

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 14<sup>th</sup> January 2019**

<b>Application No:</b>	HPK/2018/0492		
<b>Location</b>	Community Field, Park Avenue, Furness Vale		
<b>Proposal</b>	New Changing Rooms and associated facilities		
<b>Applicant</b>	Mr Phillip Lomas		
<b>Agent</b>	N/A		
<b>Parish/ward</b>	Whaley Bridge / Whaley Bridge	<b>Date registered</b>	15 <sup>th</sup> October 2018
<b>If you have a question about this report please contact:</b> James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk			

**1. SUMMARY OF RECOMMENDATION**

**Approve with Conditions**

**1. REASON FOR COMMITTEE DETERMINATION**

- 1.1 This application has been brought before the Development Control Committee because the site is owned by High Peak Borough Council.

**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The application site comprises a small parcel of land on the Community Playing Field, Furness Vale, which includes a full size football pitch, used by the local football club, on the northern part of the playing field. The southern part of the playing field features open amenity space, and a series of public footpaths.
- 2.2 The access to the site is from Park Avenue, a small residential street which terminates at the western boundary. The site is bounded by open agricultural land to the south and east, well screened by mature vegetation. To the south west, are the rear elevations of properties on Park Crescent. The north western boundary is defined by a public footpath and is also well screened by mature trees.
- 2.3 The playing field has been landscaped so that the football pitch is sat on lower flat ground, with the paths and amenity grassland sat at a slightly higher level.

### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 The application seeks planning permission for a new changing rooms facility building ancillary to the football pitch, which would be used by Furness Vale Football Club.
- 3.2 The building would be sited adjacent to the football pitch on its southern side, close to the entrance with Park Avenue. The Proposed Block Plan shows the building as having a square form which consists of two team changing rooms 'A' and 'B', each with four showers and two WC's; two official's changing room; a meeting room bar/café with a drinks counter; and storage.
- 3.3 The building would span a width of approximately 12 metres and a length of 13 metres, with an eaves height of 2.5 metres and an overall ridge height of 4.1 metres. The building would be constructed of a natural stone with a dual pitch slate roof, with a small canopy area on the north eastern elevation facing the pitch.

### **4. RELEVANT PLANNING HISTORY**

- 4.1 The playing field has been subject to the following planning history:
- HPK/2015/0083 Proposed construction of new paths and enlarged bays to accommodate benches and wheelchairs to the perimeter of the existing playing field - Approved 3<sup>rd</sup> June 2015)
- HPK/2017/0016 Proposed construction of new paths complete with areas for benches and wheelchairs, and outdoor gym equipment - Approved 14<sup>th</sup> March 2017

### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

#### **High Peak local Plan 2016**

- S1 Sustainable Development Principles  
S1a Presumption in Favour of Sustainable Development  
S7 Buxton Sub-area Strategy  
EQ6 Design and Place Making  
CF5 Provision and Retention of Local Community Services and Facilities

#### **National Planning Policy Framework**

- Achieving Sustainable Development Chapter 2  
Promoting Healthy and Safe Communities Chapter 8  
Achieving Well Designed Places Chapter 12

### **6. CONSULTATIONS CARRIED OUT**

<b>Site notice</b>	Expiry date for comments: 23 <sup>rd</sup> November 2018
<b>Neighbour letters</b>	Expiry date for comments: 14 <sup>th</sup> November 2018
<b>Press Notice</b>	N/A

## Neighbours

6.1 No representations have been received with regards to this application

<b>Consultee</b>	<b>Comment</b>
<b>Whaley Bridge Town Council</b>	Strongly supports application
<b>United Utilities</b>	No objection subject to a condition requiring that foul and surface water shall be drained on separate systems
<b>HPBC Environmental Health</b>	No objection subject to condition requiring a drainage feasibility study to be submitted and approved prior to commencement of development.
<b>DCC Highways (First response)</b>	<p>The proposed building will be located on the community field with the main access to the site being via Park Avenue, a residential street in Furness Vale.</p> <p>As you will be aware, there is already a football pitch on the site although it is unclear as to the current usage. The pitch is likely to generate a certain level of vehicular traffic, particularly when used for adult matches, this may currently be the case or at least have the potential.</p> <p>Limited information has been provided as part of the planning application with regard to the intended use of the proposed facilities. Although it is considered the provision of changing facilities has the potential to increase the use of the existing football pitch. In addition to the above the proposal also shows a bar/café and kitchen being provided. Such facilities have the potential to further increase vehicular activity associated with the site.</p> <p>In view of the above, and in accordance with parking recommendations it is considered 15 parking spaces should be provided within the site, as currently no off-street parking is provided. Each space measuring a minimum of 2.4m x 4.8m and sufficient space being provided within the site to enable vehicles to manoeuvre</p>

	<p>so as to both enter and exit the site in forward gear.</p> <p>Further to the above, vehicular access onto the wider highway network would be via the junction of Park Avenue with Yeadsley Lane, which is substandard in terms of emerging visibility, with little scope for improvement without control of third party land. Accordingly the Highway Authority would be unlikely to be in favour of any proposal that would materially increase use of the site.</p> <p>In view of the above, the Highway Authority would request additional information to assess the likelihood of the facilities having an impact on the adjacent highway network.</p> <p>Accordingly, before making my formal recommendations I would be obliged if you could ask the applicant to revise the proposal in view of the above comments and in the meantime please hold the application in abeyance until revised plans and additional information have been submitted.</p>
<p><b>DCC Highways (Revised Comments)</b></p>	<p>There are no highway objections to the above planning application based on the changing rooms and associated facilities remaining ancillary to the playing fields and not open to the general public in perpetuity.</p>

## 7. POLICY AND PLANNING BALANCE

### Planning Policies

- 7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework

is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

### **Principle of Development**

- 7.5 The application seeks permission for a new changing room's facility ancillary to an existing football pitch, enhancing the existing recreational use. Policy CF5 seeks to maintain and improve the provision of local community services and facilities. New facilities should be preferably located within defined built up areas where they are most accessible. Although the site lies outside the built up area boundary, it would be directly associated the existing sport pitch and located where the local community can easily access the facility and well connected to the existing settlement of Furness Vale.
- 7.6 The principle of development is therefore considered to be acceptable subject to the application demonstrating compliance with Policies EQ3, EQ6 and CF5 and all other material considerations.

### **Design**

- 7.7 Local Plan Policy S1 of the adopted local plan sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.
- 7.8 Local Plan Policy EQ6 of the adopted local plan states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.
- 7.9 Paragraph 127 of the NPPF states that decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting

- 7.10 Following the receipt of the revised plans which show an amendment to increase the pitch of the roof, and thereby an improved design, the proposed changing room facility is considered to be of an appropriate scale, layout and height which is proportionate to the site and its intended use. The building would be constructed of a traditional stone with a dual pitch slate roof which is considered to reflect the general character of the area, thereby complimenting the character and appearance of the rural area, in line with Local Plan Policy EQ6 and paragraph 127 of the NPPF.

### **Amenity**

- 7.11 Local Plan Policy EQ6 outlines that developments should achieve a satisfactory relationship to adjacent development and not cause unacceptable effects including light pollution, overlooking, loss of privacy and other adverse impacts on local amenity. Paragraph 127 of the NPPF requires all developments to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 7.12 The changing room facilities would be positioned in excess of 35m from the closest residential properties on Park Crescent, which sit in an elevation positioned overlooking the sport pitch. Given this distance there would be no overbearing impacts on the neighbouring properties. The western and southern elevation contains a number of high level windows, which serve the toilets and showers. Although the building would be positioned close to the footpaths which run around the proposed building, the windows would have no adverse impact on the users of the footpath given that they are high level. With respect to the neighbouring properties, a distance in excess of 35m is considered sufficient to prevent any overlooking or loss of privacy.
- 7.13 Due to the substantial distance to the nearest neighbouring properties, it is considered that there would be no adverse impacts on residential amenity and accordingly the development would meet the requirements of Policy EQ6.

### **Highway Safety**

- 7.14 Local Plan Policy CF6 of the adopted local plan seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can satisfactorily accommodated within the existing highway network.
- 7.15 Paragraph 108 states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.16 The proposed development would be ancillary to the existing football pitch and would not be open to the general public. The playing pitch is currently used by Furness Vale Football Club and or use by junior school. On match days, the applicant submits that the surrounding streets accommodate parking. The Highways Authority initially objected to the proposal on the grounds that the facility would lead to an increase in traffic volume and fail to provide adequate parking provision.
- 7.17 However, a letter responding to this initial objection has been submitted by the applicant, which provides further clarification on the proposed facility and its intended use, reiterating that the facility would not lead to an intensification of the use. In considering this letter, the Highways Authority has withdrawn its objection subject to the building remaining ancillary to the playing pitch.
- 7.18 It is noted that the building will provide a function room/meeting room, which could be used for events other than in association with a football match. Given that no site parking will be provided, and visitors will rely on surrounding roads for car parking, it is considered necessary and reasonable to ensure that the function room is only used in association with a football match and for no other events.
- 7.19 Subject to a condition which ensures that the use of the building remains ancillary to the pitch, it is considered that the proposal would not result in any increase in traffic volume beyond the present situation, and would not result in any adverse harm to highway safety, in line with Local Plan Policy CF6 and paragraphs 108 and 109 of the NPPF.

### **Other Technical Matters**

- 7.20 The site is not situated within or near to any other sensitive designation. Consultation responses from United Utilities and from the Council's Environmental Health team have requested that suitable conditions be attached to any decision notice to ensure that adequate drainage facilities are provided.
- 7.21 The applicant has agreed to a pre-commencement condition which will require a drainage feasibility study to be submitted and approved and the development being carried out in accordance with these approved details. Subject to this condition, it is considered that all technical matters have been addressed.

### **Planning balance & Conclusion**

- 7.22 The new changing room facility would enhancement an established recreational sports facility and therefore complies with Policy CF5. Although the site lies outside of the development boundary it is well

related to the settlement of Furness Vale and located in a sustainable location with easy access for the local community.

- 7.23 The revised plans are considered to be of an appropriate scale, height, layout and visual appearance and would be constructed using traditional materials, thereby resulting in a high quality design which preserve the character and appearance of the rural area, in line with Local Plan Policies S1 and EQ6 and paragraph 127 of the NPPF.
- 7.24 The application is not considered to result in any adverse harm to the amenity for users of this public open space or neighbouring residential properties, in line with Local Plan Policy EQ6 and paragraph 127 of the NPPF.
- 7.25 Subject to the proposed development remaining ancillary to the existing playing pitch and not being open to members of the general public, there are not considered to be any adverse harm to highway safety, in line with Local Plan Policy CF6 and paragraphs 108 and 109 of the NPPF.
- 7.26 In conclusion, the application (in its final revised form), has been found to accord with all relevant local development plan policies and any other material consideration which includes the NPPF. In line with Local Plan Policy S1a and paragraph 11 of the NPPF, the application is recommended for approval subject to appropriate conditions.

## 8. RECOMMENDATIONS

### A. APPROVE subject to following conditions:

Time Limit	3 Year Time Limit
AP01	Approved Plans
NSTD	Samples of all facing/external materials to be submitted to and approved by LPA prior to commencement of development. Development to be carried out in accordance with approved samples.
NSTD	Use Ancillary to Football Pitch and not open to general public
NSTD	Foul and Surface Water to be drained on separate systems
NSTD	Drainage Scheme to be submitted and approved prior to commencement of development. Development to be carried out in accordance with approved plans

**B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in**

consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with paragraph 38 of the revised NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

**Site plan**

