a new sports changing facility and a fence around the existing playing fields at Stockton Sixth Form College and Our Lady and St Bede School on Bishopton Road West.
3. The changing facility would be erected on an existing overflow car park, and would comprise a single storey building accommodating changing rooms, toilets, classroom, social area/café, drama and dance studio, office reception, kitchen, service areas and storage facilities. The building would be finished in brick with aluminium roof.
4. The fencing would be 3 metre high colour coated weld mesh type fencing erected around the eastern, western and southern perimeter of the playing field and nature reserve. It would link to the existing fences to the rear of properties on Castle Close and internal security fences at the school and college. Gates would be provided in the fence, and these would allow ball retrieval and would only be open when the fields are in active use.
5. Vehicular and pedestrian access to the main site is unaffected by the proposal by the fencing. Although building works will remove the overflow parking, 164 spaces will still be available on site for users of the facility.
6. The application is accompanied by a Community Use agreement which will ensure community use of the sports facility a minimum of 25 hours per week throughout the year which will include football development initiatives, the promotion of a structured programme of Sports Development Initiative, and the promotion and development of an annual Football Development Programme.

PUBLICITY

7. The adjacent properties have been notified individually. The application has been amended on two occasions. The final neighbour consultation period expires on the 7th December 2006. Four letters of objection has been received with regards to the proposed development from the adjacent properties the grounds are summarised below:

Mrs Fletcher - 29 Castle Close, Stockton on Tees

The proposal will have a devastating effect on our quality of life. The fence should be sealed off to prevent a walkway at the rear of our properties. We are currently in talks with Stockton Borough Council Environmental Health Noise Pollution over the present level of noise adjacent to our property from Stockton Football Club.

Mr Thomas - 18 Castle Close, Stockton on Tees

The language coming from the football pitches at present is appalling. There is no mention of floodlights; football is a winter sport so light will be needed. We are currently trying to get the walking way from the cycle path to Castle Close shut. This development will cause more youths/children to use this walkway and generate more problems for the residents.

Mr Hawkes – 31 Castle Close, Stockton on Tees

We have no objection to the proposed building but have concerns with the fence. There has never been a fence, why is one needed now and why does it need to cover such a vast area. The fence is too high and the fence is too near to our property and it would be an area where people would gather.

Mr Bonsor – 41 Castle Close, Stockton on Tees

I have no objection to the proposed siting of the building; my objections are to the field developments only. These are; the noise element of such a development. If the volume of games is to be increased I would see life for the residents becoming quite intolerable. The field was developed as a school recreation area not a Multi Football Stadium. This is not in keeping with a residential area. The fence is too close to me property. The 2 metre wide walkway will become a footpath. This should be gated off and keys given to the residents for access for maintenance. There is no mention of floodlights; football is a winter sport so light will be needed. This is something I would not be in favour of.

Sport England

8. The new building will mean that the clubs and teams which this site is to be opened to will be able to change in modern and secure facilities whilst the proposed perimeter fence and drainage improvements mean that they will play on pitches that are able to meet the required hours of use without suffering a decline in quality, and without having to clear litter from the pitches beforehand. Sport England also considers the design of the changing rooms acceptable, and supports the development as a whole subject to the offered draft community use agreement being finalised by the respective parties.

Head of Integrated Transport and Environmental Policy

9. I have no adverse comments regarding this application subject to the provision of secure and covered cycle parking.

Environmental Health Unit

10. Further to your memorandum regarding the above, I have no objection to this application.

Landscape Officer

11. I have no objections from a landscape point of view, however, during the construction period; any trees should be protected in accordance with British Standards.

Councillor Joan Wade

12. No objection to the proposed development

PLANNING POLICY CONSIDERATIONS

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Regional Spatial Strategy (RSS), Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).
14. The following planning policy is considered to be relevant to the consideration of this application:

Adopted Stockton-on-Tees Local Plan

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

MATERIAL PLANNING CONSIDERATIONS

15. The main planning considerations in respect to this development are the likely impact of the proposal on the adjacent neighbouring properties, visual amenity and highway and access considerations.
16. Part of the proposed building is located on part of the existing college car park. As part of the proposal, the under used tarmac is to be resurfaced and

made good to replace the lost spaces. The Head of Integrated Transport and Environmental Policy has been consulted and has no objections to the proposed development.

17. Vehicular and Pedestrian access to the site will be via the Sixth Form College access off Bishopton Road West. The number of people using the site during weekdays will not increase as a result of the proposed development and therefore it is considered that it will not have a detrimental impact on the road network of the surrounding area. The predicted increase in use of the site will be over the weekend period and evenings and holidays when the school will not have any significant use. The Head of Integrated Transport has no objections to the proposed development.
18. The proposed building will be shielded from the east and west by the existing buildings on site and is set back by approximately 90m from Bishopton Road West and is over 60m away from the northern boundary of the new Persimmon Homes Housing development to the south of the site.
19. The design of the proposed building is in keeping with the existing buildings on site, and will be finished in brick with a profiled aluminium sheeting roof which enables a low roof pitch as well as being a recyclable energy efficient covering.
20. The applicant has stated that proposed building is to be sited between the school and college so that it is convenient for use by both and has minimum visual impact on the adjacent buildings and the streetscene as a whole.
21. Fencing to the playing fields between the school and college has been included as part of the scheme. The fence around the playing fields will enable them to be maintained and kept in a safe and secure condition without having to undertake a detailed inspection prior to allowing the fields to be used. It is considered that this style of fencing will have minimal impact on the neighbouring properties due to the openness of its design, its size and siting. Access to the playing fields will be from the north end of the site to ensure control and supervision. The gates indicated in the perimeter fence on the southern and eastern elevation and these are only for the purpose of ball retrieval and will only be open when the fields are in active use. Access for maintenance will also be from the gates on the southern elevation as indicated on the site plan. A section of palisade fencing will be used rather than the mesh fencing to the west of the proposed building as this will be in keeping with the existing fence in that location.
22. Originally it was proposed that the boundary fence to the west of the site would leave a buffer of 2 metre between the line of the fence to the west of the site and the rear fences of the properties on Castle Close. After numerous objections it was agreed that this buffer would be removed. After further discussions with Councillor Larkin it was agreed that the nature reserve to the west of the site should be incorporated into the development so the position of the fence was amended for a second time. To date no objections have been received with regards to the new site position but if this changes prior to Committee then their comments will be taken into consideration and an update report will be produced.

23. It is considered that the amended siting of the fence will remove the potential for a walkway to be created behind the properties on Castle Close and will improve security and limit the potential for anti-social behaviour in the area.
24. To the eastern elevation of the proposed fence lies the Persimmon Homes development that is currently under construction. The plots that back onto the school field are yet to be sold but if this changes prior to Committee then any comments will be taken into consideration and an update report produced. The proposed fence will be approximately 8m away from the eastern site boundary and will be approximately 25 metres away from the rear gardens of the new properties that are in the process of being built. A hedgerow that is to be retained will provide some screening.
25. Further objections to the proposed development have been received from neighbouring properties with regards to the potential increase in noise from football games, the height of the fence, issues over maintenance of their rear fences and the possibility of floodlights being built on the playing fields. Environmental Health has been consulted with regards to potential noise and disturbance and they have no objections to the development. The issue of the maintenances of rear fences is a civil issue between the neighbour and the applicant and can be dealt with under the Party Wall Act. With regards to the concerns over floodlighting, the application contains no information of any floodlighting and if these are considered necessary at a later date, a planning application will be required and they will be assessed on their own planning merits.

Residual Matters

26. The neighbour consultation period is yet to expire due to the requirement for amended plans. If any objections or representations are received up to the date of deadline then they will be taken into consideration and an update report will be produced. As the date of committee falls before the consultation expiry date then the application is recommended for approval and the decision to be delegated to the Head of Planning once the consultation period has expired.

CONCLUSION

27. Given that the building at the north of the site is currently used for educational purposes and are of a similar style to the one proposed it is considered that the proposed building will not have a detrimental impact on the neighbouring properties or the streetscene as a whole. It is also considered that the proposed fence due to its height, siting and design and the distance between it and the neighbouring properties, it is not considered that the fence will result in a loss of light or result in an overbearing impact for the residents of the neighbouring properties and that residents concerns with regards to anti-social behaviour at the rear of the properties on Castle Close has been resolved.
28. It is recommended that the decision in respect of planning application (06/3113/FUL) be delegated to the Head of Planning and subject to no new issues raised within the neighbour notification period that planning permission be approved subject to the conditions set out above.

In the event that there matters that cannot be resolved or unresolved on 12th December 2006 planning permission is refused.

Corporate Director of Development & Neighbourhood Services

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Financial Implications

As report.

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers

Adopted Stockton-on-Tees Local Plan (June 1997)

Planning Application Reference No. 06/3137/COU

Ward
Ward Councillors

Fairfield
Councillor Wade
Councillor Johnson