
Report of the Head of Strategic Investment**STRATEGIC PLANNING COMMITTEE****Date: 11-Apr-2019****Subject: Planning Application 2018/90817 Formation of 3G sports pitch including 4m high rebound fencing (within a Conservation Area) King James School, St Helen's Gate, Almondbury, Huddersfield, HD4 6SG****APPLICANT**

The School Governors of

DATE VALID

23-Mar-2018

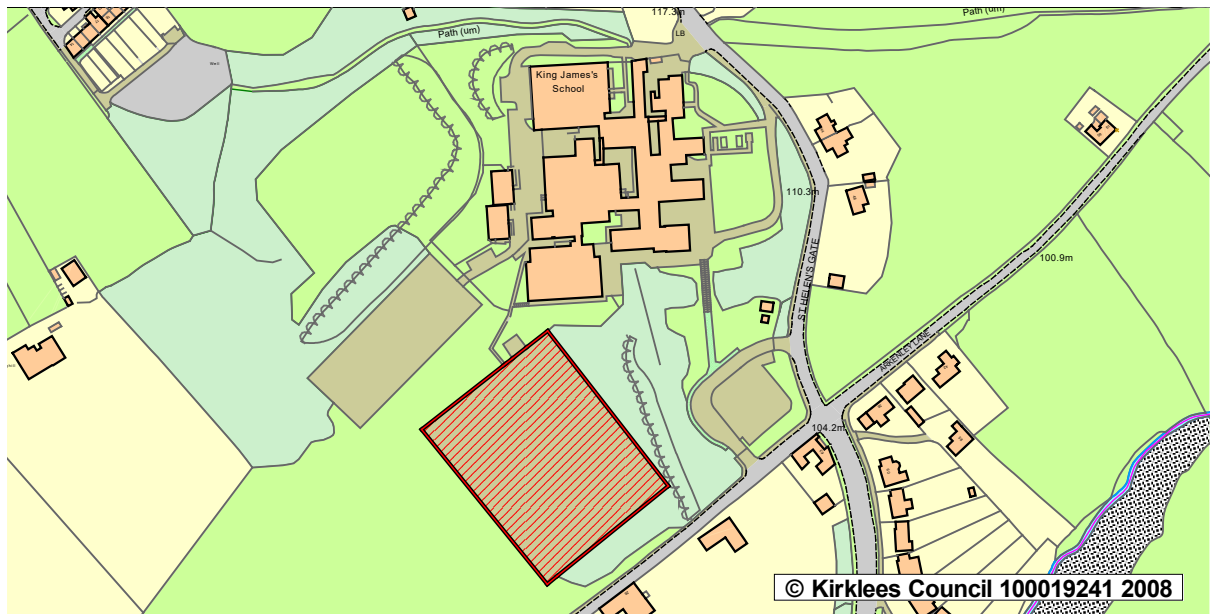
TARGET DATE

18-May-2018

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN

Map not to scale – for identification purposes only

Electoral Wards Affected: Almondbury

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION

- 1.1 This is a full planning application seeking the formation of a 3G sports pitch, to include 4m high rebound fencing, for King James's School in Almondbury.
- 1.2 The application is brought to committee as it seeks non-residential development that has a site area in excess of 0.5ha, in accordance with the Council's delegation agreement.
- 1.3 The application was first taken to the Strategic Planning Committee on the 15th of February, where the committee resolved to defer the application on the following grounds;
 - To await the end of the public representation period and ensure all those interested could attend the committee.
 - Review further planting along the boundary with Arkenley Lane.
 - Clarify on the fencing colour.
 - Details of the acoustic screening.

2.0 SITE AND SURROUNDINGS

- 2.1 King James' School is a secondary school. The school consist of numerous connected buildings, ranging from a 17th century listed entrance building to modern buildings and prefabs.
- 2.2 The application relates to land to the south of the main built complex, within the associated grounds and playing fields. The site is currently a hard surfaced athletics track. To the east is woodland and a school car park, to the south woodland, Arkenley Lane then residential dwellings. To the west is open school fields.

- 2.3 The school is on the edge of Almondbury, within the Almondbury Conservation Area and Green Belt. No.28 Arkenley Lane which is to the south of the site is Grade 2 Listed.

3.0 PROPOSAL

- 3.1 A rectangular area of the athletics track measuring 4200sqm is to be resurfaced in 'Fieldturf synthetic grass carpet surfacing'. This is to provide four small sports pitches or one large pitch. Example uses for the site are football, netball and hockey.
- 3.2 The pitch is to be surrounded by rebound-fencing, with a rectangular perimeter of 80m x 55m. The fencing is to be painted green and 4.0m high.
- 3.3 The remaining surface of the current athletics track not to be converted, currently redgra surfacing, is to be tarmacked.
- 3.4 The site is to be used only in term time by students (defined as those aged 16 or under). The proposed hours of use are;
- Monday – Friday: 0855 – 1800
Saturday: 0900 – 1700
No use on Sundays.
- 3.5 Acoustic fencing is proposed around external perimeter of the pitch to the east, south and west. It is proposed as close boarded timber with a maximum height of 2.0m. Final details are to be submitted via condition.
- 3.6 Additional planting is proposed within the woodland adjacent to the pitch's south boundary.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

4.1 Application Site

King James School has numerous planning permissions. These include new car parking, temporary school buildings, permanent extensions and general alterations. The following are considered of relevant;

2019/90685: Erection of first floor extension over existing school block, removal of two temporary class rooms and formation of car parking area (within a Conservation Area) – Ongoing

Note: The above application has been received during the period since the previous committee.

4.2 Surrounding Area

None considered relevant.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)

- 5.1 The proposal initially included numerous lighting columns and had no hours of use attached to it. Following concerns from officers and residents, negotiations took place to clarify on the operation of the site. This led to the removal of lighting from the proposal, reducing the height of the fencing (from 5.0m to 4.0m) and the confirmation of the proposed hours of use.

6.0 PLANNING POLICY

Kirklees Local Plan (LP)

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

- 6.2 The site is Green Belt on the PLP Policies Map, within the Almondbury Conservation Area.

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP30** – Biodiversity and geodiversity
- **PLP33** – Trees
- **PLP35** – Historic environment
- **PLP47** – Healthy, active and safe lifestyles
- **PLP49** – Educational and health care needs
- **PLP50** – Sports and physical activity
- **PLP52** – Protection and improvement of environmental quality
- **PLP56** – Facilities for outdoor sport, outdoor recreation and cemeteries

Supplementary Planning Guidance / Documents

- 6.3 The following are Supplementary Planning Guidance / Documents relevant to the proposal;

- Kirklees Council Playing Pitch Strategy

National Planning Guidance

6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), published 19th February 2019, and the Planning Practice Guidance Suite (PPGS), first launched 6th March 2014, together with Circulars, Ministerial Statements and associated technical guidance.

6.5 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 12** – Achieving well-designed places
- **Chapter 13** – Protecting Green Belt land
- **Chapter 15** – Conserving and enhancing the natural environment
- **Chapter 16** – Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE

7.1 The application has been publicised including letters to neighbouring properties which border the site and a site notice.

7.2 The end date for the initial period of publicity was the 10th of May, 2018. Following this negotiations took place to resolve issues raised by officers and representations. A second period of public representation was undertaken following amendments, which expired on the 15th of February, 2019.

7.3 A total of seven public representations were received in response to the two periods of publicity. The following is a summary of the concerns raised;

- The proposal includes lighting. Therefore it is likely to be used outside of school hours, although no details of hours of use have been submitted.
- There is no clarification on the intended users of the site. Are they school students, clubs or adults as part of wider community uses?
- What are the plans for the school's existing conventional pitches?
- Insufficient details have been provided on the impact of the proposed lighting on adjacent woodland and neighbours.
- The noise from ball-strike will be unbearable adjacent to houses (which are stated to be less than 10m away from the proposed pitch, with questions being raised over whether the 25m within the report being accurate). Local residents have young children who sleep early.
- Insufficient details have been provided on the impact of noise on adjacent woodland and neighbours.
- The trees are not a sufficient 'buffer zone' to prevent harmful visual and noise impacts. Furthermore the trees on plan are not accurate. Additional planting should be undertaken to increase the density and size of the existing woodland.

- The proposed sports pitch will be used for longer than the existing school day and therefore cannot be compared to the existing sports use.
- Concerns over the accuracy of the woodland shown on the plans.
- The proposed development would be an intensification and would increase parking in the area, particularly Arkenley Lane, which is narrow as existing and already suffers from parking issues. Access between the site and the school's car park which will lead to parents dropping children on Arkenley Lane. This restricts the use of the Lane by residents.
- Increased traffic to the site will cause additional noise and air pollution.
- The proposed would harm openness through 5.0m fencing and 6.0m lighting columns. The area is semi-rural. Furthermore it is within a Conservation Area. King James's does not have a perimeter fence, instead having a stone wall. The site is undeveloped and away from the main buildings of the school. The proposal would be an intrusive urban feature which would harm both the Green Belt and Conservation Area.
- The reduction from 4m to 5m is minor.
- The proposed fencing is huge. It is unnecessary and would look out of place within a Conservation Area. The fence will have an area of 1300sqm.
- As there are no toilets within the site, the development will result in anti-social behaviour, particularly within the trees adjacent to Arkenley Lane. Also there would be no toilet facilities for students using the pitch on a weekend.
- Questions over what the acoustic fence will look like, with reference given to the Conservation Area.
- Post this application, what's to stop an application for longer hours or lighting to be submitted.
- Question whether the site will be locked and secured to prevent use outside of the given hours.
- The pitch should be moved elsewhere within the school's ownership.

7.4 Following the committee on the 15th of February an amended plan has been submitted showing the area for additional planning and position of the acoustic fencing, with the intention to provide full technical details via condition.

Ward member interest

7.5 As minor development ward members (Almondbury) were not initially notified of the proposal. However during the course of the application each contacted officers expressed an interest. Cllrs Hughes and McGuin expressed concerns over the hours and days of use and questioned who'd the future users be.

7.6 Each member was notified when the amended plans were received. Following the removal of floodlighting and condition for acoustic screening, Councillor Munro no longer objects to the proposed development. Councillor Judith Hughes objects to the proposed development based on it being a permanent structure being erected in the Green Belt and within a Conservation Area.

8.0 CONSULTATION RESPONSES

8.1 Statutory

Highways: An informal discussion was held. As the site is to enhance the school's current facilities and is to remain in use by the school, no objections are raised.

Sport England: No objection.

8.2 Non-statutory

K.C. Ecology: No objection and, following the removal of the lighting, no conditions considered necessary.

K.C. Environmental Health: Expressed initial concerns over noise and light pollution. Following negotiations, no objections subject to the imposition of conditions.

9.0 MAIN ISSUES

- 1) Principle of development
- 2) Visual amenity, including the impact on the historic environment
- 3) Residential Amenity
- 4) Impact on Highways
- 5) Other
- 6) Representations

10.0 APPRAISAL

Principle of development

Sustainable Development

- 10.1 NPPF Paragraph 11 and PLP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

- 10.2 The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Enhancement of outdoor sports facilities

10.3 PLP47 established a general principle in favour of supporting healthy and active lifestyles. Various ways which this will be enabled by planning are listed. These include *‘the improvement of the stock of playing pitches’*. PLP50 states that *‘the council will seek to protect, enhancement and support new and existing open spaces, outdoor and indoor sport and leisure facilities where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all’*.

10.4 Specific to education and health care needs, PLP49 identifies that *‘proposals for new or enhanced education facilities will be permitted where; a. they will meet an identified deficiency in provision; b. the scale, range, quality and accessibility of education facilities are improved; c. they are well related to the catchment they are intended to serve to minimise the need to travel...’*. Turning to the Kirklees Playing Pitch Strategy, King James’ School’s football provision’s current status is noted as *‘Poor quality adult and poor quality 9v9 pitch. School use only’*. The document recommends that the pitch quality be improved and protected for school use. The document’s overall recommendation for football needs in the district is as follows;

Seek to focus future investment in key football hub sites, to include improvement of changing facilities and creation of new 3G AGPs to serve the game for training, affiliated match play and recreational football.

10.5 The above policies are consistent with the aims and objectives of NPPF, Chapter 8, with paragraph 96 stating that *‘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 facilities’*. Sport England have provided the following comment on the proposal;

The proposed artificial grass pitch is to be sited on an existing redgra pitch at the school. The school’s grass pitches will be unaffected by the development. Redgra surfaces were an early artificial sports surface developed as an alternative to grass. The aerial photos of the site show that over the years it has been used for hockey, athletics and rounders. Redgra surfaces are now considered to be unsatisfactory for most sports other than for recreational purposes and artificial surface technology has progressed. As such its loss is not considered to a significant one for sport. The proposed 3G AGP will be able to accommodate football and rugby training and has a significant tolerance for use.

10.6 The proposed works would enhance the school’s football provision, providing modern, durable and consistent facilities. It would extend the useable time of the sports pitch, by being all weather. As noted the development would address an identified need detailed within the Kirklees Playing Pitch Strategy. Therefore, the proposal is deemed to comply with the aims and objectives of PLP47, PLP49, PLP50 and Chapter 8 of the NPPF.

Land allocation (Green Belt)

- 10.7 The site is within the Green Belt. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in paragraph 145 or 146 of the NPPF.
- 10.8 Paragraph 145 of the NPPF includes the following;
- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- 10.9 Turning to local policy, PLP56 states that facilities associated with outdoor sport with normally be acceptable subject to several considerations, including being no more than reasonably necessary and the design is unobtrusive, designed to not bring urban elements to the countryside and that the openness of the Green Belt is preserved with there being no conflict with the purposes of including land within it.
- 10.10 The proposal is for outdoor sport. King James School has no other all-weather pitch, with that sought not being surplus to requirement. It would be built upon land currently hosting a Redgra surface and is therefore not Greenfield land. The facilities sought are considered appropriate and reasonable for high-school sports education and usage.
- 10.11 The proposal includes a 4.0m boundary fence spread over a perimeter of 270m. Initially it was sought to be 5.0m in height. When questioned on this, the reason given was due to the proximity to woodlands, with a steep banking, and the highway. Balls going over the fence in this direction would be dangerous to retrieve. Nonetheless a reduction to 4.0m was agreed, which on balance was felt more appropriate for the Green Belt setting. While 4.0m in height, it would be mesh fencing which would allow for views through. This is preferable to a 4m solid screen. Furthermore it would be visible against the backdrop of the surrounding woodland, of mature trees, the school itself and adjacent fencing for other courts (tennis). It is proposed for the woodland to be enhanced with additional planting, securable via condition. Considering these circumstances officers are satisfied that the proposal would not materially harm the openness of the Green Belt, is not unobtrusively designed and is reasonably required for the proposed use.
- 10.12 For residential amenity reasons (explored below) an acoustic barrier is sought to limit noise pollution. By design, these must be solid screens. The applicant has shown the proposed location along the external perimeter of the pitch's east, south and west boundaries. Full details have not been provided,

proposed to be provided via condition, however a closed boarded timber fence with a maximum height of 2.0m is indicatively shown. Such a fence can be erected most places (not adjacent to the Highway) via Permitted Development, including within the Green Belt. Furthermore an appropriately coloured timber fence, against the backdrop of the woodland and on a lower level than the rest of the school field, will not be unduly prominent. On these grounds, officers do not consider the acoustic fence harmful to the openness of the Green Belt.

10.13 In regards to the purpose of the Green Belt, the NPPF gives these as;

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Purposes a) and b) are not deemed relevant to the current proposal. Regarding c), as brownfield land within the curtilage of a school, the proposal is not deemed to encroach into countryside. Turning to d) while in the Almondbury Conservation Area the site is separate from the village and would not harm the special character. Final, e), the site is brownfield land within the school's curtilage. To serve the school, to place it elsewhere would be inappropriate. Accordingly there is considered no conflict with the purpose of the Green Belt.

10.14 To conclude, the principle of the proposed development within the Green Belt is considered acceptable, in compliance with policy PLP56. Furthermore it complies with Paragraph 145 of the NPPF. Policies PLP47, PLP49 and PLP50 along with Chapter 8 of the NPPF establish a principle in favour of supporting sports and educational development. Therefore the principle of development is considered acceptable. Consideration must be given to the local impact, outlined below.

Visual amenity, including the impact on the historic environment

- 10.15 The site is located within the Almondbury Conservation Area with listed buildings within the vicinity. Sections 16 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings and conservation areas. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Policy PLP35 and NPPF Chapter 16 outline the principle of development and restrictions for development and the historic environment.
- 10.16 The site is already used for outdoor sports, being a Redgra surfaced athletics track. The proposed astro-turf would have a greener and more natural appearance, and the associated works would be minimal. This aspect is considered to have a more appropriate visual impact.
- 10.17 The proposed fencing is to be open green mesh (securable via condition). While 4.0m in height, therefore taller than most fencing, its appearance is not atypical for outdoor sporting, particularly on land around schools. The height is needed to prevent the loss / runoff of balls or other sports equipment, with additional height provided due to the topography, woodland and proximity to the road; such fencing around a modern 3G pitch is typical. The impact and prominence of the fencing height is mitigated by being set against mature trees to the east and south. Furthermore, the host building resides to the north, on a higher ground level: while not physically adjacent, when viewed from outside the site the proposed facilities will be clearly visually associated with, and subservient to, the host school.
- 10.18 Conversely, the fencing would be modern in appearance. Almondbury is a traditional village predominantly defined by traditional architecture. Nonetheless, the site is set away from the village proper and would not be seen alongside historic architecture. The site would retain its existing appearance and character as a school, with the fencing not being out of place. The shorter acoustic fencing, to be no greater than 2.0m in fence, is proposed to be timber. As noted above it can be controlled to have a natural appearance and such fencing is not atypical within rural or urban environments, nor is it considered to appear out of keeping in historic environments. Set against the backdrop of the woodland and on a lower level than the field, it will not be unduly prominent; officers are satisfied it would not harm the site's visual amenity of the character of the Conservation Area.
- 10.19 At the previous committee on the 15th of February members resolved to defer the application. One reason was to secure the provision of additional planting along the southern boundary with Arkenley Lane. This has been agreed and is shown on plan, with full technical details to be secured via condition. This planting will enhance the screening provided by the woodland, mitigating the impact of the proposed works when viewed from Arkenley Lane.

- 10.20 The original section of King James' School is Grade 2 Listed. Given the separation distance (in excess of 100.0m) between the site and this portion of the building, plus the intervening modern structures, no harm or impact upon the listed building is anticipated.
- 10.21 No. 28 Arkenley Lane is Grade 2 Listed and being set 25m away from the site, has the potential to be seen alongside the proposed development. While detached, and therefore not to impact upon the architectural fabric of no.28, consideration must be given to the Listed Building's setting. Given the separation distance, which includes a road, boundary wall and then woodland (to be increased via condition), and the clear visual association of the site to the school, officers are satisfied that the proposal would not impact upon the setting of no.28.
- 10.22 In summary, officers are satisfied that the proposed development would not appear out of keeping within the built and historic environment of the area. The proposal is deemed to comply with the aims and objectives of PLP24 and PLP35 of the Local Plan and Chapter 12 of the NPPF.

Residential Amenity

- 10.23 The closest 3rd party residential dwelling is no.28 Arkenley Lane, although there are several others nearby on Arkenley Lane. The proposed development is in excess of 25.0m from no.28 Arkenley Lane, which does have several windows facing the site. Considering the separation distance and interceding woodland, officers are satisfied that the proposed boundary fencing would not be harmful or overbearing upon no.28. Being to the north and mesh fencing, overshadowing is not a concern. As an existing sports area and again with reference to the woodland, the development is not anticipated to result in overlooking upon no.28.
- 10.24 Following amendments to the proposal no floodlighting is sought. For clarity this is to be secured via condition. Noise is a consideration for sports pitches. This includes raised voices and ball-strike sounds on fencing.
- 10.25 To mitigate concerns over ball-strike, officers propose a condition requiring details of acoustic fencing/walling along the site boundary, to be installed prior to use commencing. Such fencing/walling significantly reduces ball-strike noise over the proposed mesh fencing and would act as suitable mitigation. As there are no dwellings to the immediate other directions, it is not considered reasonable or necessary to these boundaries.
- 10.26 Considering noise pollution, it is noted that the site is part of an existing playing field used by school students. Nonetheless the proposal can be considered an intensification in relation to noise. The hours of use are as follows;

Monday – Friday: 0855 – 1800
Saturday: 0900 – 1700

No use on Sundays.

Additionally the applicant has confirmed that the site will be used by students (those 16 or under) only and not have an open community use. This can be secured via condition. Therefore the hours are limited to core school hours, plus a limited time after, through the week with flexibility on Saturdays for events to take place through the day. Officers and Environmental Health note a difference between voice and volume between 16s or under and adults. Additionally the use is to be limited to term time only. Based on these hours of use and limitation of use for 16 year olds and under, officers are satisfied that the proposed development would not result in noise which would cause undue harm to the amenity of nearby residents.

- 10.27 Concluding on the above considerations, subject to the referenced conditions, officers are satisfied that the proposed development would not materially harm the amenity of neighbouring residents, in accordance with PLP24 and PLP52 of the Local Plan and Chapter 12 of the NPPF.

Impact on Highways

- 10.28 The proposed development is set back from the Highway and will not interfere with driver sightlines nor cause distraction to passing drivers. The separation distance, 4.0m boundary fencing and adjacent woodland are considered sufficient to prevent ball-strike onto the road.
- 10.29 Consideration is required as to whether the proposal represents an intensification in demand for parking. No additional car parking is proposed as part of the application.
- 10.30 The development will not increase student numbers in itself and represents an enhancement to King James's School's existing sports provision. Therefore, through the school-day, there are not anticipated to be any material traffic movements attributed to the development. The use is to be limited to 16 year olds and under and will therefore not include a community element.
- 10.31 The proposed hours of use include until 1800 on weekdays and between 0900 and 1700 on Saturday. As outside of school times, there may be additional demand for parking on site. However during these times the school's existing car parks would be in least demand. Officers are satisfied that the existing car parking on site is sufficient for the scale of the proposed development during these hours.
- 10.32 It is noted that representations have made reference to parking on Arkenley Lane. For the reasons above officers are satisfied that the site has sufficient parking for the proposed development and for use by visitors. Should visitors decide to park elsewhere, they would be governed by the Highway Code.

- 10.33 Concluding on the above, by virtue of the proposed hours of use and limitation on users, officers are satisfied that the proposed development would not harm the safe and efficient operation of the Highway, in accordance with PLP21.

Other Matters

Impact on adjacent trees and ecology

- 10.34 The site is within a Conservation Area. Therefore, while the adjacent trees do not benefit from specific Tree Preservation Orders, they are protected. Nonetheless the development is set away from the woodland, on land already surfaced. Engineering operations will be minimal. No trees are to be removed as part of the proposal. Therefore officers are satisfied that the development would not harm the adjacent woodland, in accordance with PLP33.
- 10.35 Following the removal of lighting from the application, and given the above considerations regarding the impact on the woodland, officers are satisfied there would be no harm to local ecology, in accordance with PLP30 and Chapter 15 of the NPPF.

Representations

- 10.36 The following are a summary of the representations received with officer responses.
- *The proposal includes lighting. Therefore it is likely to be used outside of school hours, although no details of hours of use have been submitted.*
 - *Insufficient details have been provided on the impact of the proposed lighting on adjacent woodland and neighbours.*

Response: All lighting has been removed, to be secured via condition.

- *There is no clarification on the intended users of the site. Are they school students, clubs or adults as part of wider community uses?*
- *What are the plans for the school's existing conventional pitches?*

Response: This clarification has been provided. The pitch is to be used by 16s and under and hours of uses provided. These details have been re-advertised. The other existing pitches are to remain.

- *The noise from ball-strike will be unbearable adjacent to houses (which are stated to be less than 10m away from the proposed pitch, with questions being raised over whether the 25m within the report being accurate). Local residents have young children who sleep early.*
- *Insufficient details have been provided on the impact of noise on adjacent woodland and neighbours.*

- *The proposed sports pitch will be used for longer than the existing school day and therefore cannot be compared to the existing sports use.*

Response: The proposal initially provided no hours of use. Those initially sought were provided on request, however officers and environmental health objected due to harm caused due to noise. This resulted in amendments which significantly reduced the hours of use and limited users to those 16 and under. These considerations were weighed in the 'residential amenity' section of this report and concluded, subject to condition, to be acceptable.

The proposed fencing is in excess of 25m from the nearest dwelling, and the proposed pitch layout in excess of 32m. This has been measured using the council's online mapping system. These distances, the provision of acoustic screening and the proposed hours of use are considered to overcome concerns of noise pollution. It is acknowledged that the site has the potential to be used until 1800 Monday to Friday (1700 Saturday), and while this is beyond typical schools hours it is not considered unreasonable.

- *The trees are not a sufficient 'buffer zone' to prevent harmful visual and noise impacts. Furthermore the trees on plan are not accurate. Additional planting should be undertaken to increase the density and size of the existing woodland.*
- *Concerns over the accuracy of the woodland shown on the plans.*

Response: Within the officer report some weight is given to the buffer zone in terms of limiting the visual prominence and openness, which officers maintain to be the case.

Members resolved to defer the application within the committee meeting on the 15th of February to secure additional planting; this has been achieved, with full details to be provided via condition.

Regarding the trees on plan, it is noted that a formal tree survey has not been undertaken. However the proposal is to be contained upon the existing surfaced area and will not extend into woodland. Officers are satisfied that the plans are accurate for planning purposes.

- *The proposed development would be an intensification and would increase parking in the area, particularly Arkenley Lane, which is narrow as existing and already suffers from parking issues. Access between the site and the school's car park which will lead to parents dropping children on Arkenley Lane. This restricts the use of the Lane by residents.*
- *Increased traffic to the site will cause additional noise and air pollution.*

Response: The proposal is principally considered an enhancement of the school's existing facilities. It is not anticipated to materially increase traffic movements to the site through the day. Traffic movements to the site after the school day will have benefit of the school's car park, which will be in less

demand at these times.

- *The proposed would harm openness through 5.0m fencing and 6.0m lighting columns. The area is semi-rural. Furthermore it is within a Conservation Area. King James's does not have a perimeter fence, instead having a stone wall. The site is undeveloped and away from the main buildings of the school. The proposal would be an intrusive urban feature which would harm both the Green Belt and Conservation Area.*
- *The reduction from 4m to 5m is minor.*
- *The proposed fencing is huge. It is unnecessary and would look out of place within a Conservation Area. The fence will have an area of 1300sqm.*

Response: The above figure of 1300sqm refers to the fence's surface area. Post reduction to 4m in height, this would fall to 1080sqm. The amount of fencing is considered reasonable and necessary for the facilities sought, and its prominence will be reduced as it is meshed. While a reduction from 5m to 4m could be considered minor, in practise officers considered it to be a significant reduction that helps alleviate concerns relating to openness within the Green Belt and the character of the Conservation Area.

- *As there are no toilets within the site, the development will result in anti-social behaviour, particularly within the trees adjacent to Arkenley Lane. Also there would be no toilet facilities for students using the pitch on a weekend.*

Response: The site is within the grounds of a school, with users limited to those 16 and under, and therefore will be monitored and managed by the school. It is not uncommon for sport pitches not to include full facilities.

- *Questions over what the acoustic fence will look like, with reference given to the Conservation Area.*

Response: While initially proposed for the fencing to be installed within the pitch's perimeter, it is now proposed to be external. This is more appropriate to ensure maximum effect of noise dampening. An indicative design of up to 2m in height closed boarded timber fence has been proposed and considered within this report. Full details are to be secured via condition.

- *Post this application, what's to stop an application for longer hours or lighting to be submitted.*

Response: The application would be entitled to submit such a planning application, which cannot be prevented by the LPA. Officers would be required to assess the impact longer hours or lighting would have. This would include; but is not limited to, whether there was harm to the Green Belt, the Conservation Area, the amenity of neighbours and/or ecology. Depending on the assessment, such an application could be approved or refused.

- *Question whether the site will be locked and secured to prevent use outside of the given hours.*

Response: No details have been provided at this time. Should unauthorised persons access the site and use it outside of hours, Planning Enforcement would be able to investigate and discuss with the applicant.

- *The pitch should be moved elsewhere within the school's ownership.*

Response: Other locations were considered however they were discounted due to access and layout restrictions or because they hosted existing grass pitches which are required to be retained.

11.0 CONCLUSION

11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.2 The proposed development would improve the school's facilities and improve both education and health care needs. While within the Green Belt, such outdoor facilities are considered appropriate subject to there being no harm to the openness of the Green Belt, which is deemed to be the case as per paragraph 10.7 – 10.14. Therefore the principle of development is considered acceptable.

11.3 Turning to the local impact, the design is considered appropriate for the setting. This is giving weight to the site being within a Conservation Area. Subject to conditions on hours of use and users, along with the provision of acoustic fencing along the south boundary, officers are satisfied there would be no material harm to local residents' amenity. The proposal is not anticipated to increase demand for parking and will not harm the safe and efficient operation of the Highway.

11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)

1. Time limit (three years)
2. Undertaken in accordance with plans
3. Use by students (16 and under) only
4. Hours/days of use
5. Use limited to term time

6. Noise mitigation measures, to include full details and provision of acoustic barrier to pitch boundary prior to use
7. No external lighting permitted
8. Rebound fencing colour to be green
9. Planting / landscape scheme to be submitted and implemented

Background Papers

Application and history files

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f90817>

Certificate of Ownership

Certificate B signed. Notice served on;

- Kirklees land Ownership Team
- Antony Haigh King James' Foundation