

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 20th January 2020

Application No:	HPK/2019/0478	
Location	Whaley Bridge Sports Pavilion, Park Road, Whaley Bridge, Derbyshire, SK23 7DJ	
Proposal	Development of the existing sports pavilion to include side and front extension and installation of external canopy. Further external groundworks to provide additional seating/sociable area. Internal work to develop an improved meeting/function room and catering/refreshment facilities.	
Applicant	Mr Andrew Fox, Whaley Bridge Town Council	
Agent	Mr Martin Streets	
Parish/ward	Whaley Bridge	Date registered 1 November 2019
If you have a question about this report please contact: Faye Plant, Faye.plant@highpeak.gov.uk 01538 395400 ext. 4995 <i>Mon-Weds</i> .		

REFERRAL

The application is referred to committee due to the proposed development being on High Peak Borough Council owned land.

1. SUMMARY OF RECOMMENDATION

APPROVAL

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 This application relates to the Whaley Bridge Sports Pavilion, a single storey coursed stone and concrete roof tiled building located to the south west of the Whaley Bridge Memorial Park. The site lies within the countryside adjacent to the development boundary to the south and west and is part of the protected park designation which covers the Memorial Park.

2.2 The flood lit sports pitch lies to the north of the site with the recreation ground to the east although this is currently part of the site compound for the ongoing works on behalf of the Canals and Rivers Trust at Toddbrook Reservoir. Vehicular access is off Park road to the south with a hard surfaced parking area to the south of the building. Taxal and Fernilee Primary school is located to the south west and is linked by a footpath. There is a public right of way to the north of the site.

2.3 The building currently provides for changing, showering and WC facilities with a small storage area and common room. There are two green storage containers located to the south west of the building. A modest canopy

runs along the entire front of the building with roller shutters covering two large windows on the front elevation.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application seeks full consent for a side and front extension and installation of external canopy. The extensions will allow for additional function area and refreshment facilities with an internal reconfiguration of existing storage and WC. The canopy area will provide a covered area to the front of the building over an existing hardstanding area to provide shelter to the front of the building.

3.2 The proposed side extension will be dual pitched stepping slightly forward of the front building line and measuring 11.7m and extending 2.2m from existing side elevation. A small section of storage area at the rear of the extension will be accessible from the rear. The extension will be constructed from stone and Marley roof tiles with bi-fold doors along the front elevation, all to match the existing building. There shall be a small rendered section (stone coloured) on the main building and an existing steel support beam is being removed.

3.3 The proposed canopy will be a steel frame, painted black with a glazed roof covering existing hardsurfacing beneath. The applicant has confirmed that drainage will be dealt with via existing connections.

3.3 The application, the details attached to it, including the plans, comments made by residents and the responses of the consultees can be found on the Council's website at:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=235590>

4. RELEVANT PLANNING HISTORY

4.1 The following is a summary of the relevant planning applications relating to and neighbouring the site.

HPK/0002/2949 – Sports Pavilion – approved 08/05/1985

HPK/0003/5907 - Demolition Of Existing Changing Room Block And Erection Of New Sports Changing Rooms Primarily To Serve The 2 Football Pitches – approved 15/01/1997

HPK/0003/6890 - Rebuilding Of Changing Room Block And Construction Of All Weather Floodlit Games Court – approved 25/02/1998

HPK/2016/0391 - Proposed replacement of existing paved paths with tarmac, creation of new hardstanding areas, stepped access path towards football pitches and installation of bollards – approved 29/09/2016

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan 2016

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S2 – Settlement Hierarchy
S6 - Central Sub-area Strategy
EQ3 - Rural Development
EQ6 – Design and Place Making
E6 - Promoting Peak District Tourism and Culture
CF4 - Open Space, Sports and Recreation Facilities
CF5 - Provision and Retention of Local Community Services and Facilities
CF6 – Accessibility and Transport

Supplementary Planning Guidance

High Peak Design Guide 2018
National Design Guide

National Planning Policy Framework

Paragraphs 7 - 14
Section 6 – Building a strong, competitive economy
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting sustainable transport
Section 12 – Achieving well designed places
Section 15 - Conserving and Enhancing the Natural Environment

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 16/12/2019
Neighbour letters	Expiry date for comments: 16/12/2019
Press notice	Expiry date for comments: N/A

Public comments

1 letter of support has been received from the Headteacher of Taxal and Fernilee Primary School as summarised below;

- The pavilion is a vital community asset which will be enhanced by this development. The school use the external facilities during the day and the proposals will improve and enhance the facilities.

1 letter of comment has been received and summarised below;

- The covered area could attract local young people to gather and cause a nuisance
- Consultation should have been wider.

Consultee	Comment	Officer response
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Highway Authority	No objection subject to development remaining ancillary to existing sports use of pavilion.	
HPBC Service commissioning - Parks and Open space	<p>We support this proposal as we work closely with the Football Club who use the facilities in the park, and the Town Council who manage the pavilion.</p> <p>The proposed works would improve the facilities and offer additional capacity for the Club and building to become more sustainable from both a football/sport and wider community use perspective.</p> <p>The only comments are around the drainage of the new and enlarged patio, and whether any additional drainage is propose for this area.</p> <p>Also, the potential for increased ASB and damage to the building resulting from the new externally covered area, as it may attract and encourage young people to gather under there.</p>	

7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Planning policies / Principle of development

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 currently consists of the adopted High Peak Local Plan 2016.

7.3 Section 8 of the NPPF seeks to provide social, recreational and cultural facilities and services the community needs, which enhance the sustainability of communities. Local plan policies EQ3, CF4 and CF5 provide support for the expansion of community facilities in sustainable locations in order to ensure

their continued contribution to the health and well being of local communities. Policy S6 specifically seeks to protect and enhance Whaley Bridge Memorial Park.

7.4 The proposal to extend and upgrade the existing sports pavilion will improve the facilities at the existing club which is located within a very sustainable location within the wider Memorial Park, and will enhance the opportunities for additional use and social functions. The proposals are considered to be acceptable in principle. Matters relating to design, amenity and highways are considered below.

Design, Layout and Character of the Area

7.5 Section 12 of the NPPF highlights that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 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.

7.6 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. The adopted High Peak Design Guide 2018 outlines that extension should respect the dominance of the original building and be subordinate to it in terms of size and massing.

7.7 The proposals are considered to be modest extensions and alterations to this existing pavilion building. The side extension will be constructed from materials which match those on the main dwelling and will allow for a larger social space internally. The proposed canopy is lightweight in its design and provides shelter thus facilitating more use of the outdoor area. The proposals are considered to be acceptable and will not harm the character or appearance of the existing sport pavilion building. The proposals are therefore in accordance with the provisions of section 12 of the NPPF and policy EQ6 of the local plan.

Amenity

7.8 Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy EQ6 requires that new development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity. Local plan policy EQ10 seeks to protect people and the environment from unsafe, unhealthy and polluted environments.

7.9 The proposed extension is over 60m from residential properties to the west and 40m to south and as such will not harm the amenity of residents by virtue of shadowing or overbearing or a loss of privacy. Concerns have been raised about the potential for anti-social behaviour arising from the congregation of young people under the shelter. However, the building has already has a canopy, albeit smaller in size, which runs along the front of the building and security shutters cover existing windows. In any event, anti-social behaviour would be a police matter. Given that the proposal includes a function space, regard must also be given to potential amenity implications of noise and disturbance arising from functions taking place within the extended building. The planning permission existing building and function space does not have any restrictive conditions in place relating to matters such as noise or opening hours. Whilst the increase in floor area could potentially increase the intensity of use, given the relatively small increase this is considered to be negligible. Furthermore, conditions could only apply to the extension to the building, which would be both unreasonable and unenforceable. As such they would fail the tests in the PPG. Any issues which did arise could be addressed through statutory nuisance legislation.

7.10 The proposal is therefore considered to be acceptable and in accordance with the provisions of local plan policy EQ6 and para 127 of the NPPF in this regard.

Access and Highway safety

7.11 Paragraph 102 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. When assessing proposals it should be clear that appropriate opportunities to promote sustainable transport modes can be or have been taken up, safe and suitable access to the site can be achieved for all; and significant impacts from development on the transport network in terms of capacity and congestion or on highway safety, can be mitigated to an acceptable degree. Local Plan Policy CF6 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

7.12 The proposals do not reduce the level of parking on site nor will they affect the existing bike stands to the south of the building. Access will remain as existing. The proposals therefore comply with the provisions of local plan policy CF6 and paragraph 102 of the NPPF in this regard.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 This application seeks to extend and enhance existing facilities at the Sports Centre located within the wider Memorial Park located within the heart of Whaley Bridge.

8.2 The proposals are considered to be acceptable in design terms and will not affect the amenity of neighbouring residential development.

8.3 Given the above, it is concluded that the development would comply with the relevant development plan policies and in accordance with paragraph 11 of the Framework, the application is recommended for approval.

9. RECOMMENDATIONS

A. APPROVE, subject to the following conditions:

Condition ref number	Brief Description	Comment
TL01	Standard Time Limit	
AP01	Approved Plans	
MAT	Matching Materials	
Non Standard	Colour of render to match stone work	

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 Head of 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. During the course of the consideration of the application the Council sought amendments to the ownership certificate to clarify the correct owner of the land. In accordance with Paragraph 38 of the 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

