

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 24 SEPTEMBER 2020
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

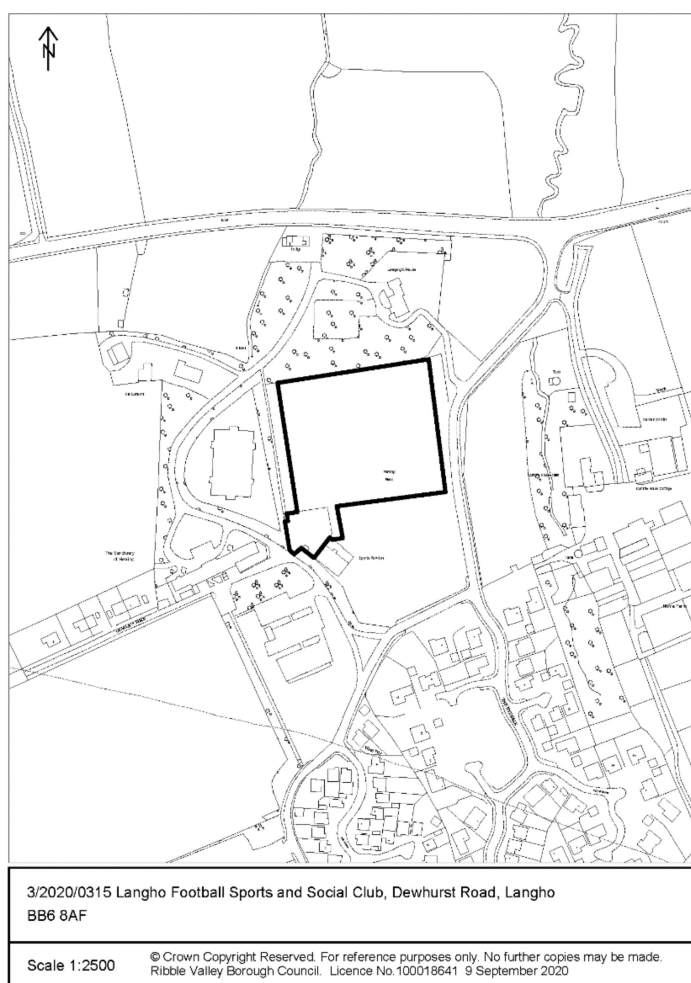
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2020/0315

GRID REF: SD 36972 34193

DEVELOPMENT DESCRIPTION:

CONSTRUCTION OF AN ALL WEATHER FOOTBALL PITCH WITH BOUNDARY FENCING AND FLOODLIGHTS AND AN EXTENSION OF AN EXISTING CAR PARK. LANGHO FOOTBALL CLUB, DEWHURST ROAD, LANGHO, BB6 8AF



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No response

RVBC LEGAL SERVICES:

Draws the developer's attention to a covenant restricting the use of the land.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objections subject to conditions.

SPORT ENGLAND:

Initially issued a holding objection as the policy exception requires any artificial surface to be of sufficient benefit to sport to outweigh the loss of natural turf playing field. Following additional information being submitted justifying the proposal, the objection has been withdrawn subject to conditions.

UNITED UTILITIES:

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Conditions have been suggested.

ADDITIONAL REPRESENTATIONS:

21 letters of objection have been received.

5 Letters of support have been received from local football clubs.

1. Site Description and Surrounding Area

- 1.1 The site is an existing football club with grass pitches, car parking and pavilion located on the Rydings to the south of the A59 Longsight Road. The application site relates to the largest of the 3 grass pitches and adjacent car park. The grassed pitch is adjacent to the Rydings which leads to Dewhurst Road and the access to the car park. There are residential developments around the site largely to the south, along with Kemple View rehabilitation centre, the sanctuary of healing is adjacent on Dewhurst Road and Longsight stables lies to the west.

2. Proposed Development for which consent is sought

- 2.1 The application seeks consent to upgrade the existing turf pitch to an all-weather pitch with fencing and lighting.

3. Relevant Planning History

3/1998/0520 – Proposed erection of sports club and changing facilities – Granted 5 November 1998.

3/2012/0225 – Proposed all weather football pitch with associated works – Granted 22 June 2012.

4. **Relevant Policies**

Ribble Valley Core Strategy

Policy DS1: Development Strategy

Policy DS2: Sustainable Development

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport and Mobility

Policy DME1: Protecting Trees and Woodlands

Policy DME2: Landscape and Townscape Protection

Policy DME3: Site and Species Protection and Conservation

Policy DME6: Water Management

Policy DMB1: Supporting Business Growth and The Local Economy

Policy DMB2: The Conversion of Barns and Other Rural Buildings for Employment Uses

Policy DMB3: Recreation and Tourism Development

Policy DMB4: Open Space Provision

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 Planning permission was originally granted in 1998 for a football club and changing facility at the site. In 2012 permission was granted for the construction of an all-weather pitch. The football club now say that they require a new full-size all-weather pitch to support the continued expansion of the club.

5.1.2 The site is located outside any defined settlement boundary and is therefore in open countryside. The immediate surrounding area has been developed for housing on the grounds of a former hospital and there is development on 3 sides bounded by the A59 to the North. It is not within the AONB or close to any heritage assets. It is considered to appropriate to locate this type of use in this area particularly as it is expanding an existing facility and therefore is considered to accord with core strategy policy DMB3.

5.1.3 Policy DMB3 of the core strategy supports the expansion of recreational and leisure facilities and it is apparent that this is a successful club for which a full-size all-weather pitch would be an asset. It would improve the existing facilities on the site of an existing pitch within the confines of the club site and therefore is considered to be acceptable in terms of DMB3.

5.1.4 NPPF para 97c states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. This is echoed by core strategy policy DMB4. Therefore, in order for the proposal to be acceptable the applicant will need to submit a robust assessment to prove that the loss of the open space is justified because of the social and economic benefits it would bring to the community.

5.1.5 Sport England initially submitted a holding objection pending further information on this matter. In principle the proposal is for an alternative and potentially better quality provision and there is clearly support for it from a number of local clubs. Furthermore, the football foundation has implied that they are broadly in support as there is a shortage of 3G facilities in the area. However; to demonstrate that the proposal accords with Sport England's exception policy more information as to the nature of the use and technical specifications was requested and subsequently submitted. Sport England have reviewed this information and confirmed that the proposal now broadly meets para 97c of the NPPF and Exception 5 of their playing fields policy subject to conditions.

5.1.6 Whilst a private issue which would have to be resolved separately to the planning application; it should also be noted that there is a covenant on this land that requires it to be kept available as a community open space and for recreation purposes.

5.2 Impact upon Residential Amenity:

5.2.1 The site is approximately 22 metres from the nearest dwelling known as Longsight House to the North but between the two sites is a thick belt of mature trees. To the East at an approximate distance of 35 metres, is Cunliffe House Farm adjacent to Longsight stables and garden centre. To the south are properties on The Rydings, the nearest being 55 metres away.

5.2.2 The proposal incorporates floodlights which are included to enable to pitch to be utilised to its maximum potential. A lighting assessment has been submitted with the application which demonstrates that there will be virtually no light spillage from the floodlights outside the site. Whilst the lights will be visible from nearby dwellings they will not result in light spillage into surrounding properties that would have a detrimental impact on amenity. Furthermore, a condition will be imposed in line with the smaller all weather pitch that the lights shall not be used after 10pm on weekdays including Saturdays or 8pm on Sundays.

5.2.3 Surrounding residents have expressed concerns that the intensification of the use will result in additional noise and disturbance, littering and antisocial behaviour as well as increased traffic and inconvenience for residents. It is accepted that the intention of the proposal is to provide an all-weather pitch that will allow more games to be played and reduce the number of cancellations due to bad weather and waterlogged pitches. As such there is likely to be an increase in activity but this is not unacceptable in principle as the expansion of a successful recreational facility is supported by local and national planning policies. The club is already able to operate within the hours proposed. There will be planning conditions imposed

to control the hours of use in line with the smaller pitch. The car park is to be expanded to accommodate the expected increase in demand. As such in terms of the material planning consideration with respect to residential amenity, the development is acceptable. Other issues that might arise may be dealt with through other legislation or be a responsibility for the club operator.

5.3 Visual Amenity/External Appearance:

5.3.1 It is accepted that the fence and lighting poles will enclose an open green space and will have some visual impact, however this is in the context of the surrounding use of the land as a football club. The impact will be mitigated to some extent by the green finish to the fence which is mesh and will allow some views through it. In addition to this, two sides are bounded by trees. The site is not in the AONB or conservation area so not subject to any special protection. As such the visual impact is considered to be acceptable to allow the club to improve its facilities.

5.3.2 In respect of the Lighting as discussed above a lighting assessment has demonstrated that there will be limited light spillage outside the site and whilst the lighting columns and some illumination will be visible, it will be directed onto the pitch and subject to operating hours restrictions. Again, when balanced with the merits of the proposal the visual impact is considered acceptable.

5.4 Highway Safety and Accessibility:

5.4.1 There is no objection to the proposal from the LCC highway officer on highway safety grounds but they would like a condition requiring a construction method statement to be submitted to ensure that there is no adverse impact on the highway network during the construction phase.

5.5 Landscape/Ecology:

5.5.1 The site is not located on a site of ecological importance but it is noted that wildlife has been observed on the site. The pitch itself will be enclosed but the adjacent pitches and tree belts will not so it is considered that some wildlife connectivity will be maintained in the vicinity of the site.

5.5.2 An arboricultural constraints appraisal has been submitted and shows that trees will be retained and protected during the construction phase, which is acceptable.

5.6 Drainage and Flooding:

5.6.1 United Utilities have raised no objection to the proposed scheme providing that proper drainage is provided. It is noted that there are local concerns regarding flooding, this may not be directly attributed to this site, however the new pitch should be drained properly so as not to increase the risk of flooding or pollution elsewhere and conditions will be imposed to ensure this.

5.7 Other Matters:

5.7.1 Notwithstanding the outcome of the planning application there are covenants in place on the land which will need to be dealt with separately to this planning application which can only consider the material planning issues.

- 5.7.2 The Section 52 Planning Agreement dated 23 April 1990 which still binds the whole site of The Rydings and The Dales Housing Development binds the land the subject of the Planning Application as a Community Public Open Space.
- 5.7.3 Covenants at 2(h) of the Agreement: The Transfer Deed, dated 11 February 1994 (which transferred the Land from Kilncross Limited to RVBC) also contains covenants not to use or permit or suffer the Property to be used for any purpose other than recreation.
- 5.7.4 The Land is Leased by RVBC to the Trustees of Langho FC Sports and Social Club; consent would also be needed under the terms of the Lease to any development.

6. **Observations/Consideration of Matters Raised/Conclusion**

- 6.1 The agent has provided the information requested to justify the loss of the turf pitch. The proposal is not considered to accord with local and national planning policy and therefore, it is recommended for approval accordingly.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

505/2827/01
HLS1257

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

Materials

3. The materials to be used on the external surfaces of the development as indicated within the submitted details shall be implemented in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

Floodlighting

4. The all weather pitch and associated floodlighting hereby approved shall only be operated between the following hours:

09:00 to 22:00 Monday to Saturday

10:00 to 22:00 Sundays and Bank Holidays

REASON: In the interests of protecting the residential amenities of nearby residents and visual amenity.

Trees protected

5. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

Highways

- 6 No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted information shall provide precise details of:

- A. The siting and location of parking for vehicles of site operatives and visitors
- B. The siting and location for the loading and unloading of plant and materials
- C. The siting and locations of all site cabins
- D. The siting and location of storage of plant and materials used in constructing the development
- E. The siting and locations of security hoarding
- F. The siting location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development).
- G. The timings/frequencies of mechanical sweeping of the adjacent roads/highway
- H. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- I. The highway routes of plant and material deliveries to and from the site.
- J. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- K. Days and hours of operation for all construction works.
- L. Contact details for the site manager(s)

The approved statement shall be adhered to throughout the construction period of the development hereby approved.

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway for the duration of the construction phase of the development.

- 7 Details of any external source of lighting other than that expressly granted by this permission shall be submitted to the local planning authority prior to its installation. Any lighting shall be effectively screened from the view of a driver on the adjoining public highway

REASON: In the interests of amenity and to avoid glare, dazzle or a distraction to passing motorists

- 8 The parking areas hereby approved shall be implemented and made available for use prior to first use of the all-weather pitch hereby approved and thereafter retained.

REASON: In order that the Local Planning Authority may ensure that adequate dedicated parking provision is provided on site to serve the development hereby approved.

Surface water

9. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 10 Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution

Design and Layout of the All-Weather Pitch

11. No development shall commence until details of the design and layout of the all-weather football pitch have been submitted to and approved in writing by the Local Planning Authority. The Artificial Grass Pitch shall not be constructed other than in accordance with the approved details.

REASON: To ensure the development is fit for purpose and sustainable.

Community Use Agreement

12. Prior to the first use of the all-weather football pitch hereby approved a community use agreement shall have been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the all-weather pitch and include details of pricing policy, hours of use, access by users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

REASON: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

INFORMATIVE

PLEASE NOTE: The community use agreement will need to be prepared in consultation with Sport England and agreed with Sport England prior to its submission to the Local Planning Authority.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F0315