

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

**Grove Farm Sports Ground, Lenton Lane**

**1 SUMMARY**

Application No: 13/01313/PFUL3 for planning permission

Application by: CPMG Architects on behalf of The University Of Nottingham

Proposal: Two new sports pavilions/changing rooms following demolition of existing buildings and associated works. Formation of parking area and change of use of part of agricultural land to use as playing fields.

The application is brought to Committee because it relates to a major development within the Green Belt.

To meet the Council's Performance Targets this application should be determined by 5th September 2013

**2 RECOMMENDATIONS**

**GRANT PLANNING PERMISSION** subject to the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to the Head of Development Management.

**3 BACKGROUND**

- 3.1 The application site covers an area of approximately 6 hectares and comprises playing fields and farmland to the north of the River Trent and to the west of the Clifton Bridge. The site forms part of the Open Space Network and is within the Green Belt. The site also falls within Flood Zone 3b (functional floodplain) and borders Broxtowe Borough Council (BBC).
- 3.2 The site forms the Grove Farm Sports Ground which accommodates the majority of the University of Nottingham's sports pitches. It currently accommodated intra-mural, society and faculty matches throughout the year. There are 16 football pitches, 4 rugby pitches and 3 cricket pitches.
- 3.3 To the southeast of the site are a collection of buildings and hard standing areas used by University staff and visitors which are accessed from Lenton Lane. The buildings comprise Glebe Farm cottages occupied by two members of ground staff, the 'Old House' which is used as male changing facilities and two outbuildings / barns which are currently used as female changing rooms and groundsman's storage.

- 3.4 Thane Road runs adjacent to the northern most part of the site which is predominantly used for access into the Boots Campus and Power-league Sports Centre, which comprises a single storey gable end ridged roof pavilion building with associated car parking spaces and 14 no. 5-a-side pitches. Thane road is raised above the flood plain, approximately 5 metres higher than the site ground level. Public paths run along the south of the site. Electricity pylons are located along the north west side of the site crossing in a north eastern/south westerly alignment.

## **RELEVANT PLANNING HISTORY**

- 3.5 Planning application reference 11/02419/PFUL3 proposing the erection of 2 wind turbines including supporting ancillary structures and creation of new access roads, was refused in February 2013.

## **4 DETAILS OF THE PROPOSAL**

- 4.1 Full planning permission is sought for two new sports pavilions accommodating changing room facilities following the demolition of the two existing outbuildings. The gross external floor area for the two combined buildings would be approximately 1,880 sq metres. Associated works are proposed in the form of a new access road linking the two pavilions and formation of a parking area located on land currently occupied by the outbuildings. The access road within the site would link to the existing access from Lenton Lane and onto the public highway. A change of use of part of the agricultural land to the south west corner of the site to extend the playing fields is also proposed. The 'Old House' and glebe cottages are to be retained. The wet facilities would be removed from the house and no longer used as changing facilities.
- 4.2 The pavilions would be virtually identical and Pavilion A would be located close to the group of existing buildings. Pavilion B would be located further west (by approximately 300 metres) in close proximity to sports pitches at the western part of the site.
- 4.3 The design of the pavilions has a contemporary barn aesthetic. Both are pitched roofed, single storey with plant equipment hidden within the roofspace. The overall height of the pavilions to ridge level is approximately 10.5m, 4.87m to eaves level. The ground floor slab of the building is raised 1.5m above existing ground level due to the floodplain. The pavilions would span 19.5 m in width and 51.7m in length. Both include associated entrance steps and pavilion A also includes a ramped access. Both pavilions include a plinth constructed from gabions as part of the flood alleviation measures.
- 4.4 The proposals would provide 19 football pitches, 4 rugby pitches, 2 lacrosse pitches, 1 Gaelic-football pitch, 1 baseball pitch, 1 American football pitch and the potential for 3 cricket pitches and 2 softball pitches. The increase in pitch numbers is a result of improved pitch management and the proposed change of use of part of agricultural land currently located to the south west corner of the site.
- 4.5 The developer is offering local employment and training opportunities during the construction phase of the development. Local employment and training opportunities associated with the maintenance of the University's wider property portfolio have also been agreed outside of the scope of this application. The mechanisms for providing these benefits will be by way of a S106 obligation.

## 5.0 **CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS**

- 5.1 Publicity was undertaken through the display of a site notice and publication of a press notice. The following adjoining occupiers were initially consulted and recently re-consulted following the receipt of additional and amended information. The overall expiry date for consultations was 14th August 2013.
- 5.2 Trentside Farm, Greenwood Meadows Football Club, Riverside Golf Centre, Dunkirk Sports And Social Club, Notts Unity Casuals Cricket Club, Restaurant Sat Bains, The Dave Eastwood Sports Ground, 1 & 2 Grove Farm Cottages Lenton Lane. Power League Soccer Centre Thane Road and 14 Fleming Gardens.

### **Additional consultation letters sent to:**

**Noise and Pollution Control:** No comments to make.

**Highways:** A swept path analysis is needed for the new access road. The applicant is intending to increase the availability of car parking on site to 140 car parking spaces, from 100 existing in an undefined arrangement. cycle parking provision would be increased on site which is welcomed but the number not specified. Cycle parking should be lit, secure and undercover.

**Comment:** *A swept path analysis has been provided and the number of cycle bays has been confirmed at 14 which is now acceptable.*

**Drainage:** There are concerns from a drainage perspective which need addressing prior to the determination of the application. The Finished Floor Level of the new pavilions were queried. Given the low spots approaching the site, details need to be provided as to how the issue of becoming 'marooned' will be prevented / addressed. Calculations regarding flood storage volume are required.

**Comment:** *The finished floor levels have been confirmed and a flood evacuation management plan has been provided which is considered to be acceptable. However, flood storage volume calculations have been requested.*

**Environment Agency:** In the absence of an acceptable Flood Risk Assessment (FRA) there is an objection to the proposal and a recommendation to refuse. The submitted FRA does not comply with the requirements set out in the Technical Guide to the National Planning Policy Framework NPPF. The submitted FRA does not provide an appropriate level of information to make a full assessment of the flood risks associated with the scheme. There is a lack of clarity over the setting of floor levels relative to the flood levels and the unaccounted for large pile of earth located next to the Grove Farm buildings, which has a significant adverse impact on flood flows/ storage capacity and therefore should be removed. There are inadequacies in sections of the FRA relating to flood flow and flood storage.

In terms of minimising the potential impact on flood flows, the reorientation of Pavilion A by 90 degrees was suggested to minimise the impediment to flood flow caused by the building. The details of proposals to compensate for the loss of floodplain storage are considered to be flawed and need to be revised, taking into account the loss of storage volumes from the old farm buildings and the new gabion structures, as well as any parts of the proposed buildings which are below the flood level.

The FRA needs to include details of flood resilience measures for the proposed buildings. The FRA does not adequately demonstrate that the proposal would be

water compatible development.

**Comment:** *An amended FRA has been submitted to address the above concerns and the Environment Agency have been re-consulted. Further comments will be reported at Committee.*

**Broxtowe Borough Council:** No objections to proposal.

**Sport England:** The site forms part of playing fields and is considered in light of playing fields policy, the aim of which is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches.

The proposed pavilions and revised access road would impact on the existing playing field area and therefore the provision of the additional land for new and replacement sports pitches is important. It is recommended that the increased playing pitch area and the pitch re-positioning should be carried out prior to the commencement of the development to construct the facilities and access road as submitted. A number of detailed design concerns have been raised and Sport England have submitted a holding objection until these are addressed.

**Comment:** *Amendments have been made to the scheme to address the above concerns and Sport England have been re-consulted. Further comments will be reported at Committee.*

**Nottingham Wildlife Trust:** The trust supports the recommendations set out in the Ecology Assessment and request that planning approval is conditional upon the protection of badgers and nesting birds as described in that document. It is requested that further Bat Activity Surveys and their assessment are completed before the planning application is determined.

**Biodiversity & Greenspace Policy Officer:** The ecology report has highlighted that the buildings proposed for development have the potential to support roosting bats, and have therefore recommended further survey. These surveys are needed prior to determination of the planning application.

**Comment:** *A bat emergent survey has been undertaken and the biodiversity officer has been re-consulted. Further comments will be reported at Committee.*

**Severn Trent Water:** No objection to proposal. It is recommended that a drainage plans be submitted and approved prior to the commencement of development.

**Comment:** *This is a Building Regulations matter.*

A letter received from Councillor Tim Spencer on the 14/06/13 questioning the historic merit of the buildings to be demolished and whether a bat survey has been undertaken.

A series of correspondence has been received from a local Clifton resident objecting to the proposal on the following grounds:

- The County Council Historic Environment Record was provided for Grove Farm.
- There is a heritage value to Grove Farm (the farm house and buildings) as an intact group of farm buildings.
- The former barn and granary wagon / cart sheds and cowshed (now used as female changing rooms and grounds man storage respectively) date from 1927 and there is a Royal connection.

- The riverscape setting of the buildings is distinctive when viewed from the Trent-side footpaths or Clifton Bridge.
- The farm buildings are proposed to be demolished and replaced with ad hoc Pavilion buildings which are inappropriate and would weaken Grove Farm's heritage.
- The buildings would be replaced with 40 extra car-parking spaces. Alternative options should be considered to avoid demolition but still balance floodplain requirements.
- It would result in further hardstanding.
- The visualisations show the proposed pavilions and associated works as too urban in appearance, the grey colour and signage scheme does not respect the green belt.
- It is not conserving or responding to the countryside context.
- It is likely that Security lighting proposals will follow which would go against the amenity / nature of this relatively dark corridor.
- The positioning of pavilion B would impinge on views from the entrance, footpaths, the A453 and Clifton, especially during winter months.
- Concern over change of use resulting in loss of agricultural land and its impact upon the Greenbelt and how the proposal, together with Boots proposals, might cumulatively effect the finely balanced scenery.

## **6 RELEVANT POLICIES AND GUIDANCE**

### **National Planning Policy Framework**

Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taking on applications. The NPPF proactively encourages and places significant weight on sustainable economic growth through the planning system.

Paragraph 17 of the NPPF also recognises that some open land can perform many functions such as for recreation, and flood risk mitigation.

Paragraph 58 of the NPPF advises that design should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The document supports seeking to promote or reinforce local distinctiveness.

Paragraphs 81 and 88 of the NPPF advises Local Planning Authorities to plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity. It should also be ensured 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, is clearly outweighed by other considerations.

Paragraph 89 of the NPPF advises that developments in the Green Belt meeting the exceptions test are the provision of appropriate facilities for outdoor sport, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Paragraphs 100-102 of the NPPF set out the tests for development in areas at risk of flooding.

Paragraph 103 of the NPPF states that Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test it can be demonstrated that within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

Paragraph 135 of the NPPF advise that in assessing applications, a balanced judgement is required having regard to the scale of harm or loss and the significance of the heritage asset (paragraph 135 of the NPPF).

**Nottingham Local Plan (November 2005):**

R1 - The Open Space Network. Complies

R5 - Playing Fields and Sports Grounds. Complies

BE3 – Building Design. Complies

NE2 - Nature Conservation. Complies

NE3 - Conservation of Species. Complies

NE8 - Green Belt. Complies

NE10 - Water Quality and Flood Protection. Complies

T3 - Car, Cycle and Servicing Parking. Complies

**7. APPRAISAL OF PROPOSED DEVELOPMENT**

**Main Issues**

- i) Appropriateness to the Green Belt and Open Space Network
- ii) Residential Amenity
- iii) Impact upon the Playing Fields
- iv) The Historic Environment
- v) Flood Risk
- vi) Parking

**Appropriateness to the Green Belt and Open Space Network (Local Plan Policies BE3, NE8 and R1)**

- 7.1 The site is located in the Green Belt where there is a presumption against inappropriate development. This area is also designated as part of the Open Space Network where there is a presumption against development that would have an adverse affect. The NPPF advises that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of a list no. of exemptions, including *'provision of appropriate facilities for outdoor sport, outdoor*

*recreation on the basis that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.'* The proposal is considered to comprise the above exemption which is not classed as inappropriate development. The proposal is not considered to be harmful to and would preserve the openness of the Green Belt for the reasons set out below.

- 7.2 The justification for the proposed replacement facilities is due to the existing buildings being in poor condition, inadequately located and vulnerable to break-ins and vandalism. The existing facilities do not meet current standards and space requirements and are unable to meet the current recreational activity on the site.
- 7.3 The proposed pavilions' contemporary barn aesthetic is felt to be of merit and an interesting response to their function, the site context and the constraint of floodplain.
- 7.4 It is recognised that the new pavilions would be significantly larger than the outbuildings they would be replacing and although single storey are relatively high at 10.5 metres to ridge level. However, the main reason for this is due to the ground floor slab being 1.5m above existing ground level for flood alleviation measures. The pitched roofed design also has the benefit of concealing plant equipment and storage tanks within the building.
- 7.5 Although the single storey approach may have an increased footprint in comparison to a two storey solution, it is lower in height in terms of preserving the openness of the Green Belt. The agents discounted the option of one larger pavilion over two smaller pavilions as it was felt this would have less impact upon the Green Belt and would help with the ongoing site management strategy. The layout of each pavilion has been designed to reflect the principles set out in Sport England's guidance to ensure a practical, efficient and accessible layout. The pavilions have been designed to have a footprint and height which are as small as is practicably possible given the site constraints. The proposed scale and size are considered to be justified in this particular case.
- 7.6 The rationale for the siting of the pavilions is that the western most part of the site is currently poorly accessed and is a significant distance from the current changing facilities (approximately 700m away at the furthest point). Furthermore the change of use of part of agricultural land to playing field is located even further west of the site. The proposed pavilions would be sited to best serve the improved site management strategy and sporting activity on the site. The new access road would link the two pavilions and enable coaches to drop off participants at pavilion B.
- 7.7 Distancing the pavilions would improve the management of the facility on match days. Players and spectators would not have to walk long distances to and from the changing facilities and toilets. Having two pavilions at a distance helps with flexibility of recreation use and number of different sports that can be played.
- 7.8 The pavilions would be positioned and aligned in a manner to reduce their visual impact. In particular, Pavilion A would also be screened by vegetation to the south thus reducing its visibility when viewed from the River Trent footpath and beyond.
- 7.9 The proposal is to finish the main facades of the pavilions in dark grey close textured blocks, to provide a strong contemporary aesthetic, yet one which is also 'barn like' in appearance and both robust and resilient to vandalism. A recessed area is proposed to one side of each pavilion to be finished in contrasting close

textured grey block to provide a distinctive covered area for spectators to shelter. The pitched roof covering is to be a grey metal profiled cladding system. Both buildings include a plinth constructed from gabion walls as part of flood alleviation measures. The chosen aesthetic materials are considered to be appropriate to the Green Belt context.

- 7.10 Windows have been kept to a minimum for security and vandalism reasons. Sunpipes are proposed to the roof to provide natural daylight to the corridors. The lack of windows is considered to be acceptable and in keeping with the barn aesthetic.
- 7.11 The main car park would be constructed using a porous paving system, similar to Eco-block, to preserve the natural grassland appearance and to enable permeability of water on site.
- 7.12 The proposed position of the parking area is considered to be the most appropriate and logical as it is already an area of hard surfacing and is close to the entrance.
- 7.13 The change of use of the agricultural land to playing field is similarly considered to satisfy the exemptions criteria of development in the Green Belt and Open Space Network. It would clearly maintain the openness of the area and no natural features would be affected as a result i.e. loss of hedgerows.
- 7.14 In conclusion the proposal is considered to satisfy the NPPF and relevant Local Plan Policies insofar as they relate to development affecting the Green Belt and Open Space Network.

#### **ii) Residential Amenity (Policy BE3)**

- 7.15 Although there would be a net gain in the number of sports pitches, there is no intention to significantly increase the capacity of the existing facilities. Games would continue to be held as per the existing situation with a similar number of participants using the site anticipated. The proposal is seeking to replace existing facilities and is therefore like-for-like in nature to the existing situation. Given the distance the neighbouring residential properties are situated the proposal is unlikely to affect their living conditions of adjacent properties. The proposal would therefore comply with policy BE3.

#### **iii) Impact upon Playing Fields (Policy R5)**

- 7.16 Each pavilion comprises 6 no. 22-person and 13 no. 18 person changing rooms, changing areas for male and female officials (10 person and 5 person respectively) and other ancillary facilities. The layout of each pavilion has been designed to reflect the principles set out in Sport England guidance, to ensure a practical, efficient and accessible layout is provided. However, the changing rooms are slightly smaller than Sport England guidelines would require, so that the pavilions are themselves smaller and less intrusive in the Green Belt.
- 7.17 It is likely that the sports use of Grove Farm would be seriously compromised if the changing room provision was not upgraded due to the poor condition of the existing facilities.
- 7.18 The site layout shows a net gain in the number of sports pitches. However, there is no intention to significantly increase the overall capacity of the existing facilities.



Games would continue to be held as per the existing situation on Wednesdays, Saturdays and Sundays. A similar number of participants would use the site but with improved facilities, enhanced site management, greater flexibility and increased variation of sport played at any one time. The number of proposed changing rooms would comfortably meet the capacity of users on any of the given three days.

- 7.19 Any recreational land that is lost through the development would be mitigated through the change of use of part of the agricultural land to the south west corner of the site, that would extend the playing fields. The additional pitches resulting in the change of use will provide the ability to rest 2 or 3 pitches whilst goal areas are reseeded, drainage is improved etc.
- 7.20 Amendments have been made to the interior facilities of the pavilions which are anticipated to address the concerns raised by Sport England. An update on this matter will be provided at Committee.

#### **iv) The Historic Environment (Policy BE3 and NPPF)**

- 7.21 The proposal would result in the demolition of two C1927 farm buildings which are currently used as changing rooms and for equipment storage. These buildings were constructed while the site was in the ownership of the Crown Estate. The buildings are currently in poor condition.
- 7.22 The functional design and age of the buildings afford them a relatively limited degree of significance in their own right. As part of the Grove Farm complex the buildings make a contribution to the setting of the 19<sup>th</sup> century farmhouse, albeit not being contemporaneous with it. The house which is to be retained and refurbished is considered an undesignated heritage asset due to its age and architectural quality. In assessing the application, a balanced judgement is required having regard to the scale of harm or loss and the significance of the heritage asset (paragraph 135 of the NPPF).
- 7.23 Historic maps of Grove Farm show that an older U shaped range of agricultural buildings (which once adjoined the farmhouse) was demolished in the mid 20<sup>th</sup> century. This has left the 1927 buildings as evidence of the former agricultural use of the site.
- 7.24 It is recognised that demolishing the buildings would have an effect on the significance of the farmhouse by removing the link to its historic agricultural use. However, it is considered that the new replacement pavilions, with their barn aesthetic would still mean that this link to the historic agricultural use is capable of being read.
- 7.25 The outbuildings do not meet accommodation requirements and would increase the flood volume if retained alongside the new proposals.
- 7.26 The siting of the pavilions is considered to be appropriate in the context of the setting of the retained house. In particular Pavilion A, being the closest to the old house, is at a sufficient distance (>100 m) such that it would not have an overbearing impact upon the setting of this historic asset.

#### **v) Flood Risk (Policy NE10)**

- 7.27 The pavilions have been designed to minimise their impact upon the flood plain and to not cause an adverse effect during times of flooding. The access road and car park would both be constructed of porous material to further reduce the impact on flooding.
- 7.28 The proposed finished floor levels would be 1.5m above existing ground levels with gabion walls screening the void beneath, thus allowing the area below the floor slab to flood. Amendments have been made to the scheme, such as the proposed removal of the large soil heap to help with flood storage capacity. An amended FRA has been submitted and it is anticipated that this will address the previous concerns of the Environment Agency.

#### **vi) Highways and Parking (Policy T3)**

- 7.29 A new access road is proposed to link Pavilions A and B in order for coaches to drop off participants at Pavilion B, turn round and return to the main entrance. This track would be approximately 5 metres in width and constructed in porous compacted stone.
- 7.30 A vehicle swept path analysis has been undertaken on the new access road as well as the coach turning circle and both are considered to be acceptable by Highways.
- 7.31 The proposals comprise an increase in the number of parking spaces on a combination of the existing parking area and land currently occupied by the out buildings proposed to be demolished. 140 spaces are proposed; this is not for an increase in demand, rather to meet current demand for which there is inadequate parking provision. This will also minimise parking along Lenton Lane. 14 cycle stands (to accommodate 28 cycles) are also proposed to be located close to the main entrance.
- 7.32 In response to earlier concerns raised by Drainage a flood evacuation management plan has been submitted in support of the proposals.

#### **Other (Policy NE2 and NE3)**

- 7.33 The recommendations of the Ecology Assessment are supported by the Nott's Wildlife Trust NWT. In line with the recommendations from the NWT a bat emergent survey has recently been submitted and found no evidence of bats emerging from either building to be demolished.

### **8. SUSTAINABILITY / BIODIVERSITY**

- 8.1 An energy report accompanied the application proposing that photovoltaic panels be installed upon the roof of the pavilions to meet the 10% renewable energy requirement. Additionally, the proposed materials are robust and with good longevity, thus reducing need for regular maintenance and repair. The type of construction would create buildings with reduced u-values that are on par with or exceed the current Building Regulations requirements. Light fittings would be low-e with automatic switching where appropriate. The proposal includes the provision of adequate cycle storage.

### **9 FINANCIAL IMPLICATIONS**

None.

## **10 LEGAL IMPLICATIONS**

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

## **11 EQUALITY AND DIVERSITY IMPLICATIONS**

Pavilion A would be fully accessible.

## **12 RISK MANAGEMENT ISSUES**

None.

## **13 STRATEGIC PRIORITIES**

Working Nottingham – Providing new employment opportunities within the City.

World Class Nottingham – Enhancing the facilities of one of its world renowned Universities.

Healthy Nottingham: The development will encourage participation in leisure and sport and will promote activities associated with a healthy lifestyle.

## **14 CRIME AND DISORDER ACT IMPLICATIONS**

None.

## **15 VALUE FOR MONEY**

None.

## **16 List of background papers other than published works or those disclosing confidential or exempt information**

1. Application No: 13/01313/PFUL3 - link to online case file:  
<http://plan4.nottinghamcity.gov.uk/WAM/pas/findCaseFile.do?appNumber=13/01313/PFUL3>
2. Emails from Biodiversity team dated 13/06/13 and 07/08/13.
3. Memos from Noise and Pollution Control dated 20/06/13 and 06/08/13.
4. Emails received from the same local resident on 24/06/13, 25/06/13, 03/07/13, 08/07/13 and 14/07/13.
5. Letter from Environment Agency dated 24/06/13.
6. Memo from Highways received on 19/06/13 and 18/07/13.
7. Letter from Severn Trent Water received on 01/07/13.
8. Letter from Sport England received on 01/07/13.
9. Letter from Nott's Wildlife Trust dated 22/07/13.
10. Letter received from Broxtowe Borough Council dated 26/06/13.
11. Email from Drainage dated 02/08/13.
12. Letter from Councillor Tim Spencer dated 14<sup>th</sup> June 2013.

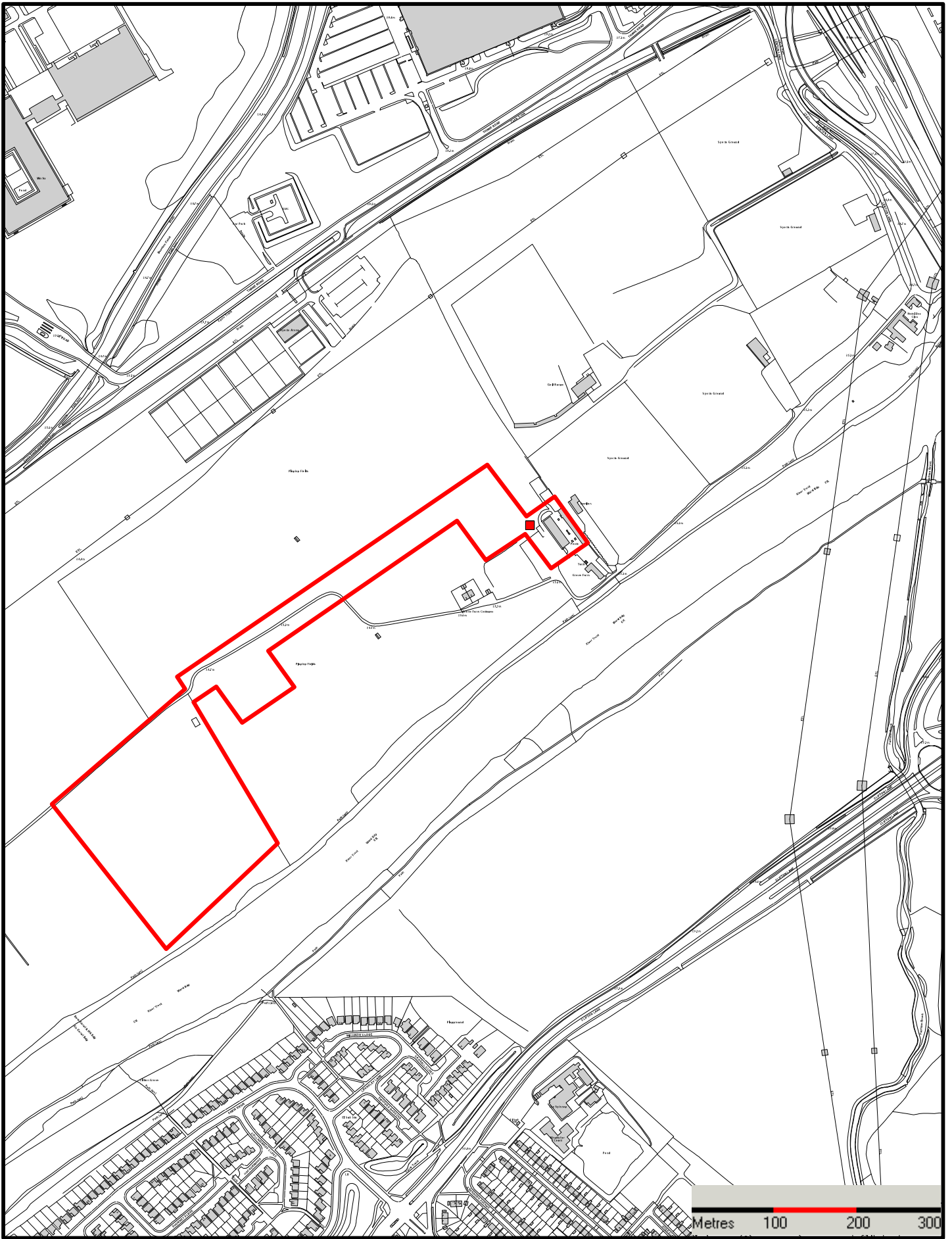
## **17 Published documents referred to in compiling this report**

Nottingham Local Plan (November 2005)  
The National Planning Policy Framework

**Contact Officer:**

Mrs N Tyrrell, Case Officer, Development Management.

Email: [nicola.tyrrell@nottinghamcity.gov.uk](mailto:nicola.tyrrell@nottinghamcity.gov.uk). Telephone: 0115 8764082



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**13/01313/PFUL3**  
**Grove Farm Sports Ground, Lenton Lane**



**Nottingham**  
**City Council**

**My Ref:** 13/01313/PFUL3 (PP-02666645)  
**Your Ref:**  
**Contact:** Mrs N Tyrrell  
**Email:** development.management@nottinghamcity.gov.uk



**Nottingham  
City Council**

Development Management  
City Planning  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

**Tel:** 0115 8764447  
www.nottinghamcity.gov.uk

CPMG Architects  
Mr Chris White  
23 Warser Gate  
The Lace Market  
Nottingham  
NG1 1NU

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990  
APPLICATION FOR PLANNING PERMISSION**

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Application No: 13/01313/PFUL3 (PP-02666645)  
Application by: The University Of Nottingham  
Location: Grove Farm Sports Ground, Lenton Lane, Nottingham  
Proposal: Two new sports pavilions/changing rooms following demolition of existing buildings and associated works. Formation of parking area and change of use of part of agricultural land to use as playing fields.

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Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

**Time limit**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

**Pre-commencement conditions**

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

2. The development shall not be commenced until details of all external materials of the pavilions and hard surfaced areas within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.*

**Pre-occupation conditions**

(The conditions in this section must be complied with before the development is occupied)



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**DRAFT <sup>1</sup> ONLY**  
**Not for issue**

Continued...

<p>3. The development shall not be occupied until the recommendations of the EMEC Ecology Report (July 2013), in particular those set out at paragraph 6.1.2 in respect of protection of badgers and nesting birds have been implemented.</p> <p><i>Reason: In the interests of nature conservation in accordance with Policy NE3 of the Local Plan.</i></p>
<p>4. The pavilions shall not be occupied until the agricultural land located to the south west of the site and identified on drawing no A-7386-70-003-P2 has been first converted to use as playing fields.</p> <p><i>Reason: To minimise impact upon the provision of playing fields in accordance with Policy R5 of the Local Plan.</i></p>
<p>5. The pavilions shall not be occupied until the parking area has been laid out and available for use.</p> <p><i>Reason: To ensure that there is adequate parking provision in accordance with Policy T3 of the Local Plan.</i></p>
<p>6. The pavilions shall not be occupied until the existing outbuildings have first been demolished.</p> <p><i>Reason: In the interests of preventing long term reduction in flood plain capacity in accordance with Policy NE10 of the Local Plan.</i></p>
<p><b>Regulatory/ongoing conditions</b> (Conditions relating to the subsequent use of the development and other regulatory matters)</p>
<p>There are no conditions in this section.</p>
<p><b>Standard condition- scope of permission</b></p>
<p>S1. The development shall be carried out in complete accordance with the details described in the following drawings/documents: Drawing, received 26 July 2013</p> <p><i>Reason: To determine the scope of this permission.</i></p>

### Informatives

1. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.
2. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.
3. Certain plant and animal species, including all wild birds, are protected under the Wildlife and Countryside Act 1981. For example it is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, and this can impact upon site clearance works

during the main nesting season which runs from April to September. Some other animals for example badgers, bats and water voles are protected under other legislation. An ecological survey and report may be required to establish the plant and animal species present on a site and the implications of this for development of the site. Whilst these aspects may have been considered during the processing of the planning application responsibility for complying with this legislation rests with the developer and/or contractor.

4. It should be noted that the City Council granted this permission following the signing of an agreement between the Council and the applicant in accordance with the provisions of Section 106 of the Town & Country Planning Act 1990, Section 111 of the Local Government Act 1972 or Section 33 of the Local Government (Miscellaneous Provisions) Act 1982. The terms of the agreement bind successors in the title and assigns and can be enforced against them.

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.



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Continued...



## **RIGHTS OF APPEAL**

Application No: 13/01313/PFUL3 (PP-02666645)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes).

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

## **PURCHASE NOTICES**

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

## **COMPENSATION**

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



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