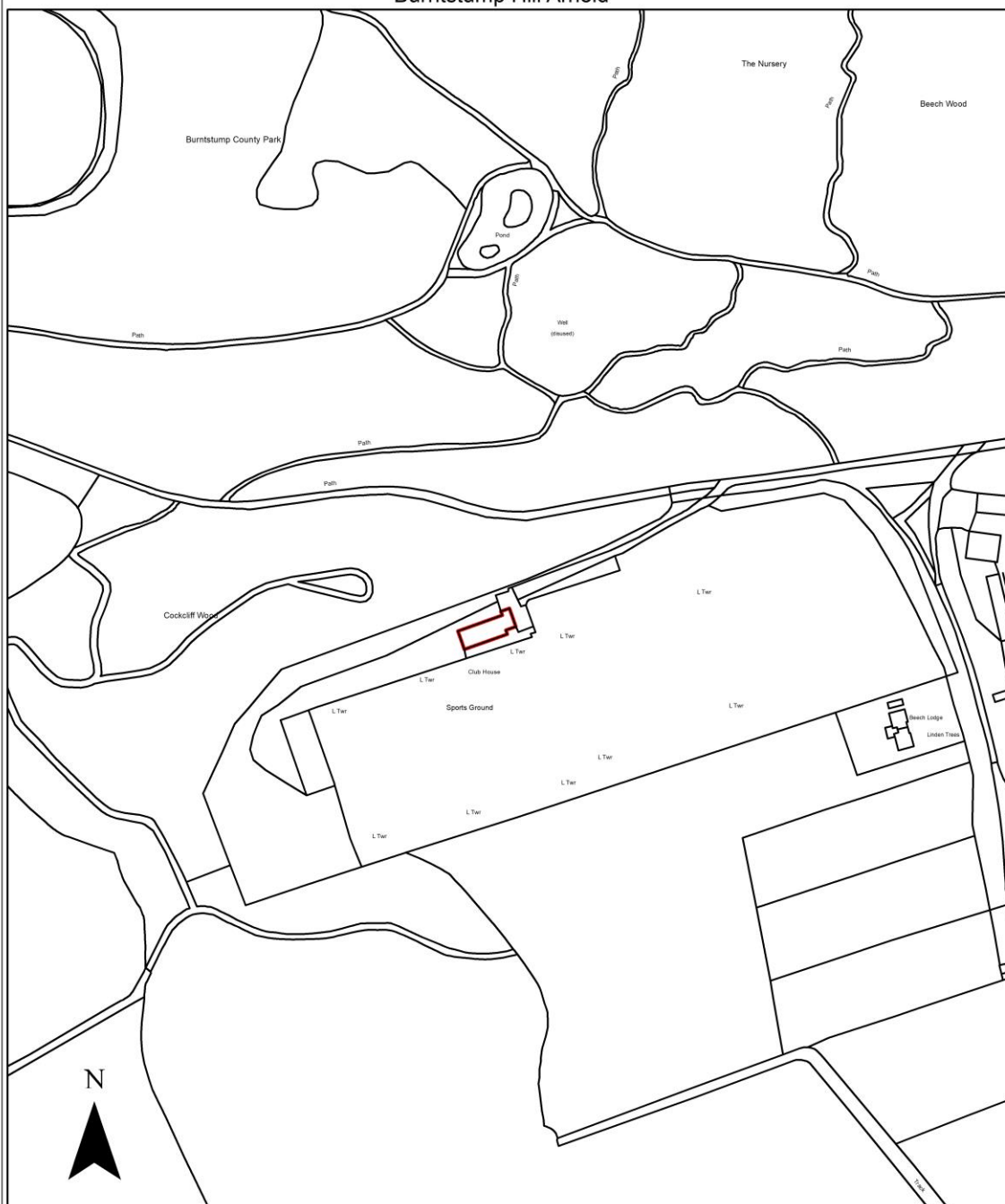




Planning Report for 2020/1177

1:2,500

Planning Reference: 2020/1177
Paviors RFC The Ron Rossin Ground
Burntstump Hill Arnold



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

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| Application Number: | 2020/1177 |
| Location: | The Ron Rossin Ground Burntstump Hill Arnold |
| Proposal: | Proposed extensions to existing clubhouse to provide improved changing room facilities, function room, 1st floor terrace, visitor toilets, entrance and fire escape. |
| Applicant: | Paviors Sports Club Ltd |
| Agent: | ABDS Ltd |
| Case Officer: | Bev Pearson |

This application has been referred to Planning Committee by the Planning Delegation Panel to allow Members to consider the weight given to the very special circumstances provided by the applicant.

1.0 Site Description

- 1.1 The application site relates to the Old Paviors Sports Club, a long established sports ground, which is located some distance from Burntstump Hill and adjoins the Bestwood Country Park to the north. The site is accessed via a private road, which also serves Seeley Infant School, several dwellings, Cockcliffe Farm and the Cockcliffe House Hotel.
- 1.2 The site comprises a two storey club house/changing rooms with sports pitches located to the south and parking to the north, east and west. There are a number of storage containers located against the northern boundary of the car parking area to the rear of the building.
- 1.3 The site lies within the Nottinghamshire Green Belt and is identified as private protected open space within the Local Planning Document Proposals Map.

2.0 Relevant Planning History

- 2.1 2010/0851 – Install new training floodlights; granted permission 29th November 2010.
- 2.2 2010/0307 – Variation of Condition 3 of permission 93/0793; granted permission 23rd June 2010.
- 2.3 2009/0086 – Disabled lift access to first floor; granted permission 30th March 2009.

- 2.4 2004/0085 – Erection of Floodlights & 15m high lamp posts; granted permission 15th April 2004.
- 2.5 93/0811 – Alteration to car park location; granted permission on 18th August 1993.
- 2.6 93/0793 – Variation of condition in respect of the use of the clubhouse; granted permission 18th August 1993.
- 2.7 91/0364 – Alterations to beer store and changing rooms and car park extension; granted permission 13th May 1991.
- 2.8 7/06/88/0516 – New Clubhouse over existing changing rooms; granted permission 18th May 1988.
- 2.9 7/1/81/233 – New Changing Rooms; granted permission 6th April 1981.

3.0 Proposed Development

- 3.1 Full planning permission is sought for the erection of:-

- ☐ a part single storey, part two storey extension to western end of the existing clubhouse building.

The single storey element would have maximum dimensions of circa 21m in length and 11.7m in width. It would have a maximum height of 2.6m with a 1m balustrade enclosing the flat roof and would provide 4no. changing rooms, 2no, shower blocks, 2 no. WC blocks, a store and a snack bar

The first floor element would have a maximum width of circa 5.1m, a depth of 7.2m an eaves height of 5m and ridge height of 7.9m

External materials comprise concrete interlocking roof tiles, facing brickwork and forest grey vertical boarding to match the existing building; and

- ☐ a two storey flat roof extension to the rear to provide enclosed escape stairs/lobby area. This would have dimensions of circa 11m width and 1.7m depth with a height of 5.1m;
- ☐ a two storey entrance lobby to the eastern end of the building with escape stairs. This would have maximum dimensions of 6.44m width and 4.63m depth and would have a maximum ridge height of circa 7.1m and an eaves height of circa 5.3m. External materials would comprise powder coated aluminium curtain walling.

- 3.2 The application has been accompanied by a Design and Access Statement and a further supporting statements in terms of very special circumstances deposited on the 5th February and 4th June 2021 and a statement from the Rugby Football Federation regarding their requirements.

4.0 Consultations

- 4.1 Neighbouring properties were consulted and a series of site notices advertising the proposal as a departure from Development Plan policies were placed around the site on 24th November 2020 and 12th May 2020. A press notice has also been placed. No representations have been received.
- 4.2 Nottinghamshire County Council Highways Authority – The junction is satisfactory for an increase in cars onto the adopted highway. No objections are raised.
- 4.3 Gedling Borough Council Environmental Health - It is suggested that similar conditions to those that are already in force are adopted

5.0 Assessment of Planning Consideration

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

6.0 Development Plan Policies

- 6.1 The following national and local policies are relevant to the application.
- 6.2 National Planning Policy Framework (NPPF) (July 2019) At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Sections 2 (Achieving sustainable development), Section 6 (Building a strong, competitive economy), Section 8 (Promoting healthy and safe communities), Section 12 (Achieving well-designed places), Section 13 (Protecting the Green Belt) are particularly relevant to the consideration of this application
- 6.3 The Gedling Borough Council Aligned Core Strategy (ACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- ☐ Policy A: Presumption in Favour of Sustainable Development – provides that a positive approach will be taken when considering development proposals
 - ☐ Policy 1 Climate Change – states that all development proposals will be expected to mitigate against and adapt to climate change to contribute comply with national and local target on reduced carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible.
 - ☐ Policy 3 (The Green Belt) establishes the principle of retaining the Nottingham Derby Green Belt.
 - ☐ Policy 10 (Design and Enhancing Local Identity) states that:- “development will be assessed in terms of its ‘massing, scale and proportion; materials,

architectural style and detailing and impact on the amenity of nearby residents and occupiers’.”

- Policy 13 (Culture, Tourism and Sport) sets out at paragraph d) that where appropriate further provision of culture, tourism and sporting facilities will be supported.
- Policy 16 (Green Infrastructure, Parks and Open Space) seeks that new green infrastructure assets should be multifunctional, make provision for access to leisure facilities and the countryside and provide physical opportunities such as formal sports provision.

6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- LPD 13 (Extensions to Buildings within the Green Belt) sets out that planning permission will be granted for extensions or alterations to buildings provided they do not result in the floorspace of the building being over 50% larger than when originally constructed or as it existed on 1st July 1948. In all cases they will be expected to be in keeping with surrounding character in terms of height, bulk, form and general design and not have a detrimental impact on the openness of the Green Belt or the reasons for including land within it.
- LPD 19 (Landscape Character and Visual Impact) states inter alia that “Planning permission will be granted where new development does not result in a significant adverse visual impact or significant adverse impact on the character of the landscape. Proposals will be required to respond to the recommended landscape strategy and landscape actions for the policy zone within which it is situated.”
- LPD 20 (Protection of Open Space) requires that permission will not be granted for development of open space as identified on the proposals map and identifies an exception as being development which enhances or improves the existing sporting potential or quality of a site.
- LPD 32 (Amenity) states “Planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.”
- LPD 57: Parking Standards - sets out the requirements for parking.
- LPD 61: Highway Safety - states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

7.0 Planning Considerations

The main issues for consideration in relation to the proposal are the principle of the development, the impact upon the Green Belt, the character of the area, amenity and highway matters.

The Principle of development

- 7.1 Paragraph 143 of the NPPF identifies that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 adds that substantial weight should be given to any harm to the Green Belt and that very special circumstances do not exist unless any harm is clearly outweighed by other considerations.
- 7.2 It is noted that although the erection of new buildings is considered inappropriate development in the Green Belt under paragraph 145 of the NPPF, sub-paragraphs b) and c) do identify that the provision of appropriate facilities for outdoor sport and proportionate extensions to existing buildings are an exception to this, is provided the facilities/extensions preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 7.3 Policy LPD 13 identifies that extensions and alterations to buildings in the Green Belt may be acceptable providing the proposals do not result in a floor space which is greater than 50% of the floor space of the original building.
- 7.4 The table below shows a comparison between the floor area of the original building, the floor area of subsequent extensions and the floor area of the currently proposed extensions:-

| Original building (81/233) | First floor extension (88/0516) | Lift extension (2009/0086) | % increase above original floor space | Proposed extensions (2020/1177) | Cumulative % increase above original floor space |
|----------------------------|---------------------------------|----------------------------|---------------------------------------|---------------------------------|--|
| 260.9 sq.m | 270.3 sq.m | 16.8 sq.m | 110 % | 379.4 sq.m | 255% |

- 7.5 From the above it is clear that the floor areas of the proposed extensions, together with that of previous extensions, would result in a significantly greater increase in floor area over and above that of the original building of more than 50%. Therefore, although the principle of the extensions might fall within the exception of development in terms of the provision of sports facilities in the NPPF the extensions would fail to meet the floor space threshold set out in Policy LPD13 and would be considered disproportionate additions. As such the development would be considered to be outside of the exception in sub-paragraph 145 c) of the NPPF and would therefore be inappropriate development and by definition harmful. Thus the proposal is a departure from Development Plan Policies

Very Special Circumstances

- 7.6 The applicant has put forward the following very special circumstances in support of the application:-
- 7.7 Paviers RFC is a major community facility within the district area. In many respects it is a victim of its own success in as much as the aims of the Club have developed alongside the Rugby Football Union's (RFU) ambitions to expand the game of rugby. The extent the club assists its local community in providing a venue for all age groups and genders to meet and exercise should be supported by the Council. The club currently competes in the Midlands Premier league level five semi-professional league in the English RFU system. In addition to the men's first XV the club have ladies and children's teams including Little Ruggers, Under 6's, Under 7's, Under 8's, Under 9's, Under 10's, Under 11's Girls, Under 11's, Under 12's, Under 13's, Under 13's Girls, Under 15's Girls, Under 18's girls, under 14's, under 15's, under 16's, under 17's, the academy, 1st XV Women, 4th XV men, 3rd XV men, and 2nd XV men. The proposed development would ensure that the progress of the club is not stifled
- 7.8 Due to the age of the building and the nature in which it developed there are a number of technical areas that do not comply with current standards required by Sport England and the Rugby Federation Union (noted in the RFU Design Guide to Changing Rooms and Club Houses) most notably in relation to size of changing rooms, means of escape, disabled access and toilet provision. The proposed extensions would meet the Rugby Football Federations required minimum no. of at least 2 changing rooms to accommodate 18 people with the required minimum clear floor space of 0.85m² per player and bench dimensions, minimum width of 1200mm-1800mm access corridors, adequate number of shower rooms and one point per 4 players points to serve each changing room with required clear floor space and drying area of 85m² and an appropriate number of official changing rooms.

The Planning Balance

- 7.9 Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is 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 resulting from the proposal, is clearly outweighed by other considerations.
- 7.10 It is therefore necessary to determine whether the considerations advanced by the applicant clearly outweigh the harm that would arise to the Green Belt from this inappropriate development, and therefore whether they constitute the very special circumstances that would be necessary to allow the development to be permitted.
- 7.11 Although amended plans have been received which reduce the first floor element of the side extension to the changing rooms and club house the development would still have an impact upon the openness of the Green Belt, in both a. visual and a spatial sense, due to the increase in the footprint of the building.

- 7.12 In support of the development, as noted above the proposed extensions seek to provide improved facilities that would meet the RFU current standards. Furthermore Building control colleagues have also advised that the development in terms of the number of escape stairs, escape stair widths, requirement for protected lobbies off staircases and minimum widths for lobbies and doors based on the occupancy and use of the building would meet current building regulations legislation.
- 7.13 Taking the above into account it is noted that the Rugby Club is a long established major sports facility in the Borough which supports the community with a wide range of teams in terms of age and gender and that the proposal would enhance and modernise the existing facility to meet current standards and to secure its longer term future at the site. It is therefore considered that the factors advanced by the applicant in support of the proposal would carry substantial weight in the planning balance and would demonstrate very special circumstances in this particular instance, which would clearly outweigh any harm (by virtue of inappropriateness) to the open character of the Green Belt setting of the site.

Impact on the character and appearance of the area (including Landscape Character)

- 7.14 The Council has undertaken a Landscape Character Assessment to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for assessing the varied landscape within the District and contains information about the character, condition and sensitivity of the landscape.
- 7.15 The site falls within landscape zone S PZ 3 Papplewick Wood Estates as identified in the LCA which has a landscape condition is defined as being good and sensitivity defined as moderate. The overall landscape strategy is to conserve and reinforce.
- 7.16 The proposed development is not considered to unduly impact on the rural character and appearance or landscape setting of the site nor its wider context in terms of its scale, design, materials and appearance which reflects that of the existing building.

Neighbouring amenity

- 7.17 It is noted that there are existing conditions approved in June 2010 which remain extant. These restricted that the club house only be use at lunchtime on days when competitive matches are taking place and on evenings in connection with training or competitive matches or club fund raising activities and would be for members of the sports club, bona fide guests and visiting teams. The club house could also not be used for any private functions or other non-sporting events open to the general public. A condition of this 2010 permission also restricted hours of use of the club house to between 9 a.m. and 11 p.m. other than on one occasion a year the date to be agreed in advance Borough Council. The one occasion agreed to take place outside the usual hours shall then only take place between the hours of 9 a.m. and 2 a.m with everyone having left the site by 2 a.m.

The application does not seek to change the use or these time restrictions.

- 7.18 The nearest residential properties are sited to the south east some 207m from the proposed roof terrace.
- 7.19 Being mindful of separation distances and the comments received from Environmental Health it is considered that subject to the re attachment of existing conditions regarding the use of the club house and restricted opening times together with a condition restricting the use of the roof terrace which are considered to be reasonable there would not be any significantly greater impact on the amenity of nearby properties to justify refusal on these grounds. Any statutory noise nuisance would be dealt with under Environmental Health legislation.

The highway implications of the development including car parking

- 7.20 The Highway Authority has raised no concerns with regards to the impact of the proposal on highway safety and onsite parking provision. From the details submitted and from my site visit there is substantial parking facilities within the site which would remain unaffected by the development.
- 7.21 Taking the above into account I am satisfied that the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Policies LPD 57 and LPD 61.

8.0 Conclusion

- 8.1 Although the proposal is a departure from Development Plan policies by virtue of it being inappropriate development within the Green Belt given its scale and thus by definition being harmful, it is considered that very special circumstances have been demonstrated which would clearly outweigh such harm to the Green Belt. The proposed development is visually acceptable and results in no undue impact on the landscape character of the area or on the amenity of neighbouring properties. There are no highway safety or parking issues. Taking the above into account it is considered that the development is appropriate to its context and in accordance with paragraphs 2, 6, 8, 12 and 13 of the NPPF , Policies 1, 3, 10, 13, 14 and 16 of the ACS and Section 6 and Policies LPD 13, 19, 20, 32, 57 and 61 of the LPD . There are no material considerations that indicate otherwise although conditions have been attached

9.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the following conditions:

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Conditions

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

- 2 The development hereby permitted shall be completed in accordance with the submitted documents/plans received on the 18th November 2020:- Application form; Design and Access Statement; Existing First Floor Plan drg. no P/BA/20/002; Existing Block Plan drg. no P/BA/20/004; Existing Ground Floor Plan drg. no P/BA/20/001; Topographical Survey drg. no. T01; Location plan; and the following revised plans deposited on the 12th March 2021:- Proposed Floor Plans drg. no P/BA/20/011A; Proposed Site Plan drg. no P/BA/20/002; Proposed Site Plan drg. no P/BA/20/013A; and Proposed Elevations drg. no P/BA/20/014A.

The development hereby permitted shall thereafter be undertaken in accordance with the submitted plans and details.

- 3 The materials used in any exterior work shall be as proposed in section 7 of the application form deposited on the 18th November 2020 and Proposed Elevations plan drg. no P/BA/20/014A deposited on the 12th March 2021.
- 4 The use of the development hereby approved shall be restricted to members of the Sports Club their bona fide guests and members of visiting teams. The clubhouse shall be used only at lunchtime on days when competitive matches are taking place and on evenings in connection with training or competitive matches or club fund raising activities and shall not be used for any private functions whatsoever or other non sporting events open to the general public.
- 5 The development hereby approved shall only be used for the purposes hereby permitted between the hours of 9 a.m. and 11 p.m. other than on one occasion a year with the date of this event to be agreed in advance in writing with the Borough Council. The one occasion agreed to take place outside the usual hours shall then only take place between the hours of 9 a.m. and 2 a.m with everyone having left the site by 2 a.m.
- 6 The roof terrace hereby approved shall only be used for the uses permitted by condition 4 between the hours of 9a.m and 10 p.m.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interests of visual amenity and the character and appearance of the area.
- 4 To protect the amenity of adjoining and nearby dwellings.
- 5 To protect the amenity of adjoining and nearby dwellings.
- 6 To protect the amenity of adjoining and nearby dwellings.

Reasons for Decision

For the reasons outlined above, in the opinion of the Local Planning Authority, although the proposed development would constitute inappropriate development within the Nottinghamshire Green Belt by virtue of a disproportionate addition to the existing building the applicant has demonstrated in this particular instance very special circumstances which would outweigh the harm to the Green Belt by virtue of any inappropriateness. The proposal is acceptable in terms of design and appearance and would not result in any undue impact on amenity or highway safety. The development would therefore accord with paragraphs 2, 6, 8, 12 and 13 of the NPPF, Policies 1, 3, 10, 13, 14 and 16 of the ACS and Section 6 and Policies LPD 13, 19, 20, 32, 57 and 61 of the LPD.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.