

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 3rd October 2022

Application No:	HPK/2022/0250	
Location	Buxton Football Club, Silverlands, Buxton	
Proposal	Extension to form sponsors and supporters lounges and extend the size of shop and canteen following demolition of portable cabins, canteen and part directors lounge.	
Applicant	Mr David Hopkins	
Agent	Lee Architects Ltd	
Parish/ward	Buxton Central	Date registered 26 th May 2022
If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Approve, subject to conditions

1. REASON FOR COMMITTEE DETERMINATION

- 1.1 This application has been brought before the Development Control Committee owing to previous applications for major and minor development being considered and determined by the Committee

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site is located on Silverlands and is occupied by Buxton Football Club. Following a very successful season, the club has recently gained promotion to the National League North (the 6th Tier in the English football pyramid).
- 2.2 The site contains a combination of single storey structures of varying architectural styles and visual appearance including a portacabin which align the public highway immediately to the north, with the playing pitch lying to the south and the existing stand to the east.
- 2.3 The buildings currently serve small scale catering facilities, a Directors Lounge, and a small shop.
- 2.4 The wider site comprises an artificial grass playing pitch measuring 104m x 74m, associated stands/terraces and ancillary structures. These are made up of two stands on the northern and western sides of the pitch; two terraces alongside the southern and eastern sides of the pitch and a clubhouse/bar facility; toilet block, and educational buildings.

- 2.5 Following the granting of planning permission under HPK/2017/0260, the new 4G sports pitch is rented out to community groups and members of the public on non-match days.
- 2.6 The site is bounded to the north by the public highway and Police headquarters beyond. To the south of the site sit two blocks of residential development. Terraced properties off Mill Court are positioned on the western side of the southern boundary whilst newer development off Woodside is located further east. The Ashbourne quarry railway line lies to the west whilst allotment gardens are situated beyond the eastern boundary.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application seeks full planning permission to demolish of the existing portable cabin, catering facilities and part of the Directors Lounge, and the construction of a new extension, which would serve as a new shop, canteen, WC facilities, Directors box, Sponsors and Supporters Lounge.
- 3.2 The resultant building would be sited on a similar footprint as the existing buildings, immediately adjacent to the entrance turnstiles. The public highway which sits on the opposite side of the boundary wall to the north, with the front elevation facing onto the playing pitch.
- 3.3 The plans show that that a new entrance to this building would be accessible from the public highway, with the ground floor containing a Canteen; new shop; toilets; and Directors Box. The extension would see a first floor added, accessed via a flight of internal stairs, which contains 2no. Supporters Lounges, the larger of the two served by a balcony overlooking the pitch, and supported by a drinks bar, and a Players Lounge.
- 3.4 The Elevation Plans show that the new resultant building would reach a maximum height of 6.92m, sitting below the height of the existing adjacent stand to the east which stands at a height of 8.0m.
- 3.5 The external walls of the building both fronting the public highway (Silverlands) and facing the pitch are shown to be finished in a split face stone to match the existing boundary wall with a dark grey profiled metal sheeting sloping towards the pitch away from the highway.
- 3.6 The northern elevation fronting the road is shown to contain a single ground floor doorway. The southern elevation that would overlook the playing pitch would comprise a ground floor canteen served by 2no. roller shutters, with 6no. sets of identical bi-fold doors sitting at first floor level providing access to the balcony, which spans the entire length of the building.

3.7 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=255354>

4. RELEVANT PLANNING HISTORY

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

- HPK/2017/0620 Provision of new accommodation for educational facilities and replacement of pitch and floodlights (Approved 03/05/2018)
- DOC/2018/0073 Discharge of Condition: 7 in regards of HPK/2017/0620 (Approved 05/07/2018)
- HPK/2018/0496 Variation of condition 6 (floodlight use) of HPK/2017/0620 (Approved 16/12/2018)

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
EQ10 Pollution and Unstable Land
CF4 Open Space, Sports and Recreational Facilities
CF6 Accessibility and Transport

National Planning Policy Framework 2021

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|---|------------|
| Achieving Sustainable Development | Chapter 2 |
| Building a Strong Competitive Economy | Chapter 6 |
| Promoting Sustainable Transport | Chapter 9 |
| Making Effective Use of Land | Chapter 11 |
| Achieving Well Designed Places | Chapter 12 |
| Conservation and Enhancement of Natural Environment | Chapter 15 |
| Conservation and Enhancing of Historic Environment | Chapter 16 |

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 3 rd August 2022
Neighbour letters	Expiry date for comments: 19 th July 2022
Press Notice	Expiry date for comments: N/A

Neighbours

6.1 4 x objections have been received in connection with this application. The grounds of objection are summarised as follows:

- Vehicle congestion and lack of parking is already an issue, which would be exacerbated by these proposals, impacting on highway safety.
- Proposal would lead to an increase in litter on surrounding streets.
- Pre-application consultation was not undertaken with local residents.

1 Letter of support has been received, provided that the following are secured:

- Traffic work should not routinely use the rear site access, via Mill Cliff, a private road.
- Construction works timings should not start early or finish late.

6.2 The following comments have been received from consultees:

Consultee	Comments
Network Rail	No comments to make.
DCC Highways	No highway safety comments to make.
DCC Archaeology	<p>Silverlands Football Ground has an entry on Derbyshire Historic Environment Record (MDR340) in relation to the suggested site of a Roman auxiliary fort.</p> <p>This is based upon the spread of known Roman finds from the surrounding area – dating from the late 1st to late 3rd centuries with a focus on the early part of this date range (Vespasian to Hadrian), which would certainly fit with the vicus of an early post-conquest fort. This theory has never been convincingly proved or disproved, geophysical survey having proved inconclusive. At present the site is immediately adjacent to the Area of Archaeological Interest (High Peak Local Plan) associated with Roman Buxton.</p> <p>The current proposal site is associated with fairly small-scale buildings that will have involved below-ground disturbance, and levels of potential impact/survival of archaeological deposits are unclear. The proposed new building is considerably more substantial and occupies a larger footprint, and there are consequently likely to be additional ground impacts outside the existing zone of</p>

	<p>disturbance, which could result in archaeological impacts.</p> <p>There is consequently a need under the policy at NPPF para 205 for a programme of archaeological work to investigate and record any archaeological remains within the zone of impact of the scheme. The scope and methodology for this will depend on the design of the foundations, and the extent to which early data on levels of preservation can be assembled. If Ground Investigation works are planned at an early stage then these should be archaeologically monitored and I should be consulted on the results. The subsequent archaeological scheme might then comprise either 1) evaluation trenches to sample deposit sequence and preservation, followed by additional mitigation as appropriate, or 2) archaeological monitoring of development groundworks scalable in the event of significant remains being encountered.</p> <p>No objections subject to appropriate conditions</p>
Severn Trent Water	No objections subject to condition requiring drainage details to be submitted and agreed in writing.
HPBC Environmental Health	Awaiting comments.
HPBC Service Commissioning Team	Awaiting comments.

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 at paragraph 11 of the NPPF.

Principle of Development

- 7.5 Local Plan (LP) Policy CF4 seeks to protect, maintain and where possible enhance sport and recreational buildings and facilities within the Borough to ensure their continued contribution to the health and well being of local communities.
- 7.6 Chapter 6 of the NPPF contains relevant national planning policies aimed at creating a strong competitive economy. Paragraph 81 makes clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.7 Buxton Football Club have recently been promoted to the 6th Tier of English Football (National League North). The club have ambitions to cement their place at this level and to challenge for promotion to the 5th Tier (National League). With promotion to a higher level comes with it increased operating costs (e.g. higher wages for better players), and the need to generate income through sponsorship and other means to allow the club to be financially sustainable in the medium-long term.
- 7.8 The club have recently gained national exposure being the subject of BBC1 coverage of their 2nd round FA Cup game against Morecambe in December 2021. This, together with the large away following associated with more established teams at this level, means that match attendance figures are likely to increase. An enhancement of the hospitality and catering facilities is therefore required.
- 7.9 The proposed development would enhance the facilities of the Football Club and contribute positively to its medium-longer term financial security. The proposal is also expected to create 4no. full time jobs. As

such, the application is considered to comply with the aims and objectives of LP Policy CF4 and relevant policies under Chapter 6 of the NPPF and is thus fully supported in principle subject to a detailed assessment of all relevant planning considerations.

Design Character and Appearance

- 7.10 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.
- 7.11 Policy EQ6 of the adopted Local Plan states that all development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place.
- 7.12 The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering buildings. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.
- 7.13 Paragraph 130 of the NPPF states amongst other matters that new development should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.
- 7.14 The Silverlands football ground site lies within the built-up area boundary for Buxton. The existing structures, set to be demolished consist of various roof forms and architectural designs that together, do not have a cohesive appearance and contribute negatively to the overall character and appearance of the site.
- 7.15 The proposed replacement building is considered to result in a visual enhancement of the site, being of a scale and height that would read as a subordinate structure when compared to the adjacent main stand. The new building would be constructed with a split face stone and a dark grey profile metal sheeting roof, which would reflect the colour and pallet of materials in the surrounding locality. The northern elevation would reflect the existing stone boundary wall aligning Silverlands.
- 7.16 The proposal is considered to constitute a high quality design that is of an appropriate scale, height, massing and visual appearance. The development would therefore comply with the design principles set out in Local Plan Policies S1 and EQ6, relevant Supplementary Design Guidance and paragraph 130 of the NPPF.

Amenity

- 7.17 Policy EQ6 of the adopted Local Plan requires all new development to achieve a satisfactory relationship to adjacent development. Matters which must be taken into account include visual intrusion, overlooking and overshadowing, noise and light pollution and any other adverse effects which could harm residential amenity.
- 7.18 LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.
- 7.19 Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.
- 7.20 Paragraph 185 of the NPPF states that policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution and health, living conditions and the natural environment. Local Planning Authorities should ensure that appropriate mitigation is incorporated to limit impacts regarding noise and light pollution.
- 7.21 The site is surrounded on its southern side by a row of two storey terraced properties on Mill Cliff, whose principal elevations face directly towards the Football Club and the proposed replacement building.
- 7.22 Whilst it is the case that users of the first floor the balcony would have views into the habitable windows of these neighbouring properties, the building would be positioned in excess of 85m from these neighbours. Accordingly, this distance would ensure that the privacy of residents in Mill Cliff are protected. The proposed building would not lead to any adverse harm in relation to overlooking or loss of privacy.
- 7.23 With regards to light pollution, a previous planning application, ref HPK/201/0620, granted planning consent for new floodlights and included a condition that was subsequently varied under HPK/2018/0496 to restrict the times of operation of the floodlights. The flood lights are permitted to operate between 0700 – 2200 Monday to Fridays and 0700 – 2000 on Saturdays. It is considered appropriate to apply a similar condition to any external lights associated with this building. Equally, given the close relationship to existing residents it is considered necessary to impose a condition to restrict construction working times to 0800-1800 Monday to Friday and 0800 – 1300 on Saturdays, and no working on a Sunday or bank holiday.
- 7.24 With regards to noise impacts, the use of the proposed building on match day would not contribute to any material increase in noise or

disturbance beyond that associated with the overall match day attendees. In the interests of public amenity, it is considered necessary to apply a condition which restricts the use of the balcony and requires balcony doors to be shut a maximum of one hour after each game.

- 7.25 Concern has also been raised by local residents about the problem of littering in the surrounding area and the lack of refuse bins. This matter can be addressed by an appropriate condition to secure refuse bins within the site.
- 7.26 Subject to these conditions, it is considered that the proposed building would not result in any adverse harm to residential amenity, and therefore complies with Local Plan Policies S1, EQ6 and EQ10, and relevant policies contained under Chapters 12 and 15 of the NPPF.

Highway Safety

- 7.27 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.
- 7.28 Paragraph 110 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 111 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.
- 7.29 Objections have been received from neighbouring residents who have expressed concerns regarding the current issues of on-street and unauthorised parking, and general volume of traffic associated with match days. They consider that the provision of this new hospitality suite would add to these issues.
- 7.30 The site lies within the built-up area boundary of Buxton in a highly sustainable location being within walking distance of public transport links (bus stops and railway station) and a number of public car parking facilities. Whilst it is acknowledged that on street parking may well cause problems for local residents on match days, the overall capacity of the stands and terraces will not increase as a result of this proposal.
- 7.31 With the increased success of the Football Club and promotion to the 6th tier, it is somewhat inevitable that match day attendances may increase, particularly given the larger away followings associated with some established clubs in the league. However, the replacement building would broadly serve the same uses as found in the collection of existing buildings and would not result in any significant intensification of the site. It is noted that the Highways Authority does not have any highway safety concerns with the proposal. The

application is not considered to result in any adverse harm to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Archaeology

- 7.32 The DCC Archaeological response identifies that the site forms part of a Historic Environment Record in connection the suggested site of a Roman Fort. The comments confirm that given that the proposed building would be larger than the existing buildings, there are likely to be additional ground impacts which could result in archaeological impacts.
- 7.33 The County Archaeologist concludes that subject to appropriate conditions to secure archaeological monitoring the proposed development would not give rise to any archaeological concerns.

Nutrient Neutrality

- 7.34 The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

- 7.35 The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays. However, the proposal does involve additional roof area and will therefore increase surface water run-off.
- 7.36 However, given the limited extent of the additional roof and the fact that the area is already hard surfaced it will not significantly increase run-off from the site and in turn will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals. Therefore it is not necessary to carry out an Appropriate Assessment.

Planning balance & Conclusion

- 7.37 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).
- 7.38 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan 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 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.
- 7.39 The application seeks full planning permission to demolish a number of existing buildings and a replacement building within the confines of Silverlands, occupied by Buxton Football Club.
- 7.40 The proposal will support the ongoing success and long term financial sustainability of the Football Club thereby complying with the aims of Local Plan Policy CF4 and relevant policies under Chapter 6 of the NPPF.
- 7.41 An assessment of the application has found that the proposed building would be of a high quality design that would contribute positively to the site and wider area, and subject to appropriate conditions, would not result in any adverse harm to residential amenity, highway safety or archaeological assets.
- 7.42 The application is therefore deemed to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF, is recommended for approval subject to appropriate conditions.

8. RECOMMENDATIONS

A. APPROVE subject to conditions as follows;

1. *3 Year Time Limit*
2. *Approved Plans*
3. *Details of materials to be agreed in writing*
4. *Time restrictions on use of external balcony*
5. *Time restrictions on external lighting*
6. *Construction working times*
7. *Scheme for refuse bins*

8. Archaeological monitoring and recording

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 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

