

## **PLANNING APPLICATION NUMBER:P12/0612**

Type of approval sought	Full Planning Permission
Ward	St James's
Applicant	Mr G. Lloyd, The Holly Hall Academy
Location:	<b>THE HOLLY HALL SCHOOL, SCOTTS GREEN CLOSE, DUDLEY, DY1 2DU</b>
Proposal	<b>ERECTION OF SPORTS HALL AND ASTRO TURF PITCH WITH FENCE SURROUND AND ANCILLARY FLOODLIGHTING</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### **SITE AND SURROUNDINGS**

1. The application site measures 0.92 hectare and comprises The Holly Hall Academy and associated playing fields. The School is accessed from Scotts Green Close and is located 1.5km to the southwest of Dudley Town Centre.
  
2. Adjoining the school site to the south is the A4101 Kingswinford Road. To the east is Scotts Green Close, the Sutton School and Specialist College. On the opposite side of Scotts Green Close are residential properties.
  
3. To the north and west of the site are residential properties on Ashenhurst Drive and Quentin Drive respectively. The school playing field area is level and bounded by relatively steep banking to the north and west that leads down to the rear gardens of residential properties on Ashenhurst Drive and Quentin Drive. The banks to the north and west of the site have mature trees which screen the school site from residential properties along Ashenhurst Drive and Quentin Drive.

## PROPOSAL

4. The proposed development is for the erection of a sports hall, astroturf sports pitch with fence surround and ancillary floodlighting.
  
5. For background information, the Design and Access Statement states that 'The Department of Education is providing a £276 million Academies Capital Maintenance Fund for open Academies to access in the 2012-13 financial year. There are two priorities for the fund, the first being to support Academies with significant building condition needs including Health and Safety issues that cannot be met from routine maintenance. The second priority for the fund is to support successful, popular Academies that are currently overcrowded and/or wish to expand their facilities and floor space to accommodate more pupils.
  
6. In this instance, the Holly Hall Academy has bid to access this fund in order to facilitate the urgent need to replace or enhance the existing sport facilities, namely the Redgra sports pitch, which is now derelict and unusable and the existing sports hall and changing rooms which is undersized and in a poor state of repair. For the avoidance of doubt, it is not proposed to increase the number of pupils at the school'.

## HISTORY

7.

<b>APPLICATION No.</b>	<b>PROPOSAL</b>	<b>DECISION</b>	<b>DATE</b>
P03/1484	Provision of replacement all weather sports pitch together with 3 metre high fencing and 10 No 12 metre high floodlighting columns.	Granted	24.11.03
P03/1098	Erection of a two storey	Granted	06.08.03

	classroom block and replacement bicycle sheds with storage.		
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## PUBLIC CONSULTATION

8. The application was advertised by way of neighbour notification, press and site notice. Ninety one letters were sent out to local residents and the public consultation period expired on 27 June 2012. Two letters of objection have been received raising the following issues:
- Location of astro turf pitch to residential boundaries
  - Size of astro turf pitch
  - Noise and disturbance from community users and community use in general
  - Maintenance
  - Hours of operation
  - Safeguards for lighting

## OTHER CONSULTATION

9. Group Engineer (Development) – Due to difficulties in establishing parking demand for both facilities to be quantified and therefore establish an acceptable opening time for the public to use the sports pitch a condition is required to prevent the pitch being used outside of school hours or by the general public. (NB – it has been confirmed by the agent that the community element of the proposal has been removed.)
10. Head of Environmental Health and Trading Standards – providing that the proposals relate to use by the school only and it is not the intention for the sports pitch to be used on a wider community scale for the general public and increase the likelihood of noise disturbance to local residents then subject to the following conditions there would be no objection:
- The 10 no. twelve metre high floodlights and sports pitch hereby approved shall be used only between 08.00 and 22.00 hours Mondays to Saturdays,

09.00 until 18.00 hours on Sundays and Public Holidays. This use is only permitted for a period of 12 months from the use commencing, after which date, further approval shall be sought for the hours of use of the floodlights and pitch.

- A scheme for the minimisation of the effect of light glare on nearby properties shall be submitted to the local planning authority for written approval. The works in the approved scheme shall be completed before any lighting equipment to which this approval relates is operated, and shall be maintained during such operation for the life of the development.

11. The Coal Authority – no objections subject to a condition relating to the investigation of ground conditions and shallow mining hazards prior to development.

12. Sport England – supportive of the principle of new investment into sport at this site, though issues raised regarding program of useage and potential loss of sports pitch. In response to the issues raised by Sport England the proposed facilities would be used by pupils of the Holly Hall Academy and would represent significant sporting gain. In regards to a loss of sports pitches, the proposed astroturf pitch and ancillary floodlighting would be located on the site of the existing Redgra pitch. The proposed sports hall would be located on the narrow parcel of land between the existing Redgra Sports pitch and the existing running track/sports fields to the east. The site for the proposed sports hall is uneven and not currently used for sports and recreational purposes. It is therefore considered that the proposed development would not adversely impact upon existing facilities but would in fact improve and enhance the facilities currently available to pupils.

## RELEVANT PLANNING POLICY

13. National Planning Guidance

- The National Planning Policy Framework (NPPF)

14. Black Country Core Strategy (BCCS)

- DEL1 Infrastructure Provision
- HOU5 Education and Health Care Facilities
- TRAN2 Managing Transport Impacts of New Development
- ENV 1 Nature Conservation
- ENV 3 Design Quality
- ENV 6 Open Space, Sport and Recreation

15. Saved Unitary Development Plan (UDP)

- DD1 Urban Design
- DD4 Development in Residential Areas
- DD10 Nature Conservation and Development
- LR5 Playing Fields
- LR6 Protection of Sport and Recreation Facilities
- EP6 Light Pollution
- EP7 Noise Pollution

16. Supplementary Planning Documents

- Parking Standards
- Planning Obligations
- Nature Conservation

## ASSESSMENT

17. The key issues for consideration in this application are as follows:

- Residential Amenity
- Design
- Access and Parking
- Planning Obligations

### Residential Amenity

18. Sports Hall – The proposed sports hall would be two stories in height and would measure 51.5m long and 20m wide. The sports hall would be sited north of the existing technology block and would be positioned some 22m from the northern perimeter and 97m from the western perimeter of the playing fields. Taking into account the siting of residential properties the proposed sports hall would be positioned some 50m away from the rear of residential properties in Ashenhurst Road and 140m away from the rear of residential properties in Quentin Drive. Taking into account the separation distances, and the mature tree screening and banking that exist on the northern and western boundaries with the school it is considered that neighbours amenity would not be adversely affected, in accordance with Policy DD4 of the Saved Dudley UDP (2005).
  
19. New Astroturf Pitch and Floodlighting – The proposed astroturf pitch would measure 106m by 66m and would replace an existing Redgra pitch. A 3.6m high chainlink fence would enclose the entire pitch. A further 2.4m high close boarded fence has been proposed to flank the north and west perimeters of the fence. The addition of the fence follows a public consultation exercise by the school and the purpose of the fence would be to reduce the impacts of the development.
  
20. Land between the proposed pitch and the northern and western boundaries of the new astroturf pitch would only be accessible by staff. This would reduce the risk of any anti social behaviour in close proximity to the rear gardens of surrounding residential properties.
  
21. The proposed 6 No floodlighting columns (3 No on each side of the pitch) would measure 10m high. The previous permission for floodlighting in 2003 that was never implemented gave approval for 10 No 12m high floodlighting columns. In comparison to the previous approval there would be 4 No fewer floodlights and the proposed flood lights would be 2m shorter. The nearest floodlights would be positioned some 45m from residential properties in Ashenhurst Drive and 55m from residential properties in Quentin Drive. As in the case of the proposed sports hall

there is mature tree screening and banking that exist on the northern and western boundaries that help to obscure the school grounds from residential properties. Furthermore conditions would be in place in regards to light fittings and to minimise light spillage, and a condition to control hours of operation of the floodlights. It is therefore considered that residential amenity would not be adversely affected, in accordance with Policy DD4 of the Saved Dudley UDP (2005).

### Design

22. The proposed sports hall would be constructed with a steel portal frame with brick and block external walls and a profiled plastisol pitched roof with gable ends. The materials for the sports hall have been chosen to visually blend in with the adjacent technology block. It is considered that the design of the proposed sports hall would not adversely impact upon the site and its surroundings in compliance with Policies DD1 and DD4 of the Saved Dudley UDP (2005)..

### Access and Parking

23. The proposed development would be for the enjoyment of the existing pupils at the school. As such there would be no increase in traffic generation or additional car parking required.

### Planning Obligations

24. Black Country Core Strategy Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.

25. Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.

26. The obligations potentially triggered according to the Planning Obligations SPD are Nature Conservation and an Economic and Community Development Statement, Public Art and Affordable Housing.

27. In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

28. Following consideration of the above tests the following planning obligations are required for this application:

- Nature Conservation Enhancements (£1370.00)
- An Economic and Community Development Statement (will be in the form of a statement committing the developer to the use of locally sourced materials and labour in the construction of the development)

29. Both of the above obligations are to be dealt with by planning conditions 11 and 12.

## CONCLUSION

30. The proposed development would enhance and update existing sports provision for the pupils of the Holly Hall Academy. It is considered that the proposed development in terms of scale and appearance would not have a detrimental impact on residential amenity and the street scene and is compliant with Saved Policies DD4 and EP6 of the Adopted UDP.



## RECOMMENDATION

31. It is recommended that the application be approved subject to the following conditions:

### **REASON FOR APPROVAL**

The proposed development would enhance and update existing sports provision for the pupils of the Holly Hall Academy. It is considered that the proposed development in terms of scale and appearance would not have a detrimental impact on residential amenity and the street scene and is compliant with Saved Policies DD4 and EP6 of the Adopted UDP.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Saved Dudley Unitary Development Plan (2005), the Black Country Core Strategy (2011) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the application report.

### **NOTE TO APPLICANT**

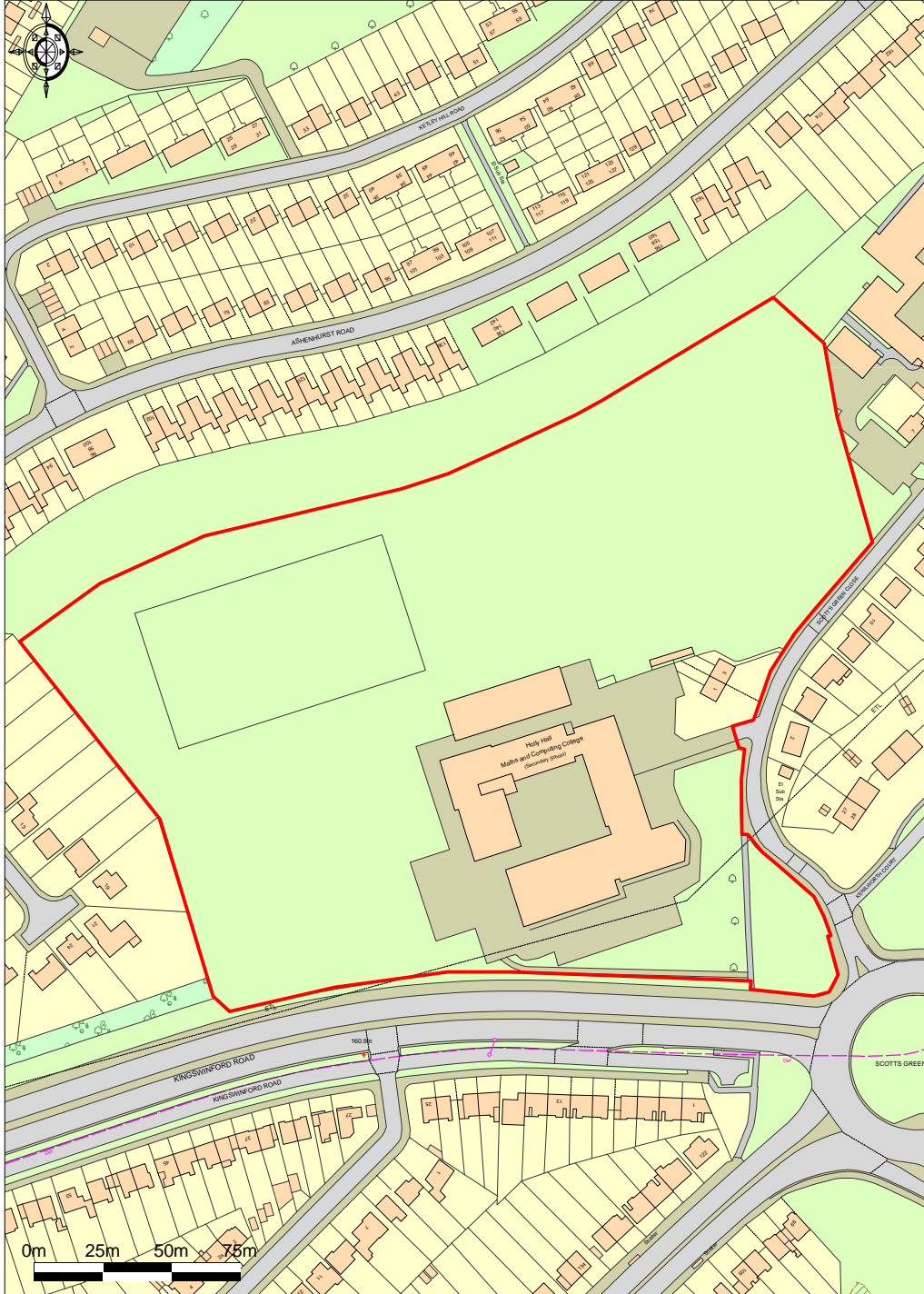
The granting of planning permission does not confirm the structural integrity of the proposed development. Local Planning Authorities do not have a duty of care to individual landowners when granting applications for planning permission and are not liable for loss caused to an adjoining landowner for permitting development. Sections 77 and 78 of the Building Act 1984, provides Local Authorities with powers to take action with respect to dangerous buildings/structures. Therefore, should the development raise concerns in the future with respect to its structural stability there are powers under separate legislation to planning that would enable the situation to be rectified.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 120784/02 Rev C, 120784/03 Rev B, 120784/04 Rev D, 120784/06 Rev A and the 1:1250 Location Plan.
3. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
4. A scheme for the minimisation of the effect of light glare on nearby properties shall be submitted to the local planning authority for written approval. The works in the approved scheme shall be completed before any lighting equipment to which this approval relates is operated, and shall be maintained during such operation for the life of the development.
5. Prior to first use of the astro turf sports pitch hereby approved, details of the asymmetric horizontally mounted floodlighting units including any loures/baffles to be used on the 6 No 10 metre high floodlighting columns shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first use of the floodlights and maintained for the life of the development.
6. The 6 No 10 metre high floodlights and astro turf sports pitch hereby approved shall be used only between 08.00 and 22.00 hours Mondays to Saturdays, 09.00 until 18.00 hours on Sundays and Public Holidays. This use is only permitted for a period of 12 months from the use commencing after which date, further approval shall be sought for the hours of use of the floodlights and astro turf pitch.
7. Prior to the commencement of development a report detailing the investigation of ground conditions and shallow mining hazards shall be submitted to and approved in writing by the local planning authority.
8. No development shall begin until an assessment of the risks posed by any ground conditions/shallow mine hazards (required by condition 7) has been submitted to and approved by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
9. Unless otherwise agreed in writing with the LPA, the approved scheme (required by Condition 8) shall be implemented and a verification report submitted to and approved by the LPA, before the development (or relevant phase of the development) is first occupied/brought into use.
10. The development hereby permitted shall be used for school activities only in connection with the school and not for the wider general community use, for the life of the development

11. No development shall commence until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement works shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
12. No development shall commence until an Economic and Community Development Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall address as a minimum, measures to increase the number of jobs open to local people available on the site and the development of initiatives that support activities to upskill local unemployed people of working age so as to support them into sustained employment as outlined in the Council's Planning Obligations Supplementary Planning Document. The development shall be implemented in accordance with the approved Statement and retained in accordance with the Statement for the lifetime of the development.

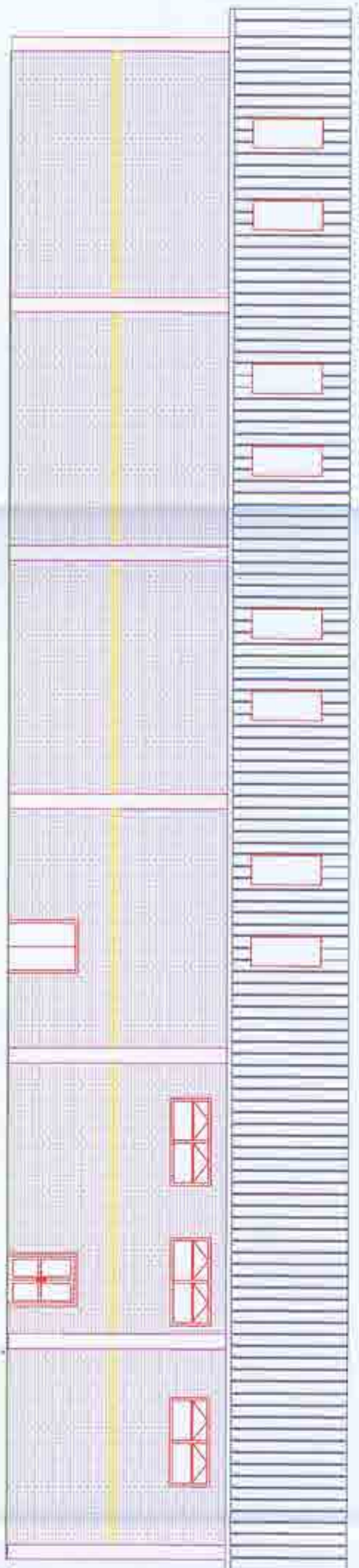
The Holly Hall Academy  
Scotts Green Close  
Dudley  
DY1 2DU



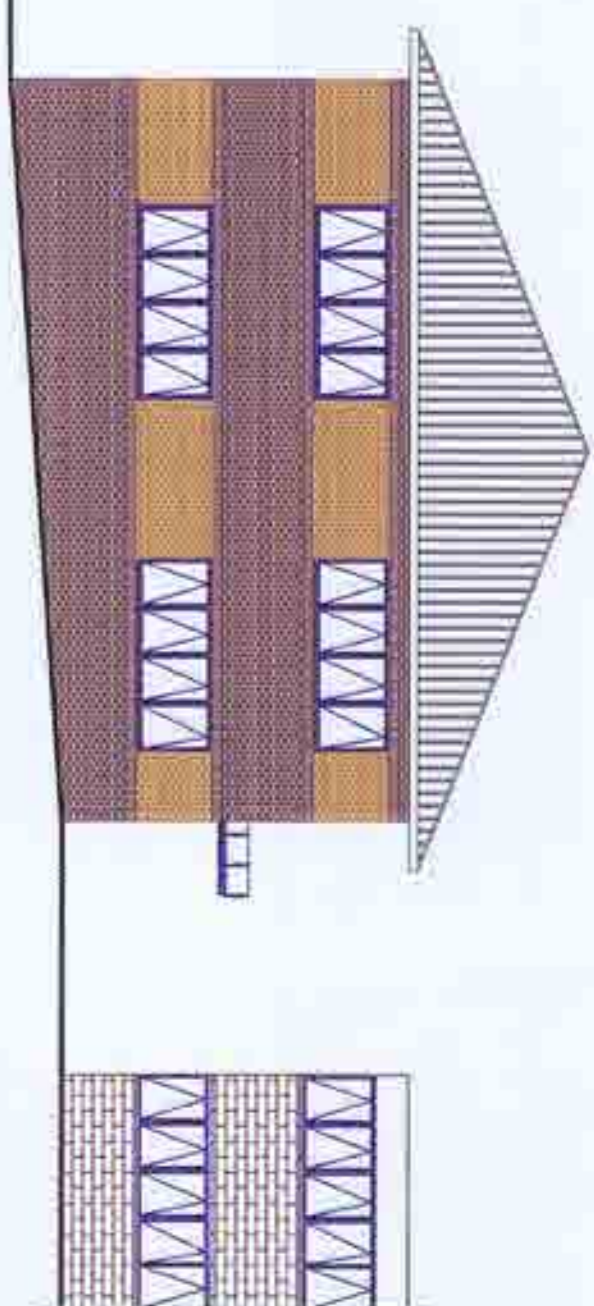
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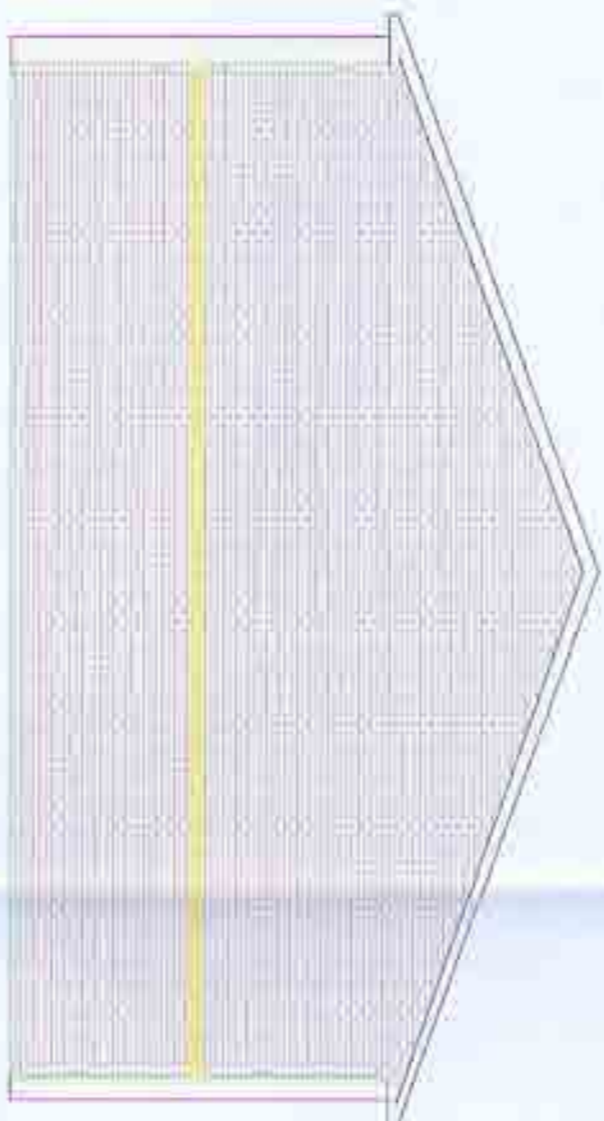


**PROPOSED WEST ELEVATION**

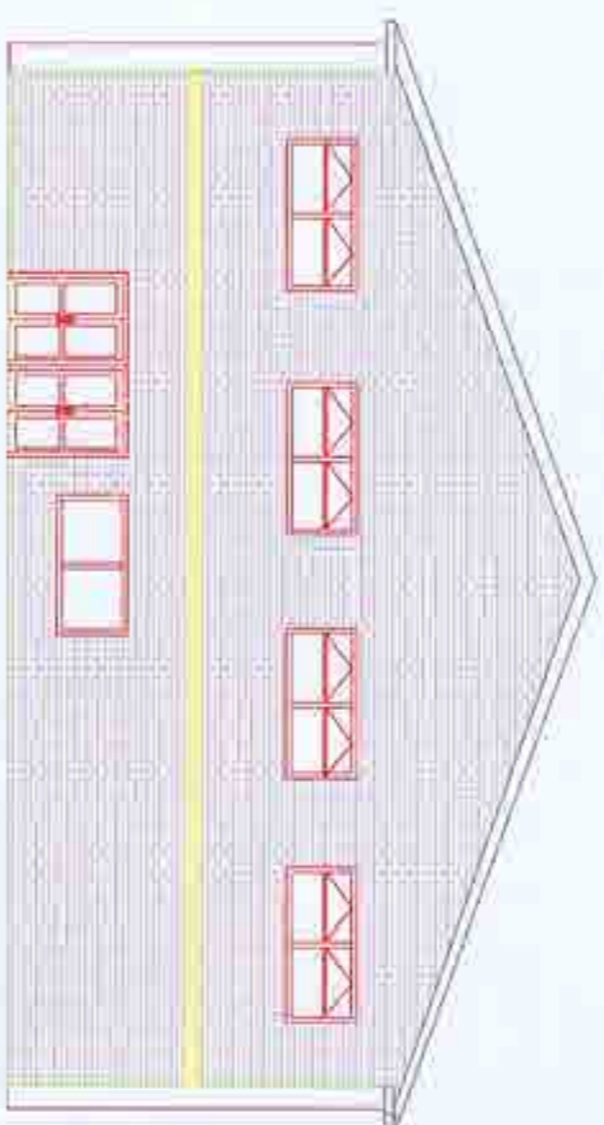


**Existing Technology Block**

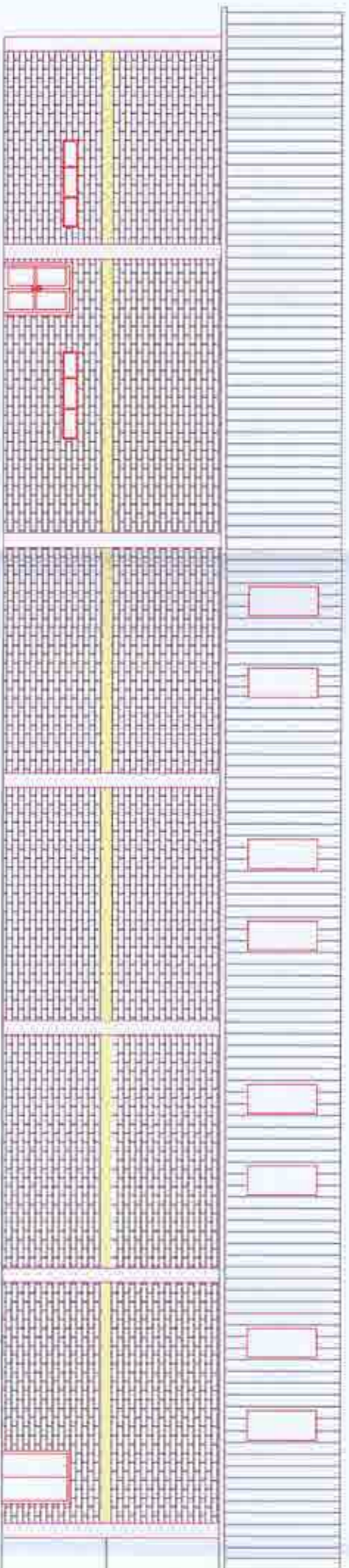
**Existing Humanities And Library Block**



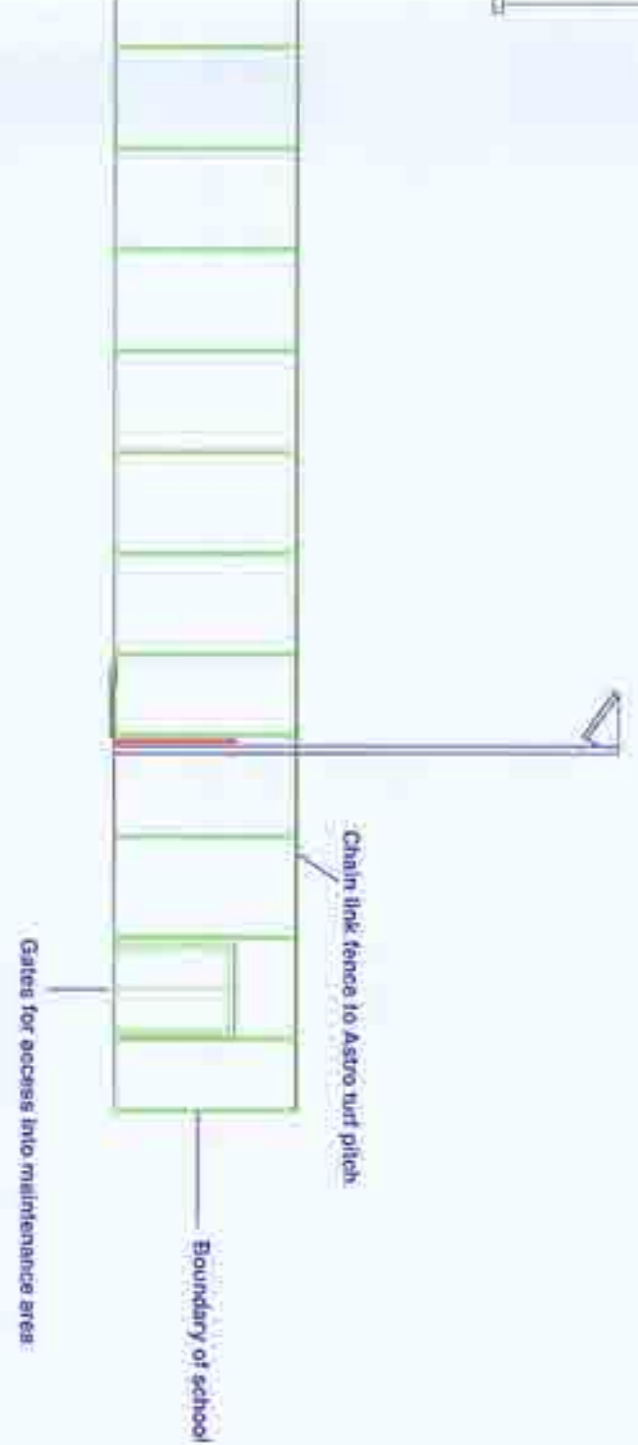
**NORTH ELEVATION**



**SOUTH ELEVATION**



**EAST ELEVATION**



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**REVISIONS**

REV	DATE	REVISION	INITIALS
1	15/09/12	Additional 1st floor window	

**PURPOSE OF DRAWING**  
**PROJECT NAME**  
 The Holly Hall Academy  
**CLIENT NAME**  
 The Holly Hall Academy  
**PROJECT NAME**  
 Sports Green Close  
 Dudley  
 DY1 2DU  
**DWG TITLE**  
 PROPOSED SPORTS HALL ELEVATIONS

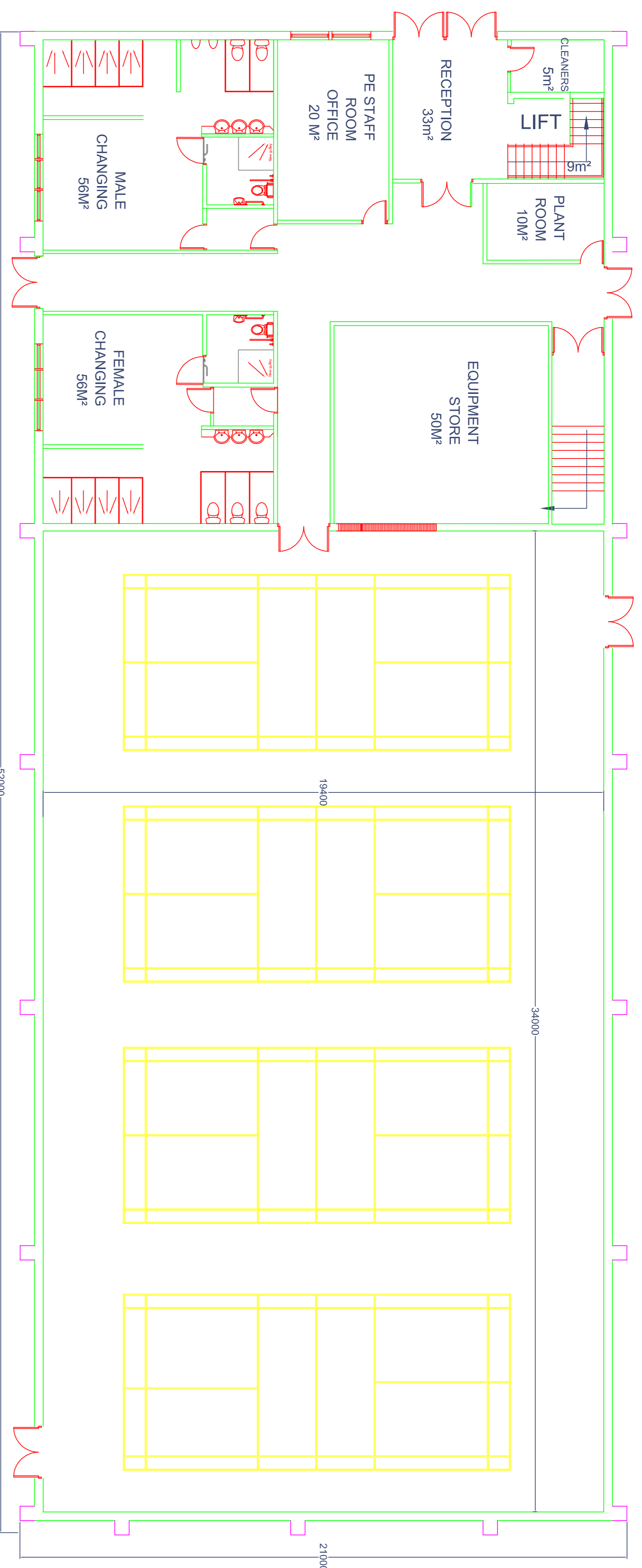
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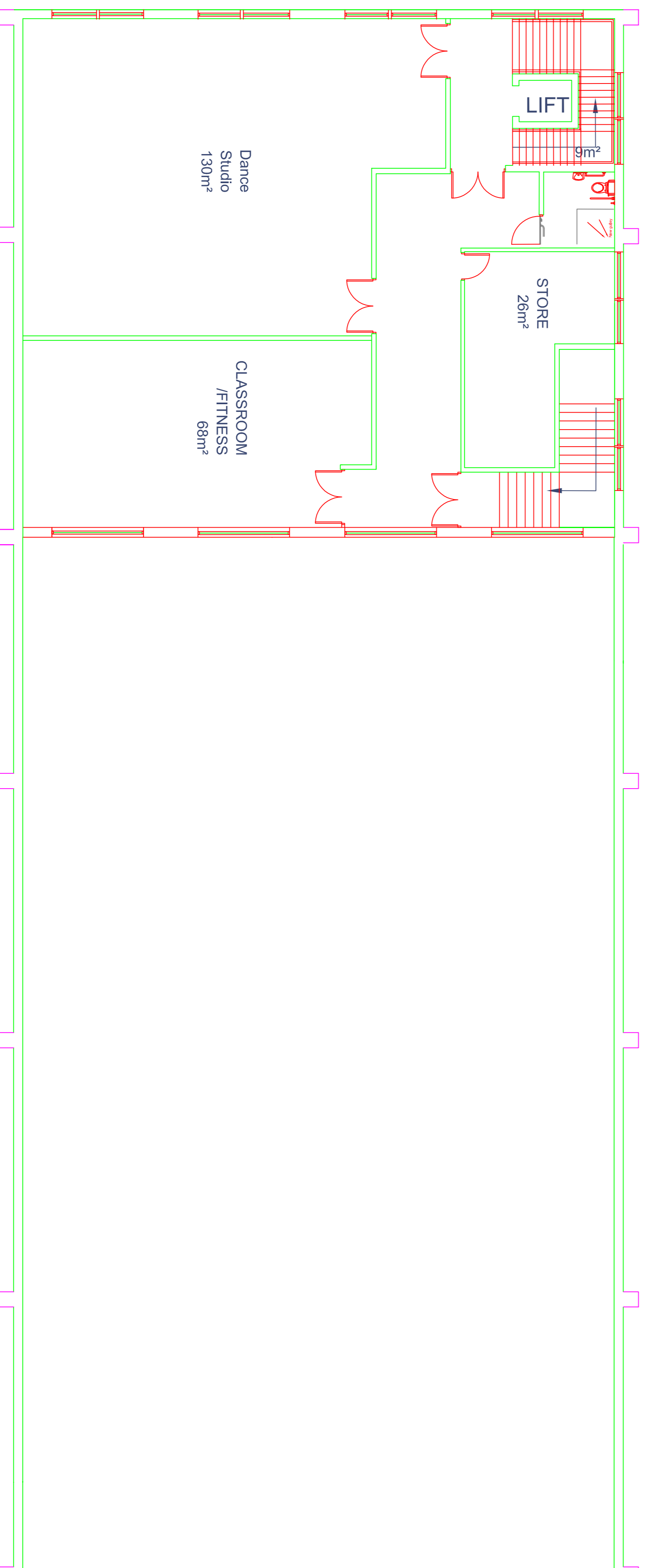
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**DATE CREATED** 01/03/2012  
**DRAWN BY** CKH  
**CHECKED BY** ACL



## Proposed Ground Floor Plan



## Proposed First Floor Plan



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REV	DATE	REVISION	INITIALS
B	17/06/2011	Completion of First floor wall.	

PURPOSE OF DRAWING: **New Sports Hall**

CLIENT NAME: **The Holly Hall Academy**

PROJECT NAME: **Scotts Green Close Dudley DY1 2DU**

DWG TITLE: **PROPOSED SPORTS HALL LAYOUT PLAN**

DWG REF:	REVISION NO.:	B
120784	03	
SCALE:	DATE:	13/02/2012
1:100@A1	CREATED:	
DRAWN BY:	CHECKED BY:	ACL
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6. ALL WORKS ARE SUBJECT TO STATUTORY APPROVALS AND DETAILED SITE SURVEYS.

2.4m high close boarded timber fence along N and W sides of Astro turf pitch.

New Astro Turf Pitch 106mx66m With Fence Surround and Floodlights

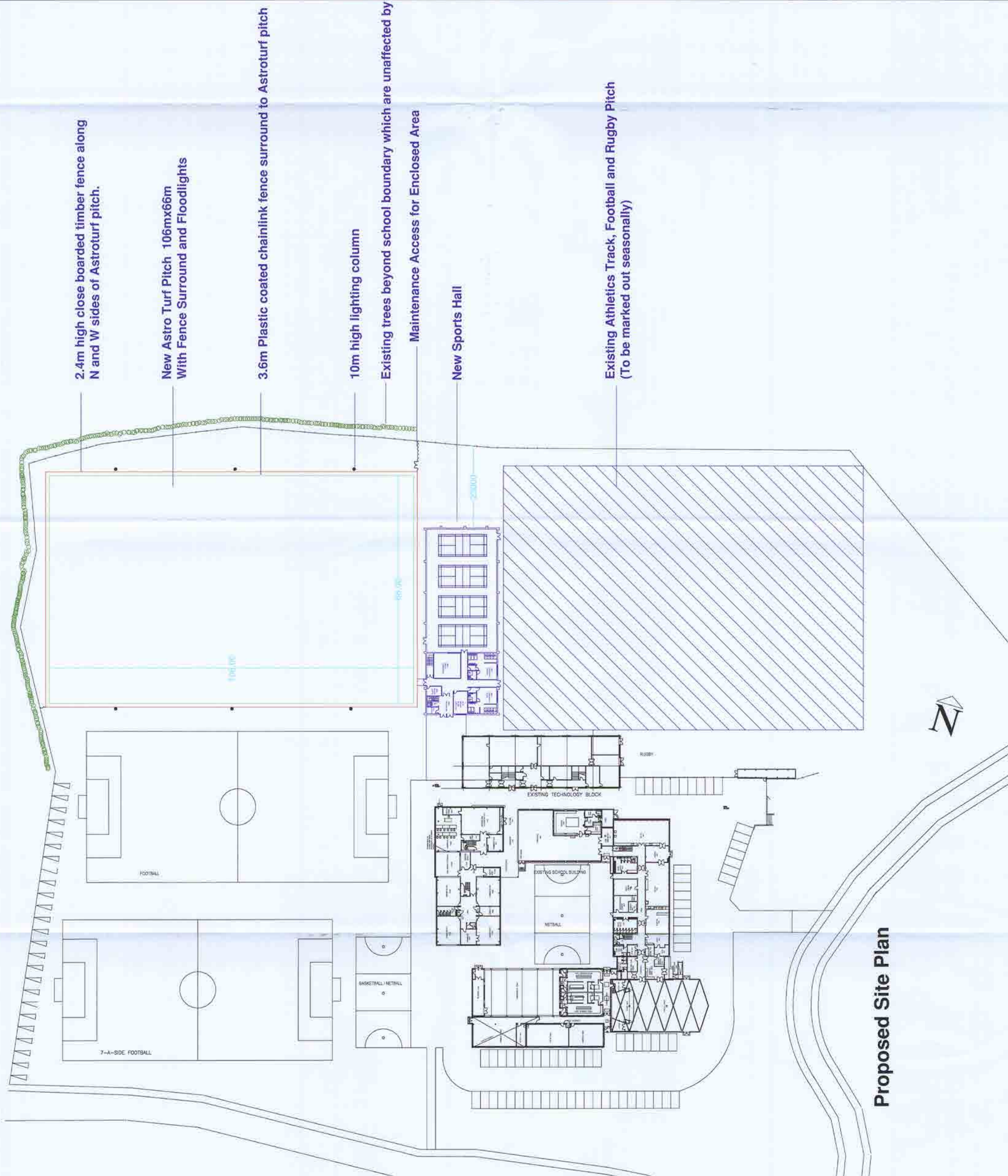
3.6m Plastic coated chainlink fence surround to Astro turf pitch

10m high lighting column

Existing trees beyond school boundary which are unaffected by Maintenance Access for Enclosed Area

New Sports Hall

Existing Athletics Track, Football and Rugby Pitch (To be marked out seasonally)



Proposed Site Plan

REVISIONS:

REV	DATE	REVISION	INITIALS

PURPOSE OF DRAWING: New Sports Hall

CLIENT NAME: The Holly Hall Academy

PROJECT NAME: Scotts Green Close Dudley DY1 2DU

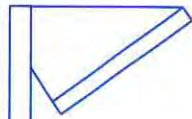
DWG TITLE: PROPOSED SITE LAYOUT PLAN

DWG REF	DWG NO	DWG DATE	SCALE	DRAWN BY	CHECKED BY	REVISION NO	DATE CREATED
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– 6no. 10m high lighting columns as per Bennett Williams Specification



– 3.6m High Plastic Coated Chain Link Fence

– 2.4m High Close Boarded Timber Boundary Fence

1m run off

Astroturf Pitch



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PROJECT NAME:  
Holly Hall Academy  
Scotts Green  
Dudley

DWG TITLE:  
Fence Detail

65

CHECKED BY: ACL

DRAWN BY: CKH

SCALE: 1:50

DATE CREATED: 02/05/12

DWG REF:  
120784

DWG NO:  
06

REVISION NO: A