

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mrs. L. Aspland 'B'	Construction of all weather floodlit multi-use 'Astroturf', overspill parking and extension of existing drive - Bromsgrove Cricket, Hockey and Tennis Club, St. Godwalds Road, Bromsgrove	GB Footpath	12/0082-SC 24.05.2012

This application has been referred to the Committee for determination as it represents a Major Development.

RECOMMENDATION:

- (a) Minded to **APPROVE**.
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiration of the publicity period on **1st May 2012**.
- (c) In the event that further representations are received, **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services in consultation with the Chairman of the Planning Committee to assess whether new material considerations have been raised and to issue a decision after the expiry of the statutory publicity period accordingly.

Consultations

ENG Consulted 29.02.2012: No comments received to date.

EHM: Lighting Consulted 29.02.2012:

Recommend a lighting scheme is provided showing impact upon neighbours and a plot of the light overspill levels showing lux levels at facades of surrounding residences.

EHM: Noise Consulted 29.02.2012:

With regard to the possible noise impact of the development, there is no indication of what the noise levels are likely to be and whether they are likely to prove to be disturbing to the inhabitant(s) of what looks like the nearest premises to the proposed development, Lower Gambolds Cottage. I don't think that I would expect an assessment on the scale of a BS 4142 noise assessment to be carried out but I would like to see some indication from the developer of predicted noise levels.

CSO Consulted 29.02.2012: No comments received to date.

SPM Consulted 29.02.2012: No comments received to date.

WH

Consulted 29.02.2012:

Recommends that the permission be refused for the following reasons:-

The application does not provide a light spill plan indicating lux levels projected over the highway as a result of this application. The floodlights is very close to the Public highway known as Lower Gambolds Lane and notwithstanding the absence of lighting details light spill over the highway would be expected and no light source should project more than 5 lux over a highway. The information submitted is not adequate to demonstrate that there will be no impact on the highway network.

The proposed increase in car parking levels are not justified and parking for this facility should be considered against a maximum standard. The increased parking provision is excessively high compared to the new sports pitch it is supporting. The excessive provision of car parking is in direct opposition to the provision of a sustainable development which is not car reliant.

The proposal will result in an obstruction to an existing public right of way which would pass through the proposed hockey pitch. The pitch is surrounded by a 3m high fence which will prevent the lawful use of the public right of way. This right of way also appears to pass through the proposed car parking area which when in use will also be obstruct the use of the right of way. The County Councils public rights of way officer will provide separate comments on this matter.

Tree Officer

Consulted 29.02.2012: No comments received to date.

Sport England

Consulted 29.02.2012:

Looking first at the sporting benefit of the proposed development, the design and access statement sets out that the artificial grass pitch would meet an identified demand for this type of provision, especially to meet the club's need for dedicated provision for hockey match and training purposes. We understand the design of the proposed AGP has been discussed with England Hockey and meets recognised design guidance.

Although the surface type responds predominantly to hockey use and will limit the level of use for other sports to training, the clear stated intention for wider community access to this facility is recognised and supported. The proposed lighting is vitally important to ensure this access is deliverable. Such lighting will considerably extend the hours of use, especially outside the summer months and is often critical to the viability of many facilities which rely on income from evening lettings to cover operating costs.

With regard to the perceived potential detrimental sporting impact of the development, an area which has been utilised for some formal football use in recent years would be lost. However, given the sporadic nature of this use and the circumstances of this site, this impact is considered to be outweighed by the potential sporting benefits of the development.

This being the case, Sport England does not wish to raise an objection to this application. In order to ensure the proposed community access arrangements are clear, both for the benefit of the club and for prospective users, we would encourage that the following planning condition is attached to the decision notice (if the Council are minded to approve the application):

Prior to first occupation of the development, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall contain details on pricing policy, booking procedures and include a mechanism for review. The approved Agreement shall be implemented upon commencement of use of the development.

To secure well managed safe community access to the development.

RA

Consulted 29.02.2012: Objects on the following grounds:

1. The Hockey Club ground is bordered on its NW side for something over a quarter of a mile by a public footpath. The proposed hockey field would be at the western end of the Club's land. Near this point, the public right of way leaves the boundary and follows a direct line to a footbridge at the western boundary, across the site of the proposed hockey pitch.

An alternative route for the footpath has been created (and waymarked with Worcs. C.C. plastic discs), following the boundary of the field. This is not however a public right of way.

2. The footpath is well used. Despite the proximity of recent housing developments, it provides a convenient and pleasant access route to a network of unspoilt rural footpaths and lanes, in an area of natural beauty and industrial heritage interest. It is within twenty minutes' walk of the majority of the population of Bromsgrove, and five minutes walk from the railway station. At a different level, it provides a pleasing short walk for dog walkers, etc.

The proposed development would reduce significantly the attractiveness of the footpath. Three- and four- metre high fencing around the whole field, eight 16m- high lighting columns, together with metalled driveways over a part of the footpath's length, and a considerable increase in usage, would effectively destroy the amenity of the footpath for most of its length.

3. There is also a safety issue. At no point is the footpath shared with road traffic at present. The proposed layout of footpath and additional car parking shows no clear separation between the two.

WCC (PROW) Consulted 29.02.2012: Objects on the following basis:

Concern that the proposed car park and hockey pitch will obstruct Fininstall Footpath 505.

The proposal appears to be contrary to policy RST.3 of the Worcestershire County Structure Plan which aims to ensure that the development does not reduce the utility, convenience, recreational value, attractiveness and historic significance of public rights of way.

Fininstall Parish Council Consulted 29.02.2012: no objection to this application in principle and feel it would be good for the community but we must raise concerns about the additional traffic using the narrow roads and lanes when permission has just been granted for an additional 212 houses in the vicinity. This area already proves to be a problem which is exacerbated even more by railway station users using St. Godwalds Road as a car park.

Publicity Site Notice posted 10.04.2012; expired 01.05.2012
Press Notice published 09.03.2012; expired 30.03.2012
Neighbour notification letters (26) posted 01.03.2012; expired 22.03.2012

3 letters received raising the following concerns:

- Harm to residential amenity by virtue of additional light spill on to rear of dwelling and garden, increased noise and intensification of use up to 10pm.
- Increased risk of flooding due to the drainage of the artificial surface. Damage to local watercourse.
- Impact on Wildlife.
- Increased traffic on Lower Gambolds Lane and St. Godwalds Road causing increased congestion, parking and traffic hazards.
- Development will place extra burdens on highway system that is already locally congested.
- Lack of detail in relation to flood risk, bio-diversity, trees and hedges.

The site and its surroundings

Bromsgrove Cricket, Hockey and Tennis Club is located off the western side of St. Godwalds Road, just to the south of the Aston Fields residential area and within the Green Belt. The club's grounds cover a large (approximately 6.9ha), relatively flat and open area that is predominantly surrounded by fields. The club house and parking is located at the north-eastern end of the clubs grounds Lower Gambolds Lane is located to

the south of the grounds and a number of sporadically located dwellings are located off Lower Gambolds Lane in close proximity to the playing fields.

The playing grounds are predominantly bounded by mature trees, hedging and vegetation. A public footpath is located through the site, close to the north western boundary of the grounds. A small water-course is located at the south western boundary.

Proposal

Planning permission is sought for an all weather surface suitable for a range of sports but specifically designed to meet International Hockey Federation criteria. The pitch will measure 63 metres wide by 101.5 metres long and will be surrounded by 3 metre high fencing, which rises to 4 metres in height along the pitch perimeter behind the goals. Eight floodlights measuring 16.5 metres high will be spaced around the pitch. An overspill 'Grasscrete' car park with 31 spaces will be created northeast of the pitch linked by a gravel drive.

Relevant Policies

WMSS	QE3
WCSP	D.38, D.39, CTC.1, CTC.5, RST.3, CTC.1, CTC.8, T.3, T.4, T.10
BDLP	DS2, DS13, RAT2, RAT12, RAT13, RAT5, RAT4, RAT2, TR13, TR11, TR10
DCS2	CP14, CP10, CP21
Others	NPPF

Relevant Planning History

09/0958	Construction of an all weather floodlit hockey pitch - Extension of time for permission for B/2006/0984 - Granted - 08.02.2010
B/2007/0451	Extension and resurfacing of tennis courts and erection of 12 no. floodlights on 8 no. poles at 10 metres high - Granted - 17.08.2007
B/2006/0874	4 lane non turf cricket practice nets - Granted - 10.11.2006
B/2006/0984	Construction of an all weather floodlit hockey pitch - Granted - 06.11.2006
B/2006/0407	Proposed replacement cricket scoreboard - Granted - 14.06.2006
B/2005/0709	Change of use from changing room/ office to Pro Shop / office - Granted - 23.09.2005
B/2005/0634	Replacement score board - Granted - 08.08.2005
B/2003/0478	Extension to club house - Granted - 10.06.2003
B/1996/0351	Replacement pavilion containing dressing rooms and toilet facilities - Granted - 12.08.1996

Notes

Permission for this development was previously granted by permissions B/2006/0874 and 09/0956. Neither of these permission were commenced and have now expired.

Assessment

The main issues to be considered in this application include:

1. Whether the proposed development is an appropriate form of development in the Green Belt and, if not, whether very special circumstances exist to outweigh the level of harm caused.
2. Whether the visual impact of the proposal is acceptable.
3. Whether the proposal will create unacceptable residential amenity issues for nearby occupiers.
4. Highways and Public Rights of Way.

Green Belt:

Policy DS2 of the Bromsgrove District Local Plan 2004 and Policy D.39 of the Worcestershire County Structure Plan are in accordance with paragraph 19 of the NPPF in guiding that permission for development in the Green Belt will not be given, except in very special circumstances, unless the development relates to, amongst other criteria, proposals for essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.

It is noted that policy RAT2 of the BDLP 2004 makes allowance for the construction of facilities within the Green Belt provided the proposals are for essential facilities for outdoor sport or outdoor recreation. RAT2 also requires that -

- the proposed site should be within a reasonable walking distance of an existing public transport service;
- the proposal should have a safe and convenient access and adequate car parking to the satisfaction of the highway authority;
- the scale, design and visual appearance of the proposal should not have an adverse effect upon the character or amenities of the surrounding area;
- there must be no adverse impact upon ecological, environmental or archaeological interests;
- the proposal must not lead to the generation of excessive noise or other nuisance, such as lighting.

This application site relates to an existing sports field belonging to a long established sports club. The applicant's supporting statement notes that Bromsgrove has insufficient all weather pitch facilities and as a result Bromsgrove Hockey Club have to play 'home' games in Redditch. It is proposed within the applicant's supporting statement for the use of the new pitch to be available to the wider community, serving hockey, football and any other sports for which the surface is suitable. Bromsgrove District Council's Leisure and Culture Services Department are supportive of the application.

Whilst the site is located within the Green Belt, it is viewed to represent a fairly sustainable location on the edge of the built up area of Bromsgrove and a reasonable walking distance from Bromsgrove Train Station. Its edge of settlement position should provide suitable access for the local teams and schools.

The all weather surface and fencing will be well screened by existing mature landscaping, which largely surrounds the site. The applicant also proposes to plant a mix of Hawthorn / Quickthorn along the whole southwest boundary to strengthen the existing boundary screen to form a substantial 2 metre high hedgerow. The overspill car park will be constructed of Grasscrete, which is particularly sympathetic and will appear as grass minimising its intrusion into the Green Belt. A gravel drive will run from the car park to the pitch to provide a safe pedestrian access, disabled access and in the unfortunate event of an accident, emergency vehicle access.

The pitch and its ancillary elements will conflict, to a certain extent with the open nature of the site at present. However, the fencing will be largely viewed against the backdrop of landscaping and a condition is suggested to ensure the fencing is coloured in a dark green along with the ancillary electric cabinets to help them integrate into the surrounding landscape.

The 16.5 metre high floodlighting element of the proposal will have the greatest impact upon the openness of the Green Belt and amenity of adjoining neighbours. It is suggested a condition is attached to minimise visual intrusion, ensuring the colour of the galvanised steel floodlight columns is a light grey to help blend with the sky and minimise visual intrusion. Whilst the proposal will inevitably represent harm to the openness of the Green Belt, the visual amenity impact will be mitigated somewhat by virtue of the significant mature boundary vegetation of the site.

In consideration of the above, it is viewed that the proposal represents an essential sporting facility to support outdoor sport and is therefore appropriate development in the Green Belt in accordance with national policy PPG2 and policies DS2 and RAT2 of the BDLP.

Residential Amenity:

The application site relates to an existing sports pitch which may already be utilised during daylight hours. The construction of an all weather surface to replace this pitch is not therefore considered to introduce a new activity or use. However, it is acknowledged that the floodlighting will encourage greater use of the facility and later into the evening. It will therefore be essential to ensure that the use of the floodlights are limited, especially as the pitches primary use will be for team sports, which tend to be noisy due to the shouting between players. A single letter of objection in relation to the residential amenity impact of the proposal has been received from the occupiers of the dwelling located closest to the proposed pitch. Maidsmere Cottage (formerly Lower Gambolds Cottage) is located approximately 30 metres from the nearest floodlight and is shielded by relatively dense and mature vegetation.

The applicant has not provided manufacturer's specifications or plans to indicate lighting contours, which demonstrate how overspill, glare and skyglow will be controlled. Additionally, the applicant has not stated preferred opening hours. However, it is viewed that the opening hours previously conditioned for the site remain appropriate. As the principle of having floodlighting is agreed to be essential for the viability of the pitch, it is viewed that a suitably worded condition may be applied to agree necessary details with the Council prior to the commencement of works. A condition has been suggested to

ensure that the lighting is baffled to ensure light is directed to where it is needed and does not shine unnecessarily towards neighbours or create an over halo effect.

Considering the existing use, it is viewed that the proposal will have an acceptable impact on nearby residents subject to a condition controlling hours of use of the floodlighting, which will in turn limit playing time.

Highways

The County Highways Officer has been consulted and has raised concerns with regards to the proposed lighting, additional parking and the obstruction of the existing public right of way. Members will also note that the County PROW Officer and the Ramblers Associations have raised concerns with regards to the impact of the proposal on the public footpath.

It is viewed that the highways impact of the proposed lighting can be appropriately controlled through the use of a pre-commencement condition.

Members will note Paragraph 17 of the NPPF guides that decisions should, *"take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs."*

Additionally Paragraph 29 of the NPPF guides that, *"The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel."*

Members will note the comments of the Parish Council and the concerns within the letters of objection in relation to the already congested local roads. Whilst the allocation of additional parking can create additional vehicular demand, this is viewed to be unlikely to be significant as there is no increase in the total number of pitches. In relation to the additional proposed parking, it is considered that the linear layout of the Club's playing pitches would be significantly better served, from a functional perspective, by the addition of overspill parking in closer proximity to the proposed all weather pitch. It is your officer's view that the additional parking would not significantly harm the sustainability of the site and that the functional benefits of the proposed parking outweighs any such harm.

Public Rights of Way (PROW)

Paragraph 75 of the NPPF guides that, *"Planning policies should protect and enhance public rights of way and access."*

Policy RAT12 (Public Rights of Way) of the BDLP requires that,

"The District Council will, in conjunction with the County Council, actively support and promote the use of public rights of way for recreational purposes through a recognised network of public paths, routes and trails. Liaison will take place with other bodies as necessary to ensure landscape, agricultural, conservation and user interests are taken into account."

Members will note that **Policy RST3 of the Worcestershire County Structure Plan** seeks to ensure that development does not reduce the utility, convenience, recreational value, attractiveness and historic significance of the public right of way.

Whilst the proposed fencing will block the legally defined public right of way, an informal diversion has been in use by members of the public for a number of years. Members will note the concerns of Ramblers Association in relation to visual amenity and the safety aspect of further vehicular access. Whilst these concerns are noted, Members will note that a significant housing development is proposed immediately adjoining the site. It is viewed that this edge of settlement location represents an appropriate location for the enhancement of the existing sporting facilities and that such development would not represent an unduly intrusive element that would erode the character of this limited green space. Conditions are suggested to minimise the visual impact and requiring the diversion of the footpath prior to commencement of development.

Other Matters

Members will note the concerns of the occupiers of a nearby residential dwelling in relation to drainage and wildlife. Given the existing sports pitch use of the site, it is not considered that the development would represent significant harm to the wildlife of the area. No comments have been received from the Drainage Engineer at the time of writing; however, in light of the previously granted permissions for the same development, it is viewed that appropriate drainage can be secured by condition.

Conclusion

The construction of an all weather floodlit multi-use 'Astroturf', overspill parking and drive are viewed to represent essential facilities supporting outdoor recreation and, as such, are viewed to be an appropriate form of development in the Green Belt in accordance with the NPPF and policies DS2 and RAT2 of the BDLP. The concerns and suggested mitigating conditions in relation to visual amenity, residential amenity, additional parking and the impact on the affected footpath should be noted. However, on balance, it is viewed that the NPPF strongly supports the enhancement of existing sporting facilities in sustainable locations and that the concerns raised do not outweigh the benefits of this application.

RECOMMENDATION:

- (a) Minded to **APPROVE** (subject to conditions)
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the expiration of the publicity period on **1st May 2012**.
- (c) In the event that further representations are received, **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services in consultation with the Chairman of the Planning Committee to assess whether new material considerations have been raised and to issue a decision after the expiry of the statutory publicity period accordingly.

Conditions

1. The development must be begun not later than the expiration of three years beginning with date of this permission.

Reason: Required to be imposed pursuant to Sections 91 and 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the Approved Plans / Drawings listed in this notice:

Location plan at scale 1:2500, dwg no. 001 - received 02.02.2012

Proposed Site Layout Plan, dwg no.1076/02E - received 02.02.2012

Layout and Details of Hockey Pitch, drawing no. 1076/05B - received 23.02.2012

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policy TR11 of the Bromsgrove District Local Plan 2004.

4. No such light source shall be visible from outside the boundaries of the application site or produce more than 2 Lux horizontal or vertical illuminance at any adjacent property boundary.

Reason: To safeguard the visual amenity of the area in accordance with policy DS13 of the BDLP 2004.

5. Before development hereby approved commences, details must be submitted to and approved in writing by the Local Planning Authority showing scale elevational drawings of any driveway lighting. Thereafter, driveway lighting shall be carried out in accordance with the approved details.

Reason: To safeguard the visual amenity of the area in accordance with policy DS13 of the BDLP 2004.

6. Notwithstanding the approval hereby given the fencing, electric cabinets and lighting columns shall be painted in suitable colours to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity of the area in accordance with policy DS13 of the BDLP 2004.

7. Notwithstanding details of the floodlighting and columns illustrated on the approved drawing No. 1076/05B, a full technical specification to include a lighting plan of the pitch lighting direction and lux levels shall be first agreed in writing with the Local Planning Authority, prior to the erection of the floodlighting columns. Works shall be carried out as approved.

Reason: To minimize the spillage of light out of the area to be illuminated in the interests of the amenity of the area and the surrounding neighbours in accordance with policies DS13 and RAT2 of the BDLP 2004.

8. The floodlights shall be not be switched on until they have been fitted with baffles / cut off attachments, details of which shall be first agreed in writing by the Local Planning Authority which shall be permanently fixed in position so as to direct light to the area they are intended to illuminate.

Reason: To minimize spillage of light outside the area to be illuminated in the interests of the area and surrounding neighbours in accordance with policy DS13 and RAT2 of the BDLP 2004.

9. The floodlights shall be switched off between 2215 hours and 0900 hours Monday to Saturday and between 1615 hours and 0900 hours on Sunday. Ancillary driveway lighting shall be switched off 15 minutes after floodlighting.

Reason: In the interests of minimizing the effects of the lights and the activities so lit on the area and surrounding neighbours in accordance with policy DS13 and RAT2 of the BDLP 2004.

10. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the development being first used or in accordance with a programme agreed in writing by the Local Planning Authority. If within a period of five years from the date that soft landscaping is planted that landscaping is removed, uprooted, destroyed dies or becomes seriously damaged or defective, it shall be replaced in the same place by the next planting season.

Reason: To minimize the effect and enhance the character of the development in accordance with policy DS13 of the BDLP 2004.

11. Prior to the commencement of development hereby approved, the Public Right of Way number 505, as shown on the definitive Map for Worcestershire shall, as at the date of this permission, be diverted or stopped up to confirmation stage and approved in writing by the Local Planning Authority.

Reason: To ensure users of the public right of way are safeguarded in accordance with policies RAT12 and RAT13 of Bromsgrove District Local Plan 2004.

12. The disposal of storm water shall be by means approved by the Local Planning Authority. The approved system shall be operational before building works commence. Balancing will be required in accordance with the Environment Agency's policy.

Reason: In order to secure the satisfactory drainage conditions in accordance with policies ES2 and ES4 of the Bromsgrove District Local Plan 2004.

12/0082-SC - Construction of an all weather flood-lit multi-use astroturf pitch, primarily for the use of the hockey club (scheme includes overspill parking and extension of the existing driveway) - Bromsgrove Cricket Hockey And Tennis Club, St. Godwalds Road, Bromsgrove, B60 3BW - Mrs. L. Aspland

Notes:

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WMSS: QE3
WCSP: D.38, D.39, CTC.1, CTC.5, RST.3, CTC.1, CTC.8, T.3, T.4, T.10
BDLP: DS2, DS13, RAT2, RAT12, RAT5, RAT4, RAT2, TR13, TR11, TR10
DCS2: CP14, CP10, CP21
Others: NPPF

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.