

Report of Director of Planning and Regeneration

Basford United Football Club, Greenwich Avenue

1 Summary

Application No: 20/01277/PFUL3 for planning permission

Application by: MDA Mr Dave Smith on behalf of Mr Chris Munroe

Proposal: Single storey extension to clubhouse.

The application is brought to Committee because it has generated significant public interest that is contrary to the officer recommendation.

To meet the Council's Performance Targets this application should have been determined by 24th August 2020

2 Recommendations

- 2.1 To **GRANT PLANNING PERMISSION** for the reasons set out in this report, subject to the indicative conditions substantially in the form of those listed in the draft decision notices at the end of this report.
- 2.2 Power to determine the final details of the conditions to be delegated to the Director of Planning and Regeneration.

3 Background

Basford United Football Club operate from playing fields to the north east of Greenwich Avenue. The vehicle entrance into the site is off Greenwich Avenue. There are houses to the southeast and southwest and the River Leen and associated recreation areas and walkways to the northeast and northwest. The club site comprises practice pitches, the main pitch enclosed by fencing, stands, changing rooms etc., and in the southwest of the site is parking and a two-storey, residential scale building which is the clubhouse.

4 Details of the proposal

- 4.1 The application proposes the construction of a flat roofed, brick extension to the southeast elevation of the clubhouse. This would extend 6m out from the existing and extend to its full width of 16.4m. The extension would lead to the loss of five parking spaces and fourteen new spaces are proposed to the northeast of the car park, taking up part of a grassed area adjacent to a secondary pitch.
- 4.2 The applicant has noted that the extension is to provide indoor seating for existing users of the facility. The current clubhouse holds 25 people seated and 25

standing; as extended the clubhouse would provide 60 seated and 40 standing. The facility is primarily used for coffee mornings and activities for the elderly and other user groups. The applicant does not expect an increase in the numbers of people attending matches, due to the club's position in the national football pyramid. Current licencing hours are to 10.30pm weekdays and Saturdays and 7pm Sundays and it is not intended to extend these.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

49 – 59 (inc) Greenwich Avenue and 43 – 61 (odds) Skylark Drive. A site notice was also posted at the site entrance

22 resident responses have been received objecting to the proposal and one in support. Also received has been a petition objecting to the proposal containing 74 signatures. Objections are as follows:

1. Increased noise, anti-social behaviour and litter.
2. Increased traffic/parking on neighbouring road particularly on Greenwich Avenue.
3. Decrease in house prices (it is noted by the planning officer that this not a matter for the planning system).
4. There are already sufficient pubs and venues in the area.
5. Loss of green space available to residents.

Additional consultation letters sent to:

Environmental Health: No objection. It is noted that one complaint regarding noise was received in 2017 but unverified.

Highways: No objection.

6 Relevant policies and guidance

Aligned Core Strategies (ACS) – Local Plan Part 1 (2014)

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 10: Design and Enhancing Local Identity

Policy 13: Culture, Tourism and Sport

Policy 16: Green Infrastructure, Parks and Open Space

Land and Planning Policies (LAPP) – Local Plan Part 2 (2020)

Policy DE1: Building Design and Use

Policy DE2: Context and Place Making

Policy IN2: Land Contamination, Instability and Pollution

Policy TR1: Parking and Travel Planning

Policy LS1: Food and Drink Uses and Licensed Entertainment Venues outside the City Centre

Policy EN1: Development of Open Space

Policy EN3: Playing Fields and Sports Grounds

NPPF (2019):

The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible. Paragraph 124 notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

In determining applications that may affect heritage assets, paragraph 189 of the NPPF advises that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

7. Appraisal of proposed development

Main Issues

- (i) Whether the development will prejudice the amenity of adjacent residential properties and the surrounding area;
- (ii) Design and appearance of the extension;
- (iii) Other matters.

Issue (i) Prejudice to the amenity of adjacent residential occupants and the surrounding area (Policy 10 of the ACS and Policies DE1 and TR1 of the LAPP)

- 7.1 There has been a significant number of objections to the proposed development from adjacent residential occupants and from residents of the surrounding area.
- 7.2 Whilst a number of these responses refer to issues regarding the applicant's wider operation as a football club, with many references being made to noise traffic and inconsiderate parking on match days, the determination of this application must be focussed on an assessment of the impacts arising from the specifics of the development that is proposed. The applicant expects the match day attendance to remain as it is for another five years, this being largely dependent on the club's position in the national football league pyramid. The club currently play in the Northern Premier League Premier Division and the club's average attendance is around 330. The club does not expect this to increase until they reach the national League (involving two promotions).
- 7.3 The application site forms part of the larger sports field with recreational sports being the existing established use of the whole site. Environmental Health have no objections to the proposed development. The provision of an enlarged clubhouse is unlikely to attract additional supporters on match days, nor in itself create more noise and litter, and it is therefore considered that a refusal of planning permission based on the potential for increased noise nuisance would be not able to be sustained in accordance with Policy 10 of the ACS and Policies DE1 and IN2 of the LAPP.
- 7.4 The club run a number of programmes for the wider community, including youth and veteran's teams, educational affiliations with Trent University and Clarendon College, with classrooms, a gym and IT facilities. The club also holds coffee mornings, bingo, neighbourhood and community meetings. The club intends to use the extended clubhouse for these activities.
- 7.5 The potential for increased traffic/parking on neighbouring roads arising from the extension to the clubhouse has been reviewed by Highways who have no objection to the proposed development. The proposal would add nine spaces to the existing car park. Therefore it is not considered that there would be significant adverse highway impacts arising from the proposed development in accordance with Policy TR1 of the LAPP.

Issue (ii) Design and appearance of the extension (Policy 10 of the ACS and Policy DE1 of the LAPP)

- 7.6 Having regard to the design, scale, location and outlook from the proposed extension, and the relationship with the site boundaries, it is considered that the proposal would have an acceptable impact on neighbouring properties in terms of privacy, daylight, sunlight and outlook. The proposal therefore complies with Policy 10 of the Aligned Core Strategies and Policy DE1 of the LAPP.

Issue (iii) Other matters (Policies 13 and 16 of the ACS and Policies LS1, EN1 and EN3 of the LAPP)

- 7.7 The proposed clubhouse extension is in the car park of the facility and would not have any impact on the green space and the playing fields and recreational facility available to the public. The extension would serve an existing facility, rather than

being an additional food and drink use in the area. The proposal therefore complies with Policies 13 and 16 of the ACS and Policies LS1, EN1 and EN3 of the LAPP.

8. Sustainability (Policy 1 of the ACS and Policy CC1 of the LAPP)

Whilst no specific features have been highlighted in the planning application, the extension would need to incorporate appropriate energy/water conservation measures in order to comply with current Building Regulations. It is considered that this is sufficient to satisfy the requirements of Policy 1 of the Aligned Core Strategies and Policy CC1 of the LAPP.

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

None.

12 Risk Management Issues

None.

13 Strategic Priorities

Ensuring that all planning and development decisions take account of environmental and sustainability considerations.

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: 20/01277/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

2. Highways, 20.08.20

3. Pollution Control, 11.08.20

4. 24 Local resident responses received between 09.07.20 & 03.08.20

17 Published documents referred to in compiling this report

Aligned Core Strategies – Local Plan Part 1 (2014)

Land and Planning Policies – Local Plan Part 2 (2020)

NPPF (2019)

Contact Officer:

Mr Phil Shaw, Case Officer, Development Management.

Email: Philip.shaw@nottinghamcity.gov.uk Telephone: 0115 8764076

NOMAD printed map



Key



City Boundary

Description

No description provided



Nottingham
City Council

My Ref: 20/01277/PFUL3

Your Ref:

Contact: Mr Phil Shaw

Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
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Station Street
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NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

MDA Mr Dave Smith
Local Inn
Armstrong Road
Mansfield
Notts
NG19 6JR

Date of decision:

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

Application No: 20/01277/PFUL3
Application by: Mr Chris Munroe
Location: Basford United Football Club, Greenwich Avenue, Nottingham
Proposal: Single storey extension to clubhouse.

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)

There are no conditions in this section.

Pre-occupation conditions

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

2. The extension shall not be occupied until it has been finished in bricks of a colour, size, texture and pattern/bond to match those used in the existing building.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy 10 of the Aligned Core Strategies and Policy DE1 of the Local Plan

3. The extension shall not be occupied until the additional parking spaces shown on the approved plan have been provided, surfaced in a permeable material and marked out.



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Not for issue

Continued...

Reason: In the interests of the living conditions of neighbouring residents in accordance with Policy 10 of the Aligned Core Strategies and Policy DE1 of the Local Plan

Regulatory/ongoing conditions

(Conditions relating to the subsequent use of the development and other regulatory matters)

Standard condition- scope of permission

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 29 June 2020.

Reason: To determine the scope of this permission.

Informatives

1. 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.

2. 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.

3. Highway licences

The Highways Network Management team at Loxley House must be notified regarding when the works will be carried out as disturbance to the highway will be occurring and licences may be required. Please contact them on 0115 8765238. All costs shall be borne by the applicant.

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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RIGHTS OF APPEAL

Application No: 20/01277/PFUL3

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.

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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