

Item No. 2

Application Reference Number P/19/0487/2

Application Type:	Full	Date Valid:	15/12/2016
Applicant:	Loughborough University		
Proposal:	Replacement of grass playing surface with artificial all-weather playing surface, together with fencing, storage shed, creation of hardstanding, team dug-out and installation of floodlighting.		
Location:	Pitch 4 Holywell Park Loughborough University Epinal Way Loughborough LE11 3TU		
Parish:	Loughborough	Ward:	Loughborough Ashby Loughborough Nanpantan
Case Officer:	Jacqueline Jackson	Tel No:	01509 634740

This application has been called to plans committee by Cllr. Smidowicz over concerns for nearby residential amenity, particularly with regards to additional lighting, noise and disturbance.

Description of the Application site

The application site is situated within the university campus, set between the West Park and Holywell Park area. The pitch this application relates to is locally known as pitch 4, which is located in the middle of the three 'showcase' grass pitches. The application site lies to the south of Holywell Stadium, immediately adjacent to Beech Park, which contains a volleyball court and Holywell park car park to the west. The university campus boundary runs along the eastern side of the application site and is marked by a line of mature trees and hedges. Beyond this boundary is Holywell Primary school and residential properties.

The application site is set within an area of the campus used for outdoor sport, with several sports pitches including two full size grass pitches immediately to the north and south of the application site. The pitch immediately to the north of the application site has a dual use and is used for football as well as the landing area for the Steve Backley National Throws Centre. To the south west of the site are two further grass pitches and there is also an existing floodlit artificial pitch directly to the north of Holywell Stadium which is used by students for American Football and 5-a-side football. In addition, two grass pitches sit immediately to the east of the Stadium.

Description of the Proposal

The application seeks full planning permission for the replacement of the grass playing surface with an artificial all-weather playing surface, together with fencing, storage shed, hardstanding, team-dugout and the installation of floodlights.

The proposed flood lights have been designed to minimise light overspill. The proposed fencing will re-use the spectator fencing, with new boards and additional ball stop netting behind each goal, to a height of 8m. The proposed hard surfacing will be created around the pitch and a new path to the facility will help facilitate access. The proposed storage shed will be located to the south-east corner of the pitch and the team dug out will be located on the south side of the pitch.

The application is submitted with a planning statement which sets out that the proposal will enable the university to increase the amount of time that the pitch is available for the playing of sport, thereby satisfying its aim of offering unlimited access to world class sport facilities for its elite athletes and increasing opportunities that the general student population has for participating in sport.

The application also includes the following supporting documents:

- Proposed floodlighting plan
- Topographical and utilities plan
- Proposed layout plan
- Proposed fence layout plan
- Drainage layout plan
- Construction detail plan
- Floodlight spillage plan
- Lighting impact study
- Material and finishes information
- Lighting column information
- Details of proposed storage shed
- Design and Access statement
- Noise Assessment
- Ecological Assessment

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

Policy CS1 – Development Strategy - sets out the development strategy and directions of growth for the Borough.

Policy CS2 – High Quality Design – requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

Policy CS15 – Open Space, Sport and Recreation – provides that proposals should retain sport facilities, unless they are surplus to requirements or replaced provision of at least equal quality and quantity are made in a sustainable location.

Policy CS17 – Sustainable Travel – provides that by 2028, the Council will seek to achieve a 6% shift from travel by private car to walking, cycling and public transport.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

Policy EV/1 – Design – states that planning permission will be granted for new development providing it satisfies certain criteria. One criterion is that new development safeguards the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residential areas.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles, including cycles, and servicing arrangements are included, to secure highway safety and minimise harm to visual and local amenities.

Policy CF/4 – Loughborough University and College Campus – This policy sets out the type of development the Borough Council is likely to grant planning permission for and the various criteria proposals would need to satisfy. In particular Policy CF/4 supports development for academic and ancillary uses (D1) within the Campus boundary provided they afford effective and direct linkages into cycle and footpath networks, the overall design and layout of the development remains compatible with the established character and appurtenance of the campus as defined by the massing, scale and form of any neighbouring development and significant trees, open space or other features important in defining amenity of the locality would not be lost.

Other material considerations

National Planning Policy Framework (the Framework)

The National Planning Policy Framework sets out a presumption in favour of sustainable development. It states that planning forms an economic, a social and an environmental role. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. One of the principles of planning is to seek a good standard of amenity for all existing and future occupants of land and buildings.

Section 4 of the Framework promotes sustainable transport. It states at para 35 that development should be located and designed where practical to amongst other things:

- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and
- create safe and secure layouts which minimise conflict between traffic and cyclist or pedestrians

The Framework requires that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF calls for inclusive and mixed communities and a mix of housing based on current and future demographic trends and the needs of different groups in the community. Decisions should aim to create an appropriate mix of uses and safe environments and should aim to avoid noise giving rise to significant adverse impacts on health or quality of life.

The Framework's policies on design are contained within section 7 and give great importance to the design of the built environment and states good design is a key aspect of sustainable development.

Section 8 of the Framework promotes healthy communities, and states amongst other things, that access to high quality open spaces and opportunity for sport and recreation can make an important contribution to the health and well-being of communities. Para 74 advises that open spaces, sports and recreational buildings and land, including playing fields shall not be built on unless certain criteria are met, including that the loss resulting from the development would be replaced by equivalent or better in terms of quantity and quality in a sustainable location.

Responses of Statutory Consultees

Sport England

Have raised no objection to the application. The application relates to the provision of a new outdoor sports facility on the existing playing field.

They note that the Charnwood Playing Pitch Strategy (2018) advises that there is a level of community access to the existing university pitches, but this is unsecured and informal. The submitted information suggests that the primary purpose is to provide enhanced facilities for students and not formalise community access. Whilst sport England encourage community access to sports facilities, Sport England does not wish to raise an objection to this application as it is considered to meet their policy. It is requested that an advice note is added to any consent.

Charnwood Borough Council – Environmental Health Team

Have raised no objections to the proposal. The Environmental Health Officer is satisfied with the contents and findings of the supporting noise impact assessment. It is suggested the hours of use are restricted to 07:00 - 21:30pm and that there is no associated use of a public address system in line with the additional information submitted by the applicant

Charnwood Borough Councils – Open Spaces Team

Raise no objections to proposals. The Council's Playing Pitch Strategy 2018 and the Football Association's emerging Facilities Plan support the requirement for additional Artificial Turf Pitches in the Borough and therefore proposals are in accordance with the Council's adopted policy for Open Space, Sport and Recreation. They would recommend that a community use agreement is put into place to ensure agreed community access and wider community benefit of the proposed facility.

Other Comments Received

Ward Councillors

Cllr Smidowicz has raised a number of concerns regarding the applications which have been summarised below:

- It is disappointing that the University, after a well-attended meeting of councillors, residents and university staff where a potential alternative was considered, have decided to revert to this scheme. There would have been no objections to the alternative which was feasible but possibly a little more inconvenient to the users. Pitch 7 is considered more suitable and would be less harmful to nearby residential amenity.
- Pitch 4 is a well-cared for turf pitch whose lighting does not affect residents. The proposal will result in a detrimental impact on nearby properties residential amenity by reason of additional light, noise and disturbance.
- The noise assessment report is limited.
- Concerns are also raised regarding the proposed hours of operation.
- The proposed all-weather pitch could be in constant use from the early hours of the morning until late at night. The properties most affected are families, many with shift-work patterns. It is considered the impact on these properties will be unacceptable.
- The existing tannoy systems can be heard from pitches further away than the proposed pitch 4.

Residents and the University will be unable 'to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation.

Please consider the points made and the alternative pitch options before making your recommendations.

Nanpantan Ward Resident Group

The Nanpantan Ward Resident Group have raised an objection to the proposed application. Their concerns are summarised below:

- The noise generated by Pitch 4 would be "Noticeable and Disruptive" as per the Noise Policy Statement for England. This is defined as when the noise causes a material change in behaviour and / or attitude. The quality of life would be diminished due to change in acoustic character of the area. Therefore, it is considered the application should be refused.
- In 2007 the University proposed the creation of Holywell Pitches 3, 4, 5 on the 13 Acre Site. At the time, no lighting was proposed, and it was anticipated that the pitches would be subject to 'light-use' only. At the time residents were reassured by this. In the intervening period a protocol for the use of PA systems has been agreed and implemented; with some exceptions this has mitigated the noise impacts.
- The current application represents a significant departure from the proposal in 2007 as it includes the installation of floodlighting, much greater frequency of use and would extended hours of operation beyond daylight hours.
- Residents feel the proposed application would material change in the usage of Pitch 4 and would have a significant adverse effect on their quality of life.
- Residents would also lose the amenity of living near a largely grassed area.
- The Noise Impact Assessment (NIA) by Hoare Lea is considered to be flawed, as it concludes that the noise expected from the pitch will be no more than a minor inconvenience. However, there were only 20 or so spectators at the match when the NIA was conducted and there will be no limit to the number of spectators that

could attend a match or event on Pitch 4. Consequently, there will be much more crowd noise than that observed during the NIA. The match observed during the NIA was supervised, refereed and involved team coaches; these would have had the effect of tempering the players' noise, whereas the proposed uses of Pitch 4 includes unsupervised activities. Residents know from experience that these types of activity can and do generate significant noise, including unacceptable language. The NIA was conducted using measuring equipment only, there was no attempt to baseline the observations against the noise-levels experienced by residents during the assessment. The NIA also states "It is also noted that there is existing unrestricted use of pitch 4 and the other adjacent pitches which will generate noise. The proposed redevelopment of Pitch 4 does not, therefore, represent the introduction of a new noise source to this part of the site" This is not considered to be correct.

- It is considered that when assessing where to locate the all-weather pitch, the University gave insufficient weight to the concerns of residents. Pitch 6 and 7 are considered to be more appropriate sites for this development and it would only take a few minutes longer to walk/jog to these pitches from the changing/toilet facilities, compared with Pitch 4. The installation of CCTV will address concerns about general security.
- It is considered the proposed hours of operation are inconsiderate and unreasonable. They would also be unenforceable during summer, when natural daylight extends beyond the authorised hours of operation. The absence of a secure perimeter fence to Pitch 4 will make it impossible to prevent unauthorised use of the pitch without a permanent security presence.

Local Residents

We have received 21 letters of objection from local residents. There concerns are summarised below:

- The proposal will have a significantly detrimental impact on nearby properties residential amenity by reason of noise and disturbance.
- Nearby residents already experience noise problems from the nearby stadium, through and other pitches in the vicinity. This development will exacerbate the problem and the cumulative impact on the neighbouring properties quality of life will be unacceptable. The current stadium uses a PA system which causes excessive noise.
- The proposed flood lights will extend and increase the use of the pitch.
- The proposal will significantly increase light in the area to the detriment of nearby properties residential amenity. The lighting columns are considered to be too tall and would be above the neighbouring vegetation and the proposed flood lights will have a detrimental impact on local ecology.
- The current pitch is of a good quality and there is no need for the grass pitch to be lost and resurfaced as an all-weather pitch.
- The submitted noise impact assessment is considered to be inadequate as it fails to include the use of an amplified sound system and states that the current use is unrestricted, but by its nature i.e. grass with no flood lighting the pitches use is more restricted than it would be under the proposal.
- The application site is in a residential area and this type of development is unsuitable.

- The replacement of the grass with an all-weather pitch will significantly increase its usage.
- The storage shed, dug out and hard surfacing will significantly increase the usage of the pitch and encourage spectators.
- The proposed hours of use are too excessive. It is unacceptable to allow use from 7:00 to 22:30. The proposal disturb nearby residents sleep.
- The proposed development should take place on pitch 6 or 7 not pitch 4.
- The proposal will exacerbate existing parking issues within the vicinity

Full copies of all correspondence are available on the planning file and can be viewed online through Planning Explorer.

Consideration of the Planning Issues

The main issues to be considered in the determination of this application are:

- i) Principle
- ii) Design and Visual Amenity
- iii) Impact on residential amenity
- iv) Highway impact and parking
- v) Ecology
- vi) Other Matters

Principle of Development

The application site is within the identified boundary of the Loughborough University Campus within an area predominantly used for sport. The application proposes the replacement of grass playing surface with artificial all-weather playing surface, together with fencing, storage shed, creation of hardstanding, team dug-out and installation of floodlighting. The current site is already used as a grass football pitch.

Saved policy CF/4 of the adopted Local Plan sets the framework for the consideration of this application in land use terms and provides a clear indication that the principle of this type of sport use on campus is an acceptable form of development. Policy CF4 supports proposals within the University for the development of academic and ancillary uses. The proposed use is not being altered by the application and will continue to be used as a sport pitch associated with the university.

Policy CS15 of the adopted Core strategy states the local planning authority will seek to retain open space, sport and recreation facilities unless they are clearly surplus to requirements or replacement provision of at least or equal quantity and quality will be made in sustainable development. It also states that the local planning authority will respond positively to development which contributes to open space, sport and recreation provision. This planning application will retain an existing grass football pitch but improve both its quality and capacity via changes to the playing service and facilities. Accordingly, it is considered the proposal complies with policy CS15 and the advice contained within the NPPF in this regard.

For the reasons given above it is therefore considered the proposed application complies with policies CF/4 and CS15 and the provisions within the Framework, and it is therefore considered the application is acceptable in principle.

Design and visual amenity

The proposed application site would remain as a sport pitch, albeit with a different playing surface and use of flood lighting. It is considered the proposal, including the proposed fencing, storage shed, dug out and flood lighting, is of an acceptable design and would not appear out of character or intrusive within this part of the campus. Concerns are raised regarding the height of the proposed flood light columns; however, it is not considered the proposed flood light columns are excessive and would be shielded from views outside the campus by existing vegetation. The proposal also includes the regrading of the land around the pitch, however given the terraced nature of the area already and the character of this part of the University Campus, it is not considered this would be out of character or create an unacceptable feature. Accordingly, it is considered the development would meet the requirements of CS2 and EV1 of the adopted Development Plan with regards to design.

Impact on Residential Amenity

The closest residential properties are located approximately 70m away on Patterdale Drive and 120 m away on Nicolson Road. Immediately to the east of the site is Holywell Primary School.

The proposal includes the continued use of the pitch for sport within part of the site that is characterised by sport uses, albeit it is accepted that the proposed replacement surface and flood lighting will increase the capacity and potential usage of the playing surface. The application site is screened from residential properties by mature trees and vegetation to the east and accordingly is not considered the proposal would have a significant impact on nearby residential properties residential amenity by reason of visual amenity or over bearing impact.

Significant concerns have been raised regarding the proposed application impact with regards to noise and disturbance and the hours of use of the pitch up to 22:30 hours in the evening.

Within the original submission the University sought for the pitch to be used between 07:00 hours to 22:30 hours Monday to Friday and 08:00 hours to 21:00 hours on Saturday, Sunday and recognised bank holidays. The University has reviewed the capacity data for its existing pitches and the usage/capacity for each. The data shows that from 17:00 hours to 23:00 hours in the evenings, all of the current astro turf (PEC) or rubber crumb pitches within the Campus operate at a minimum of 90% capacity during term time. In August and during holiday periods such as Christmas and Easter, when many students are not on campus, usage is still over 50%. In the mornings, use is required from 07:00 hours onwards to enable enough time for training to be finished prior to lectures commencing at 09:00 hours. Accordingly, the usage is highest in the mornings and evenings, with less use during 09:00 hours to 17:00 hours, as most of the students are in academic study during this period. The university therefore argue that there is clearly a need for an additional artificial pitch within the Campus.

A Noise Impact Assessment carried out by Hoare Lea noted that the calculated noise emission levels for pitch activities is below existing ambient and maximum levels that

occur at the nearest residential dwellings. It also noted that the proposals do not represent the introduction of a new noise source to this part of the site, which is already used for sports purposes, including in the early mornings and evenings during summer months. The Environmental Health Officer has considered the Noise Impact Assessment and has confirmed its findings are robust and they do not object to the proposed application on noise and disturbance grounds.

Concerns made by objectors regarding a public announcement system are noted. However, the proposal does not include the installation of such a system. If members are minded to grant planning permission, it is considered appropriate to include a planning condition to restrict any such system being installed or used.

Given the concerns of residents, the university has confirmed they would compromise to an earlier evening finish time of 21:30 hours for use of the pitch. However, given its existing capacity issues in the evenings, any further restriction on the hours would unnecessarily constrain use of the pitch in their opinion.

Concerns have also been raised regarding the noise from spectators. The pitches will predominantly be used for training however there will be competitive games during the day time; however, they are and will attract very few spectators. No spectator seats are being provided as part of the development and any truly competitive games (i.e. those that will attract a large crowd), are played at the University stadium which has capacity to accommodate 3,000 spectators.

On balance, given the use of the site will remain as a sports pitch, the distance to residential properties, the scale of the development and the nature of this area of the campus, it is considered the proposal would not result in a such a significant increase in noise and disturbance as to warrant a refusal of planning permission. It is considered any increase in noise and disturbance can be appropriately controlled via the use of conditions to limit the hours of use and the installation and/or use of a PA system.

Lighting has also been raised as a concern. The proposed floodlights would be LED lighting. Halogen lighting has been used in the past in other locations of the campus and these have resulted in some concerns being raised by nearby residents. The ability to turn halogen lighting on and off is limited by the length of time the lights take to warm up to give their maximum luminance. However, LEDs can be switched on and off easily and can be controlled to such an extent that the University could leave on a single light after the last match / training session has finished to enable players and spectators to leave the facility safely, before turning off, rather than leaving all the flood lights on. The proposed floodlighting has been designed to avoid light spill. The submitted information has been reviewed and it is considered the lighting proposed would be acceptable and would not have a significant detrimental impact on neighbouring residential properties.

For the reasons highlighted above it is considered the proposal accords with the provisions of policies CS2 and EV/1 of the Development Plan and would protect the amenity of people who live nearby and those who will live in the new development.

Highway Impact and Parking

One of the most often felt impacts of the university is the issue of parking on local streets. This application proposes the re-surfacing of an existing grass pitch. Whilst it is anticipated the intensity of the use may increase as a result of the proposal, the play pitch will be predominantly used in association with the university. It is considered given the use of the proposed development, the proposal would have no significant impact on the wider highway network or exacerbate any existing off-site highway issues or on street parking pressures. Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this case, it is not considered that the proposed development would lead to a severe impact on the highway and the proposal would comply with saved Policy TR/18 of the Local Plan. The Local Highway Authority has raised no objections and accordingly the proposal is not considered to have a severe impact on highway safety.

Trees

The proposal would not remove any existing trees or vegetation other than the existing grass pitch. Accordingly, it is not considered the proposal would have an unacceptable impact on any areas of existing landscape.

Ecology

Whilst the proposed scheme would result in a loss of a well-maintained grass pitch, overall, it is considered that the application site has low ecological value. The application is supported by an ecological assessment. On assessing this document and the proposed application, including the impacts of the floodlights it is considered the proposal would have no significant impact on wildlife. Accordingly, it is considered the proposal accords with policy CS13 of the adopted Charnwood Local Plan 2011 to 2028 Core Strategy.

Other matters

It has been suggested that the proposal should be accommodated on an alternative pitch. Members are reminded that they must determine the application presented to them.

The applicant has gone through a selection process with regards to identifying pitch 4 for this application. Both pitch 3 and 5 are closer to residential properties than pitch 4 and pitch 3 provides a dual use as it also serves as the landing area for the national through centre. Pitches 6 and 7 are within the boundary identified within the adopted Core Strategy for the Science and Enterprise Zone. Policy CS23 requires proposals in this area to provide a cohesive development for the delivery of an extension to the Science and Enterprise zone of 77ha.

Conclusions

This planning application should be considered by applying Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires it to be determined having regard to the adopted development plan unless material considerations indicate otherwise. The proposal is considered to comply with the relevant planning policies and

for the reasons set out above there are not considered to be any other material planning considerations which could justify a refusal of planning permission. In essence the proposal would deliver a resurfacing of a playing surface improving both its quality and capacity. It is considered the impact on any neighbouring properties residential amenity can be managed by imposing conditions. Accordingly it is recommended planning permission is granted in accordance with the recommendation below.

Recommendation: Grant Conditionally

This permission is granted subject to the following Conditions and Reasons:-

1. The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Existing Topography and Utilities – MUK1898-01
- Holywell Pitch 4 3G Pitch Proposed Layout – MUK1898-02 Rev L
- Holywell Pitch 4 Location Plan – MUK1898-04 Rev C
- Holywell Pitch 4 Proposed Fence Layout MUK1898-05 Rev c
- Holywell Pitch 4 Proposed Drainage Layout – MUK1898-06 Rev B
- Holywell Pitch 4 Construction Detail – MUK1898-08 Rev A
- Holywell Pitch 4 Floodlight Spillage Plan – MUK1898- 09 Rev B
- Proposed Floodlighting Column and lamps (Halliday Lighting LED lighting solutions)
- Proposed Floodlighting Plan – Halliday Lighting - 03703 – HLS03703
- Storage Shed images
- Loughborough University Proposed Court Floodlighting Lighting Impact Study – 03703 rev A
- Proposed new 3G pitch. Holywell Sports Pitch 4. Loughborough University – Acoustic Noise Impact Assessment Revision 1 – 20th February 2019
- Ref 8376, Pitch 4, Loughborough University – Ecological Survey Results 2019 – FPCR 8376/EJF/Pitch 4 update.

REASON: To define the terms of the planning permission.

3. The playing pitch shall only be used between 07:00 hours and 21:30 hours Monday to Friday and 08:00 hours and 21:00 hours Saturday, Sundays and recognised Bank Holidays

REASON: to protect the amenity of nearby residential properties.

4. No public address system or other amplified sound system shall be installed or used in association with this playing pitch.

REASON: In the interest of residential amenity

Information notes

1. The Local Planning Authority has acted pro-actively through early engagement with the applicant at the pre-application stage. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS15 and CS17 of the Charnwood Local Plan Core Strategy (adopted 9 November 2015) and Policies EV/1, TR/18 and CF/4 of the Borough of Charnwood Local Plan (adopted 12th January 2004) and the advice contained within the National Planning Policy Framework. have been taken into account in the determination of this application. The proposed development complies with the requirements of these saved Local Plan policies and there are no other material considerations which are of significant weight in reaching a decision on this application.
3. Sport England has provided the following advice;
 - Construction Quality – That the pitch is constructed to FIFA Quality Concept for Football Turf – FIFA Quality (old FIFA 1*) accreditation or equivalent International Match Standards (IMS) as a minimum.
 - Testing – That the 3G pitch is tested and subsequently FA registered (on completion and then every three years for grassroots football and every 1 year for football in the National League System). This will enable the 3G to be used for league matches and therefore help the 3G pitch to be used to its maximum potential by programming matches at peak times.

