

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**1 JULY 2015**

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

**15/1268/FUL**

**Stockton Sixth Form College, Bishopton Road West, Stockton-on-Tees  
Development of an artificial turf pitch with floodlighting and the inclusion of prefabricated stands, prefabricated changing room block with toilet facilities and refreshment area, technical areas with dugouts, turnstile and associated fencing and pathways.**

**Expiry Date: 30 July 2015**

**SUMMARY**

Planning permission is sought for the expansion of the provisions and facilities associated with Stockton Town Football Club at its site off Bishopton Road West. The Football Club currently lease land off the council to the rear of Our Lady and St Bede's School and in part share the sports fields there.

Planning permission was granted in 2014 for the addition of fencing, floodlighting, stands and changing facilities for their existing grass pitch and for a new 3G pitch to be positioned adjacent to it. This current proposal seeks to provide the 3G pitch on a different site, adjacent to the 6<sup>th</sup> Form College, at the junction of Oxbridge Avenue and Bishopton Road West. The proposed works seek to provide a 3G pitch, fencing, flood lights, stands, dug outs, turnstile, changing block, storage container and refreshments room. A landscaped bund and landscaping is also detailed.

Letters of objection and support have been received in respect to the proposal. The majority of objection comments relate to the potential for increase in noise and disturbance for local residents due to the numbers of people using the facility, the nature of the games which includes spectators, as well as the general increase in activity and problems revolving around insufficient and ad-hoc parking in the surrounding residential streets. Comments of support include the benefits of the club to the proposed developments to the club and the wider community. Full details of objections and support comments are detailed in the publicity section of the report.

The football club currently have use of 178 parking spaces on site and although the potential numbers using the site can be relatively high, the Highways Transport and Environment Manager has indicated adequate parking is provided taking into account this proposal replacing the previously approved provisions under application 14/0105/FUL for a similar level of development.

The appearance of the pitch, amenity block, stand, fencing and other structures are all considered to be suitable for its surroundings in an urban area whilst landscaping works to the southern and eastern site boundaries will be undertaken to add to existing screening between the development and residential properties.

The floodlighting is of a type which is directional to the playing pitch surface and would not light the surrounding residential properties and although it would be visible from further afield, careful

control of the lighting beyond hours of use is considered to be an adequate mechanism to prevent this having an unacceptable impact.

The club seeks the hours of use to be up to 10pm for the artificial pitch Monday-Friday and 7pm Saturday. – Sunday. Officers consider this extends too far into the evening when residents should be able to expect a greater amount of respite and have sought to impose a condition limiting hours to 9pm Mon – Fri and 5pm Sat and Sun. In addition, to better reflect the likely use of the site by spectators, a condition is recommended requiring additional noise modelling and mitigation as necessary.

## **RECOMMENDATION**

**That planning application 15/1268/FUL be approved subject to the following conditions and informatives;**

### ***Approved Plans***

01 *The development hereby approved shall be in accordance with the following approved plans;*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
01 REV 00	28 May 2015
02 REV 00	4 June 2015
03 REV 00	4 June 2015
04 REV 00	4 June 2015
05 REV 00	4 June 2015
06 REV 00	4 June 2015
07 REV 00	1 June 2015
08 REV 00	4 June 2015
09 REV 00	28 May 2015
10 REV 00	25 May 2015
11 REV 00	4 June 2015

*Reason: To define the consent.*

### **02. *Community Use Agreement***

*Use of the Artificial Turf Pitch shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Artificial Turf Pitch and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities.*

*Reason: To secure well managed safe community access to the sports facility.*

### **03. *Hours of Use***

*The Hours of use of the Artificial Turf Pitch and its associated floodlighting shall be restricted as follows;*

*Use of the pitch and operation of the floodlighting shall be limited to 9am to 9pm Monday to Friday and 9am to 5pm on Saturday and Sunday.*

*The pitch and floodlighting may be used no more than twice a week until 10pm in the case of a fixture being played by Stockton Town Football clubs first team and 10.20pm in the case of the match being played being a cup tie.*

*Reasons: In order to limit the use of the pitch and floodlighting and their associated impacts of noise and light disturbance on the residential amenity associated with nearby properties in accordance with the guidance within the National Planning Policy Framework.*

**04. Unexpected Land Contamination**

*In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works*

*Reason: To adequately deal with any unexpected contamination.*

**05. Soft Landscaping**

*Prior to the artificial Turf Pitch hereby approved being brought into use, the earth bunding and all soft landscaping works shall have been implemented on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be informed by adequate survey work of existing landscaping and designed to supplement existing landscaping.*

*Reason: To improve levels of screening between the pitch and the adjacent residential properties and thereby limit the impacts of the development on surrounding residential properties.*

**06. Soft Landscape Management and Maintenance**

*The approved scheme of soft landscaping shall be managed in accordance with a landscape Management Plan which has been submitted to and approved in writing by the Local Planning Authority prior to the artificial pitch being brought into use. The landscape management plan shall detail maintenance of the landscaping for the active life of the artificial pitch.*

*Reason: To improve levels of screening between the pitch and the adjacent residential properties and thereby limit the impacts of the development on surrounding residential properties.*

**07 Tree Protection**

*No development hereby approved shall commence on site until a scheme for the protection of existing trees has been submitted to and approved in writing by the Local Planning Authority which is in accordance with the guiding principles of BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007. The scheme shall detail areas exempt from vehicle movement and storage of materials*

*The approved scheme shall be adhered to during the construction phase of the development.*

*Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.*

**08. Noise modelling and mitigation**

No development hereby approved shall commence on site until a noise modelling and mitigation report has been submitted to and approved in writing by the Local Planning Authority. The report shall factor in background noise levels and noise from anticipated spectator levels. The report shall model the provision of acoustic fencing to the southern and eastern lines of fencing around the pitch and on the proposed bund feature. All mitigation proposed shall be demonstrated within the report as being successful. The modelling will need to demonstrate external noise level about 1 metre from facades of living spaces of the residential properties to be less than 50dB,  $L_{Aeq,1hour}$ .

The mitigation deemed necessary within the Noise Modelling and Mitigation report shall be installed on site prior to the 3G pitch being brought into use and shall be retained in place thereafter for the active life of the pitch.

Reason: In order to ensure suitable mitigation of noise for surrounding residents in view of the nature of the use and proximity of housing, in accordance with the requirements of the National Planning Policy Framework

**09 Surface Water Scheme**

No development hereby approved shall be commenced on site until a detailed scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The discharge rates from the site will be restricted to the existing greenfield runoff rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or a watercourse. Micro Drainage design files (mdx files) are required to be submitted for approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should also be provided.

Reason: In order to prevent increased risk of flooding in accordance with the National Planning Policy Framework.

**10. Foul Water Scheme**

No development hereby approved shall be commenced on site until a detailed scheme of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In order to ensure that the site is adequately serviced for the development.

**11. Amplified music and public address system**

There shall be no amplified music played at the pitch or within the amenity block hereby approved. The use of any tannoy or similar system at the pitches shall be restricted for the use of emergency public announcements only and for no other purpose.

Reason: In order to prevent undue noise pollution in accordance with the guidance of the National Planning Policy Framework.

**12. Details of fencing works**

Notwithstanding details hereby approved, a scheme of detailed fencing works shall be submitted to and approved in writing prior to the development commences on site. The fencing shall be installed in accordance with the approved scheme and shall be maintained as such for the duration that the pitches are in use.

*Reason: In order to mitigate noise from the use and to ensure the fencing is of a suitable appearance for its location in accordance with the National Planning Policy Framework.*

**13. Operation of the amenity block**

*The amenity block hereby approved shall not be used for the sale of alcohol and shall only be used in association with team fixtures. The amenity block shall be vacated within 30 minutes of the close of play on the pitch.*

*Reason: In order to limit the use of the building late at night and prevent undue impact on surrounding residential properties.*

**14. Floodlighting**

*The floodlighting hereby approved shall be installed and maintained so as to result in no greater luminance than that detailed on approved plan 06 as received on the 4<sup>th</sup> June 2015.*

*Reason: To protect residential amenity of surrounding properties in view of their close proximity, in accordance with the guidance contained within the National Planning Policy Framework.*

**INFORMATIVES**

**Informative 1: Working Practice**

*The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.*

**BACKGROUND**

Numerous applications relating to the existing college site in relation to classroom extensions and other facilities and works to protected trees within the site. (00/1847/P, 02/2281/P, 02/2282/P, 05/3305/FUL, 07/1419/X, 07/1964/FUL, 09/1857/X, 10/1809/FUL, 11/1492/FUL, 13/1714/CPE)

00.8.5.365 Tree Preservation Order 364  
S2/5607 Confirmed

00.8.5.730 Tree Preservation Order 729  
S2/7015 Confirmed

08/2400/FUL

Demolition of existing college and replacement with two/three storey scheme and parking facilities, retention and refurbishment of existing sports hall and provision of parking facilities for Stockton town football club

Approved 17th December 2008

14/0105/FUL

Construction of an Artificial Turf Pitch (ATP) with perimeter ball-stop fencing, floodlights and clean access with outdoor storage for maintenance equipment. Construction of a stand to serve the existing natural turf pitch along with changing room, toilet and refreshment areas.

Approved 19th June 2014

15/0533/FUL

Relocation of Stockton Town FC's main natural pitch with floodlighting and the inclusion of a prefabricated stand, prefabricated porta cabin toilet facilities, technical areas with dugouts and associated fencing and pathways  
Withdrawn 26th March 2015

15/0534/FUL

Construction of an external 3G Artificial Turf Pitch (ATP) with fencing, floodlighting and a storage container  
Withdrawn 26th March 2015

## **SITE AND SURROUNDINGS**

1. The application site is located within the urban area of Stockton, located at the junction of Oxbridge Avenue and Bishopton Road West. The site is part of the wider college site which consists of college buildings, car park, formal playing pitch's and informal landscaping.
2. Our Lady and St Bede's school lies adjacent to the college, Sainsbury's lies to the opposing side of Bishopton Road West along with residential properties whilst further residential properties lie to the rear of the site and on the opposing side of Oxbridge Avenue.
3. Landscaping is located to the perimeter of the site and includes both hedges and trees.

## **PROPOSAL**

4. Planning permission is sought for the provision of a new artificial turf pitch and associated works on land at Stockton Sixth Form College. The submission indicates that this application follows on from the previous approval in 2014 for the works to the existing grass pitch, provision of a new 3G pitch and associated facilities on land to the rear of Our Lady and St Bede's adjacent to this current site. This submission indicates that the stadia pitch and the 3G pitch require relocation and this new proposal will therefore replace the earlier proposal / approved scheme.
5. The proposed works include the following development:
  - Installation of a new Artificial Turf Pitch (ATP) with perimeter ball-stop fencing up to 4.5m in height. Pitch size approx. 100m x 64m.
  - Floodlighting (6no. 15m high columns around pitch)
  - Standing Stand – 10m wide x 2.5m in depth (120 capacity)
  - Seating Stand – 16.7m wide x 3.8m in depth (100 capacity)
  - Turnstile – 3.4 x 2.35m x 2.7m high.
  - Changing room block and facilities (porta-cabin/ container style building) – 28.8m wide x 6.6m depth x 2.6m high.
  - 2 Dug outs – 4m wide x 2m in depth
  - Storage Container – 3m wide x 2.44m deep x 2.59m high.
  - Hard surfaced area around the pitch for access, maintenance and emergency
  - Bund and landscaping works including planting and acoustic fencing 2m and 3m in height.
6. Within the new amenity building there would be a social / refreshments room with small kitchen and toilets, two changing rooms each with toilets and showers and two referee rooms, each with toilet and shower.

7. This provision is indicated within the submission as offering the following sporting opportunities:  
Football, 11v11, 9v9, 7v7, and 5v5 football for all age ranges (under 7's through to seniors)  
The plans also show a training grid and 5v5 football pitch at the side of the proposed 3G pitch although these are activities which would be undertaken on the existing fields and do not require planning permission in their own right.
8. The submission indicates it will enhance provisions for the club, academy and school and be a safe place, creating a centre of sports excellence by developing opportunities for coaching qualifications and enhanced coaching standards.

## **CONSULTATIONS**

Consultations were notified and any comments received are set out below:-

### The Environment Agency

This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. Therefore we have no comment to make on this application.

### Environmental Health Unit

We have looked at the application and would object on the hours of use requested ie 9am to 10pm Monday to Saturday and 9 am to 7pm on Sundays and Bank Holidays. We would recommend condition as agreed on previous application as detailed below.

We do have some concerns with the Noise report. This is generally reasonable and its conclusions that adjacent properties will be protected from noise levels in excess of 50 dB. However this is borderline and we would prefer to see some more work on the report to address the following concerns.

1. There are no background noise levels included in the report, that could be used as a comparison for the existing noise climate and anticipated level of increase.
2. The report only considers player noise and not noise from spectators. Whilst the majority use of the area will be for training or games where numbers of spectators will be minimal and included as players for noise assessment purposes, this is not the case for Stockton Town senior matches. I have not found any information on average crowd sizes or how often they have home games ( average of once a week and 50?) which will be limited, but is likely to have a significant effect increasing noise levels from 48dB to over 50dB. I would suggest this needs to be factored into the model.
3. The bunding is included in the model as 3 metres high, which is a little exaggerated as it appears to me to be more about 2M high. The model may require re-running to see if this has any significant effect or conditioned to ensure noise protection to the equivalent of a 3m bund is provided to the south boundary ( ie increasing the bund height, adding acoustic fencing to the top of the bund or providing acoustic fencing at the pitch).
4. Acoustic fencing around the pitches has not been deemed necessary, however, I suggest this be factored in to the model certainly to the south and possibly the east side of the pitch in order to increase the level of confidence noise levels will be below 50dB at residential properties. This will give the added advantage of masking glow from the pitch surface affecting these residential properties. The lighting assessment demonstrates that there will be no light spillage off site, however these facilities do create ground level glow which can be the source of complaint.

### Sport England

Sport England has previously accepted in responding on earlier proposals for a stadium pitch and AGP that these facilities were of greater value to sport than the area of playing field lost. The current proposal is for a combined ATP and stadium pitch and this aspect of E5 is more easily satisfied.

The FA and Sport England's funding for the AGP will ensure that it will be built in accordance with the relevant design guidance.

In light of the above, and the details submitted with the application, Sport England is satisfied that the proposal accords with exception E5.

The only aspect outstanding, is the level of community use that the AGP will accommodate. As a precautionary measure this can be conditioned (although it is anticipated that it may be addressed through conditions on the grant awards and thus the need for the planning condition might fall away).

This being the case, Sport England does not wish to raise an objection to this application subject to the imposition of a condition requiring a community use agreement for the pitch.

### Highways Transport and Environment

#### General Summary

The Highways, Transport & Environment Manager has assessed the proposed development on the basis that should the application be approved it will replace the extant permission for similar facilities, approved under application 14/0105/FUL, and that on this basis, subject to the comments and conditions included below, does not object to the proposals.

#### Highways Comments

The proposed development is for an artificial turf pitch with floodlighting and the inclusion of prefabricated stands, prefabricated changing room block with toilet facilities and refreshment area, technical areas with dugouts, turnstile and associated fencing and pathways. It is understood that this proposal is to replace the extant permission for the proposed facilities approved under extant permission 14/0105/FUL and that should this application be approved the previous permission would not be built out. Based on this the proposed development would not increase trips to the site or require car parking provision over and above those previously excepted as a part of the extant permission 14/0105/FUL.

Therefore, in relation to the impact on the highway network, it is considered that the proposed development is acceptable and there are no highway objections.

#### Landscape & Visual Comments

The development is for an artificial turf pitch, together with the associated flood lighting, fencing and related structures, within an existing area of grass playing fields associated with the Stockton Sixth Form College, (the 5v5 smaller football pitch and 10m training grids referenced on the site layout plan are just be marked on the grass). To the south and east of the site are residential areas: the properties to the south about the site whereas those to the east are across a main road - the A1027 Oxbridge Avenue. The college buildings lie to the west and a supermarket lies to the north across Bishopton Road west.

The development is likely to generate a degree of noise and the flood lighting and fencing in particular will be visible from the adjacent residential properties. New planting will be required to soften the impact of the development upon these properties as follows;

The southern boundary has a mature hawthorn hedge running along the edge with some young trees behind which provides a degree of screening for the site when viewed from the houses. A low bund also exists along this edge in front of the hedge. In order to soften views of the proposed pitch, a more substantial landscape screen is required to supplement this existing planting. This should take the form of an increased topsoil bund of up to 2m height and minimum width 6m together with a new planting scheme of comprising a woodland mix scheme of native planting. This planting should allow for a high % of evergreen planting (20-30%) of *Pinus sylvestris* (Scots Pine) and Holly (*Ilex aquifolium*) as well some fast growing *Alnus glutinosa* (Alder). The planting stock should allow for some larger feathered trees of minimum height 1.7-2.5m for greater initial impact. Section drawings of the bund should be provided showing how the landscaping treatment will soften views of the development.



On the eastern boundary, there are a number of mature trees and a low hedge that allow filtered views into the site from the houses on Oxbridge Avenue. Additional planting should be provided on this boundary to give additional softening of the development when viewed from these properties. This should take the form of tree and shrub planting on the western side of the existing planting within the development site and allow for some evergreen planting in the form of Pinus sylvestris (Scots Pine) and Holly (Ilex aquifolium). Native species are favoured for quicker growth and the planting should be a woodland mix scheme with some larger feathered trees of minimum height 1.7-2.5m for greater initial impact.

All the existing tree and hedge planting on the site must be surveyed and accurately shown on the detailed landscaping plans and must be protected during site works in line with BS 5837:2012 Trees in relation to design, demolition and construction ( it is noted that many trees are missing off the site plan drawing ref. SS1929) . This should be informed by a tree report. The provision of the 5v5 smaller football pitch and 10m training grids should not impact on the existing trees on the eastern site boundary.

The boundary treatments for the pitch are considered acceptable in principle subject to provision of detailed drawings. Darker colours should be used to reduce the visual impact of the fences. The hard surfaces to be used on the scheme are acceptable.

Condition wording relating to the above comments is requested in the informative section at the end of this memo.

#### Flood Risk Management

The flood risk assessment provided with this application indicates that surface water from the proposed development will discharge to a watercourse, discharge rates have not been provided but will be restricted to existing Greenfield run off rates, the application does not provided any detailed information regarding the surface water management scheme and this should be secured by condition.

Surface water maps confirm that the site is not at risk of surface water flooding and the location is within a flood Zone 1. Stockton Borough Council are not aware of any flooding at this location, but are aware that surface water runoff during extreme rainfall events from the southern boundary of the school field has been reported and gardens were affected to properties on Chivers Court. The application proposes to extend an existing earth mound on the southern boundary; this will reduce the risk of surface water runoff.

The surface water drainage system will need to provide storage for the 1 in 30 storm event and surface water runoff will have to be stored on site for all events up to and including the 1 in 100 storm event, this will ensure flood risk is not increased outside of the development.

#### **PUBLICITY**

Neighbours were notified. The consultation period for the application expires on the 26th June 2015. At this time of writing this report 32 letters of objection and 18 letters of support had been received. Comments received are summarised below. Any comments received following the preparation of this report will be provided in an update report:-

#### **Support**

This would add significant value to the community as a whole, allowing the 1<sup>st</sup> team to gain promotion and allowing the local community to access the facility thereby improving physical activity levels. The 3g pitch will allow year round game time.

A site such as this needs to be in an easy to reach location rather than being out of town.

A petition has been received from the principal of the Stockton Sixth Form college with 105 signature's on it. The petition indicates students would benefit from the scheme, that the existing pitch's are poorly drained and games have to be postponed or cancelled as a result, that the new pitch will allow additional game time for a larger variety of sports throughout the whole year. It also indicates that the pitch will bring talented people to the area and be of greater benefit to the community whilst allowing the college to raise its profile and enabling local schools and community groups access the facilities which will be invaluable.

## **Objections**

A football ground with stands is unacceptable within a residential area. It is a commercial venture and its scale is out of character with the area. This should be on a dis-used brownfield site and / or out of town. They could also use existing 3G facilities elsewhere.

It is understood the existing pitch's are only used on a Wednesday afternoon by the college.

Stockton FC have 19 teams and hope to increase to 25, having 100 people training on Saturday mornings. There is a possibility of up to 400 people using the site for training which averages about 60 per weekday night already and more if it increases. One of the submissions indicates an average of 30 spectators at matches so why do they need stands with a capacity of 220.

The development replaces a natural turf area that is currently used for sport approx.. 4 times a week and for no more than a max. of 2 hours at a time.

The late evening slots for the use of the pitch are purely for the commercial gain to the Football Club, not for the well-being of the area.

It will seriously impact on residents lives

Being overlooked would result in a loss of privacy

It will affect peaceful enjoyment of our homes and gardens. There is no acoustic fencing around the pitch in places opposite to the housing estate and landscaping will be of limited benefit.

We have a right to privacy and a quiet and safe environment

The proposed hours are unacceptable until 10pm during which residents will have to endure screaming and shouting six days of the week. Spectators can access around the entire pitch and they are likely to congregate around the Dug Outs which are closest to Oxbridge Avenue.

The Council has responsibilities under the Human Rights Act, in particular Protocol 1, Article 1 which indicates people have the right to peaceful enjoyment of all their possessions which includes their house and garden.

Article 8 of the Human Rights Act states that a person has the substantive right to respect for the family and private right.

Flood lights will be on until 10pm and would light up the rooms within our houses, causing nuisance. It is noted vegetation will be planted between houses and the floodlights but in winter months when floodlighting is to be used, the vegetation will lose its leaves and effectively remove the buffer. The light spillage diagrams shows light spilling onto front gardens in Oxbridge Avenue and the rear gardens on Chilvers Court.

The crossroads next to the site are already busy and this will add traffic to them which will lead to potential safety issues.

There is no proposed increase in parking for the site and when match's are being played the car park is already full. If the intention is to increase use, where will the additional cars park. Sainsbury's car park is close and people are likely to park there as an easy option and spectators will cross the highway to get to the site away from proper crossings making a dangerous situation.

This will lead to anti-social behaviour associated with fans such as fighting and bad language. Also, youths not using the site will congregate in the area due to the light given off. There will be increased pedestrian traffic in the local residential streets with the potential for increased crime and anti-social behaviour.

The football club already have changing and cooking facilities in their club house so why are new facilities being proposed.

There are already drainage issues in the area. Some gardens in Oxbridge Lane suffer from flooding to the front and rear gardens. The application site is also known to have drainage problems. The artificial surface will not drain the same as a grass pitch and will increase risk to flooding.

The development would be visible from the surrounding highways and it is out of character with the surroundings.

It will result in the loss of a green open space in a built up area. Youths currently use the pitch's to play informal games on, this will remove their opportunities.

There is no reason to not implement the approved scheme at the rear of Our Lady and St Bede's instead of seeking to develop this current site.

Concerns over the 5 a side and training areas marked on the plan as these have no screening and are close to residential properties.

Loss of privacy as peoples upstairs windows will be visible from the playing areas.

Will this site be sufficient for the long term aspirations of the club. Concerns that there will be further increases / expansions required.

The use will result in increased litter in the area.

The proposal will lead to the smell of takeaway food affecting local residential properties.

Residents disagree with statements within that the submission makes in respect to positive response from public consultation.

The acoustic report is based on noise from 30 yet the stands can hold over 200 people. A small crowd at a football match generate well in excess of 60dba and as much as 80db. Planning policies advise decisions should prevent noise from giving rise to significant adverse impacts on health and quality of life. This proposal will exceed the Who guidelines and should be rejected.

There will be too many sports activities in one area with the near-by Cricket and rugby causing parking congestion.

## **PLANNING POLICY**

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

The following planning policies are considered to be relevant to the consideration of this application:-

### ***National Planning Policy Framework***

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

The following planning policies are considered to be relevant to the consideration of this application:-

### ***Saved Policy REC1 of the adopted Stockton on Tees Local Plan***

Development which would result in the permanent loss of playing space will not be permitted unless:

- (i) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or
- (ii) Alternative provision of equivalent community benefit is made available, or
- (iii) The land is not required to satisfy known local needs.

### ***Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel***

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport,

footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

### ***Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change***

8. Additionally, in designing new development, proposals will:

- \_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- \_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- \_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- \_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

### ***Core Strategy Policy 6 (CS6) - Community Facilities***

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

## **MATERIAL PLANNING CONSIDERATIONS**

9. Planning permission is sought for the development of an artificial turf pitch and associated fencing, changing facilities, spectator stands and turnstile on land at Stockton Sixth Form College. The pitch would be used to play the match's of Stockton Football Club and their associated training, be used by the college for its own purposes as well as being hired out for private use to other teams / clubs.

10. Legislation requires planning applications to be determined in accordance with the development plan in force unless material planning considerations indicate otherwise. For the purposes of this application the development plans are the 1997 Local Plan and the Core Strategy Development Plan. The main planning considerations are the principle of the development, operation of the use and works proposed, highway, traffic and parking related matters, the impacts on residential amenity. These and other material planning considerations are considered as follows;

### ***Principle of Development***

11. Saved Policy REC 1 from the Stockton on Tees Local Plan indicates that development which would result in the permanent loss of playing space will not be permitted unless sports facilities can be retained and enhanced. This proposed development, whilst removing two grass pitch's from use would provide an artificial pitch capable of a greater intensity of use. Sport England have considered the proposal in the context of the 3G pitch re-providing a new playing surface and in the context of the previously approved scheme on land to the rear of Our Lady and St Bede's school for similar provisions. Sport England have advised that the proposal satisfies their own policy criteria in relation to the protection of sports pitch's.
12. Core Strategy Policy 6 (CS6) relating to community facilities advises that the quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced and multi-purpose use encouraged to provide a range of services and facilities to the community. The proposed works are considered to generally meet the aims of this policy.
13. In view of these matters, it is considered that overall provision would be an improved offer and would satisfy the requirements of Policy REC 1.

### ***Highway, Traffic and Parking Related Matters***

14. The provision of the artificial turf pitch and the installation of floodlights around it allow for a more intensified use of the existing college fields whilst the proposed inclusion of the spectator stands is likely to further add potential traffic.
15. Residents are concerned that there is insufficient parking to serve an intensified use of the site, that the existing road network is already under strain and that users of the site and visitors to the site will be likely to park in the nearby Sainsbury's car park which in turn will result in notable numbers of people crossing roads in the vicinity of the site which objectors consider will detrimentally affect highway safety.
16. The Councils Highways, Transport and Environment Manager has considered the proposal in the context of this development replacing the previously approved scheme under application 14/0105/FUL for similar provision to the rear of Our Lady and St Bede's which is adjacent to this site and which would have operated from the same car park and vehicular access off Bishopton Road West. The previous approval took into account the nature and scale of the proposed use and the extent of parking available for visitors and users of the site as well as the needs increasing at changeover times and in respect to spectators. It is considered that this current proposal would not increase trips to the site or require car parking provision over and above those previously considered as a part of the extant permission 14/0105/FUL and no highway objection has been raised.

17. Residents are concerned that the lack of parking will result in users / visitors to the facility parking in the nearby residential streets. Whilst noted, the pitch is fenced and gated with a single point of access for visitors. This access is closest to the sites existing car park and as such, it is considered that any parking in the residential areas as a result of this proposal would be unlikely. As adequate parking has been demonstrated, were parking problems to occur in the surrounding residential areas then this would be a matter for the Local Highways Authority to consider and act upon as necessary.

### ***Hours of Operation and Impacts on Residential Amenity***

18. The proposal seeks for use the artificial turf pitch between 9am and 10pm on weekdays and Saturdays and 9am to 7pm on Sundays and Bank Holidays. It indicates that the artificial pitch would be available for use as follows;
- College and other school use Mon – Fri 9am to 4pm
  - 4pm to 10pm Mon. to Fri. and 9am to 7pm Sat and Sun as a pre bookable use, for the Football Club, partner clubs, schools and community groups.
  - It is also requested that in the event of a Stockton FC cup tie match then the use be allowed to go on until 11pm.
19. Although the proposal relates to the provision of one pitch, it can be split up to provide up to 4 smaller pitch's for other game formats such as 5 a side. This would result in a maximum of 45 people on the playing surface at any one time and with a maximum (taking into account an overlap of players) of 90 'users' being on site at any one time. In addition, games played are likely to include spectators. The Stockton FC fixtures are likely to result in greater numbers of spectators.
20. Local residents have objected to the development of the site which would allow a more intensified use as well as raising concerns over the proposed hours of use. Resident's concerns are that the use will mean that they will be continually blighted by noise preventing reasonable enjoyment of their gardens and homes and due to uncontrollable foul language used during match's, that this will prevent them from being able to allow their children to use the gardens and will affect their children when trying to get to sleep. Residents consider there will be no respite from the noise and they will be unable to relax as a result, considering that this affects their human rights.
21. The application has been supported by an acoustic report which has sought to determine the likely noise levels from the proposed use. The predicted noise levels in respect to active games take on board measurements from other games on 3G pitches and are considered to reasonably reflect that situation. Importantly, the noise predictions take no account of existing landscaping around the perimeter of the site.
22. Residents have highlighted that the acoustic report has sought to assume the covered stands will typically house 30 spectators and as it can house 200+ spectators, consider the assumptions will be significantly under estimated. The stands are approx. 50m from the nearest property which is a caretaker's house within the college site. The nearest private dwelling in the adjacent Bramley Green estate is approx. 90m from the spectator stand with properties on Oxbridge Avenue being approx. 140m away.
23. The council's Environmental Health Manager has considered the details submitted and considers the noise report to generally be reasonable in its indication that nearby properties would be protected from noise levels above 50dB and accepts that although the majority use of the area will be for training or games where numbers of spectators will be minimal and included as players for noise assessment purposes, this is not the case for Stockton

Town senior matches which is likely to have a more significant effect increasing noise levels from 48dB to over 50dB which needs to be factored into noise modelling. In view of these matters, in order to demonstrate this in detail, the Environmental Health Manager has requested further survey work is undertaken which will allow further mitigation to be provided should it be necessary and which should include assessment with additional acoustic fencing being utilised and the proposed bunding reflecting the proposed situation.

24. In considering this proposed development, consideration is given to Stockton FC already utilising the sports fields to the rear of Our Lady and St Bede's, their match pitch being located there where spectators can already have a noise impact and approval having been granted in 2014 for the provision of an artificial 3G pitch and associated facilities similar to this current proposal.
25. Officers are satisfied that a suitable scheme of mitigation can be achieved which would take into account further survey work.
26. Although acoustic fencing, bunding and landscaping associated with the artificial 3G pitch will reduce some noise levels, the nearby residents would remain to hear the noise associated with it. In view of this, it is considered that using the pitch until 10pm (which could involve four 5 a side games at the same time) would still represent an undue impact on residents due to it being at a time of night when occupiers of the family homes should be able to expect reduced impacts on amenity. In view of this matter, it is considered appropriate to restrict the use of the artificial pitch to 9pm Monday to Friday and 5pm on Saturday and Sunday as well as requiring detailed schemes for the landscaping on the bund. The Council's Environmental Health Officer considers this to be an appropriate control.
27. In considering the previous approved scheme, the football club advised that they would operate an active pitch management plan which would seek to actively book up the earlier time slots for the artificial turf pitch's use prior to using the later slots where possible. This is considered to be beneficial as it will minimise the impacts of the site's use. Whilst this is not being relied upon to make the scheme acceptable, a condition is recommended to agree a site use management plan for the wider benefit of surrounding residents. It is anticipated this would seek to detail how excessive noise and use of foul language would be dealt with by the club.
28. Conditions are recommended to prevent amplified music being played at the site and prevent the use of a public address system except in the instances of emergency public announcements and to prevent the amenity block being used for any notable period of time after a match has finished, all of which are considered to be necessary as part of limiting the noise which will be generated from the site in view of surrounding residential properties.

### ***Design and appearance of buildings and structures***

29. As well as the artificial pitch surface and associated tarmac / path areas around its perimeter, the proposal includes the provision of 4.5m high weld mesh fencing around the pitch, 1.2m high post and rail fence, a changing / amenity block, spectator stands, dug outs and turnstile access.
30. The stands have a concrete base, green, powder coated steel sheet rear wall, roof and side panels. The proposed changing and amenity block is detailed as being a steel cabin with doors and window openings. A small storage container is also detailed which would be used for storing a maintenance vehicle and associated equipment. A small turnstile building is positioned at the pedestrian entrance into the site adjacent to one of the stands.



All of these structures are positioned adjacent to one another and adjacent to the existing college buildings which themselves are a much greater scale.

31. The proposed dug outs are set away from existing school buildings, although these are of a limited size and within the context of a fenced pitch and set away from residential properties. The proposed fencing is 4.5m high max, although is within the site which has landscaping to three sides and the school buildings to the other. The fencing is approx. 42m from the closest house in the adjacent estate with planting inbetween.
32. The structures are functional in their style and appearance although in view of them being distanced from any public highway or residential curtilage and in view of the sites overall use, the design and appearance of these structures would not have any significant detrimental impact on the character of the area.

### ***Landscaping***

33. The proposed scheme seeks to provide landscaping along two boundaries of the site through the provision of some infill planting adjacent to Oxbridge Avenue and additional structural planting and earth bund adjacent to the Bramley Green Estate and the existing planting already in position there. The planting has been proposed in recognition of a need to limit views of the development from residential properties as well as reducing noise and light intrusion to residential properties.
34. Objectors to the application have raised concerns over light intrusion and noise which are dealt with separately elsewhere in this report although those objections indicate that the existing landscaping has limited value in winter months and question the overall use of the proposed planting.
35. Currently, the southern boundary has a mature hawthorn hedge running along the edge with some young trees behind which provides a degree of screening for the site when viewed from the houses in Chivers Court. A low bund also exists along this edge.
36. Based on the nature of the proposal and it being a noticeable addition to the area which will result in some light and noise pollution, it is considered that landscaping works are an important part of the scheme and will soften the impact of the development upon the nearest properties which face towards the site. In order to effectively achieve this, the Highways, Transport and Environment Manager considers a more substantial landscape screen is required to supplement this existing planting along the southern boundary and that this should take the form of an increased earth bund of up to 2m in height and minimum width of 6m together with a new planting scheme on and around the bund comprising a woodland mix scheme of native planting whilst allowing for a high percentage of evergreen planting in order to retain year round function.
37. On the eastern boundary, there are a number of mature trees and a low hedge that allow filtered views into the site from the houses on Oxbridge Avenue. The Highways Transport and Environment Manager has requested additional planting should be provided on this boundary to give additional softening of the development when viewed from this location and that planting here should take the form of tree and shrub planting including some evergreen planting.
38. A condition is recommended to agree bund and landscaping details as well as a survey of existing planting and landscape protection.

### ***Flood Lighting and Light Pollution***

39. The scheme proposes floodlighting around the proposed 3G pitch which would be mounted on 15m high poles, located at 6 positions around the pitch, each of the 4 corners and mid-way along each of the long sides. Objectors have raised specific concerns over the proposed lighting and the impacts this will have, concerned that it will be clearly visible from their properties and that it will light some of the nearest front and rear gardens.
40. The lighting is indicated as being of a type which gives excellent control of light spillage and limitation of glare and upward light leakage. A plan detailing the light spread and luminance from the flood lights has been submitted as part of the application which indicates the extent to which lights will illuminate the area, both horizontally and vertically. This plan indicates that the pitches will be well lit but light beyond the edges of the pitch lighting will rapidly decrease. Although the lights will be visible from further afield including the surrounding residential properties, the lighting would not directly light their garden areas, apart from in relation to a caretakers property within the college site curtilage. This survey has not factored any existing landscaping into it and as such is considered to reflect a worst case scenario rather than an actual scenario.
41. Notwithstanding the limited spread of the lighting being proposed, it is acknowledged that the properties along Oxbridge Avenue and the Bramley Green estate currently overlook unlit playing fields. As the lighting will be visible but not directly light people's gardens (excluding the caretakers dwelling which is part of the operational site) then it is similar to lighting that one would associate with a lit car park. This means that the extent of the lighting, although not directly affecting the surrounding properties will be a noticeable feature and as such should be limited / turned off when not in use. The Councils Environmental Health Manager has advised that the lighting assessment demonstrates that there will be no light spillage off site, although facilities such as this do create ground level glow which can be the source of complaint. As such, the additional planting would be welcomed to minimise any such glow. Conditions are recommended to ensure compliance with the indicated lighting levels and to achieve additional boundary planting.

### ***Flood Risk and Drainage***

42. Objectors have raised concern over the risk of flooding and have sought to highlight that the existing pitch already floods. The college have also indicated this occurrence.
43. The proposal will need to provide both surface water and foul water drainage. The surface water drainage strategy indicates the pitch as being permeable, having a stone sub base and perforated pipes below, which will connect with the existing surface water drainage system and discharge into the watercourse.
44. Surface water maps confirm that the site is not at risk of surface water flooding and the location is within a flood Zone 1. Stockton Borough Council are not aware of any flooding at this location, but are aware that surface water runoff during extreme rainfall events from the southern boundary of the school field has been reported and gardens were affected to properties on Chivers Court.
45. The Councils Flood Risk Management Team have indicated that discharge rates for surface water from the site have not been provided but should be restricted to existing Greenfield run off rates through agreement of a surface water drainage scheme. The surface water drainage system will need to provide storage for the 1 in 30 storm event and surface water runoff will have to be stored on site for all events up to and including the 1 in

100 storm event, this will ensure flood risk is not increased outside of the site as a result of the proposed works. A condition has been recommended to address this.

### **Other Matters**

46. It is understood that the operation of the football pitch requires the ability to get emergency vehicles to them should they need to. An emergency access is detailed within the northern site boundary which links to an existing highway access adjacent to the site. In view of this being an existing access off the highway and only to be used in emergency situation, this raises no significant concerns.
47. Sport England has indicated that the proposal will result in the loss of a pitch to provide the Artificial Turf Pitch and that its use should be subject to the imposition of a Community Use Agreement. A condition has been recommended to achieve this. Whilst it is clear that the clubs intention is for community use, a condition is recommended which requires this matter to be formalised.
48. There is the potential for the site to be contaminated from previous uses in the vicinity and a condition is recommended to deal with any unforeseen contamination on site.
49. The proposed works relate to an existing maintained sports pitch, which although may allow for some foraging of wildlife, is unlikely to be a direct habitat for any protected species. As such, it is considered that there would be no undue impacts on wildlife as a result of the proposed works whilst the proposed planting will enhance wildlife opportunities.
50. The Football Club entered into a Community Use Agreement (March 2007) with Stockton 6<sup>th</sup> Form College, Our Lady and St. Bede's School, The Council and the English Sports Council. The agreement sought to allow for community use of the facilities which amounted to 8 pitches and the club house and that these are used in relation to a football development programme. Hours detailed in the agreement were 6pm – 11pm weekdays and 9am to 11pm weekends and school holidays and it is understood that during the school week, the school/ college have access. The reality of this was that they were on grass pitch's with no floodlighting and use would have been limited. In the context of there being an existing community use agreement, and a requirement for such being imposed on the previously approved scheme under application 14/0105/FUL, a new community use agreement is being sought in respect to this current proposal.
51. A number of objections raised concerned over the extent of works being proposed and the concerns of more works being required if the club became successful enough to go further up in the leagues beyond the stage 5 level as further ground improvements would be required. Officers have discussed this matter with the club who have indicated that they recognise the current sites limitations and that the clubs stated ambition is to play to step 5 of the national system. Whilst the consideration of this application relates to the details as submitted, the clubs statement is considered to demonstrate their appreciation that the site does have limitations and that investment at this stage would not prejudice decision making on future planning decisions relating to the site should any further applications be submitted.
52. Concerns were raised over the impacts of the pitch and use on privacy for nearby properties , however, in view of intervening distances and landscaping, it is considered impacts on privacy would not be significant.

## **CONCLUSION**

53. The proposed development is of a scale and appearance which generally fits within an urban area adjacent to school / college buildings. Adequate parking has been demonstrated within the wider site whilst matters of drainage, landscaping and tree protection can be adequately dealt with by condition.
54. The proposed use will increase footfall at the site and allow the site to be used later into the evenings and winter months, generating increased noise levels for surrounding residents. Whilst the site is in an urban area and the site already has a sports use operating from it, it is considered necessary to mitigate the impacts of noise as well as light pollution from the floodlighting. Conditions are recommended requiring mitigation to be provided as well as additional survey work. Notwithstanding these requirements, the hours of use are also being limited below those being sought in order to allow respite from the sites use on residential properties and their occupiers.
55. It is recommended that the application be approved for the reasons specified above.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

## **WARD AND WARD COUNCILLORS**

Ward Grangefield  
Ward Councillors Councillor Carol Clark, Councillor Michael Clark

## **IMPLICATIONS**

### Financial Implications:

There are no known financial implications in determining this application.

### Environmental Implications:

The proposal has limited impacts in respect to the replacement / loss of grass playing pitch's, with its greater impacts relating to change to the appearance of the site and the additional light and noise generated on site. Subject to controlling conditions and limited hours of use, it is considered that these could be reasonably limited to levels which would reflect the locational nature of the site.

### Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. Objectors have raised concerns over the impacts of the scheme on their human rights to enjoy their properties and generally being protected from nuisance. The view of residents have been taken into account within this report. The report considers the impacts on surrounding residents and has sought to control noise and light pollution within the area through restrictive hours of use and mitigating measures such as acoustic fencing, bunding and landscaping.

### Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report which has considered the impacts of additional traffic and the need for parking provisions. The site would be fenced and gated thereby preventing uncontrolled access.

### Background Papers

Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010

Supplementary Planning Documents

SPD3 – Parking Provision for Developments