

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 22<sup>nd</sup> March 2021**

<b>Application No:</b>	HPK/2020/0531	
<b>Location</b>	Land at Cemetery Road, Glossop	
<b>Proposal</b>	<i>Variation of Condition 2 relating to HPK/2020/0316</i>	
<b>Applicant</b>	Glossop North End Juniors AFC	
<b>Agent</b>	Lisa Harvey LK2	
<b>Parish/ward</b>	Glossop/Dinting	<b>Date registered</b> 4 <sup>th</sup> December 2020
<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 it relates to Major Development initially approved by the Committee under HPK/2019/0273 and subsequently varied under HPK/2020/0316

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

- 2.1 This application relates to an 'L' shaped parcel of land measuring approximately 0.3ha to the south west of Cemetery Road, approximately 1km North West of Glossop town centre.
- 2.2 The site consists of a number of football pitches, a small single storey clubhouse building and a small area of hard standing used for car parking, operated by Glossop North End Juniors Association Football Club (AFC). Since its birth in 1989 the club has grown to operate 35 teams with over 450 children now associated with the club, ranging from Saturday School programmes up to the Under 21's and includes both male and female teams.
- 2.3 The site currently benefits from an existing access to Cemetery Road in the north eastern corner of the site. A Public Footpath crosses a part of the site running from the eastern to the southern boundary.
- 2.4 Cemetery Road runs parallel with the north eastern boundary of the site, with the Cemetery standing on the opposite side of the public highway. A sole residential property 'Arundel House' lies to the north of

the site, whilst to the south and south west are a number of residential properties which are associated with the relatively new housing development on land off North Road (Reserved Matters approved under HPK/2015/0120). The closest properties to the site lie some 40m distant from the southern boundary at their closest point. To the west is open agricultural land.

- 2.5 The site is located outside of the built-up area boundary in the countryside and sits within the North Derbyshire Green Belt. At its closest point, the Peak National Park stands approximately 500m distant.

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

- 3.1 A previous application (HPK/2019/0273) was approved by Committee on 5<sup>th</sup> November 2019 which included the following aspects of development:

- Demolition of existing clubhouse and construction of new single storey clubhouse which contains
  - 4 x changing rooms;
  - 2 x match official changing rooms;
  - Toilet facilities;
  - Clubroom;
  - Kitchen;
- 1 x full size 3G Artificial Grass Pitch (AGP);
- 1 x 9 v 9 youth grass pitch;
- 1 x 11 v 11 grass pitch;
- 104 x car parking spaces including 4 x accessible spaces (43 x designated spaces and 'overspill' car park for 61 cars)
- 30 x cycle spaces

- 3.2 This application (HPK/2019/0273) was subsequently amended under HPK/2020/0316 which showed a reduction in the scale of the previously approved clubhouse building. In line with the requirements of the club, the facility which originally had 4 x changing rooms was reduced to a 2 x changing room facility, with the land adjacent purposely left vacant to accommodate a further 2 x changing rooms at a later date to suit future requirements.

- 3.3 This application seeks to vary conditions 2 relating to the latest application HPK/2020/0316 consent which requires the development to be carried out in accordance with the approved plans as listed on the Decision Notice.

- 3.4 The proposals show a clubhouse that continues to provide a 2 x changing room clubhouse facility but with a reduced footprint. As per the previous application to vary the original application, the plans show

the land immediately adjacent to the northern elevation to remain vacant to facilitate a future expansion of the changing room facility as well as keeping land to the south vacant to support a future clubhouse extension.

3.5 The following plans have been submitted with this application which shows an amended design for the clubhouse building with vacant land shown to accommodate future additions:

- Site Location Plan (Ref: (03)000-RevA00)
- Proposed Site Layout (Ref: (03)004-RevA11)
- Prelim Floor Layout (Ref: (03)005-RevA04)
- Proposed Elevations (Ref: (03)008-RevA04)

3.6 The application is accompanied by a Supporting Statement which includes images of the proposed varied plans and submits that the amended design of the clubhouse (60sqm) is more than adequate to support all community uses on site and the 2 x changing room facilities.

3.7 It is stated that although the originally larger footprint of the clubhouse and changing room facilities building was desirable, it was a non-essential and moved away from the Football Foundation template and that this variation brings the scheme back into line with standard requirements.

3.8 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:

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

4.1 The site has been subject to the following planning history:

HPK/2019/0273      Redevelopment of existing sports facilities including new changing facilities/clubhouse and associated car parking, full-size artificial pitch. 2no. Grass pitches and relocation of vehicular access (Approved 5<sup>th</sup> November 2019)

HPK/2020/0316      Variation of Condition 2 in relation to HPK/2019/0273 (Approved 10<sup>th</sup> November 2020)

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

##### **High Peak Local Plan 2016**

- S1      Sustainable Development Principles
- S1a    Presumption in Favour of Sustainable Development
- S5      Glossopdale Sub-area Strategy
- EQ2    Landscape Character
- EQ3    Rural Development

- EQ4 Green Belt Development
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ9 Trees, Woodland and Hedgerows
- EQ11 Flood Risk Management
- CF4 Open Space, Sports and Recreation Facilities
- CF5 Provision and Retention of Local Community Services & Facilities
- CF6 Accessibility and Transport

## National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Promoting and Healthy and Safe Communities	Chapter 8
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Protecting Green Belt Land	Chapter 13
Meeting the challenge of climate change and flooding	Chapter 14
Conserving and Enhancing the Natural Environment	Chapter 15

## 6. CONSULTATIONS CARRIED OUT

<b>Site notice</b>	Expiry date for comments: 14 <sup>th</sup> January 2021
<b>Neighbour letters</b>	Expiry date for comments: 8 <sup>th</sup> September 2020
<b>Press Notice</b>	Expiry date for comments: 30 <sup>th</sup> December 2020

### Neighbours

- 6.1 Neighbours were contacted to by way of written letters. No responses have been received from neighbours or any other member of the general public

<b>Consultee</b>	<b>Comment</b>
<b>DCC Lead Local Flooding Authority (LLFA)</b>	No comments to make
<b>DCC Highways Authority</b>	No comments received
<b>HPBC Tree/Landscape</b>	No objection subject to previous landscaping conditions relating to HPK/2019/0273 being applied
<b>Derbyshire Wildlife Trust</b>	No objections
<b>HPBC Building Control</b>	No comments received

<b>HPBC Environmental Health</b>	No objections
<b>HPBC Operational Services</b>	Fully support application
<b>HPBC Waste</b>	No comments received
<b>HPBC Regeneration</b>	No comments received
<b>Peak and Northern Footpaths Society</b>	No comments received
<b>Peak District National Park</b>	No comments received
<b>Ramblers Association</b>	No comments received
<b>Sport England</b>	No objections subject to previous conditions relating to HPK/2019/0273

#### **4. 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), Supplementary Design Guidance, 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.

### **Principle of Development & Green Belt**

- 7.4 The site is situated outside the built-up area boundary of any town or larger village as defined within the adopted Proposals Map, and therefore lies in the open countryside. The site is also situated within the North Derbyshire Green Belt.
- 7.5 As such, the application is subject to Local Plan (LP) Policies EQ3 and EQ4 of the Local Plan which refer to Rural Development and Green Belt Development respectively.
- 7.6 LP Policy EQ3 supports development associated with recreational and open space uses in accessible and least environmentally sensitive locations.
- 7.7 LP Policy EQ4 requires development proposals in the Green Belt to be assessed and determined in line with national policy. Chapter 13 of the NPPF (2019) contains the relevant national Green Belt policies that apply to this application.
- 7.8 Paragraph 133 of the NPPF clarifies that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; their essential characteristics being their openness and permanence. Paragraph 134 goes on to set out the five purposes of the Green Belt:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging in to one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to prevent the setting and special character of historic towns;
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 7.9 In determining applications, paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.10 Paragraph 144 of the NPPF goes on to state that substantial weight should be given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.11 Paragraphs 145 and 146 of the NPPF contain a list of the types of development which are classified as exceptions to inappropriate

development, and thus acceptable in principle. One such exception contained at paragraph 145 is:

*“the provision of appropriate facilities (in connection with existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”*

- 7.12 The application seeks to amend plans that were initially approved under HPK/2019/0273 for a major development that encompassed various upgrade and improvement works to further facilitate outdoor sport and recreation, thereby supporting the aims and objectives of LP Policies CF4 and CF5 and in accordance with LP Policy EQ3.
- 7.13 Sport England have confirmed that they do not object to the proposals subject to all conditions relating to the previous application continuing to apply.
- 7.14 Given that the principle of development for the wider large scale development has been accepted by virtue of the previous consent granted under HPK/2019/0273, and in light of comments received from Sport England, the minor reduction in the scale and footprint of the proposed clubhouse would preserve the openness of the Green Belt and would not conflict with the purpose of including land within it, in accordance with LP Policy EQ4 and restrictive policies contained under Chapter 13 of the NPPF. The principle of development is therefore accepted.

### **Key Material Considerations**

- Landscape and Visual Impacts
- Design
- Public and Residential Amenity
- Ecology
- Flood Risk and Drainage
- Access, Parking Provision and Highway Safety

### **Landscape and Visual Impacts**

- 7.15 LP Policy EQ3 supports development associated with recreational and open space use in accessible and least environmentally sensitive locations.
- 7.16 LP Policy EQ2 requires that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape. Proposals should be sympathetic to and where possible enhance the character and appearance of the rural landscape, including the Peak National Park.

- 7.17 The site is currently in use as a sport playing pitch and has a relatively open character, with boundaries defined by mature hedgerows, particularly along the eastern boundary. The site has an extant approval for a large-scale major sports development. A detailed assessment of the Landscape and Visual Impacts was undertaken in conjunction with the Council's Tree and Landscape Officer and the Peak National Park Planning Authority which concluded that the landscape and visual impacts of the overall development were acceptable.
- 7.18 The further minor reduction in the scale and footprint of the previously approved clubhouse is not considered to result in any material change to the landscape and visual impacts of the development of the immediate or wider landscape character, in accordance with LP Policies EQ2 and EQ3.

### **Design**

- 7.19 LP Policies S1 and EQ6 set out the design principles of the Borough and require that all new development is well designed to respect and contribute positively to the character, identity and context of the High Peaks townscapes in terms of scale, height, density and layout
- 7.20 Paragraph 127 states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.
- 7.21 The variation to the previously approved scheme sought under this application relates to the clubhouse building. The plans show that the overall length of the building would be reduced by approximately 10.3m comparable to the originally approved building, and shows a further reduction of 3.3m in the length of the clubhouse, maintaining a consistent width, height and visual appearance.
- 7.22 These further minor amendments are considered to be material, and thus require planning permission. However when read within the context of the approved site layout, and given that the height and appearance remains consistent, there are no issues in relation to design, in compliance with LP Policies S1 and EQ6.

### **Public and Residential Amenity**

- 7.23 LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.



- 7.24 LP Policy EQ10 states that the Council will protect people and the environment from unsafe, unhealthy and polluted environments by ensuring development avoid potential adverse effects by imposing planning conditions that mitigate and strictly control issues such as noise, light intrusion
- 7.25 Paragraph 127 of the NPPF states that planning should create places with a high standard of amenity for all existing and future users.
- 7.26 Paragraph 180 of the NPPF highlights that planning decisions should ensure that new development is appropriate for its location through mitigating and reducing noise impacts, and limiting light pollution from artificial light on local amenity.
- 7.27 The previous application was subject to a detailed assessment of the potential impacts relating to public and residential amenity. Given that there are no proposed changes to operating times of the site including the floodlighting that were secured by way of appropriate planning conditions, it is considered that the minor amendments proposed under this application would not result in any harm with regards to noise or light pollution.
- 7.28 No representations have been made in connection with this application. The Site Layout continues to show the existing public footpath that crosses the south-eastern part of the site from Cemetery Road to the southern boundary to be diverted. A footpath diversion order will be required which involves a separate legislative process outside of the planning system. However, from the plans and information submitted with this application, it is not considered that the users of this footpath or indeed its use is compromised by this proposal.
- 7.29 Subject to the conditions attached to the previous consent, it is considered that the application would not result in any harm to the public amenity or residential amenity of neighbouring properties, in line with LP Policies EQ6 and EQ10 and paragraphs 127 and 180 of the NPPF.

## **Ecology**

- 7.30 LP Policy EQ5 refers to Biodiversity and requires all new developments to conserve and enhance any statutory designation and ensure that appropriate mitigation measures are implemented to ensure that any protected species and habitats are protected. Chapter 15 of the NPPF provides the national policy framework for conserving and enhancing the natural environment.
- 7.31 The site lies within a rural location in the open countryside although it is not covered by any statutory ecological designation. The applicant has submitted an Ecological Impact Report and Bat Activity Report which has been reviewed by Derbyshire Wildlife Trust.

- 7.32 Derbyshire Wildlife Trust have confirmed that they have no comments to make in relation to this proposed amendment and that the conditions attached to the previous consent should continue to apply to ensure that the application results in a nett gain to biodiversity. It is therefore considered that subject to these conditions, the application complies with LP Policy EQ5 and relevant policies within Chapter 15 of the NPPF.

### **Flood Risk and Drainage**

- 7.33 LP Policy EQ11 requires that all new development proposals do not result in any unacceptable increase in flood risk either on site or in the wider locale. Chapter 14 of the NPPF provides the national policy context for flooding.
- 7.34 Whilst the site is not located in an area at risk of flooding, as shown on the Environment Agency Flood Map, the applicant had submitted a Flood Risk Assessment (FRA) at the request of the Lead Local Flooding Authority (LLFA) as part of the previous application. This application sees a reduction in the floor area of the built development.
- 7.35 Commenting on this application, the LLFA has confirmed they have no comment to make, and thus it is considered that subject to compliance with conditions previously secured under HPK/2019/0273, the application would not give rise to any adverse impacts relating to Flood Risk or Drainage, either on site or elsewhere in the vicinity, in line with LP Policy EQ11 and Chapter 14 of the NPPF.

### **Access, Parking Provision and Highway Safety**

- 7.36 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner. The policy requires new development can be integrated within existing or proposed infrastructure, does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic, and provides details of proposed parking provision based on an assessment of parking need and the impact on the surrounding road network.
- 7.37 Paragraph 108 of the NPPF 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 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.38 The proposed reduction in changing room facilities would not result in any material change in the number of vehicle movements and as such there are not considered to be any adverse impacts to highway safety, in accordance with LP Policy EQ6 and paragraph 108 of the NPPF.

## **Planning balance & Conclusion**

7.39 LP Policy S1a reflects the presumption in favour of sustainable development set out within paragraph 11 of the NPPF. For decision taking this means approving development proposals that accord with an up-to-date development without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.40 The application site lies within the Green Belt. The previously approved application under HPK/2019/0273 considered that on balance there were very special circumstances (as set out within the planning balance section of the previous committee report) that outweighed the harm to the openness of the Green Belt as a result of encroachment into the open countryside. As such, the minor amendment to the clubhouse which sees a reduction in the overall footprint and volume of the building does not alter this conclusions, and therefore the application complies with LP Policy EQ4 and restrictive policies under Chapter 13 of the NPPF.

7.41 An assessment of all material considerations has concluded that the further proposed amendment to the clubhouse building would, subject to the application of all planning conditions attached to the previous decision notice, comply with all relevant local plan policies, and other considerations including the NPPF.

7.79 The application is therefore considered to constitute sustainable development and in line with LP Policy S1a and paragraph 11 of the NPPF. The application is recommended for approval subject to appropriate conditions that were applied to HPK/2019/0273 and subsequently applied to HPK/2019/0316.

## **8. RECOMMENDATIONS**

### **A. APPROVE subject to Conditions**

1. Time Limit 3 Years
2. Revised Approved Plans (as submitted with this application)

3. Samples of materials to be used in construction of clubhouse submitted to and agreed in writing by LPA. Carried out in accordance with approved details.
4. No development shall commence until Drainage Strategy submitted to and agreed in writing by the LPA. Carried out in accordance with approved details.
5. Artificial Pitch to be constructed in accordance with detail submitted
6. No development shall commence until Community Use Agreement prepared in consultation with Sport England has been submitted to and agreed in writing by LPA. Carried out in accordance with approved details.
7. No development shall commence until detailed specification of natural turf remodelling has been prepared in consultation with Sport England submitted to and agreed in writing by the LPA. Carried out in accordance with approved details.
8. Floodlighting shall operate in accordance with relevant legislation
9. Use of floodlights restricted to 07:00 – 21:10 every day
10. Use of clubhouse limited to 08:00 – 22:00 Sunday – Thursday and 08:00 – Midnight Fridays and Saturdays
11. Fencing and rebound panels surrounding pitch shall include anti-rattle clips or spacers between mesh and post to reduced noise from ball striking
12. No development shall commence until Soft Landscaping scheme to include greater level of natural screening on southern and south western boundary has been submitted to and agreed in writing by LPA. Carried out in accordance with approved details
13. No development to commence until Ecological Enhancement and Mitigation Scheme has been submitted to and agreed in writing by LPA. Carried out in accordance with approved details

14 – 21 Recommended Highways Conditions

**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/informative/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. In accordance with Paragraph 187 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

