

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**6<sup>th</sup> March 2024**

**REPORT OF DIRECTOR OF FINANCE,  
DEVELOPMENT AND BUSINESS SERVICES**

**St Michaels Catholic Academy, Beamish Road, Billingham  
Application for the construction of an all weather pitch with associated hardstanding, 4.5m high fence and lighting**

**Expiry Date 25 October 2023**

**SUMMARY**

The application relates to St Michaels Catholic Academy, which is a secondary school located on Beamish Road within the defined development limits of Billingham, and approximately 1km north east of Billingham Town Centre.

The application is seeking planning permission for the construction of an all weather sports pitch which would feature an associated hardstanding area, floodlighting and a 4.5 metre high perimeter fence. The all weather pitch would be located to the south west of the existing school buildings on an existing playing field.

Following the consultation process there have been 7No. letters of objection received. The objections relate to highway issues including increase in the volume of traffic and off-street parking, noise, privacy, anti-social behaviour/crime, impact on character and appearance of the street scene and the community, not suitable location for the use and devaluation of properties.

- New school impacts on privacy and noise has also increased
- Pitch will create additional noise
- Do not wish to look out onto a 4.5m high fence
- Proposed floodlighting will back onto the property
- There are existing traffic and parking problems in the area
- Impact on house prices
- Noise and lighting from the playing pitch will disturb residents
- Parking is a major issue in Beamish Road

There has been no objection raised from any of the technical consultees consulted.

Given the scale and position of the proposed use the proposal is not considered to have a significant adverse impact on the amenity of the neighbours properties and will not result in a significant impact on highway safety. The proposed development would ensure an acceptable form of development which would be compliant with the principle of the relevant policies of the Local Plan and paragraphs of the NPPF.

The recommendation to Members is therefore to approve the application.

## **RECOMMENDATION**

**That planning application 23/1622/LA be approved subject to the following conditions and informatives;**

### **Time Limit**

- 01 The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 as amended).

### **Approved Plans**

- 02 The development hereby approved shall be in accordance with the following approved plan(s);

| <b>Plan Reference Number</b> | <b>Date Received</b> |
|------------------------------|----------------------|
| NSSMCAA009 REV F             | 26 October 2023      |
| NSSMCAA006                   | 25 August 2023       |
| HLS5906                      | 30 August 2023       |
| NSSMCAA005                   | 30 August 2023       |
| E01                          | 25 August 2023       |
| NSSMCAA007                   | 25 August 2023       |
| NSSMCAA003                   | 25 August 2023       |
| NSSMCAA004                   | 25 August 2023       |

Reason: To define the consent.

### **Floodlighting**

- 02 The floodlighting shall be restricted to the hours of 08:00-19:00 Monday to Saturday and 10:00-16:00Hrs Sunday and they shall be angles away from any residential premises to prevent light disturbances.

Reason: In the interests of protecting the residential amenity of the surrounding occupiers.

### **Surface Water Drainage**

- 04 The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details:

- Detailed design of the surface water management system

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

### **Construction Management Plan**

- 05 Within each phase, no development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:
- the site construction access(es)
  - the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials including any restrictions on delivery times;
  - storage of plant and materials used in constructing the development;
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
  - measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
  - measures to control and monitor the emission of dust and dirt during construction;
  - a Site Waste Management Plan;
  - details of the HGVs routing including any measures necessary to minimise the impact on other road users;
  - measures to protect existing footpaths and verges; and
  - a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and residential amenity.

### **INFORMATIVE OF REASON FOR PLANNING APPROVAL**

#### Informative: Working Practices

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.

#### Informative: Surface Water

The surface water discharge rate from this development must not exceed 5 l/s.

### **BACKGROUND**

1. In 2014 Planning permission was granted for a new academy building, associated external works, landscaping and car parking. This approval resulted in the demolition and replacement of the existing building (ref;14/1303/FUL).

### **SITE AND SURROUNDINGS**

2. The application relates to St Michaels Catholic Academy, which is a secondary school located on Beamish Road within the defined development limits of Billingham, and approximately 1km north east of Billingham Town Centre.
3. The school site is bounded to the north west and south west by residential dwellings, and to the north and east by Cowpen Bewley Woodland Park. Within the site boundary, the existing school buildings are located towards the northern part of the site, whilst the school playing fields take up the remaining parts of the site.

## **PROPOSAL**

4. Planning permission is sought for the construction of an all weather pitch with associated hardstanding, 4.5m high fence and lighting. The pitch would be located on an area of playing field to the south west of the existing school buildings.
5. The all-weather artificial grass pitch would measure approximately 106 metres in length and 70 metres in width. The proposal would also include storage recess areas to accommodate sports equipment and a dugout recess to accommodate shelters for those using the pitch. A 4.5 metre high rigid mesh fence is proposed around the perimeter of the pitch, as well lighting columns which would have a maximum height of 15 metres.

## **CONSULTATIONS**

6. Consultees were notified and the following comments were received (in summary).
7. **Sport England** – Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy.

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception 5 of the above policy. Following Sport England's holding objection, the applicant has submitted the following information;

- a planning statement addressing exception 5's information requirements
- further detail as to the AGP's compliance with FIFA and World Rugby specification
- confirmation of the applicant's ability to cover a sinking funding for the AGP's short and long-term maintenance

Sport England is now satisfied that the proposal has demonstrated that it will offer greater benefit to sport than the area of playing field it is developed upon.

8. **Billingham Town Council** – No comments received
9. **Highways Transport & Design Manager** – the Highways, Transport and Design Manager raises no objections to the proposals.

Highways Comments: Subject to a construction traffic management plan, for the construction phase of the project, being secured by condition there are no highways objections to the proposals.

Landscape & Visual Comments: There are no landscape and visual objections to the proposed new all weather pitch, 4.5m fence and lighting.

Flood Risk Management: The applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However the applicant has not provided a detailed design for the management of surface water runoff from the proposed development and this information should be secured by condition.

10. **Environmental Health Unit** – no objection in the principle of the development and would recommend the conditions as detailed be imposed on the development should it be approved.

### *Floodlights*

The floodlighting shall be restricted to the hours of 08:00-19:00 Monday to Saturday and 10:00-16:00Hrs Sunday and they shall be angles away from any residential premises to prevent light disturbances

## **PUBLICITY**

11. Neighbours were notified and seven objection comments were received. These comments are detailed below (in summary).

- New school impacts on privacy and noise has also increased
- Pitch will create additional noise
- Do not wish to look out onto a 4.5m high fence
- Proposed floodlighting will back onto the property
- There are existing traffic and parking problems in the area
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- Noise and lighting from the playing pitch will disturb residents
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## **PLANNING POLICY**

12. 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 Stockton on Tees Borough Council Local Plan 2019.

13. Section 143 of the Localism Act came into force on the 15 January 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 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.

### **National Planning Policy Framework**

14. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

15. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. 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.

**Paragraph 96.** Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

(a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

(c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

**Paragraph 97.** To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

(a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

(b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

(c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

(d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

(e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

**Paragraph 102.** Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

**Paragraph 103.** Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use

### **Local Planning Policy**

16. The following planning policies are considered to be relevant to the consideration of this application.

#### **Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development**

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with

policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

### **Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles**

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;

### **Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution**

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

### **Transport and Infrastructure Policy 2 (TI2) - Community Infrastructure**

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the

education, cultural, social, leisure/recreation and health needs of all sections of the local community,

the Council will:

a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;

b. Work with partners to ensure existing deficiencies are addressed; and

c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

6. Development on existing sports and recreational buildings and land, including playing fields will be resisted, unless:

- a. An assessment has been undertaken which has clearly shown the buildings or land as surplus to requirements; or
- b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or
- c. The development is for an alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### **MATERIAL PLANNING CONSIDERATIONS**

17. The main material considerations when assessing this application are the principle of development, character of the surrounding area, potential impact upon the amenity of neighbouring properties, and any other residual matters.

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

18. The proposed all weather pitch would be located on an existing area of playing fields immediately south west of the main school buildings. The development provides formal facilities which will include markings for various games with enclosure, and will improve and enhance the sports facilities on offer at the school. The National Planning Policy Framework encourages access to open spaces for sport and recreation and local planning policies are generally supportive of improving the facilities available to schools whilst promoting provision of facilities to facilitate healthy lifestyles. Sport England have been consulted and raised no objection to the use of the land in the manner proposed.

19. In view of the above policy considerations, it is considered that the principle of the development is acceptable, in accordance with the NPPF and Policy TI2 of the Local Plan which seeks to improve existing educational facilities.

#### **Character of the Surrounding Area**

20. The development site is within an existing school playing field which is currently used for general sport by school pupils. It is considered that the scale of the proposed development is an appropriate size in relation to the wider open space and will be built on the site of the existing facilities.

21. The enclosure of the proposed sports pitch will be though the provision of a 4.5 metre high fence along the perimeter of the sports pitch. It is noted from the plan that the proposed mesh fence would be treated dark green which is considered to mitigate its visual impact given its surroundings. As such the proposal is considered to be of a modest scale and is acceptable with respect to this.

22. The Highways Transport and Design Manager has commented from a landscape aspect and raises no landscape or visual objections to this development.

23. In view of the scale and design of the scheme, which respects the proportions and layout of the existing playing field, it is considered that the proposal will not result in an incongruous feature or result in an adverse impact upon the character and appearance of the surrounding area, nor would it harm the established landscape character. The proposal would therefore accord with Policies SD5 and SD8 of the Local Plan.

#### **Amenity of Neighbouring Properties**

24. Policy SD8 of the Councils Local Plan seeks to provide sufficient levels of privacy and amenity for all existing and future occupiers of land and buildings.

25. The application proposes the introduction of construction of a new all weather sports pitch with a 4.5 metre high perimeter fence and floodlighting, which would be on an existing playing field. The nearest neighbouring properties to proposed all weather pitch are located on Beamish Road,



the rear garden boundaries of which are in excess of 70 metres from the proposed siting of the sports pitch.

26. Seven objections have been received to the application from neighbouring residents along Beamish Road which raise concerns regarding noise disturbance from the use of the proposed sports pitch and light pollution from the proposed floodlighting.
27. In this instance, given the separation distance between the proposed sports pitch and the nearest properties, and as the use of the land already exists as a playing field associated within the school, it is considered that the proposed all weather sports pitch will not have a significant impact upon the occupiers of the properties along Beamish Road by way of noise disturbance. Whilst the proposed fence would be large in terms of its height, as it would be a mesh fence and would be located a significant distance from the rear boundaries of the nearest residential dwelling, it would not raise any issues of amenity for surrounding occupiers in relation to loss of light or outlook.
28. The Council's Environmental Health Unit has been consulted on the application and has raised no objections subject to a condition controlling the hours of use of the proposed floodlighting. It is considered that the condition is necessary in order to limit any potential impact on the nearby properties by way of light pollution, and this is recommended accordingly.
29. It is therefore considered that the proposed sports pitch would have no adverse impact upon the occupiers of any nearby properties due to the separation distances involved and given the existing use of the site. The proposal therefore accords with Policy SD8 of the Local Plan and the provisions of the NPPF in this respect.

#### Highway Issues

30. Following consultation, the Highways, Transport and Design Manager has raised no objection to the proposals subject to the imposition of a condition requiring the submission of a construction traffic management plan for the construction phase of the project. Subject to this condition being attached to any grant of permission, the proposal is therefore considered to be acceptable in terms of parking provision and impact on highway safety in the area, in accordance with the provisions of the NPPF.
31. A number of the objectors raised concerns regarding the existing parking and traffic issues along Beamish Road as a result of the school, and the potential further impact as a result of the proposed sports pitch. As the proposed all weather sports pitch will be used in association with the existing school and will simply enhance the facilities currently on offer within the school premises, it is not considered that it will result in an adverse impact upon the existing parking and traffic situation along Beamish Road or the immediate surrounding area to warrant refusal of the application.

#### Other matters

32. Concerns have been raised by objectors with regards to the proposed sports pitch resulting in devaluation of the nearby properties. However, this is not a material planning issue and cannot be taken into consideration in the assessment of this application.

#### **CONCLUSION**

33. It is recommended that the application be Approved with Conditions for the reasons specified above.

**Director of Finance, Development and Business Services**  
**Contact Officer Joanne Wood Telephone No**

## **WARD AND WARD COUNCILLORS**

|                        |                                     |
|------------------------|-------------------------------------|
| <b>Ward</b>            | <b>Billingham East</b>              |
| <b>Ward Councillor</b> | <b>Councillor Michelle Bendelow</b> |
| <b>Ward Councillor</b> | <b>Councillor Mick Stoker</b>       |

## **IMPLICATIONS**

### **Financial Implications:**

### **Environmental Implications:**

### **Human Rights Implications:**

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

### **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

### **Background Papers**

Stockton on Tees Local Plan Adopted 2019

### **Supplementary Planning Documents**

SPD1 – Sustainable Design Guide - Oct 2011

SPD3 – Parking Provision for Developments - Oct 2011