

## **Planning Controls for School Sports Proposals**

A report by Head of Planning Applications Group to Planning Applications Committee on 9 September 2008.

To report back on the scope for standard planning conditions to control the use of new school sports proposals, and floodlit sports pitches in particular.

Recommendation: For Members' information.

**Local Member(s): All**

**Classification: Unrestricted**

### **Background**

1. In recent years there has been an increase in proposals for new, extended or upgraded sports facilities on the County's school sites. Such proposals range from making more intensive use of existing underused playing fields to whole new indoor sports centres for both use by the School and the local community. Since many of our schools are located in primarily residential neighbourhoods, there are often amenity implications for adjacent residents which arise in response to consultations on planning applications. Normally a balancing exercise is called for by the Planning Authority to enable Schools and local sports bodies to realise their aspirations without unreasonably jeopardising residential amenity expectations. Typically, the applicants are pushing for extended hours of use to realise external funding where community use is required, whilst local residents are seeking to restrict activity to avoid noise and visual intrusion outside normal school hours.
2. Following recent debates in Planning Applications Committee Meeting over hours of use of school sports facilities, the question was asked whether there was any scope for adopting a standard condition to stipulate such hours. This report is a response to that query.
3. There are various drivers behind the promotion of new and improved sports facilities on school sites which need to be borne in mind:
  - health and personal fitness through sport is now a key part of school curricular activity, following concerns over obesity, lack of exercise and an over-emphasis on academic achievements and the core subjects in recent years;
  - greater use of school sites and existing sports fields in particular has increasingly been sought by Government, with a view to making optimum use of previously underused community assets;
  - Schools are now encouraged to operate more in partnership than competition with each other, and develop specialisms that can cater for pupils from other schools, and those pursuing Sports College status benefit from external sports funding streams;
  - renewed attention to crime reduction and anti-social behaviour indicates that making more facilities available for community use can be beneficial for both the security of the locality and the school premises themselves;
  - current national interest in the forthcoming 2012 Olympics, bolstered by the recent achievements of the British competitors in Beijing, is raising the profile of sport and questioning the prowess and adequacy of the training facilities for our future athletes.

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4. In a general context, most people would view these as laudable aspirations, but translating them at the neighbourhood level can be more problematic. Whilst the County Council corporately supports these initiatives, the County Planning Authority has the more contentious task of having to address the local impacts of such developments. Typical objections to planning applications include:

- noise nuisance from outdoor sporting activities for neighbouring residents, especially outside normal school hours, evening and weekends;
- noise nuisance from spectators and vehicles on site and reaching/departing the site;
- noise nuisance from the potential use of public address systems and any associated broadcast music;
- parking and traffic congestion, plus road safety risks from increased movements in primarily residential areas;
- lightspill and or glare from sports floodlighting for adjacent properties, especially late in the evening, and potential road safety risks where adjacent to highways;
- light intrusion in the open countryside and visually sensitive locations from sports floodlighting;
- light intrusion into the night sky causing sky glow, affecting nocturnal wildlife, contributing to global warming, affecting aircraft safety and hampering astronomy;
- visual intrusion from new sports facilities, sports fencing, floodlighting columns, CCTV cameras, vehicle movements, etc.
- visual and noise intrusion from construction activity, especially where earth moving and pitch re-contouring is necessary;
- surface water run-off and land drainage alterations caused by new or extended areas of hard surfacing;
- increased security risks for neighbouring houses, rear gardens, etc. from more open access to school fields, etc. and unauthorised access by intruders;
- loss of open outlook for neighbouring properties where fencing, earth bunding and new landscape planting to be introduced;
- oppressive noise nuisance and bad language from players and spectators;
- long held expectations that underused school fields would remain open and little used, by neighbouring residents, dog walkers, and other unauthorised users.

### **Planning Controls**

5. Where the balancing of the conflicting issues, following investigation of their substance, concludes that planning consent should be granted, we would normally recommend that conditions be attached to the planning consent to control those matters which are of relevance to planning and which are capable of being adequately addressed. Note that not all matters raised by consultees and objectors can be addressed by condition either because they are not planning issues or because they are unavoidable impacts which

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are not judged to be of sufficient overall detriment as to warrant refusal of planning consent outright.

6. The planning conditions we would normally recommend would cover the following aspects:
  - use of the sports facility only being permitted between the hours of x and y and on days x to y;
  - use of the floodlighting only being permitted until x hours and only on days x to y;
  - the floodlighting to be installed and set up as detailed in the planning application and checked by an independent lighting engineer before being brought into use, and adjusted if necessary;
  - the highest lighting setting only to be used for certain activities/sports or at certain times;
  - landscape planting, earth bunding, fencing, etc. to be completed before the facilities are brought into use, or by a certain date, and thereafter to be maintained;
  - drainage proposals to be installed to a certain standard and by a certain date;
  - controls over site access and provision and maintenance of on-site parking for cars, buses, bicycles, etc.
  - the colour and external finish details of fencing, surfacing, lighting columns, etc.
  - the premises only to be used for the uses, or by the users, specified in the planning application;
  - noise levels at the site boundary not to exceed x decibels, or x decibels above existing noise levels.
7. Of these conditions, the most powerful are those that specifically restrict the hours of use of the facilities and any floodlighting, since they can simultaneously address concerns over noise, light intrusion, and traffic movements. They also have the important benefit of being measurable and enforceable, in that transgressions are more readily detectable. Moreover the floodlighting systems can be set up with in-built time controls, thereby preventing any users continuing beyond the pre-set times. The difficulty though comes with determining what are reasonable hours and reasonable days for community use, which tends to be compounded by the demands of the sports bodies contributing funding to the development where there is often an expectation of over 80 hours per week of community use.
8. On *some* school sites we have permitted generous days and hours of use, bearing in mind the location, proximity to neighbouring properties and the existing unfettered use of other sports facilities on the site. For example, there is little to be achieved in restricting the use of a new sports pitch if adjacent pitches are already extensively used without any planning controls. However, the absence of floodlighting does have a natural control over evening use and especially in the autumn and winter months. On *other* school sites though, we have deliberately restricted activity, by precluding use on Sundays, Bank Holidays and sometimes Saturdays or Saturday afternoons, in order to give some quiet respite time for neighbouring residents who otherwise have to endure almost constant disturbance. Where floodlights are involved, we have usually required that they be

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extinguished by 9.00, 9.30 or 10.00 pm. bearing in mind that there will be at least a further 30 minutes dispersal time after games cease.

9. Apart from wanting to maximise the number of hours per week for community use, the sports bodies involved often contest that the weekend restrictions are unreasonable because that is when there is the most demand for community use. It is sometimes argued that Sundays are more valuable to them than Saturdays because there are other competing demands on people's time on Saturdays. Restricting evening finish times is also often contested on the basis that a slightly later time allows for two rather than just one game/tournament to be completed before lights out, especially if the players have travelled some distance to reach the site. The total number of hours per week is usually only negotiable within a limited range, but we have managed to agree less anti-social finish times where the School involved has been more flexible in its own use of the facility, eg. making facilities available between 8 and 9.30 am when they could usefully be used for private training activity when not normally used by the School.
10. With floodlighting proposals we require precise illumination details before deciding the planning application, in order to assess the change in the pattern of light and whether such changes would be significant for the immediate locality and for other interests (s mentioned above). In most cases we have been able to negotiate acceptable lighting specifications, given the vast improvement in the quality of sports lighting in recent years, which is more directional and efficient than systems installed some years ago with very little regard for amenity and environmental concerns. It is no longer necessary nor acceptable to have over illuminated sports facilities, which have impacts well beyond their immediate site. In some cases we have negotiated lower lighting levels commensurate with the particular sports being played and the age of the competitors and the level of tournament involved. Some sports require a higher intensity of lighting than others, as do tournaments compared to training activity. Hitherto, the sports bodies have unhelpfully sought the highest intensity of lighting, even though national standard tournaments are unlikely to be ever hosted at most suburban school sites.
11. With some proposals we have managed to overcome unacceptable lighting impacts, by re-positioning the sports pitch, incorporating landscaping works, or requiring louvres and shields on the luminaires to prevent glare and/or light spill beyond the sports pitch itself. In some cases, alternative levels (and extents) of lighting for different activities at different times have been incorporated into the specification to avoid unnecessary energy use and reduce the amenity impacts. Nevertheless, the imposition of reasonable hours of use for the lighting remains crucial for minimising unacceptable amenity and environmental impacts. However, where such mitigation has not been possible or sufficient, then the application has had to be refused, and normally that has been where the sports pitch was too close to housing to design out the detrimental impacts. Good examples of sensitively designed sports lighting are at Wilderness School (Sevenoaks), Angley School (Cranbrook), and Weald of Kent School (Tonbridge), whereas one of the worst examples is at Sutton Valence School where the lights are visible from across most of the Weald (permitted on appeal with no mitigation or restrictions imposed).
12. To ensure that the most appropriate lighting specifications for floodlit sports facilities are promoted by applicants, and that due regard is given to interests other than the promotion of sport, a Guidance Note was produced jointly by the County Council's Sports Development Unit and the Planning Applications Group in 2006.

### **Conclusion**

13. Under the circumstances, it is not really practicable to derive a standard condition on hours of use of school sports facilities because the requirements and local conditions

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and issues do tend to vary from one site to another. What might be a reasonable regime of use in one neighbourhood may be quite unacceptable in another where there is adjacent housing close by, with very little scope for screening and/or where it is of a type likely to accommodate young families, elderly or infirm. The implications of this are that it will remain necessary to negotiate appropriate mitigation, lighting specifications and hours of use on a case by case basis. However, a key factor in the success of these projects is the measure of goodwill and sensitivity that the School and their sporting partners can offer, so that sport is not promoted at the expense of other equally important considerations. Respect for neighbouring residents and the wider environment, plus acceptance of compromises over the hours of use and the standard of provision (especially with floodlighting), can make all the difference and also save much Committee time.

**Recommendation**

14. For Members' information.

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Background Documents – <i>Planning Floodlighting Guidance Note</i> (Kent County Council) 2006.
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