

APPLICATION REF: 11/01572/FUL

PROPOSAL: CONSTRUCTION OF PERMANENT RUGBY CLUBHOUSE WITH CAR PARKING AND TENNIS COURTS TO REPLACE TEMPORARY FACILITIES

SITE: LAND AT FORMER BRETTON WOODS COMMUNITY SCHOOL, FLAXLAND, BRETTON, PETERBOROUGH

APPLICANT: MOORE STEEL DEVELOPMENTS ON BEHALF OF PETERBOROUGH

AGENT: DAVID SHAW

REFERRED BY: COMMITTEE DEFERRED APPLICATION TO REQUEST FURTHER CONSULTATION REGARDING THE IMPACT OF THE FOUL SEWER ROUTE ON THE WOODLAND THROUGH WHICH IT WOULD PASS

REASON:

SITE VISIT: 17.11.2011

CASE OFFICER: MS L LEWIS

TELEPHONE NO: 01733 454412

E-MAIL: LOUISE.LEWIS@PETERBOROUGH.GOV.UK

RECOMMENDATION: GRANT SUBJECT TO RELEVANT CONDITIONS

1. Background

This application was presented to the Committee on the 7 February, the proposal being to redevelop the area currently occupied by the parking, tennis courts and marquee, and incorporate a further 2800sq m or so of adjacent land into the developed area. The proposal includes:

- Provision of 100 car parking spaces as well as 11 disabled parking spaces, parking for 3 coaches and allowance for cycles and motorcycles
- A new, solid construction, club house set slightly further away from the dwellings, to include changing rooms and support offices, a kitchen, bar and function room, and upstairs a further bar area and lounge
- Banked seating along the north elevation of the club house, overlooking the pitches
- Floodlighting around the main pitch (the one closest to the clubhouse)
- A new foul drainage connection
- A small grounds maintenance store
- A new security fence around the site perimeter
- Reinstatement of four tennis courts (these are currently underneath the temporary marquee club house).

It came to light that some consultations had not been carried out early in the application process, and Members resolved to grant consent subject to there being no objection from the Woodland Trust and the Forestry Commission. The concern mainly related to the impact of the new foul drainage connection, which was proposed to be installed through the woodland.

The Woodland Trust objected to the proposal and therefore the application must be brought back to Committee.

2. Consultations/Representations since 7 February 2012

Forestry Commission

No comments received

The Woodland Trust (12.03.12)

Objection.

Date: 22.05.2012

1. There would be a loss of woodland due to the laying of the drainage pipe.
2. Request a buffer of at least 30m between the wider development, i.e. the clubhouse, car park and tennis courts; if this is not possible a planted buffer of 15m should be provided in addition to the Root Protection Area.

The woodland does not appear on current maps showing Ancient Woodland but has many of the characteristics of Ancient Woodland. Further research should be carried out to determine whether or not the woodland is ancient.

Landscape Officer (07.02.12)

No objection.

The pipeline can be implemented without major concern, the route of the pipeline has a very small footprint in terms of Highlees as a whole and the path of least resistance was identified in terms of larger trees.

The Arboricultural Method Statement follows best practice in terms of BS5837:2005 Trees in Relation to Construction.

Having spent 10 years managing 2,000 Ha of Ancient Woodland, I am fully aware of the operation types that can be detrimental to woodlands and the effects thereafter. I am also fully aware of the resilience of these woodlands and consider that this pipeline route affects a very small part of the woodland and that the Method Statement demonstrates both a pragmatic and appropriate solution.

3 Assessment of the planning issues

a) The proposed foul sewer pipe run

The Woodland Trust has objected on the grounds that a small amount of the woodland would be "lost" (their terminology). Although the woodland is not formally classified as Ancient Woodland it is considered to have many of the characteristics of Ancient Woodland, and in the opinion of the Woodland Trust the installation of the drainage connection through the woodland would disturb the soil – undisturbed soil being one of the main characteristics of Ancient Woodland. This would damage the flora in the area.

The Landscape Officer has commented that in his view the sewer connection can be implemented without major concerns. The route of the pipeline has a very small footprint in terms of Highlees as a whole, and the path of least resistance has been identified in terms of larger trees. This Officer has several years experience of managing Ancient Woodland, and is aware of the resilience of these areas. He concludes that the Arboricultural Method Statement demonstrates both a pragmatic and appropriate solution.

The Officer recommendation is that it would be acceptable for the sewer connection to pass through the Woodland.

Should Members conclude that this is not acceptable, then the applicant has indicated willingness to consider alternative arrangements, a) an on-site solution (eg a biodigester) or b) running the sewer connection under the hardstandings and roads. The Rugby Club is concerned about the additional costs of the alternatives and would prefer the direct route through the Woodland.

If Members wish to grant consent based on the alternatives, then Officers would recommend a condition requiring full details of the drainage system to be approved prior to development. The following wording might be appropriate:

Prior to the commencement of development, and notwithstanding the approved plans, a method for disposing of foul sewage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to avoid harm to the adjacent woodland, in accordance with Policy CS19 of the adopted Peterborough Core Strategy DPD.

b) Suggested Buffer Area

The Woodland Trust has also requested a buffer area, however as most of the development will take place on existing areas or a similar distance away, and the only items to be closer to the

Date: 22.05.2012

Woodland are a fence and some lights and a small shed, and most of the site will remain as grassland, Officers do not consider that any additional buffer is required.

Other matters are unaltered, and a copy of the Committee Report from February is attached (Appendix 1).

At that meeting Members resolved that Condition 20 (functions and amplified music) should be removed, so that condition is removed from the Recommendation below. Members may note that the justification for some conditions has changed; this is because the National Planning Policy Framework has been introduced, and the Planning Policy Guidance Notes and Statements are no longer in force.

4 Conclusions

Although the laying of the foul sewer through the woodland would have some impact, footprint of the pipe run is narrow and can follow a route that avoids significant risk to the woodland.

5 Recommendation

The Head of Planning Transport and Engineering recommends that this application is GRANTED for the following reason and subject to the imposition of the following conditions:

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- a) The principle of having a rugby club on part of the Park is acceptable as it is a use that is compatible with the open space/recreational use of the park
- b) Adequate access and parking can be provided
- c) The design of the building is appropriate to the use and location
- d) Impact on the amenity of nearby residents can be adequately controlled by conditions relating to noise, lighting and hours of use
- e) It has no significant impact on the adjacent County Wildlife Site
- f) There is no significant impact on important trees

The proposal is therefore in accordance with Policies CS14, CS16, CS18 and CS21 of the adopted Peterborough Core Strategy DPD and Saved Policies T8, T9, T10, LNE10 and U1 of the Peterborough Local Plan 2005 (First Replacement).

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C2 No development shall take place until details of the materials to be used in the external surfaces of the building, the fencing and the stands, have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C3 Development shall not begin until details of the improvements to the junction between the proposed access road and the highway (Flaxland) have been submitted to and approved in writing by the Local Planning Authority; and the buildings shall not be brought into use until that junction has been amended in accordance with the approved details.

The improvements shall include the realignment of the kerb line to provide an over-run area for the coaches, and the relocation of the footpath and cycleway crossing of the access road including the realignment for the routes to access this crossing.

Reason: In the interests of Highway safety, in accordance with Policies CS14 of the Peterborough Core Strategy and Saved Policies T4 and T8 of the Peterborough Local Plan (First Replacement).

- C4 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. These facilities shall be in accordance with details which have been approved in writing by the Local Planning Authority prior to the commencement of the development.**

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy.

- C5 Development shall not commence before fully operational vehicle-cleaning equipment has been installed of a specification and in a position to be approved in writing by the Local Planning Authority. All vehicles leaving the site shall pass through the cleaning equipment before entering the public highway. In the event of the approved vehicle-cleaning equipment being inoperative, development operations reliant upon compliance with this condition shall be suspended unless and until an alternative equally effective method of cleaning vehicles has been approved by the Local Planning Authority and is operational on site.**

Reason: To prevent mud and debris being brought onto the public highway, in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy.

- C6 Prior to first occupation of the approved clubhouse, parking for 40 cycles shall be provided in accordance with details to be agreed in writing with the Local Planning Authority.**

Reason: To encourage travel by non-car modes in accordance with Policy T9 of the Peterborough Local Plan 2005.

- C7 Lighting is to be provided to the car park area before occupation of new club house, in accordance with details to be submitted to and agreed in writing by the Local Highway Authority.**

Reason: In the interests of amenity, highway and community safety in accordance with Policies CS14 and CS16 of the Peterborough Core Strategy DPD.

- C8 Prior to first occupation of the approved clubhouse, a lift between the ground and first floors, and a first-floor toilet suitable for use by disabled persons, shall be provided and available for use.**

Reason: In order to ensure equality of access for all persons, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

- C9 The development shall be constructed so that it achieves a Target Emission Ratio of at least 10% better than building regulations at the time of building regulation approval being sought.**

Reason: To support Peterborough City Council's Environment Capital agenda in accordance with Policy CS10 of the Peterborough Core Strategy DPD.

- C10 The approved car parking provision, with associated turning, loading and circulation areas, shall be available for use no later than first occupation of the new clubhouse.**

Reason: In order to ensure that sufficient car parking is available in accordance with Policies T9 and 10 of the Peterborough Local Plan 2005 (First Replacement).

- C11 Prior to the commencement of development, a noise abatement scheme (consisting of physical and management measures) shall be submitted to the Local Planning Authority and approved in writing. Development shall thereafter proceed in accordance with the approved details.**

Reason: To ensure that noise created by activities within the building will be contained within the building, in the interests of the amenities of occupiers of nearby dwellings in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

- C12 All ventilation of steam and cooking fumes to the atmosphere shall be suitably**

filtered to avoid nuisance from smell, grease or smoke. Details of the nature and location of such filtration equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details before the first occupation of the clubhouse.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C13 The existing temporary facilities shall be removed from the site within three months of the first occupation of the new clubhouse.

Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C14 The tennis courts shall be made good and brought into public use no later than four months after removal of the temporary facilities.

Reason: In order to reinstate the original use of the land or site, in accordance with Policy CS16 of the Peterborough Core Strategy DPD, and to provide additional sports facilities, in accordance with Policy CS18 of the Peterborough Core Strategy DPD.

C15 The works within and adjacent to the woodland, as shown on the approved plans, shall be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To ensure proper planning for tree protection where underground infrastructure is to be installed, in accordance with Policies U1, LNE9 and LNE10 of the Peterborough Local Plan 2005 (First Replacement).

C16 Prior to first occupation of the new clubhouse, bat boxes and bird boxes shall be provided in locations and in accordance with details to be agreed with the Local Planning Authority.

Reason: In order to mitigate for the disturbance to wildlife caused by the Development, in accordance with Policy CS21 of the Peterborough Core Strategy DPD.

C17 Prior to the commencement of development, details of the landscaping of the site, and a timetable for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include planting, signage, hard surfacing materials, measures to prevent parking on areas other than approved parking spaces, boundary treatments and the appearance of the grounds maintenance store.

Reason: In the interests of the amenity of the area in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

C18 The total noise generated from the site shall not exceed these limits:

The $L_{Aeq,5min}$ level measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{Aeq,5min}$ level measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

The $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured 1 metre outside a window to a habitable room, with entertainment taking place, shall be no more than 3dB higher than the representative $L_{eq,5min}$ level in the 63Hz and 125Hz octave bands measured from the same position, under the same conditions and during a comparable period with no entertainment taking place.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C19 No external public address system shall be installed or operated without the written consent of the Local Planning Authority.

Reason: In order to control the impact on the amenity of nearby residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD.

C20 The site shall not be used for any non-sport related activity during the hours of 7am – 6pm Monday to Friday.

Reason: The traffic assessment submitted with the application did not assess the impact

that such activity may have on peak hour flows. Such assessment would be necessary before this activity could take place, in order to ensure that there was no detrimental impact on the Highway network, as required by Policy CS14 of the Peterborough Core Strategy DPD.

C21 The floodlighting shall not be installed until details have been submitted to and agreed in writing by the Local Planning Authority. The details shall include:

Siting and height of the columns

Type and appearance of lamps

Light levels across and adjacent to the site

A management programme including the times of operation of the floodlighting.

The floodlighting shall not be operated other than in accordance with the approved details.

Reason: In the interests of amenity and of protecting the wildlife using the adjacent woodland, in accordance with Policies CS16 and CS21 of the adopted Peterborough Core Strategy DPD; and to ensure that light does not affect users of the adjacent Highway network, in the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

C22 Notwithstanding the approved plans, the additional stands indicated on the plans shall not be constructed and are not approved under this consent.

Reason: In order to ensure that, should the club develop to the extent that more than the approved 382 seats are required, the associated traffic and parking impacts can be properly assessed in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

C23 Notwithstanding the approved plans, the boundary fence shall not enclose the turning head adjacent to the main Pavilion building.

Reason: In order that vehicles can turn safely to leave the Park in a forward gear, in the interests of Highway safety in accordance with Policy CS14 of the adopted Peterborough Core Strategy DPD.

Copies to Councillors S Martin, W Fitzgerald, A Sylvester