

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H09-1184-21	Applicant:	Holbeach United CSA
Proposal:	Proposed 3G football turf pitch, fencing & entrance gates, pitch barriers & entrance gates, storage container, floodlights, amenity lighting and hardstanding areas for pedestrian access & circulation, portable goals storage and vehicular access.		
Location:	Holbeach United Community Sports Academy Penny Hill Road Holbeach		
Terminal Date:	31st May 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2 - Achieving sustainable development
 Section 4 - Decision making
 Section 8 - Promoting healthy and safe communities
 Section 9 - Promoting sustainable transport
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	1
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	2	0	0	3

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for a proposed 3G football turf pitch, fencing & entrance gates, pitch barriers & entrance gates, storage container, floodlights, amenity lighting and hardstanding areas for pedestrian access & circulation, portable goals storage and vehicular access at Holbeach United Community Sports Academy, Penny Hill Road, Holbeach.

The proposal is for a full-sized 11 v 11 football pitch with a variety of primary and secondary pitch markings to support open ages, youth and mini soccer and training areas, all within the same enclosed field of play. The maximum length including storage areas is approx. 112m, with a width of approx. 75m. 4.5m high ball stop fencing is proposed to form an enclosure around the perimeter.

SITE DESCRIPTION

The application site forms part of the wider site currently occupied by Holbeach United Community Sports Academy on the eastern side of Penny Hill Road. The site comprises of a grassed pitch and is bounded by drains to the south and east, Penny Hill Road to the west and the club building and car parking to the north. Further to the north are relatively recently built residential dwellings. To the east and west are open agricultural fields and to the south are further grassed pitches.

RELEVANT PLANNING HISTORY

H09-0182-22 - Full - Extension of car parking on site - retrospective (undecided)

H09-0789-11 - Full - Erection of 26 affordable houses, 4 market houses, sports pavillion and grass football pitches along with associated car parking (approved March 2014)

REPRESENTATIONS

Cllr Worth

There needs to be more car parking space built in as already cars are blocking driveways in Ashburton Close and Highbury Way as well as parking on the side of the road on Pennyhill. I have had numerous complaints as the ward member about this already with the existing pitch provision. While it will be good to have another 3G pitch in Holbeach it will undoubtedly generate more usage and therefore cause more issues for local residents unless they provide more parking spaces on site. There is room between the existing car park and the proposed 3G pitch.

Holbeach Parish Council

Concerns about parking.

Sport England

Sport England raises no objection to this application which is considered to meet exception 5 of our adopted Playing Fields Policy, subject to a condition relating to the submission of further details of the design of the Football Turf Pitch (FTP).

LCC Highways/SUDS

The proposed 3G football pitch would be provided within the curtilage of an existing sports facility and would not therefore constitute a change of use. Nor would it normally be expected that a change in the constitution of the playing surface of a pitch would directly impact upon the safe operation of the neighbouring highway network.

However, this Application has attracted numerous objections based upon the fact that visitors to the sports facility are habitually using the neighbouring roads to park their vehicles, rather than use the substantial car parking area provided within the curtilage of the facility. It is not entirely clear why so many visitors are choosing to not park within the car park. Part of the reason could be 'culture' or 'custom and practice' or possibly due to an absence of management. It is accepted however, that neither of these possible factors are practicably addressable through the Planning System. Part of the reason could also be the fact that the surfacing of the car park is un-sealed gravel and that it is not possible to permanently mark-out individual car parking spaces on the movable gravel stones. Car parking is therefore uncontrolled and the quite substantial overall area of the car park is not being used efficiently.

Also it is possible that without clear marking of individual spaces, some visitors are fearful of their vehicles being damaged. It is therefore suggested that should the local planning authority determine that, in all other respects, the proposed development is acceptable and should be granted Planning Consent, this should be conditional upon individual standard car parking spaces within the car parking area being formally and permanently marked out. The following Condition is suggested; Prior to the commencement of use of the development hereby permitted, permanent demarcation of individual standard car parking bays, within the existing car park area, shall be provided in accordance with details that shall first be approved in writing by the local planning authority.

Reason;

In the interests of highway safety, by effecting a reduction in the use of the neighbouring roads for car parking through a more efficient and safer use of the existing car parking area.

SHDC Environmental Protection (noise, lighting and odour)

No objection.

South Holland Drainage Board

Notes that the applicant intends to discharge surface water to a watercourse and undertake works within 9 metres of the Board Adopted watercourse adjacent to the site boundary. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3) and consent is required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure). The Board has received an application for these works (their ref: 21_05636_C) which is currently under determination by officers.

Environment Agency

This proposal comes under cell D3 of the local flood risk standing advice and does not meet any other criteria on our consultation checklist, 'When to consult the Environment Agency'. It was therefore not necessary to consult us; please consider the proposals against the guidance of the standing advice.

Lincolnshire Wildlife Trust

We have no objection to the above proposed development. There are no designated sites or Local Wildlife Sites in close proximity to the proposed development. Mitigation and recommendations within Chapter 5 of the Ecological Appraisal undertaken by RPS Consulting (Nov 2021) should be conditioned. Sowing or planting within the development should include species of native local

provenance with known value to wildlife.

Lincolnshire Police

No objection.

Public (5 objections/comments received, summarised)

- Parking issues; overflow car park not being used; yellow lines should be painted on road outside; overflow/improved car park should be tarmacked and lines painted to encourage better parking
- Concerns re highway safety
- Impact on residential amenity by way of noise and lighting
- Poor language being overheard at nearby properties
- Impact on property values
- Current fence line not maintained and overgrown with weeds
- 3G facility within Holbeach will be hugely beneficial for Holbeach and surrounding area

PLANNING CONSIDERATIONS

Principle

The site is not located within any defined settlement boundary as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). It is therefore in the countryside in planning policy terms. Policy 1 of the SELLP states that development in the countryside will only be permitted where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 32 of the SELLP states that the development of new community facilities will be supported, provided that they are located so as to be:

1. as close as possible to the community they will serve;
2. readily accessible by public transport, on foot, and by bicycle;
3. compatible with nearby uses and the character and appearance of the neighbourhood; and
4. located and designed to enable (where possible) shared use with other services/facilities.

In terms of national policy, Section 8 of the National Planning Policy Framework (2021) highlights the importance of enabling and supporting healthy lifestyles through the provision of sports facilities and that opportunities for sport and physical activity is important for the health and well-being of communities.

Whilst it is acknowledged that the application site lies on the northern side of the A17 and consequently is highly likely to be accessed by the private car, it forms part of the wider site currently occupied by Holbeach United Community Sports Academy and it is reasonable to seek to locate the new facility within the confines of the existing site which is supported by a club building and dedicated parking.

Furthermore, the proposed development would ensure that residents of Holbeach and the wider area have access to high quality footballing facilities which are available for longer periods throughout the year by virtue of the pitch surface and flood lights proposed. Planned users of the new facility include University Academy Holbeach, school clubs, Peterborough United Foundation and Moulton Chapel Football Club. It is therefore clear that there are a wide range of users that would benefit from the development.

Sport England are a statutory consultee for applications where the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595) (the 2015 Order). They have raised no objection to this application as they consider it to meet exception 5 of their adopted Playing Fields Policy*, subject to a condition relating to the submission of further details of the design of the Football Turf Pitch. These details can be conditioned if permission were to be granted.

* Exception 5 is: 'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

In light of the above, the proposal is, on balance, considered acceptable in principle.

Highway matters and parking

Appendix 6 of the South East Lincolnshire Local Plan (2019) sets out vehicle parking standards for certain types of development. This type of proposal is not one which is covered by the parking standards in the Local Plan, and therefore falls to be considered on its own merits. The proposal is to continue to utilise the existing gravelled car park on site, which is capable of accommodating approximately 77 vehicles based on standard parking space measurements and required manoeuvrability.

However, whilst this is the case, it is understood that there are ongoing issues (predominantly at weekends) of users of the current pitches parking on the residential roads to the north, rather than within the car park. The primary reason for this would appear to be due to individual spaces not being marked out in the dedicated car park, which leads to poor parking, thus inadvertently reducing its capacity. Discussions have taken place between the case officer and the Highway Authority, the applicant's consultant and the Council's senior planning lawyer as to how this issue might best be addressed. An initial suggestion of conditioning the use of a parking marshal was discounted due to concerns over enforceability. Subsequently, the applicant's consultant proposed the use of permanent markers (either single point markers or edging strips) for the gravel car park. The Highway Authority's preference is for edging strips to be utilised, subject to them being installed with a substantial concrete bed and backing if they are to resist vertical and lateral forces placed on them by vehicles over-running them. The applicant agrees to these being secured by a condition requiring their installation prior to the first use of the new facility.

In terms of the actual level of provision provided by the dedicated car park if vehicles are parked correctly, based on the information that has been provided by the applicant, it would appear that it should be capable of accommodating the combined demand of the 3G pitch and grass pitches at peak times (weekends, specifically mornings). It is understood that peak times for the football club are Saturday and Sunday mornings. All games on a Saturday morning would solely be on the 3G pitch once it is built, therefore there would be no cumulative impact as the remaining grass pitches on site would not be utilised at this time. Only one team utilises a grass pitch on a Saturday afternoon currently and use of the 3G pitch at that time would be limited. On a Sunday, there would be no increase in vehicles as some fixtures which take place on the grass pitches would take place on the 3G pitch instead, and the grass pitches would not be used. The Community Sports Academy monitor fixtures to ensure there are no fixture pile ups.

In regard to access arrangements, the existing access from Highbury Drive will continue to be used, therefore there is to be no alteration to existing.

In the absence of an objection from the Highway Authority, there is not a justifiable reason to refuse the application on highways grounds and it is considered that the proposal satisfactorily accords with Policy 2 of the Local Plan. This policy requires it to be demonstrated that access arrangements and vehicle generation levels will be acceptable.

Visual impact

The proposed 3G facility would be sited on land which is readily visible from public vantage points on Penny Hill Road and Highbury Drive in particular. At present the Sports Academy site in its entirety is open and devoid of landscaping, being enclosed only by 2m high 'V' mesh green security fencing on the northern and western boundaries and being bounded by a drain on the eastern side.

Given the scale of the proposal, coupled with the flatness and openness of the site, it is inevitable that there will be an impact on the landscape of the area. It will be visually prominent from a southerly direction on Penny Hill Road. However, the site is sufficiently distanced from the A17 for there to be little visual impact when seen from that direction and from the north along Penny Hill Road it is screened by the existing residential development on the eastern side. Any views from the east are very long distance. It is therefore not considered that the proposal would have a material adverse impact on the character and appearance of the area.

Taking the above into account, the proposed development is considered to broadly accord with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019. Policy 2 requires development proposals to take into account the character and appearance of the area and impact on amenity, and Policy 3 requires the landscape character of the location to be considered.

Residential amenity

The proposed development would be sited in relatively close proximity to a number of dwellings to the north on Highbury Drive, Academy Close and Ashburton Close, and Tolls Lane further north. The property nearest the pitch at its closest point is approx. 56m away, which is a comparable distance to the existing grassed pitch.

It is accepted that the proposed development will alter the outlook of those dwellings to the north but given the degree of separation distance and maximum overall height of the proposed fencing (4.5m), it is not anticipated that there would be a material adverse impact on the visual amenity of the occupants of those dwellings.

Six flood lights are proposed (three on the northern side and three on the southern side), projecting to a height of 15m. The height of these lights has been calculated using sport lighting guidance produced by the Society of Light and Lighting. When applied to this project, the optimum height ranged from 12m to 18m high. A 15m mounting height was adopted as this will ensure that light projected by all LED floodlights results in low spill light, low back light, and optimum uniformity over the field of play to ensure that artificial lighting:

- Is directed fully downwards towards the playing pitch surface;
- Avoids sky glow;
- Achieves full cut-off as recommended by The British Astronomical Association's Campaign for Dark Skies.

By contrast, higher columns (e.g. 18m tall) would require more intensive lighting to provide adequate results at ground level. Similarly, lower column heights (e.g. 12m) would require more acute aiming angles for every LED luminaire, resulting in unacceptable overspill, light intrusion, and glare. On this basis, a 15m mounting height provides the most efficient solution with least impact to surrounding land.

The installation of a 3G football pitch would significantly intensify the hours of use of the site beyond existing, predominantly due to the intention to commence use on weekdays unlike at present. The proposed hours of use for weekdays are 09:00 to 21:00 in order to maximise use by schools and the community. Use of the Academy site would not alter substantially at the weekend compared to the current situation, the proposed hours for which are 09:00 to 18:00. These hours of use are not uncommon for a facility such as this and if permission were to be forthcoming, a condition restricting the hours of use would be imposed. As there may be occasional matches where extra-time and penalties could be required, a curfew of 22:00 has been suggested by the applicant. Noise is considered in further detail below.

The Council's Environmental Protection Officer has been consulted on the application in the usual way and has raised no objection to the proposal on the grounds of noise or light impact.

In light of the above, the proposal is considered to satisfactorily accord with Policies 2, 3 and 30 of the Local Plan in so far as they relate to residential amenity.

Noise

A Noise Impact Assessment has been submitted in support of the application, which concluded as below.

The highest predicted noise level from the proposed facility, is 47 dB LAeq (1 hour) at the facade of the residential houses to the north and 41 dB LAeq (1 hour) to the south. The highest predicted noise level in residential gardens is 42 dB LAeq (1 hour) to the north. The predicted noise level is below the proposed criterion of 50 dB LAeq (1 hour) derived from WHO 1999 as being the threshold for the onset of moderate community annoyance. The World Health Organisation provides a sound reduction through an open window of 15 dB(A) which results in a predicted internal equivalent noise level of 32 dB LAeq (1 hour). The World Health Organisation guidance states "To enable casual conversation indoors during daytime, the sound level of interfering noise should not exceed 35 dB LAeq." British Standard 8233:2014 provides the same noise criteria for a bedroom during the daytime period. The predicted noise level in gardens of around 42 dB LAeq (1 hour) is below the criteria at which moderate community annoyance in outside living areas (such as gardens) can occur, stated in World Health Organisation 1999 as 50 dB LAeq (1 hour).

On this basis, the assessment considers that the proposals are acceptable in terms of noise.

Given the above, Officers are of the opinion that there is no sound basis upon which to refuse the

application on noise grounds and that it satisfactorily accord with Policies 2, 3 and 30 of the Local Plan in regard to this particular matter.

Ecology

The site upon which the development would be situated is not considered to be of high biodiversity value given the existing use. Accordingly, the proposal is likely to result in limited loss of biodiversity, but the recommendations of the submitted Ecological Appraisal should be conditioned.

Flood risk and drainage

The application site is located in Environment Agency Flood Zone 3, however National Planning Practice Guidance indicates that outdoor sports and recreation facilities are water-compatible development and acceptable in this Flood Zone. The Exception Test is not required in this instance.

The permeable sub-base of the pitch will provide attenuation for surface water, which will then outfall to the IDB drain at the south-western corner of the site. The Lead Local Flood Authority and South Holland Drainage Board have no objections to this arrangement.

Given the above, the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Other considerations

Impact on property values and the language used by site users is a consideration but one which only carries limited weight in the overall planning balance.

Maintenance of the existing fence line in terms of weed removal is not a matter which falls within the scope of this application.

Planning balance

Whilst the application site lies outside of any settlement boundary in the Local Plan, it forms part of the wider site currently occupied by Holbeach United Community Sports Academy and it is reasonable to seek to locate the new facility within the confines of the existing site which is supported by a club building and dedicated parking. Sport England have no objection.

Concerns have been raised in relation to users of the Academy parking on surrounding residential roads. Following discussions on this matter, the Highway Authority have no objections to the scheme subject to a condition requiring the details of permanent demarcation of parking spaces in the existing car park to be submitted and approved prior to use of the new facility.

In terms of noise, the submitted Noise Impact Assessment concludes that the proposals are acceptable and SHDC's Environmental Protection Officer has no objection. The proposal is also acceptable in amenity, flood risk and drainage terms.

In light of the above, the planning balance is considered to sit in favour of the proposal.

CONCLUSION

In light of the above considerations, the proposal is considered to satisfactorily accord with Policies 1, 2, 3, 4, 28, 30, 32 and 36 of the South East Lincolnshire Local Plan (2019), as well as guidance in the National Planning Policy Framework (2021).

ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those

who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

RECOMMENDATION

That the application be approved under delegated powers.