



Report to Planning Committee 8th September 2022
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Laura Gardner, Senior Planner, ext. 5907

Report Summary			
Application Number	22/00936/FUL		
Proposal	Erection of stands (seated and standing) and installation of turnstiles to existing stadia pitch		
Location	Community And Activity Village, Lord Hawke Way, Newark On Trent, NG24 4FH		
Applicant	Todd Cauthorn	Agent	Rayner Davies Architects LLP - Mr Matthew Vicary
Web Link	22/00936/FUL Erection of stands (seated and standing) and installation of turnstiles to existing stadia pitch Community And Activity Village Lord Hawke Way Newark On Trent Nottinghamshire NG24 4FH (newark-sherwooddc.gov.uk)		
Registered	13.05.2022	Target Date	08.07.2022
Recommendation	Approval, subject to the conditions outlined in Section 10.0		

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 forms a small linear portion of the wider Community and Activity Village operated by the YMCA. The site is immediately to the east of the Newark Leisure Centre. The site is within the urban area of Newark and defined as a public open space protected by SP8 policy. A rectangular portion to the east of the site is recognized as a site of interest in nature conservation being identified as a notable grassland with neutral and acid areas as defined by the Newark South Proposals Map in the Allocations and Development Management Development Plan Document (DPD).

The site has been subject to development in recent years in connection with the extant planning permission to which this application relates. At the time of the Officer site visit the site featured the approved car park immediately adjacent to (but separated from) the Leisure Centre car park as well as some of the approved sporting facilities including the Athletics track and football pitches. The main building was substantially complete in construction terms albeit not operational.

Land uses in the immediate vicinity include the aforementioned Leisure Centre as well as Gladstone House. Land to the west of the Leisure Centre car park is being developed for residential development which is being promoted by Arkwood. The eastern boundary of the site is defined by the Sustrans National Cycle Network which is set at a lower level to the site itself. There is a public bridleway dissecting the site which links Elm Avenue to Balderton Lakes. The rear gardens of residential properties along Bancroft Road abut the northern boundary of the wider YMCA site. Also abutting part of the northern boundary of the wider site is the designated conservation area but the site itself is outside of the CA. This element of the conservation area features Newark Cemetery.

2.0 Relevant Planning History

22/00261/S73M - Variation of conditions 2 and 3 attached to planning permission 17/01693/FULM to re-position previously approved skate park and 3no. 5-a-side pitches (switch position), Remove tennis courts, Reduce car park spaces from previous approval of 157 to 155 (loss of 2 spaces) to increase accessibility to new 5-a-side pitch positions.

Change cycling facility from 750lm training circuit to mixed programme offering a community trail, learn to ride and a pump track facility, Lighting and landscaping, Substitution of some information in approval notice condition 02 and 03 and additional information for cycle facility designs

Application approved May 2022.

22/00716/NMA - Application for a non-material amendment to 17/01693/FULM to remove reference to 'Tennis Courts' within description of proposal.

Application approved 12th April 2022.

21/00275/S73M - Application for the variation of condition 03 including revised parking scheme, alterations to external gym adjoining main building and associated landscaping and change to main entrance to revolving doors, attached to planning permission 17/01693/FULM.

Application approved by Planning Committee at the meeting on 27TH April 2021 (decision issued 28th April 2021).

20/00339/S73M - Application to vary condition 3 attached to 17/01693/FULM to allow changes to building, minor changes to elevations and other substitute information to accommodate additional wellbeing facilities and associated offices, and revised landscape design.

Application approved by Planning Committee at the meeting on 31st March 2020 (decision issued 3rd April 2020).

17/01693/FULM - Existing playing fields and sports facilities to be altered, and supplemented by new sports playing pitches, cycle track, skate park, tennis courts, multi-purpose pitches and provision of alternative route for existing bridleway.

Extension of playing pitch areas into vacant land to the East of current facilities.

Proposed building including crèche and pre-school facility, training, offices, music, dance and art studios, sports facilities, changing areas to serve both the internal and external sports, function rooms, cafe and kitchen.

Application approved by Planning Committee in December 2017 and as referenced above has been implemented on site.

16/00947/FULM - Use of former Tarmac land and part of existing sports ground for construction of a closed road cycle circuit. Erection of lighting columns, fencing, extension of existing car-park, and associated works including construction of a temporary haul road. *Application withdrawn.*

3.0 The Proposal

The proposal seeks permission for the erection of stands (seated and standing) and the installation of turnstiles to support the use of the existing stadia pitch.

The original application included a number of plans setting out various options for the development but it has since been clarified that the proposed development is based on the plans referenced below:

- Location Plan – 2242(08)018;
- Stadia Pitch Spectator Access Diagram – 2242(08)019;
- Stadia Pitch Spectator Zone Diagram – 2242(08)020 Rev. F;
- Typical Turnstile Building – {G} – 100 Rev. A;
- Typical Turnstile Building – {G} – 101 Rev. A;
- National Ground Grading – Category F;
- Covering Letter by Rayner Davies Architects dated 12th August 2022 2242/2.0/MJV.

4.0 Departure/Public Advertisement Procedure

Occupiers of three properties have been individually notified by letter.

5.0 Planning Policy Framework

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

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 7 - Sustainable Transport
Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
Core Policy 6 – Shaping our Employment Profile
Core Policy 9 -Sustainable Design
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character
Core Policy 14 – Historic Environment
NAP1 - Newark Urban Area
NAP3 – Newark Urban Area Sports and Leisure Facilities

Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework
Planning Practice Guidance (online resource)
National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019

6.0 Consultations

Newark Town Council – Newark Town Council **support** this application in principle, however, Members would welcome input from Newark & Sherwood District Council as to what steps are, or are likely to be taken (if any), to address the parking concerns which have been identified in respect of use of the YMCA. Members would also like confirmation as to how the sport floodlights are managed, in order to minimise any perceived nuisance caused by them for occupants of neighbouring properties.

NCC Highways – The proposal will have no impact on the existing highway network. Therefore, we have no highway comments.

8 letters of representation has been received which can be summarised as follows:

- The impact on nearby homes of extra noise and light pollution has not be considered;
- This is a residential areas in a town not a large city;
- Noise and light pollution are already an issue;
- Concerns of further disturbance to wildlife on the lake nearby;
- Extra traffic;
- Where is the neighbourhood consultation on this type of venture for the site;
- The location is not suitable close to many residential properties; the cemetery and the wildlife of Balderton Lake;

- The metal sheet cladding of the stands would be noisy;
- Bowbridge Road is not fit for purpose;
- Palace Theatre and Newark Castle are best placed for entertainment venues;
- Representation from Active4Today that there are existing parking issues which are having a financial impact on the sports and fitness centres income levels;
- Weekend events at the YMCA have caused overspill into the sports and fitness centre car park resulting in staff having to deal with frustrated customers;
- The latest proposal increasing footfall will compound the issue;
- Parking spaces have recently been reduced even though the facilities continue to develop further;
- Where will additional parking spaces be found if this application is approved;
- Starting guns and loud speakers are already disturbing residents;
- There are enough suitable and well established venues that can hold spectator events as proposed;
- The floodlights are already too high;
- If this application is approved there will be more plans for music festivals and loud noise;

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 Spatial Strategy of the Core Strategy identifies the Newark Urban Area as the sub-regional focus intended to be the main location for new services and facilities within the District. Moreover, Policy DM1 facilitates development within the Urban Boundary for leisure development appropriate to the size and location of the settlement, its status in the settlement hierarchy and in accordance with the Core Strategy and other relevant Development Plan Documents.

In the context of the nature of the proposal, for enhancements to the existing community and leisure facility, Spatial Policy 8 is also deemed of relevance. This states that the provision of new and enhanced community and leisure facilities will be encouraged, particularly where they meet the identified needs of communities, both within the district and beyond. This aligns with the stance of the NPPF which confirms that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

I therefore find the principle of development acceptable subject to an assessment of the

specific implications of the proposal.

Impact on the Character

The stadia pitch to which this application relates is positioned towards the south of the wider site with the Leisure Centre to the west and the building associated with the Communities and Activities Village to the north. Both of these buildings are of a notable scale and height such that the stadia pitch itself is a relatively discrete element of the wider site.

The proposal includes various elements as detailed below:

- 105 Covered seated stand - 35m by 2.6m with a height of 4.1m;
- 64 seating grandstand – 9.84m by 2.94m with a height of 4.4m;
- Existing covered stand – 5m by 1.6m with a height of 2.93m to the eaves;
- Turnstile housing 2.5m by 2.5m with a height of 2.37m.

The development would be well associated with the use of the stadia pitch and in the context of the scale of the aforementioned nearby buildings the stands would assimilate well into the surrounding area.

Impact upon Residential Amenity

The stadia pitch is some distance from the nearest residential properties which are around 250m away and intervened by the built form of the associated building. Comments received during the consultation have raised concerns with the existing activities within the site.

Whilst there may be some increased noise and disturbance during matches, this would largely be blocked by the building and the aforementioned distances to neighbouring properties. The proposal relates to the formalisation of spectating and does not necessarily mean that there would be a greater number of spectators than that associated with the extant development with no associated facilities. No specific amenity harm, which would justify refusal of this proposal noting its modest extent, has therefore been identified.

Impact upon Highway Safety

The extant use has established the level of parking provision required for the wider site and the use of the stadia pitch would rely on such parking. It is noted that concern has been raised during the consultation of the application that the parking is already at capacity and that the increased use of the pitch could compound the issues.

The agent has submitted a response to the parking concerns raised by officers in the context of the Travel Plan which was already undertaken for the original application.

The parking standards set out in this approved Travel Plan are based on the size and type of facilities, rather than the number of people in attendance. The plan also noted that car parking spaces are shared between differed uses, i.e. a busier time for football pitches would be offset by less use of other facilities. We therefore are of the opinion that the Travel Plan in its current form is adequate to cover 'match day events'.

The Travel Plan states the overall maximum capacity of the site as 1145 in relation to calculating the number of cycle parking spaces (5% of total capacity). We have reviewed the overall site capacity with the YMCA. As is shown in the enclosed capacity table, for match days the maximum capacity is below 1145 by means of other facilities being closed, namely the Nursery / Pre-school and the ground floor function area.

It is an FA requirement for grounds at Step 5 (Category F) that spectators are provided with toilet and refreshment facilities as per sections 2.4 and 2.5, to meet these requirements the YMCA are required to allocate the Ground Floor function area to spectators on match days.

Essentially a case is made that on the match day events, other uses within the wider facility would not be at capacity and therefore the existing parking provision can accommodate the potential increased use of the stadia pitch. It is noted that the site already has approval for football use and there is nothing to stop the same number of spectators visiting the site just without the level of cover that the stands would provide.

NCC Highways have been consulted on the additional details and confirmed that in their judgement the proposal will have no impact on the existing highways network and therefore they have no highway comments. On the basis of the justification provided with the application, and indeed a lack of objection from NCC Highways, no conflict is identified with the relevant provisions of Policy DM5 or Spatial Policy 7 which would warrant resistance of the proposal.

Impact upon Ecology

As is set out in the description of the site above, the wider site is set in a sensitive ecological context and the extant scheme has ensured that an appropriate level of ecological mitigation has been included on site. The stands proposed would be within areas of previous hardstanding and therefore would have no impact on the ecological implications of the original proposal.

8.0 Conclusion

The proposal would enhance the sporting offer of the wider site which is supported by national policy and Spatial Policy 8. No specific harm has been identified and therefore the benefits of the proposal hold determinative weight and the recommendation is one of approval.

9.0 Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans reference:

- Stadia Pitch Spectator Zone Diagram – 2242(08)020 Rev. F;
- Typical Turnstile Building – {G} – 100 Rev. A;
- Typical Turnstile Building – {G} – 101 Rev. A.

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: In the interests of visual amenity.

Note to Applicant

01

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

02

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.

BACKGROUND PAPERS

Application case file.