

Application Recommended for Approval
Queensgate Ward

APP/2013/0397

Full Planning application

New pavilion building following demolition of existing; fences and lighting to all weather pitch; fencing and other works associated with golf practice range

PRAIRIE FIELD WINDERMERE AVENUE BURNLEY

Background:

This application is for the replacement of the existing sports pavilion at Prairie Playing Fields; the upgrading of the existing all-weather pitch; and ancillary development to facilitate the provision of a golf driving range, including ball net fencing and lighting.

The existing sports pavilion is in poor condition but it is not suitable for repair because of the nature of the construction. It currently provides 22 changing rooms and male only communal toilets and showers so it is currently restricted to male sports only.



Existing building – view from Windermere Avenue



Visual impression of new pavilion - view from Windermere Road

It is proposed to provide a new multi-function sports' pavilion to accommodate enhanced changing facilities for the football pitches together with a comprehensive facility for users of the different sports on offer at the Prairie Sports Village. It is intended that the project will support an increased range of sports, with club and sports development as a priority.

The pavilion will serve Burnley Football Club's Community Section which will target 3 key areas of growth – disability; women and girls sport; and an advance coaching centre for juniors. The golf practice and training area will provide affordable and accessible facilities. It will provide a comprehensive adult and junior coaching programme, targeting more female participation. It will be operated by the Council and will generate revenue to subsidise other activities on the site, such as grass football.

The new pavilion building would incorporate changing facilities for 12 to 14 teams, to meet the normal maximum demand for pitches; a 24-bay golf practice range; a gym; a multi-use studio; reception; small retail area incorporating golf club fitting and testing, a lounge with vending machines and toilets.

The existing all-weather pitch is in poor condition and is now largely unusable. It would be resurfaced with 'Third Generation' (3G) artificial turf. The new floodlights will be replaced at the same height and position as existing but with new 'cut-off' angles to reduce light pollution. The new fences exceed 2 metres and are the main element of the refurbishment of the all-weather pitch which needs planning permission.

The hitting area for the driving range would incorporate a football pitch adjacent to Windermere Avenue which is redundant as a pitch because of poor drainage. The proposal for the driving range itself would not amount to a material change of use as it is already in outdoor recreational use. The elements that would need permission would be the regrading of the land, lighting and fencing.

The site is within the Green Belt. Objections have been received.

Relevant Policies:

National Planning Policy Framework (March 2012) (NPPF)

Burnley Local Plan Second Review

CF1 - Protection, enhancement and replacement of playing pitches

CF2 - Intensification of use of existing sports and recreation provision

CF3 - Protection of existing public parks, informal recreation areas, major open areas, play areas and other areas of open space

CF5 - Major local sports facilities

CF9 - Golf related development

E21 - Gateways and throughroutes

E26 - development in the Green Belt

E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt

E5 - Species protection

E6 - rees, hedgerows and woodlands

EW3 - New Leisure, Tourist, Arts and Cultural Development Outside Town Centres

GP10 - Developer Contributions

GP3 - Design and Quality

GP5 - Access for All

GP6 - Landscaping and Incidental Open Space

GP7 - New Development and the Control of Pollution

H12 - Non-residential uses in residential areas

TM15 - Car parking standards

TM3 - Travel Plans (TPs)

TM5 - Footpaths and walking within the urban boundary
TM8 - Quality bus routes

Site History:

APP/2003/0873 – Provision of 4 x 8m high and 1 x 6m high lighting columns and 3 wall lights mounted on existing building – granted

APP/2007/0969 – Renewal of application for lighting of car park – granted

APP/2009/0175 – Renewal of application for lighting of car park – granted.

Consultation Responses:

1. Lancashire County Council (Highways) – raise no objections and comment as follows:
 - minor adjustments are needed in the car parking layout;
 - the height restriction barrier would not be suitable for mini-buses;
 - waiting restrictions on the north side of Windermere Avenue between the site access and the traffic lights would be required to be funded by the applicant;
 - There should be a pedestrian gate and footway from Windermere Avenue to the building entrance.

These issues have been addressed by the applicant. The height barrier will be removed once the scheme is complete; the funding of the waiting restrictions to Windermere Avenue is acceptable to the applicant; the existing pedestrian gate alongside the entrance will be retained.

2. Environment Agency – raise no objections on the basis that the submitted Flood Risk Assessment is sufficient to demonstrate that flood risk will not increase as a result of the proposed development.
3. Sport England – No objections are raised to the application on the basis that the proposal meets the policy exceptions in respect of the loss of playing pitches as follows:
 - *The replacement changing pavilion:* The proposal does not adversely impact on the existing playing fields and this meets the Sport England planning policy E2 which sets out that the development should be ancillary to the principal use of the playing field and does not affect the quality / quantity of pitches.
 - *The replacement artificial pitch:* The proposed replacement pitch is far superior and will meet a shortfall of this type of pitch to meet the needs of local football clubs and assist in the development of the game in Burnley. This is an enhancement which will benefit sport and would fall into policy exception E4 – the playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility.
 - *The golf driving range:* This was formerly a junior pitch but the new all-weather pitch will more than make up for the loss of this area and the proposal is supported by the Football Association. This is not a good enough reason on its own to lose natural turf. However, the use of the area continues in sport use and the engineering works could be reversed to recreate a football pitch in the future if necessary. The

English Golf Union supports the proposal due to lack of golf teaching facilities in the area as it will have the potential to increase participation. Also the revenue brought in by the golf users is to be used towards the overall upkeep of the site and the additional income will assist to ensure that the pitches are kept to a good standard. It is considered on this basis that the loss of the junior football pitch meets the policy exception E5 – the proposal is for an indoor / outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the lack of playing field.

4. Pendle Borough Council – The Council has no objection to the proposal.
5. Two letters from neighbouring residents have been received making the following comments:
 - Outlook from the houses will be spoiled
 - There will be light and noise pollution
 - The fencing will spoil the environment
 - There will be an increase in traffic
 - There will be an increase in vandalism
6. A drop in consultation meeting was held with local residents before the application was submitted. Comments made include:
 - Good scheme to improve the site and secure it for future generations for other sports as well as football.
 - The golf driving range is a good idea.
 - Good for Burnley and sport. Would be a positive for the town.
 - The on-site supervision will stop misuse of the area.
 - Extra traffic and car parking could be an issue
 - Do not wish more trees to be planted as this will obstruct views
 - The netting could be visually disruptive and must be transparent
 - The floodlights and noise could be an issue
 - The layout and facilities could be further improved

Planning and Environmental Considerations:

The main issues for consideration relate to the principle of the development and its impact on the character and appearance of the Green Belt; the design of the proposal; its impact on residential amenity; and highway safety.

Green Belt Issues

The Local Plan Policy E26, in respect of development within the Green Belt, is not in full conformity with the National Planning Policy Framework (NPPF). The policies set out in the NPPF, therefore take precedence over the Local Plan policy.

Development in the Green Belt is strictly controlled to protect the open character of the land. The purposes of including land within the Green Belt set out in the NPPF are:

- to check unrestricted sprawl of large built up areas;

- to prevent neighbouring towns from merging;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and historic character of special towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

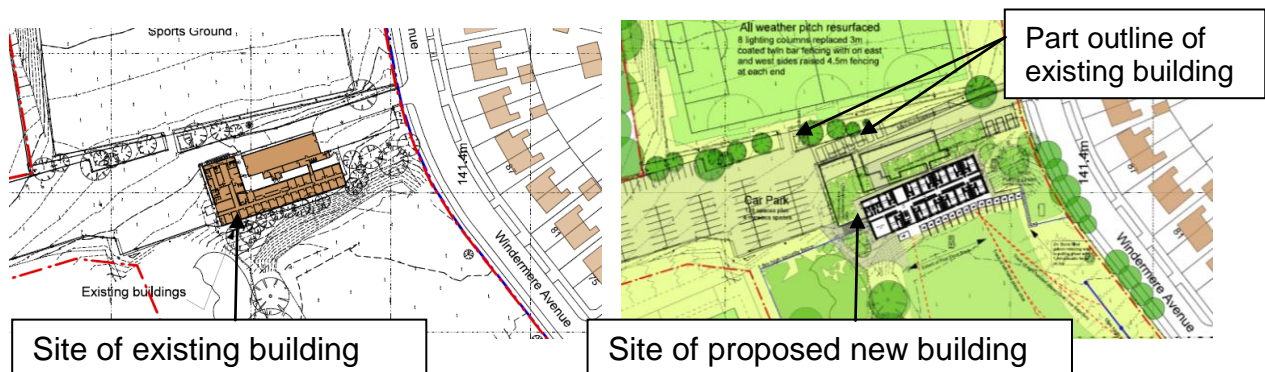
The NPPF sets out what would be deemed to be ‘appropriate’ development in the Green Belt. If development is considered to constitute ‘inappropriate’ development it should be refused unless there are very special circumstances that would justify overriding Green Belt policy.

Paragraph 89 of the NPPF sets out that new buildings within the Green Belt should generally be regarded as inappropriate. However, it makes exceptions to this, including:

- development for the provision of appropriate facilities for sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

On this basis, the development would not conflict with the purposes of including land within the Green Belt and could be considered to be appropriate development provided it preserved the openness of the Green Belt.

In terms of scale, the new building is not disproportionately larger than the building it will replace. The existing building to be demolished is single storey. The new building would be over two floors but would be brought forward from the site of the existing building and set into the slope of the land so that it appears as a modest single storey building in views from Colne Road and Windermere Avenue. Views from the sports fields are partially obscured by tree planting which will be retained and the building will not project above the skyline because of the rising ground and the backdrop of trees.

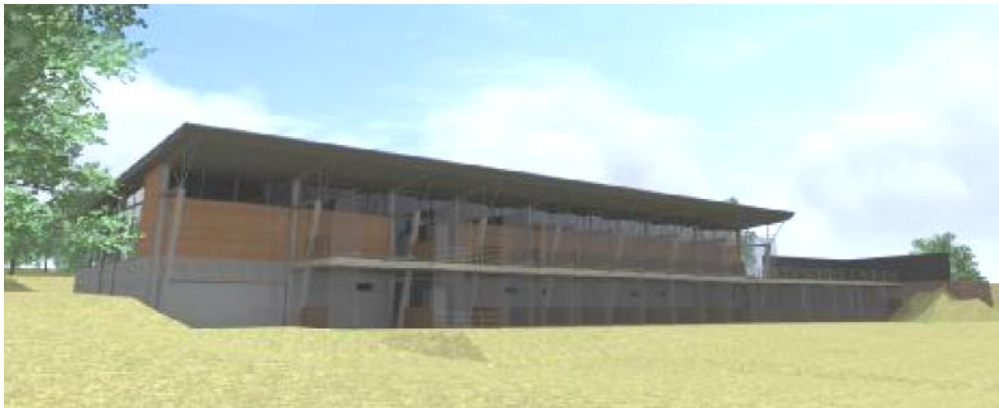


It is not considered that the building would have a significantly greater impact on the open character of the Green belt because of the site levels and the level of visual containment. The sensitive location of the building on the site maintains a level of openness across the site.

Appearance of the proposals and impact on the character of the landscape and residential amenity

The main grass pitches and the tree lined boundaries of the site are not affected by the scheme and will remain as existing. The application relates to the building, the existing all weather pitch and the unused grass pitch adjacent to Windermere Avenue.

The building design is of simple form and of high quality design, fit for purpose. It would be constructed in split faced decorative concrete block to the lower level to be vandal resistant and durable. The first floor would be aluminium framed glazing with stained timber infill panels.



Elevation facing the proposed golf driving range

The design and materials for the new building are acceptable and the replacement of the existing dilapidated building would have a positive impact on the character of the landscape.

The additional works in respect of the all-weather pitch would not have an adverse impact on the openness of the Green Belt over and above the existing position. The floodlighting would replace the existing provision to the same height. Their design would lead to a reduction in light pollution because of the better cut-off angles.

The new fencing to the all-weather pitch would be 3 metres high along the Colne Road side and 4.5 metres high along the Windermere Avenue side, to prevent balls entering the highway and adjacent properties. The pitch is surrounded on three sides by dense planting and steep slopes up to the boundary with Colne Road where the fences will be below eye level. They would be of the wire mesh type which would allow views through to the wider area. The fences would not have an unacceptable impact on the openness of the Green Belt or the landscape character of the area.

The existing metal railing on Windermere Avenue in front of the proposed driving range area, will be retained as a safety measure to prevent people entering the ball landing area. This will be supplemented by ball netting at approximately 18 metres high, set 10 metres back from the road boundary, together with additional ball netting and fencing around the perimeter of the ball landing area. It would be black which has been identified as having the least impact in terms of visibility. Various options have been considered but the approach is to provide the netting to run parallel to the road. This is likely to be the best option affording the least obstruction to vistas between the trees.

The lighting in this area would be floor mounted directional luminaries to reduce potential glare and light spillage onto Windermere Avenue. The existing trees and supplementary planting along Windermere Avenue and within the site will reduce the impact further.

The noise impact of the proposal has been fully assessed in the application, in particular in respect of noise from golf ball picking up machines and the noise of hitting the ball in the practice bays. It is recommended that a sound baffle should be incorporated at the southern end of the proposed bays. It is also proposed to incorporate sound deadening pads in the nets which will subdivide each practice bay.

Having regard to the implementation of these measures, the findings of the acoustic report and the proposed limits to the hours of operation the proposal is not likely to have an unacceptable impact on the amenities of the residents in terms of light or noise pollution.

Highway Safety

The proposal has been the subject of full consultation with the highway authority and measures have been incorporated into the scheme to mitigate the impacts of golf balls entering the highway and glare from the floodlights - the positioning of the golf bays has been carefully considered to reduce impact as far as possible; the side netting in each bay, projecting forward of the tee will ensure that the angle of the shot can only be played into the ball area; the side netting along the roadside is designed to prevent mishit balls from reaching the highway; special golf range balls will be used to ensure that balls cannot be hit outside the play area; the range will incorporate humps, hollows and different grass lengths to emulate a golf fairway, which is likely to encourage practice of shorter shots, whereas ranges with no features tend to encourage players to go for long shots all the time; CCTV coupled with golf professionals based at the building will identify and deal with deliberate misbehaviour.

The Highway Authority is satisfied that these measures will prevent an adverse impact on highway safety providing the netting is erected and maintained as shown in the application.

In terms of access, the site is already in use as a recreational facility and the issue for consideration is whether or not the use of the site will become more intensive in terms of traffic generated.

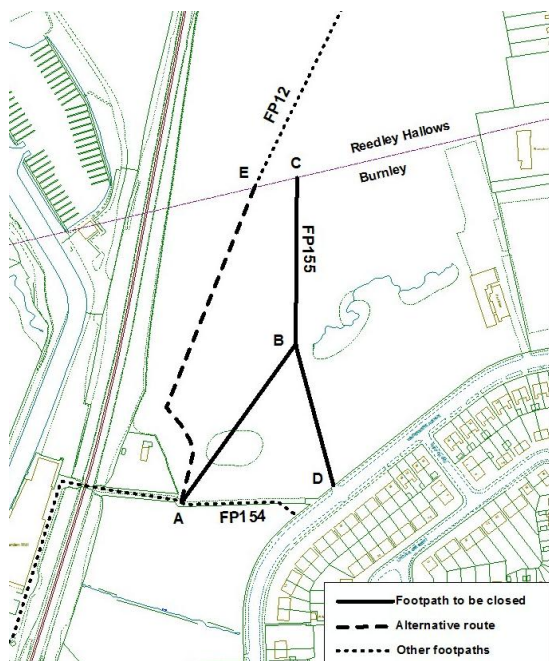
The site is within walking/ cycling distance of many residential properties and close to public transport routes. Dedicated cycle / motorcycle and disabled parking will be provided.

The existing car park will accommodate approximately 115 cars and it is proposed to replan the existing area to accommodate 128 car spaces and space for 4 mini-buses which will cater for the demand in the peak periods. The Highway Authority is satisfied that this level of provision is adequate.

As the site will be managed between 7 a.m. and 9 p.m. and locked at night, unauthorised parking will effectively be prevented.

Public Footpath

A definitive right of way (Public Footpath No. 155) crosses the ball landing area and this will require formal stopping up. The path is currently underused with walkers favouring the adjacent alternative footpath, which will be upgraded as part of the scheme.



Initial plan for footpath diversion / closure order.

Ecology / Trees

An ecology survey has been carried out on the site and no significant adverse impacts on protected species or the biodiversity of the site have been identified providing precautionary mitigating measures are implemented. A condition is proposed, requiring that the measures set out in the report to protect or mitigate any potential impacts are fully implemented.

Summary

All matters submitted as part of the application have been considered and, on balance providing appropriate conditions are in place as set out below, the proposal will not have an adverse impact on the openness of the Green Belt or appearance of the surrounding landscape; it will not impact adversely on highway safety or residential amenity; or raise ecological issues. The design and appearance of the proposal are acceptable.

The scheme will deliver a high quality, well designed sports facility which will support an increased range of sports, enhancing provision and becoming an asset to the town.

Recommendation:

1. Committee is requested to resolve that, subject to planning permission being granted for the development, the Head of People, Law and Regulation be

authorised to make an Order under Section 257 of the Town and Country Planning 1990 for the stopping up of Footpath No.155 (Burnley).

2. That planning permission is granted subject to the following conditions:

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the application plans and details.
3. Notwithstanding any description of materials in the application, no materials shall be used in the development until precise details have been submitted to and approved in writing by the Local Planning Authority. The materials used in the development shall be in accordance with the approved scheme, to the satisfaction of the local planning authority.
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.
5. The development shall be carried out in full accordance with the recommendations of the submitted Ground Investigation Report, reference P5869 2012-08-21 GI.let, dated 21st August 2012.
6. The development shall be carried out in full accordance with the recommendations of the submitted Noise Impact Assessment, reference RO7 45-REP01-Drg, dated 22 July 2013.
7. The development shall be carried out in full accordance with the recommendations of the submitted Ecological Survey and Assessment, including Nocturnal Bat Survey, reference RB-13-106 dated 5 August 2013.
8. No demolition or construction work shall take place in connection with the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays.
9. The pavilion building hereby approved shall not operate outside the hours of 7 a.m. to 9 p.m. on any day.
10. Within six months of the new pavilion building being brought into use, a Green Travel Plan identifying methods of reducing trips by private car to and from the site shall be submitted to and approved in writing by the local planning authority. Such measures as may be approved, shall be implemented in accordance with the Travel Plan, to the satisfaction of the local planning authority.
11. The new pavilion shall not be brought into use until a scheme for the provision of off-site highway works, to introduce waiting restriction on Windermere Avenue

between the traffic lights and the site entrance, has been incorporated into the development in accordance with a programme to be approved in writing by the local planning authority.

12. The ball netting along the Windermere Avenue frontage as detailed in the application, shall be erected before the golf driving range bays are brought into use. It shall thereafter be retained and maintained to the satisfaction of the local planning authority.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure continued compliance with the Development Plan.
3. To secure a satisfactory development in materials which are appropriate to the locality, in the interests of visual amenity and in accordance with policy GP3 of the Burnley Local Plan, Second Review.
4. In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in accordance with policy GP6 of the Burnley Local Plan, Second Review.
5. To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy GP7 of the Burnley Local Plan Second Review.
6. In the interests of the amenities of the neighbouring occupiers, in accordance with policy GP1 and GP7 of the Burnley Local Plan, Second Review.
7. In order to protect the ecological interests of the site having regard to Policy E4, E5 and E6 of the Burnley Local Plan Second Review.
8. To protect the amenities of nearby residents, in accordance with policies GP1 and GP7 of the Burnley Local Plan Second Review.
9. To protect the amenities of nearby residents, in accordance with Policy GP1 and H12 of the Burnley Local Plan Second Review.
10. To identify measures for reducing traffic impacts of the development in accordance with Policy TM 3 of the Burnley Local Plan, Second Review.
- 11 & 12. In the interests of highway safety, having regard to Policy GP1 of the Burnley Local Plan Second Review.