

The report is to consider an application that seeks planning permission for a package of pitch and sports facilities upgrades to the existing leisure facilities on the campus of Keele University including a new full size Artificial Grass Pitch (AGP), a smaller AGP rugby training pitch, a relocated rugby pitch, redevelopment of part of the existing macadam tennis courts to provide 2 new basketball courts and a beach volleyball court, all along with associated flood lighting, fencing of varying heights, additional pathways, and a replacement 3 bay partly open faced storage shed.

The application site is located within the Green Belt, an Area of Landscape Maintenance as identified within the Local Development Framework Proposals Map. The site is also within the Grade 2 Registered Historic Parkland and Garden at Keele

**The statutory 13 week determination period for the application expires on 25 August 2015**

### **RECOMMENDATION**

**PERMIT subject to conditions relating to the following matters**

- 1. Time limit for commencement**
- 2. Approved plans**
- 3. Lighting levels in accordance with submission**
- 4. Tree protection plan to BS**
- 5. Arboricultural Method Statement**
- 6. Construction details**
- 7. Technical specification of full size AGP**
- 8. Community use agreement**

### **Reason for recommendation**

In terms of its impact upon residential amenity, the landscape and the historic parkland and garden heritage asset the scheme is considered to be acceptable. However whilst the storage building constitutes appropriate development in Green Belt policy terms the formation of the pitches, fencing and floodlighting do not – the Committee must decide whether it considers the required “very special circumstances” exist. Substantial weight should be given to any harm to the Green Belt and that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations..

On the harm side, inappropriate development is by definition harmful to the Green Belt. Whilst the features proposed (the lighting columns and fencing) are not insignificant, by reason of their height, they have little volume or mass and the openness of the site is in effect maintained by the proposals. On the positive side, to be weighed against such harm, there are undoubted significant benefits in terms of the provision of improved outdoor sport facilities on a location that is already used for that purpose, and at a location that, by being accessible on foot from the campus is a sustainable one. The uniqueness of the proposal is its relationship to the University, and in that sense it is not capable of being located elsewhere beyond the Green Belt (the University being surrounded by Green Belt). One of the stated objectives of Green Belt policy is to provide opportunities for outdoor sport and recreation.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application**

The Authority has sought and received additional information from the applicant to assist in its determination of this application.

### **KEY ISSUES**

## 1.0 Introduction

1.1 The application seeks planning permission for alterations to the existing sports facilities to the university. The proposed alterations include;

- A new floodlit AGP football pitch to replace the existing grass rugby pitch.
- A new floodlit AGP training pitch on an unused area of playing field west of the existing tennis courts to be used for rugby and soccer
- A grass rugby pitch relocated to current site of a football pitch to ensure two full sized grass rugby pitches are retained
- Redevelopment of four out of eight macadam tennis courts to provide two floodlit basketball courts and a floodlit beach volleyball court
- A replacement storage shed measuring approximately 18 metres in length, 7 metres in width and 4.5 metres in height
- Fences of up to 4.5 metres in height
- Floodlighting

1.2 The application site forms part of the University of Keele campus. The site falls within the Green Belt, and within an Area of Landscape Management, all as indicated on the Local Development Framework Proposals Map. The site furthermore lies within the Grade 2 Registered Historic Parkland and Gardens at Keele, a nationally designated heritage asset. Access to the site is achieved via the internal campus road network, and the site is bounded on its north western side by a tree flanked stone retaining wall that separates it from the lower Keele Road. To its north east lie further playing fields (bounded by the A525 along their northern side) and to the south east residential properties and various University buildings. The University's sports centre building lies to the east of the site

1.3 The key issues to consider as part of the application are as follows;

- The principle of the development in terms of its appropriateness in terms of Green Belt policy and whether it meets national policy on outdoor sporting facilities
- Impact upon residential amenity
- Landscape impact
- Impact upon the historic park and gardens , including impact of trees of amenity value
- If the development is inappropriate development within the Green Belt do the required very special circumstances exist so as to justify approval

1.3 Each issue will be assessed in turn below.

## 2.0 Principle of Development in terms of its appropriateness in terms of Green Belt policy and whether it meets national policy on outdoor sporting facilities

2.1 The application site is located within the Green Belt, and as such consideration must be given as to whether the proposal would represent inappropriate development within the Green Belt. The site is already used for outdoor sports so there is no change of use involved. The proposal has two elements – the construction or adaptation of artificial pitches and hard surfaces (works that would be undertaken by a play pitch provider rather than an engineer) together with fencing and floodlighting, and the erection of the storage building.

2.2 NLP Policy S3: Development within the Green Belt within the Local Plan states that there will be a presumption against development in the Green Belt, but one of the exceptions to this is

“development for sport and recreation uses of a predominantly open character, whether formal or informal, or for other uses of land that preserve the openness of the area, may be located in the Green Belt so long as it does not disrupt viable farm holdings. Such development must be on reclaimed land, or low grade agricultural land, where practicable. Any buildings must be limited to those essential to the use and much be sited to minimise their impact on the openness of the Green Belt”.

2.3 Notwithstanding that the development plan is starting point for the consideration of planning applications, the weight to be given to the above policy is dependent upon its consistency with the NPPF – the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given to them. In this case the NPPF is actually more restrictive than the above local policy.

2.4 The NPPF indicates that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt and that this should include looking for opportunities to provide for outdoor sport and recreation. The proposal is in line with this objective.

2.5 Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings should be regarded as inappropriate development within the Green Belt unless it is, amongst other things, for the provision of “appropriate facilities for outdoor sport, outdoor recreation...as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”.

2.6 The proposed shed whilst quite a bit bigger than the timber structures that it replaces has a clear and justifiable function and scale in relation to the maintenance of the adjacent outdoor sporting facilities given their size. As such it is considered to be for the provision of “appropriate facilities”, to assist in the maintenance of these outdoor sporting facilities and thus the continued openness of this part of the Green Belt. Although slightly removed from the much bigger Sports Centre building it is not visually isolated and on this basis it is not considered to be contrary to that purpose of including land within a Green Belt which refers to the safeguarding of the countryside from encroachment. The conclusion reached is that the proposed building is appropriate development in Green Belt terms. That element should accordingly be granted planning permission unless it causes demonstrable harm to an interest of acknowledged importance. The report below will consider whether this is so. Very special circumstances do not need to be demonstrated with respect to the building element of this proposal.

2.7 With respect to the construction of the pitches, fencing and floodlighting, Paragraph 90 of the NPPF indicates that certain limited other forms of development are also not inappropriate development (within Green Belts) – but none of those listed in this paragraph match the proposed works. Accordingly the conclusion has to be that these particular works have to be viewed as inappropriate development – at least in Green Belt terms. The question of whether the required very special circumstances exist to justify a grant of planning permission will be addressed later on in this report.

2.8 On the other issue of principle – that which concerns the promotion of healthy communities and the delivery of the recreational facilities the community needs, paragraph 73 of the NPPF positively encourages access to high quality open spaces for sport and recreation, and acknowledges its important contribution towards the health and wellbeing of communities. The proposal in this respect is clearly in line with that national policy, particularly if community use forms part of the proposal. The NPPF goes on, in paragraph 74, to support the retention of existing open space, sports and recreational buildings and land, unless the development is for alternative sports and recreational provision, the needs for which outweigh the loss.

2.9 Sport England initially issued a holding objection on the basis that they were not, at that point, satisfied that the proposal met one of their “exceptions” (to their policy of opposing the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playingfield, unless one of 5 such exceptions applies). Within their holding objection they provided the views of the National Governing bodies on the proposals for the sports affected – the Lawn Tennis Association (LTA), the Football Authority (FA) and the Rugby Football Union (RFU).

2.10 Having received an explanation of why the smaller AGP cannot be made larger so that it is what is termed a compliant facility – to do so would result in unacceptable impact on existing mature trees on the Keele Road frontage - and further and amended information of a technical nature about the specification of the larger AGP, and of the positive albeit currently informal approach taken by the university to community use, Sport England’s position is now that they are supportive of the proposal on the basis that whilst a grassed playingfield is to be lost it would be replaced by an equivalent or better playingfield in terms of quantity, quality and accessibility . They do however seek two

conditions, as detailed in the consultation responses section, including one requiring a community use agreement. It is assumed that such community use is likely to take place at non-peak times, for example during university holidays, and therefore issues of additional parking demand should not arise.

2.11 In terms of national planning policy on outdoor sport the proposal is both in accordance with and supported by that policy. CSS policy CSP5 seeks the enhancement of the area's sports assets and refers to additional sports and leisure facilities being developed to meet local needs identified in the Playing Pitch Strategy. There is no conflict between the proposal and the Playing Pitch Strategy, approved by Cabinet at its meeting in June, the scheme here under consideration being referred in that Strategy as an aspiration.

2.12 In conclusion for the principle of the works to the pitches with the associated fencing and floodlighting to be acceptable in planning terms the Local Planning Authority will need to conclude that very special circumstances exist to justify such development within the Green Belt, albeit that the proposal is fully in accordance and gains support from policies on outdoor recreation.

### **3.0 Impact upon residential amenity**

3.1 The proposed sports pitch upgrades are a considerable distance from any neighbouring residential properties. The nearest dwellings outside the ownership or control of the University are probably those at Boggs Cottages on the northern opposite side of the A525 and separated from the site by a belt of mature trees. The intended hours of use of the pitches are between 0730 and 2200 hours on weekdays and bank holidays, and 0900 -1880 hrs on Saturdays and Sundays, reflecting the increased scope for use during hours of darkness as a result of the provision of floodlighting. The avoidance of any significant light spillage outside of the proposed playing surfaces is indicated, the required lighting footprint having been calculated. Similarly the distance of the site from residential properties suggests that noise associated with the use of the pitches should not be an issue here and in this context it is worth noting that a community use agreement is proposed - enabling greater and closer control and management of the use of the pitches, than would otherwise be the case. The Environmental Health Division have no objections to the proposals. In conclusion there are no grounds to consider that the proposal would materially adversely affect residential amenity in the area.

### **4.0 Landscape impact**

4.1 The site is contained to the west by the Keele Road boundary wall with part of it being elevated by about 2 metres or so above Keele Road (where the new full size AGP would be) and the open countryside. The smaller new AGP is at roughly the same level as Keele Road. The proposed AGP pitches would be green in colour and would largely blend in with existing natural grass sports pitches and would not be visible from Keele Road because of the boundary wall.

4.2 There would however be some wider visual landscape impact arising from the fencing and the floodlighting.

4.3 With respect to the former both of the new pitches would be enclosed by weld mesh fences of up to 4.5m in height, including alongside and parallel to the above boundary wall. That around the larger and slightly elevated AGP pitch is likely to be the most prominent. However between the wall and the fence is a line of mature trees, and although these are well spaced their size is such that they would help break up the profile of the fencing, which would be colour coated green, thus reducing further its visual impact when viewed approaching along the A525 from the Madeley direction. The Landscape Development Section have satisfied themselves, that subject to appropriate tree protection measures being taken during construction these boundary trees should be able to be successfully retained.

4.4 Some 28 lighting columns are proposed arranged in approximately parallel lines at right angles to the boundary wall. This compares with the existing 8 (2 lines of 4) which currently light the existing astroturf pitch (and which are to be replaced in the proposal). They are largely hidden behind a somewhat line of conifer planting that could be considered more intrusive in the landscaping than the lighting columns it screens, from the A525. The height of these existing columns is being obtained to

assist Members' comparison of the impact of the proposal. 16 of the proposed lighting columns would be some 15 metres in height and the remaining 12 would be 10 metres in height.

4.5 The lighting columns combined with the fencing would be likely to be apparent in the day time in the wider landscape, at least when approaching Keele from the Madeley direction. However the enclosure of the site by not only the boundary wall, but also by the hedgerow along the opposite side of Keele Road, together with the lines of mature trees already referred to all would help reduce the starkness of such features. The overall view from this direction is still one dominated by background tree cover interspersed views of campus buildings and the lighting columns will be seen in this context. Driving along Keele Road itself, between the A525 and the village, views will be restricted by the boundary wall and lining up of the trees. At night when illuminated the site would of course be clearly be apparent, but, on the basis of the lighting calculations, this should be in the form of a sharply defined pool of light.

4.6 The storage building is located immediately adjacent to a significant wooded copse, and relatively close to the Sports Centre building. Its construction does involve the removal of one decayed tree of poor quality, but in landscape terms it is considered appropriately sited given the adjacent copse.

## **5.0 Impact upon the historic park and gardens, including impact of trees of amenity value**

5.1 The site lies within the Grade 2 Historic Parkland and Garden of Keele. It forms part of a larger open parkland already used for pitches and courts that lies in the area between the estate boundary wall and the built campus. The proposals do not impact upon any specific aspects of the gardens at Keele which are included within the List description and insofar as the proposal relate largely to the upgrading of additional outdoor recreational facilities they are considered unlikely to cause any further harm to the overall character of the parkland in this location. The parkland trees – a key feature of this part of the park, are retained within the scheme

## **6.0 If the development is inappropriate development within the Green Belt do the required very special circumstances exist so as to justify approval**

6.1 Given the conclusion above – that whilst the storage building constitutes appropriate development in Green Belt policy terms the formation of the pitches, fencing and floodlighting do not – the Committee must decide whether it considers the required “very special circumstances” exist. Members are reminded that inappropriate development is, by definition, considered to be harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF indicates that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations..

6.2 On the harm side, whilst the features proposed are not insignificant, by reason of their height, they have little volume or mass and the openness of the site is in effect maintained by the proposals – a fundamental aim of Green Belt policy. As discussed above in landscape and historic landscape terms there is not considered to be any material harm. That leaves the harm that by definition flows from inappropriate development itself. On the positive side, to be weighed against such harm, there are undoubted significant benefits in terms of the provision of improved outdoor sport facilities on a location that is already used for that purpose, and at a location that, by being accessible on foot from the campus is a sustainable one. The uniqueness of the proposal is its relationship to the University, and in that sense it is not capable of being located elsewhere beyond the Green Belt (the University being surrounded by Green Belt). Finally reference can be made to the fact that one of the stated objectives of Green Belt policy is to provide opportunities for outdoor sport and recreation.

6.3 On the above basis it is considered that the required very special circumstances do exist and that planning permission can be granted.

## **Policies and Proposals in the approved Development Plan relevant to this decision:-**

### Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009) (CSS)

Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP2: Historic Environment  
Policy CSP5: Open Space/Sport/Recreation

### Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy T16: Development – General Parking Requirements  
Policy S3: Development in the Green Belt  
Policy N12: Development and the protection of trees  
Policy N17: Landscape Character – General Considerations  
Policy N19: Landscape Maintenance Areas

## **Other material considerations include:**

### National policy and guidance

National Planning Policy Framework (March 2012)  
Sport England's Planning Policy Statement : a Sporting Future for the playing fields of England

National Planning Practice Guidance (March 2014)

### Supplementary Planning Guidance/Documents

Newcastle-under-Lyme and Stoke on Trent Urban Design Guidance (adopted December 2010)

Planning for Landscape Change – SPG to the former Staffordshire and Stoke on Trent Structure Plan

Other Strategies

Playing Pitch Strategy – as approved by Cabinet June 2015

### Relevant Planning History

94/00099/FUL Synthetic pitch with floodlighting- approved March 1994

11/00155/FUL – Erection of spectator barrier and two team shelters within that area enclosed by the former running track – approved 17<sup>th</sup> May 2011

### Views of Consultees

**Keele Parish Council** considers the proposal to be a good thing for the parish and support the proposal

**Environmental Health** raise no objections to the proposed development and state that the submitted details with regard to lighting is acceptable

**Landscape Development Section** – having received additional information indicate that they have no objections subject to conditions requiring the submission, approval and implementation of a Tree Protection Plan, Arboricultural Method Statement and Construction details of any works within Root Protection Areas

**Garden History Society** – no comments received within the 21 day consultation period, and as such it is assumed that they have no comments to make regarding the proposed development

**Sport England** – having received additional information on certain queries which they had, SE supports the proposal, on the basis that it accords with their exception policy E5, subject to two conditions one of which refers to the construction details of the artificial grass pitch (to ensure that it is fit for purpose and sustainable) and the other requiring the submission and approval of a community use agreement referring to the various artificial and grass pitches, the tennis, basketball and volleyball courts (to secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport

**Staffordshire Wildlife Trust** – no comments received within the 21 day consultation period, and as such it is assumed that they have no comments to make regarding the proposed development

The **Conservation Officer** raises no objections to the proposed redevelopment of the playing fields and tennis courts, however raises concerns with regard to the floodlighting and whether this would become visually cluttered

**Conservation Advisory Working Party** - no objections

#### Representations

None received to date

#### Applicant/agent's submission

The application and its drawings are supported by

- Planning Statement
- Lighting Impact Assessment
- Tree Survey
- Bat Survey
- Statement of Community Involvement, and
- Design and Access Statement,

All of the application documents can be viewed at the Guildhall or using the following link [www.newcastle-staffs.gov.uk/planning/1500392FUL](http://www.newcastle-staffs.gov.uk/planning/1500392FUL)

The Planning Statement submits that the proposals should be viewed favourably for the following reasons

- the proposals accord fully with National and Local Policy – which supports the development of sports and recreation facilities of this type, in this location, and seeks to create a qualitative improvement to the recreational use and playing pitches currently on site, and enables the more efficient use of a currently under-used site;
- the development is sited, sensitively specified and will have an appropriate management and control structure in place during its operational use to ensure that the proposal does not detract from the residential amenity of neighbouring residential properties. As such, the proposal is considered to be wholly acceptable in relation to residential amenity;
- it is considered that the proposals will not have an adverse impact on the setting of the wider area or views into the site. The siting of the facilities and specification of the associated structures has been carefully and sensitively considered and proposed, having regard to the setting of the site and surroundings;
- it is considered that the proposals will have negligible impact on the local arboriculture and that the application should be considered in this context;
- it is considered that there would be no impact from the proposed development upon protected species and therefore the proposal fully accords with paragraph 118 of the NPPF by conserving and enhancing biodiversity; and
- the pitch construction is a fully porous design to ensure there is no adverse effect on the surrounding areas and to ensure that rainwater can be taken off the playing surface through the sub-base and into the positive drainage system. As such, the existing drainage conditions and performance in the immediate locality and surrounds will not be affected by the proposals.

The proposed development is fundamentally sound in principle and represents an appropriate and policy compliant scheme, which seeks to create a qualitative improvement to the sporting facilities currently on site, and enables the more efficient use of a currently under-used site.

Background Papers

Planning File

Development Plan

Date report prepared

10<sup>th</sup> July 2015