



Report to Planning Committee 11 August 2022
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Laura Gardner, Senior Planner, ext. 5907

Report Summary			
Application Number	22/01336/FUL		
Proposal	Change of use from residential garden to leisure sports facilities and change an area of leisure sports facilities to residential garden including the realignment of new boundary fencing (retrospective)		
Location	Football Ground, Station Road, Collingham, NG23 7RA		
Applicant	Mr Paul Ellison	Agent	Studio-G Associates LLP - Mr Ricky Maynard
Web Link	22/01336/FUL Change of use from residential garden to leisure sports facilities and change an area of leisure sports facilities to residential garden including the realignment of new boundary fencing (retrospective) Football Ground Station Road Collingham Nottinghamshire NG23 7RA (newark-sherwooddc.gov.uk)		
Registered	11.07.2022	Target Date	05.09.2022
Recommendation	Approve, subject to the conditions set out in Section 10.0 and subject the expiry of the consultation period with no further material issues not considered below being raised.		

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the Council own part of the site.

1.0 The Site

The application site is a modest portion of land (totally around 30m²) to the south eastern corner of Collingham football ground. The site is within the village envelope and accessed via Station Road which also forms a public right of way. Properties on Thornton Road form the eastern boundary of the site.

The pavilion building associated with the football club is set against the northern boundary of the football field around 70m from the site boundary.

The football ground is designated as protected by Spatial Policy 8 as a public open space as are the school playing fields immediately to the north of the site. The designated local centre abuts the western boundary of the wider football field. The Conservation Area is around 150m away to the north west of application site.

2.0 Relevant Planning History

There are numerous applications in relation to the extension / refurbishment of the clubhouse but none are considered directly relevant to the current proposal.

There is also a currently pending application on land to the north of the football field for a retrospective spectators stand (22/01403/FUL).

3.0 The Proposal

The proposal seeks retrospective permission to essentially swap part of what was playing field to residential curtilage and in turn give part of the previous residential curtilage to use as part of the playing field. The two uses have been marked out on site by a 2.9m high green metal fence (beyond which is a timber fence marking the end of the rear gardens to the properties on Thornton Close.



The application has been considered on the basis of the following plans:

- Plans as Existing – 78CFC – SGA – XX – 00 – DR – A – 00001 Rev. P2.
- Plans as Proposed – 78CFC – SGA – XX – 00 – DR – A – 00002 Rev. P2.

4.0 Departure/Public Advertisement Procedure

Occupiers of 17 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

5.0 Planning Policy Framework

Collingham was designated as a neighbourhood area on 12 October 2020 but there is currently no made neighbourhood plan.

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities

Core Policy 9 -Sustainable Design

Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy

DM5 – Design

DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2021
- Planning Practice Guidance (online resource)

6.0 Consultations

Collingham Parish Council – No comments received at the time of agenda print, consultation expiry 5th August 2022.

Sport England - No comments received at the time of agenda print, consultation expiry 15th August 2022.

No letters of representation have been received (site notice consultation expiry 18th August 2022).

7.0 Comments of the Business Manager – Planning Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Principle of Development

The principle of the proposal can theoretically be split into two parts; the creation of residential curtilage at the expense of sporting provision and the creation of sporting provision at the expense of residential curtilage.

The site is within the village envelope of Collingham which is identified as a Principal Village in the spatial hierarchy of the Core Strategy. The change of use to residential curtilage is therefore acceptable subject to complying with other policies within the plan. However, Spatial Policy 8 is also of relevance which states that the loss of existing community and leisure facilities will not be permitted unless one of three criteria can be met, one of which is that sufficient alternative provision has been, or will be, made elsewhere which is equally accessible and of the same quality or better as the facility being lost.

The area which has been changed to residential curtilage totals around 13m² whereas the area that has become part of the sporting provision totals around 17m². There has therefore been a slight net gain of sporting facility and thus the proposal would comply with Spatial Policy 8.

The principle of the development is acceptable subject to an assessment against the remainder of the Development Plan.

Impact on Character

Policy DM5 of the ADMDPD states the local distinctiveness of the District's character in built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals.

The majority of the development relates to a change of use which would have no discernible impact on the character of the area. The development does however include a perimeter fence of 2.9m in height. From a public vantage point, the fence is relatively discrete despite its height primarily due to its design which is fairly lightweight and open in nature. This is seen in the context of the existing timber fences, situated behind the metal fence, which are more prominent in long distance views across the playing field (which is what would be seen from the public right of way and vehicular access for example). The design of the fence under consideration is not an uncharacteristic feature for this type of land use and as such I have identified no character harm arising from the proposal.

Impact upon Residential Amenity

Policy DM5 states that proposals resulting in the loss of amenity space will require justification. As set out above, the development has resulted in a small net loss in residential amenity affecting two residential properties; 97 Braemar Road and 3 Thornton Close, which despite their different addresses form a pair of semi-detached bungalows. The northern bungalow (no. 97) has lost around 10m² of amenity space with no net gain. The southern property (no. 3) has lost around 7m² but it appears that the land which has changed to residential would be in their rear garden leading to an overall gain.

The loss of amenity space to no. 97 is marginal in the context of their remaining garden and indeed forms a small slither of space which would appear to have had limited functional use in itself. There is some justification in that the proposal appears to have 'squared' off the playing field boundary and the formalised boundary of the fence would protect the gardens from footballs.

As above, the fence erected along the boundary is relatively tall at 2.9m but given its lightweight nature this in itself is not considered to create an overbearing impact.

On balance, the benefits of a more formalised football field use and perimeter boundary would outweigh the loss of amenity space (garden) which in any case is marginal.

8.0 Implications

In writing this report and in putting forward a recommendation, Officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

The development is minor in nature seeking to essentially swap land uses. The proposal is acceptable in principle having led to a marginal gain in sporting provision and the amenity and character implications would not impose harm which would outweigh this benefit.

10.0 Conditions

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The development shall be retained in accordance with the plan reference Plans as Proposed – 78CFC – SGA – XX – 00 – DR – A – 00002 Rev. P2.

Reason: To define the development.

Informatives

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The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

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.

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/01336/FUL

