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Case Number	19/01954/FUL (Formerly PP-07892784)
Application Type	Full Planning Application
Proposal	Application to allow the use of the sports halls and ancillary facilities by clubs and community organisations between 0800 hours and 2200 hours (Mondays to Fridays) and between 0800 hours and 1700 hours (Saturdays, and not on Sundays, Bank Holidays or other National Holidays) (Application under Section 73 to vary condition 3 of planning permission 14/03645/FUL - Application to allow the use of the sports halls and ancillary facilities by clubs and community organisations between 0800 hours and 2030 hours (Mondays to Fridays) and between 0800 hours and 1700 hours (Saturdays, and not on Sundays, Bank Holidays or other National Holidays) and in accordance with the Sports Hall Lettings Management Plan. Application under Section 73 to vary conditions 2 and 3 of planning permission 97/00714/FUL formally 97/0329P - Erection of sports hall and ancillary facilities in accordance with the amended plans)
Location	Sheffield High School For Girls Rutland Park Sheffield S10 2PB
Date Received	29/05/2019
Team	South
Applicant/Agent	Mr Iain Kane
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of five years from the 11 June 1997.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

### **Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:

Email from Gayle Monaghan (Girls Day School Trust) dated 26 Feb 2014  
(with exception of utilisation of car parking at Moor Lodge)  
Sports Hall Lettings Management Plan submitted 08 August 2019,

Reason: In order to define the permission.

### **Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

### **Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

6. The sports hall shall not be used unless suitable access and facilities for disabled persons, both to and within the sports hall and also within the curtilage of the site, have been provided to the satisfaction of the Local Planning Authority but, before such access and facilities are provided, full details thereof shall have been submitted to and approved by the Local Planning Authority. When the access and facilities have been provided, thereafter such access and facilities shall be retained. (Reference should also be made to the Code of Practice BS8300).

Reason: To ensure ease of access and facilities for disabled persons at all times.

### **Other Compliance Conditions**

3. The sports hall and ancillary facilities shall not be used other than by the school or by clubs and community organisations between 0800 and 2200 hours (Mondays - Fridays) and 0800 and 1700 hours (Saturdays) and shall not be used on Sundays or Bank/Public Holidays. Outside school term time the sports hall and ancillary facilities shall be used solely by clubs and organisations and only between 08.00 and 18.00 hours (Mondays - Fridays) and shall not at any time be open to the general public.

Reason: In the interests of traffic safety and the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where

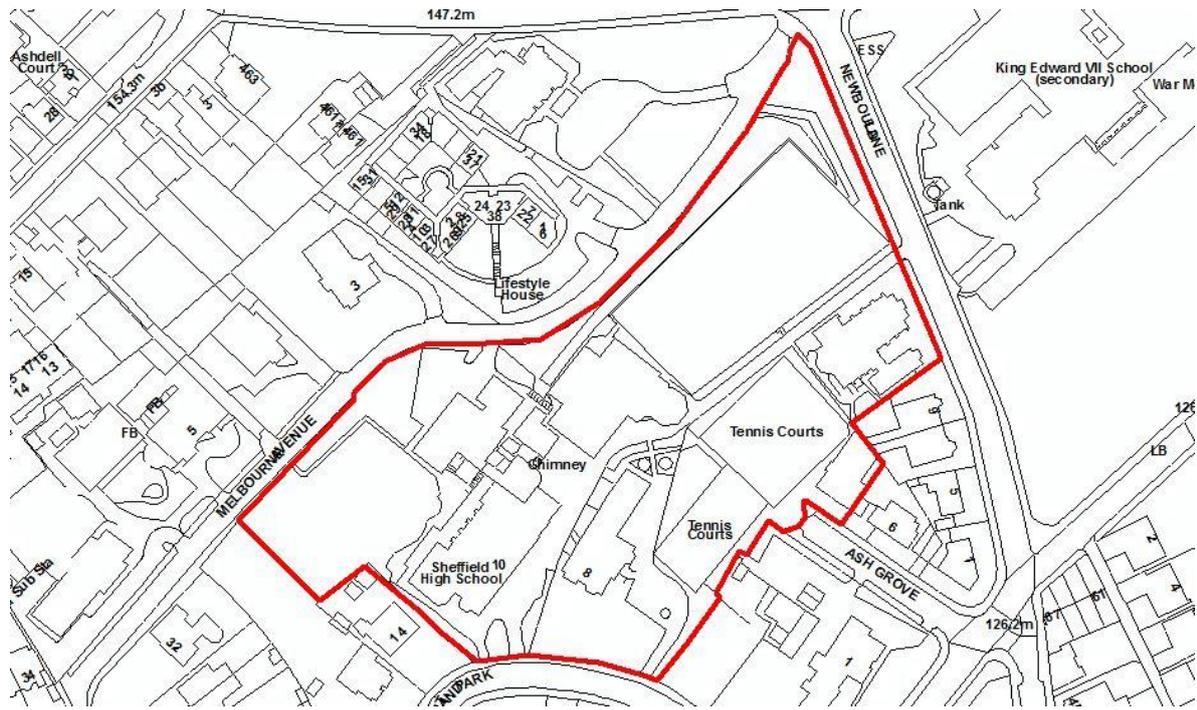
necessary in accordance with the requirements of the National Planning Policy Framework.

2. For the avoidance of doubt in line with National Planning Practice Guidance:

Conditions 1 and 6 have been included on this Decision Notice for completeness and because they remain in force. No further information is required in relation to these conditions at this stage. Please note the repeat conditions are listed with the same numbering as the original decision notice.

Conditions 4, 5, 7 and 8 of planning permission 14/03645/FUL; have not been included on this Decision Notice because their requirements have been met and no further information is required.

# Site Location



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## LOCATION AND PROPOSAL

The school comprises several buildings set in grounds bounded by Newbould Lane, Rutland Park and Melbourne Avenue. The surrounding area is predominantly, but not exclusively, residential. The school sports hall is adjacent to the main senior school building and can be accessed from either Melbourne Avenue or Rutland Park. There is a large all-weather games area adjacent to the sports hall and close to the Newbould Lane boundary. The nearest residential property is Lifestyle House on Melbourne Avenue. Lifestyle House is at a higher level and approximately 40m from the sports hall.

The application seeks to vary the time restriction condition covering the sports hall and ancillary facilities (dance studio and office within the sports hall), to allow usage by external clubs and organisations between 0800 hours and 2200 hours (on Mondays-Fridays during term times).

The current condition allows use by clubs and community organisations between 0800 hours and 2030 hours (Monday-Fridays) and between 0800 hours and 1700 hours (Saturdays), and at no time on Sundays and Bank Holidays. Out of school term time, use is restricted to clubs and organisations between 0800 and 1800 hours.

There are no restrictions regarding the actual use of the external sports/ games areas or on any other buildings within the school site. The floodlighting to the all-weather games area is currently controlled by condition to operate between 0900 and 2030 hours (Monday-Fridays), and the tennis/netball court lighting is limited to operating between 0800 and 2300 hours (Monday-Fridays) and 0800 and 1700 hours (Saturdays).

## RELEVANT PLANNING HISTORY

The sports hall was granted planning permission in 1997 (ref 97/00714/FUL). Use was restricted solely to the school with no use outside term time or on Sundays and Bank Holidays.

Planning permission to remove the original restrictions was refused in 2000 (ref 00/00897/FUL). A subsequent appeal allowed partial lifting of the restrictions to allow use by clubs and organisations outside term time between 0800 and 1700 hours (Monday-Fridays only). No general public use was allowed.

Planning permission to allow use of the sports hall and ancillary facilities by external clubs and organisations between 0800 hours and 2030 hours (Monday-Fridays) and between 0800 hours and 1700 hours (Saturdays), was granted in March 2014 (ref 13/04247/FUL) for a six-month period.

A subsequent approval was granted in December 2014 to allow the Sports Hall and ancillary facilities to be permanently used as per the temporary 13/04247/FUL approval.

An approval was granted in May 2019 (ref 19/0983/FUL), which allowed floodlighting to the tennis/netball court, to between 0800 and 2300 hours (Monday-Fridays) and 0800 and 1700 hours (Saturdays).

Application reference 19/01950/FUL is currently undetermined and seeks planning permission to allow the floodlighting of the all-weather pitch to operate between 0900 hours - 2200 hours (Monday-Fridays) instead of the currently allowable 0900 hours to 2030 hours.

## SUMMARY OF REPRESENTATIONS

Following direct neighbour notification and the placement of a number of site notices; 8 written representations, a 19 signature petition and a representation provided by Cllr Argenzio have been submitted in objection to the scheme.

In addition, a single representation has been submitted in support of the application.

### Objections

The 8 written representations (including one which is said to represent the community of Lifestyle House's 37 apartments) are summarised as:

- Increased road traffic in area, especially Rutland Park which is already under a lot of pressure from school traffic in term times. Rutland Park becomes congested and full up with cars parking, waiting or collecting people from school evening activities. The road is also used by pedestrians leaving the site, creating noise.
  - Concern in regards to impacts at Melbourne Avenue, where the junction with Southbourne Road is one vehicle wide and at a blind bend, with no pavements. Accident risk increases.
  - Melbourne Avenue has been inappropriately adapted and isn't properly maintained by the school.
  - Additional parking will occur at Westbourne Road.
  - Introduction of double yellow lines at Clarkehouse Road has increased cars seeking to park on surrounding streets, other nearby developments and activities increase this. Parking restrictions are not being adhered to.
  - Lifestyle House already has problems with vehicles seeking to use its car park.
  - Increased air pollution.
  - Long term impacts on residents and nature of the conservation area.
  - Privacy and peace has been eroded by the continual development of the High School and extra noise and traffic. Proposed time extension will be past bedtime of many Lifestyle House residents (mostly retired). Currently allowed hours of use should be reduced which includes activity during school holidays and evenings/weekends.
  - Time restrictions are not being adhered to.
  - Harmful light pollution is experienced. 19/00983/FUL allows floodlighting until 2300 hours Monday to Fridays, well past the permitted time for use of the courts, and this should be further restricted.
  - Extending Sports Hall hours usage would reduce length of respite from traffic noise and fumes.
- Usage should be restricted to school pupils only.

- Inadequate neighbour notification.

#### Petition

The petition was signed by 19 residents of Lifestyle House can be summarised as follows:

- Previous approvals have gradually extended timings and allowed use by adults, leading to noise/disturbance and impact on peace and privacy,
- Use should be restricted to school and its pupils, and exclude school holidays,
- Many residents go to bed at around 2100 hours.

#### Councillor Representation

Cllr Angela Argenzio's objection is summarised as:

- The proposal represents an extension of the school day.
- Rutland Park residents are particularly heavily impacted by operation of the school by parking issues, due to proximity to school, as well as hospital and university. Parking restriction at Clarkehouse Road has worsened matters on Rutland Park.
- Along with the 19/01950/FUL application, usage until 2200 hours would be more appropriate to out of town leisure facilities remote from housing. The proximity to housing means an earlier finish time is appropriate.

#### Support

The Representation of Support is summarised as follows:

- Various local community organisations, including University of Sheffield and Hallam University students, use the facilities.

#### PLANNING ASSESSMENT

The site lies within a Housing Area as defined in the Unitary Development Plan (UDP). It is also within the curtilage of a Grade II listed building and Broomhill Conservation Area.

When planning permission for unrestricted use was refused in 2000, it was concluded that there would be no significant effect on the character or appearance of the Broomhill Conservation Area as a result of car parking and vehicular activity. The subsequent 2001 appeal decision endorsed this view. As a result, national and local policies specific to Conservation Areas and Listed Buildings are not considered here.

Policy H14 (Conditions on Development in Housing Areas) is the most relevant UDP policy. Policy CF1 (Provision of Community Facilities) is also relevant. The Core Strategy doesn't include any policies relevant to the application.

The National Planning Policy Framework at paragraph 92 requires planning policies and decisions to plan positively for the provision and use of shared spaces such as sports venues and meeting places. Paragraph 96 identifies that opportunities for

sport and physical activity are important for the health and well-being of communities.

The main issues for consideration are the impacts upon living conditions of neighbouring occupiers from noise and vehicle / user movements, and highway safety / car parking issues.

#### Living Conditions of Neighbouring Occupiers

The nearest residential properties are located in Lifestyle House on Melbourne Avenue. This building is approximately 40m from the Sports Hall, and set at a higher level.

The increased hours of usage would be in accordance with an adapted version of the previously submitted 'Sports Hall Lettings Management Plan'. It indicates that term time lettings are restricted to a capacity of 50 people. It is envisaged that the additional time will enable 1 or 2 additional lettings per weekday evening.

The Sports Hall building would continue to contain any noise generated by the later activities. Combined with the minimum 40m separation to the nearest residential neighbour, it is not considered that additional activities in the Hall would cause any noise disturbance to neighbouring occupiers.

Users of the Sports Hall will arrive and depart either by vehicle or as pedestrians. The adequacy of the car parking facilities in highway terms is assessed below. However, vehicle movements have potential impacts upon living conditions. The parking facilities are provided at the Science and 6<sup>th</sup> Form blocks which are accessed from Melbourne Avenue, with additional parking on Melbourne Avenue itself. Melbourne Avenue is accessed from Southbourne Road.

It is not expected that more vehicles at any one time would access the parking facilities during the proposed extended hours of use than utilise them at present. The configuration of Melbourne Avenue results in the majority of vehicles slowing down, which serves to lessen vehicle noise and potential disturbance.

A number of representations have raised concerns that some on-street parking occurs, particularly at Rutland Place, for picking up / dropping of participants of evening activities at the school. Notwithstanding these observations, adequate parking is available inside the site for the out of school hours uses. It is therefore considered likely that the majority of parking and dropping off/collecting will take place inside the school or potentially on Melbourne Avenue rather than on surrounding residential streets.

Some comments have referred to vehicle engine's idling, whilst waiting to collect participants. This is considered to be a driver behaviour issue, requiring education at a broader level, but again is unlikely to occur at a significant level as a direct result of the proposed request. As ample parking within the site is provided vehicles parked on-street would be limited in number and would not be considered to represent an impact of substantial harm sufficient to support a refusal of the application.

The School has developed links with Sheffield University, and students taking part in activities in the Sports Hall are most likely to arrive on foot, without cars. Pedestrian access/departures would utilise Melbourne Avenue and either Southbourne Road or Newbould Lane. There is some potential for larger groups to generate some noise via raised voices etc, but the size of groups would be restricted by participants dispersing in differing directions to their respective destinations.

In addition, the School commit in the Management Plan to stressing the importance of avoiding excessive noise when making a hire agreement. The Plan confirms that any unacceptable behaviour would potentially result in the letting agreement being cancelled.

In summary, it is considered that the movements associated to the Sports Hall additional hours of use would not have unacceptable impacts upon living conditions of surrounding residents and therefore complies with UDP policy H14k).

### Car Parking

The Management Plan continues to discourage usage of Rutland Park, instead directing vehicles to the school parking facilities accessed via Melbourne Avenue. There are 14 parking spaces adjacent to the science block (in close proximity to the sports hall) and 20 spaces at the sixth form block (1 Melbourne Avenue) which will continue to be made available for use in connection with the lettings. The total of 34 spaces far exceeds the 17 spaces required by Council's Car Parking Guidelines (1 space / 50m<sup>2</sup>) for sports facilities. As a result, they would be more than adequate to accommodate all the cars associated with the additional use.

The walking distance from the science block is approximately 25m and the distance from the sixth form block is approximately 125m. These walking distances are considered to be sufficiently short to encourage use of these designated parking areas. As an alternative to these provisions, parking in the allocated bays on Melbourne Avenue would be possible.

It is therefore considered that the parking arrangements on-site and at Melbourne Avenue would make parking at Rutland Park very unlikely. Therefore, any parking on Rutland Park would be expected to be limited and occasional.

As a result, the proposal would satisfy the requirements of Policy H14d).

### RESPONSE TO REPRESENTATIONS

The majority of written comments have been responded to in the above assessment. In relation to the remaining comments the following feedback is provided:

- The configuration of Melbourne Avenue at its junction with Southbourne Road is narrow, however, this configuration results in cars slowing down to minimise any hazard. During the additional hours of use general vehicle movements will be expected to be reduced.

Melbourne Avenue is a public highway with street lights, and isn't substandard to a point discouraging vehicle usage.

- There would be no reason for any attempted usage of Lifestyle House's car park to occur as a result of the proposal.
- Any additional vehicle trips to the site would be limited and wouldn't have a significant impact in regards to air quality.
- No complaints regarding breaches of conditions controlling hours of use have previously been raised. However, any future complaints would be investigated by the enforcement team.
- Extensive neighbour notification was carried out and a number of site notices were erected in the vicinity of the site in regards to the application. This was in accordance with statutory requirements and the Statement of Community Involvement.

## SUMMARY AND RECOMMENDATION

The application seeks permission to vary a condition imposed upon a previously granted planning consent, to allow the use of the Sports Hall to take place between 0800 and 2200 hours (Mon-Fri) in school term time, by the school or by clubs and community organisations. It is not proposed to alter the hours of use on a Saturday, Sunday / Public Holidays or outside of school term times.

The proposal is considered to have an acceptable impact upon the living conditions of residential occupiers within the surroundings from the use of the hall or vehicle and pedestrian movements. The activities would use parking facilities at the Science and Sixth Form blocks, which would ensure that on-street parking would be avoided and ensure that highway safety would not be undermined.

The proposal would comply with the provisions of the relevant UDP policy, H14 and also be in accordance with the spirit of UDP policy CF1 and NPPF paragraphs 92 and 96.

It is therefore recommended that the condition is varied to allow the additional use, subject to the continued operation of the amended Management Plan document.



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