

App.No: 150600 (PPP)	Decision Due Date: 25 August 2015	Ward: Langney
Officer: Anna Clare	Site visit date: 17 August 2015	Type: Planning Permission
Site Notice(s) Expiry date: 8 August 2015		
Neighbour Con Expiry: 8 August 2015		
Press Notice(s): n/a		
Over 8/13 week reason: To bring to Planning Committee		
Location: Sports Ground, Shinewater Lane, Eastbourne.		
Proposal: Erection of 80 seat stand to football ground		
Applicant: Mrs Tracey Saunders		
Recommendation: Refuse		

Executive Summary:

The team (Langney Wanderers Football Club) have gained promotion to County League Division 2 and as such the Sussex FA require various upgrades to the ground including the installation of this stand the subject of this planning application. Acknowledging this fact the scheme delivers concerns over the potential for anti-social behaviour and also adverse impacts upon the openness of this secluded parcel of private public open space.

This scheme is recommended for refusal .

Constraints:

TPO Trees

138

Land in Shinewater Lane

TPO33

North Langney (Groups and individual Trees)

Although no trees are affected by this proposal

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B2 Creating Sustainable Neighbourhoods

C9 Shinewater & North Langney Neighbourhood Policy

D10A Design

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas
HO20 Residential Amenity
LCF18 Extension of educational establishments
LCF2 Resisting loss of playing fields
NE16 Dev within 250m of former landfill site
US4 Flood Protection and Surface Water
UHT1 Design of New Development
UHT4 Visual Amenity

Site Description:

The application site is a non-local authority playing field (Owned by Fields in Trust) of approximately 2.8 hectares, located to the east of Milfoil Drive, adjacent to the South Downs Community School.

The site can be accessed via Shinewater Lane and Lavender Close. The playing field is surrounded by residential properties. The northern part of the playing field is used as a football pitch, and has been used as such for a considerable amount of time. The football pitch is bounded by metal railing and a small 'dug-out' located at one end of the pitch.

Relevant Planning History:

960093 Erection of a spectator Stand Planning Permission Approved conditionally
09/10/1996

130158 Erection of railings around football pitch Planning Permission
Approved conditionally 02/05/2013

131017 Erection of 4no. floodlights, measuring 18m in height, and a covered terrace, measuring 8m wide, 3m in depth and 2.8m high, to the football ground. Floodlights to be in operation on Saturday afternoons and for 1 no. weekday fixture per week. Approved conditionally 11/06/2014

Proposed development:

The erection of an 80 seater stand measuring 3m in width, 3m in height, 16m in length to be sited to the eastern edge of the existing football pitch which is sited to the northern end of the playing field surrounded by a white post and rail barrier (previously granted planning permission 02/05/2013 ref: 130158).

Consultations:

Neighbour Representations:

A petition with 32 signatures from local residents in Elmwood Close, New College Close, Windsor Close have objected to the proposal on the following grounds:

Loss of residential amenity

Noise pollution

Local vandalism is a continuing issue and residents doubt the robustness of the security of the structure

Character of the area would be affected

Increase in local parking at and within the vicinity of the site
Floodlights required to progress up the league have not been installed
Rustic charm of the area is being eroded
Donated to the community as 'Village playing fields'
Residents are worried about other developments/enhancements that may be needed to progress further up the league; further stands, fencing off the pitch introduction of payments etc
Pitch is difficult to find located within the heart of a residential housing estate.

Individual letters of objections have been received from the following properties;
1, 2, 4 Elmwood Close
3, 5, 6, 7 New College Close
42, 44 Wroxham Road

Covering the following points;

- Impact on the open space of the field
- Impacts on residential amenity of neighbours noise/disturbance
- Visual appearance from neighbouring properties
- Anti-social behaviour and Vandalism when not in use
- Use of field is for all not just for the Football Team
- Increase in noise from kicking against the structure
- Increase in noise level when pitch is in use
- Impact on parking (they currently allow parking on match days in the proposed location of the stand)
- Impact on wildlife/natural habitat
- Attracts people to congregate
- Change the unspoilt look of the field
- No toilet provision in the stand
- Ownership disputes/rights of way over the field
- Impacts on surrounding highways and parking

Appraisal:

Principle of development:

The agent for the application outlines that the team (Langney Wanderers Football Club) have gained promotion to County League Division 2 and as such the Sussex FA require various upgrades to the ground to enable them to retain their position in the football pyramid. The provision of this spectator stand is one of these requirements.

Officers have not seen any corroboration of the agents claim by/from The Sussex Football Association.

There is no objection in principle to community societies/clubs wishing to extend/adapt/alter their facilities to meet changing demands and responsibilities subject to their aspirations not resulting in any material harm to the interest of acknowledged importance. In short where a proposal can demonstrate that the development of a community asset can be achieved/delivered without giving rise to significant harm to either visual amenity or the amenities of the local residents then it should receive full support.

It is accepted and noted that over time there have been a number of consents/planning permissions that have supported the establishment and growth of this local football club, this proposal is materially larger than any scheme previously considered/determined.

Apart from the agents covering letter submitted to/with the application there are application is not supported with any evidence from the Sussex FA outlining that it is a requirement of the league that there needs to be a supporters stand for up to 80 supporters. Officers have evaluated the merits of this application in the absence of this information.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

The playing field is surrounded by residential properties, with those of Elmwood Close and New College Close nearest to the site of the proposed stand which are most likely to be affected.

There is a significant amount of greenery/shrubbery to the eastern boundary of the field which do form a separation for residential properties. Therefore the stand would not be overly visible from these properties other than from upper floors.

However the greenery is low and it is considered that the surrounding residents would be subjected to more noise on match days than would normally be expected by a public playing field.

The installation of the stand in such a location which is visually not readily overlooked and quite isolated would likely to be vulnerable to anti-social behaviour and/or vandalism. The plan states that the stand would be completely enclosed with a security shuttered front. There are not specific details of how this would work, but it is understood that this would be a metal mesh secured to the stand when not in use to prevent access. Notwithstanding this there are still concerns about how the stand will attract this type of behaviour especially after dark.

The team have expanded over the years requiring further infrastructure to facilitate the use of the playing field as their 'ground'. The stand in addition to other facilities is considered to be another step in the intensification of the use of the playing field. It is considered that a supporters stand of this size is likely to bring a 'focus' to the supporting activity rather than being dispersed around the pitch boundary. This concentration of activity given the location and proximity to residential properties is likely to result in a material loss of residential amenity.

The harm as outlined above is considered to be a level that would be detrimental to the amenity of the adjacent residential properties contrary to policies contrary to policy B2 of the Core Strategy Local Plan 2013 and

The application site in common with many recreational areas of open space within the town there are large areas of open grassed fields and in this instance the clubhouse/changing rooms are separated from the pitch/playing surface. It is considered that the introduction of yet another building onto the site would be harmful to the appearance of the wider character of the area.

Design issues:

The stand is proposed to be formed with a steel framework and upvc sheet walls, with a security gated front. No specific details of the security gate have been provided, however it is understood that this would constitute a metal mesh which would be bolted onto the stand when not in use.

It is considered that the facility would not be in use for a greater period of time than it would be in use and as such the security shutter would be down. It is considered that this would present a somewhat austere fortress appearance and not particularly welcoming. Given this security shutter feature and the proposed external materials it is considered that the development would not make a positive contribution to the overall appearance of the area contrary to Policies C9 and D10A of the Core Strategy Local Plan 2013; and saved policy UHT1 of the Borough Plan 2001-2011.

The playing field is an open area and bar the barrier surrounding the football pitch which in effect separates this land however this is low and has minimal visual impact. The stand given the height, width and length is considered to detract from the visual openness, and views across the field contrary to saved policy UHT4 of the Borough Plan 2001-2011.

Impact on character and setting of a listed building or conservation area:

The site is not listed, nor is it situated within a conservation area.

Impacts on trees:

Given the location of the stand on a cleared section of the field, there would be no impact on surrounding trees.

Impacts on highway network or access:

The stand is proposed to provide seating for 80 people with 3 wheelchair spaces. There is no control over the current number of spectators who could attend a match, and it is not considered that the erection of a stand in and of itself would entice more people to attend matches to the extent that there would be significant impacts on the surrounding highway network or on-street parking demand to warrant the refusal of the application. Therefore it is not considered that a refusal on highways grounds could be justified.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

It is accepted that the proposal does include accommodation/space for disabled supporters, and or people with prams, this would provide a weatherproof viewing area and as such may entice/encourage access to the widest possible sector of the community.

Conclusion:

It is acknowledged that the proposal is to support the team's promotion to the next league. Whilst the club is a sporting facility with benefits to the local community the benefits are not considered to outweigh the harm caused by the expansion of the club.

It should be considered/recognised that this is a recreational space that is unrestricted and open for use by the wider community and not just those connected to/with this club/football team.

The football club team has already expanded to such a degree that they required floodlighting, and a barrier surrounding the pitch. It is considered that this recreational playing field is not the location for a team with aspirations of continued progression through the footballing pyramid.

The structure forming this application does to some degree privatise another element of the land and thereby resulting in a reduction in the available space for the wider community.

The location of the proposed facility would be likely to result in a material impact upon the amenities of the occupiers of the adjoining residents in that it would provide a focus for supporting activity rather than being dispersed around the perimeter of the pitch. In addition there is the likelihood that the development may also give rise to a loss of amenity when not in use by virtue of its design and external appearance being inharmonious with the wider area. If the facility become a focus for group gatherings outside of the footballing times then this focus may well create noise and disturbance to the occupiers of the nearby residential properties.

Recommendation:

Refuse planning permission for the following reasons;

1. The installation of the stand by virtue of its size and proposed materials and its security shuttering will detract visually from the openness, impact on views across the field, and will not enhance the quality of the open space contrary to policies C9 and D10A of the Core Strategy 2013, and saved policies UHT1 and UHT4 of the Borough Plan 2001-2011.
2. Given the relative secluded nature of the application site and the degree of time that the facility would not be in use there is the potential it to become the focus for gathering which may give rise to noise/pollution and potentially anti-social behaviour. This would have detrimental impacts on the amenity of the surrounding residential properties contrary to policies B2 of the Core Strategy Local Plan 2013 and saved policy HO20 of the Borough Plan 2001-2011.

Informative;

The applicant is reminded that the display of any advertisements at the site would require express advertisement consent from the Local Authority. Class A, schedule 1 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 allows for the display of advertisements on enclosed land on the condition that the advertisement is not readily visible from outside the enclosed land or from any place to which the public have a right of access.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.