

## SCHEDULE B

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| <b>APPLICATION NUMBER</b>                                     | <b>CB/09/05708/REG3</b>  |
| <b>LOCATION PROPOSAL</b>                                      | <b>Land Adjacent 94, Ampthill Road, Flitwick<br/>Regulation 3: Change of use of land to football pitches with associated changing pavilion and external landscaping.</b> |
| <b>PARISH</b>   | <b>Flitwick</b>  |
| <b>WARD</b>   | <b>Flitwick East</b>   |
| <b>WARD COUNCILLORS</b>                                       | <b>Cllrs J Jamieson &amp; Cllr A Turner</b>  |
| <b>CASE OFFICER</b>   | <b>Hannah Pattinson</b>  |
| <b>DATE REGISTERED</b>  | <b>07 August 2009</b>  |
| <b>EXPIRY DATE</b>  | <b>06 November 2009</b>  |
| <b>APPLICANT</b>  | <b>Central Bedfordshire Council</b>  |
| <b>AGENT</b>  | <b>B3 Architects</b>   |
| <b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b> | <b>Major development not in accordance with the Development Plan<br/><br/>Grant Planning Permission</b>  |

### **Site Location:**

The site comprises 12.51 Hectares of agricultural land. The site lies to the north of Flitwick and is adjacent to both Ampthill Road and the A507. The site is located within both open countryside and the South Bedfordshire Green Belt. The western part of the southern side of the site is adjacent to existing residential properties.

### **The Application:**

The application site proposes a new football pitch facility. (It is a new facility for Flitwick and a number of the pitches could be used as a replacement for the existing pitches at the Flitwick Leisure Centre). The scheme proposes 1 senior football pitch with a fenced perimeter, 5 further senior/junior sized football pitches, 6 mini football pitches, car parking and a six team changing pavilion with officials changing, toilets, classrooms and other ancillary facilities including car parking.

Access to the site would be directly off Ampthill Road.

### **RELEVANT POLICIES:**

#### **National Policies (PPG & PPS)**

|       |  |
|-------|--|
| PPS1  | Delivering Sustainable Development       |
| PPG2  | Green Belts                              |
| PPS9  | Biodiversity and Geological Conservation |
| PPG13 | Transport                                |
| PPG17 | Recreation and Open Space                |

#### **Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

### **Bedfordshire Structure Plan 2011**

There are no relevant policies

### **Mid Bedfordshire Local Plan First Review 2005 Policies**

|              |  |
|--------------|--|
| Policy LPS1  | Selected Settlements                           |
| Policy LPS4  | Settlement Envelopes                           |
| Policy CS19  | Development in the Countryside                 |
| Policy DPS6  | The Built Environment - New Buildings          |
| Policy DPS10 | The Built Environment - Highways               |
| Policy DPS11 | The Built Environment - Landscaping            |
| Policy SR2   | Formal Built Sports and Leisure Facilities     |
| Policy SR8   | Formal Sport and Recreation in the Countryside |
| Policy TP1   | Walking and Cycling                            |
| Policy TP1A  | Travel Assessment                              |

### **Supplementary Planning Guidance**

Technical Guidance: Planning Recreation Open Space Strategy to the Local Plan

### **Planning History**

There is no relevant planning history.

### **Representations: (Parish & Neighbours)**

Flitwick Town Council      Support the application. It was commented that a construction traffic management plan would be beneficial. In particular access/egress to the site by vehicles and plant during the period in the morning and afternoon when school children would be passing the site on their journey to / from school. Members also felt that the landscaping to the frontage and the perimeter of the site would create a more pleasant exterior view as this was an entrance to Flitwick.

Neighbours      An objection due to the proposed opening hours of the football pitches, the noise it would create and the loss of privacy.

Three objections as the proposal would result in unacceptable noise levels for nearby residents and lack of mitigation measures.

An objection raising concern as to differences between the Design and Access Statement and the submitted plans. (The Design and Access Statement was updated to reflect the anomalies and the all neighbours were re consulted).

An objection in relation to increased traffic movements, noise levels, opening hours and flood pollution.

### **Consultations/Publicity responses**

Disabled Access Officer  
Highways                      No comments with regard to disabled access  
No objection subject to conditions to ensure highway safety.

Environment Agency  
Archaeological Officer      No objection subject to a relevant condition.  
The application site is archaeologically sensitive. It contains a complex of cropmark features. These are undated but are likely to be of later prehistoric or Roman date. The surrounding area contains a range of important archaeological sites and features of prehistoric, Roman and medieval date, including remains of a Roman ritual sites.

The proposed development will involve significant earthmoving to create level ground for the pitches which will impact on archaeological remains. Building the pavilion and car park will also be likely to impact on archaeological remains.

At the moment there is not enough information available to be able to assess the impact of the proposed development on the archaeology of the site and work out an appropriate mitigation strategy. This information would be obtained through an archaeological field evaluation commissioned by the applicant.

IDB                                      No comments received  
Sport England                      No objection  
Waste Officer                      No comments.

### **Determining Issues**

The main considerations of the application are;

1. The Principle
2. The visual impact of the development and the impact upon the Green Belt
3. Impact on the amenities of neighbours
4. Other Considerations including access and parking

### **Considerations**

## **1. The Principle**

The application site lies outside the Settlement Envelope for Flitwick in open Countryside and within the Green Belt. Policy SR2 encourages the provision of formal multi purpose sports facilities within the built up area of Selected Settlements so that they are in a highly sustainable location. Edge of settlement / fringe locations will only be permitted where it can be shown that no suitable sites exist in the built up area.

It is acknowledged that this proposal is not of the same scale of development that Policy SR2 is intended to address but there is no other planning policy within the Mid Bedfordshire Local Plan, First Review 2005 which could be considered as directly relevant to the provision of a formal football facility such as this. Policy SR8 considers sporting facilities in the open countryside but this policy is aimed at developments such as water sports and golf and therefore is not considered to be directly relevant.

Policy CS19 states that development will only be permitted exceptionally in the countryside unless provided for in the Local Plan. In this instance, there is no policy within the Local Plan to directly support this proposal and therefore this planning application is considered as a departure from the Local Plan and has been advertised as a Major Departure (being also a site in excess of 1 Hectare).

The provision of this site would allow the re location of the football pitches adjacent to the existing Flitwick Leisure Centre where it is proposed to provide a new Leisure Centre. This site has been proposed as it is in close proximity to the edge of the town. The site has been considered at both pre planning application stage and it is considered that this site may enable the way forward for the proposed new Leisure Centre. As such this would justify the use of arable land within the Green Belt for such a development.

## **2. The Visual Impact of the Development and the Impact upon the Green Belt**

The site currently lays fallow. The land is relatively flat and the site would have the ability to be relatively well contained by the use of sensitive landscaping and therefore it is felt that if developed the visual impact could be controlled satisfactorily.

The parking area and pavilion has been designed to be in relatively close proximity to Ampthill Road. Landscaping shall be provided to mitigate the visual impact of these facilities from the road and the nearby residential properties. In addition to the car parking it would be necessary for the applicant to provide suitable cycle parking facilities in close proximity to the pavilion.

The proposed pavilion would be a single storey building and has been designed to reflect its sensitive location, taking design cues to reflect its location within the South Bedfordshire Green Belt. In addition the applicant has proposed to use appropriate materials for the location. The majority of the fenestration is proposed on the eastern elevation facing towards the proposed football pitches with minimal fenestration facing towards Ampthill Road (the western elevation).

To the east of the proposed car parking and pavilion is to be the six large grass football pitches and six mini pitches. The pitch adjacent to the pavilion would

also have the benefit of suitable fencing as it is in close proximity to the A507.

PPG2 provides the national policy guidance for development within a Green Belt. PPG 2 states that the use of the land in them has a positive role to play provided that it fulfils the following objective:

- to provide opportunities for outdoor sport and outdoor recreation near urban areas.

In addition paragraph 3.4 states that the new buildings in the Green Belt are appropriate provided that they are providing essential facilities for outdoor sport and outdoor recreation amongst other specific types of buildings. As the proposed pavilion meets the minimum requirements it is considered to fall within the remit of paragraph 3.4.

Taking all of the above into consideration it is felt that the proposal would have a minimal impact upon the character and appearance of the area and falls within the policy requirements of new development within the Green Belt.

### **3. Impact on the amenities of neighbours**

Due to the orientation and distance of the car parking and pavilion from the adjacent residential properties it is considered that by the use of suitable conditions that there would be sufficient separation from the development to mitigate any potential detrimental impact. For example a condition would be added to provide a bund on the southern boundary of the site in close proximity to the existing residential properties along The Birches to ensure that neighbouring amenity is retained.

Nuisance from this nature of development can be caused by lighting, hours of use and amplified equipment including the use of tannoys. These matters are usually controlled by condition and hence would not themselves justify the withholding of planning permission.

The layout of the site has been designed to minimise disturbance on neighbours by locating the main building and car parking away from these properties. In addition the use of extensive landscaping on the boundaries where residents could be affected will be used to reduce any potential impact.

A condition has been included requiring details to be submitted for any illumination to the site to ensure that it is designed to have as minimal impact as possible upon neighbouring amenity.

### **4. Other Considerations including access and parking**

The site generally benefits from good access being located on Ampthill Road which is a relatively straight road in this location.

The site has a number of accesses onto Ampthill Road and these will need to be closed off prior to the site being brought into use. A condition would be added to any planning permission to this effect.

A condition relating to landscaping would also be attached to any planning permission. Concern has been raised as the site is adjacent to both the A507

and the A5120 (Amphill Road) and it will be necessary to ensure that no footballs fly onto either of these roads.

Finally cycle parking currently is not shown on the current scheme and as such a relevant condition will be added.

It is not considered that sufficient archaeological information has been submitted to ensure that the site is protected from the development. As such a relevant condition would be added to ensure that this is carried out prior to the commencement of development.

## **Reasons for Granting**

The development is in accordance with both regional and national planning policy and has been designed to reflect the specific location and constraints of the site. In addition the application would not result in a detrimental impact upon neighbouring amenity, the visual impact on the site, the surrounding area or the South Bedfordshire Green Belt. As such it is considered that planning permission should be granted subject to relevant conditions.

## **Recommendation**

That Planning Permission be granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Prior to commencement of the development a scheme for a soil bund, to include details of the source and type of material, height, length and width, to be constructed on the southern boundary of the site adjacent to the existing residential properties shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate landscaping and shall be implemented in full prior to the occupation of development hereby permitted.**

Reason: In order to protect the amenities of nearby residents.

- 3 **Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site.

- 4 **Prior to commencement details and samples of the materials to be**

used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

**Reason:** To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 5 Prior to the commencement of development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the Local Planning Authority. The works included within the approved scheme shall be constructed solely in accordance with the approved plans.

**Reason:** To prevent the increased risk of pollution to the water environment.

- 6 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:

(i) A detailed assessment of ground conditions of the playing field shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and  
(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.

The approved scheme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority (in consultation with Sport England).

**Reason:** To ensure that site surveys are undertaken for replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.

- 7 Prior to the commencement of development details of the relocated pedestrian crossing shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to the proposal being first brought into use.

**Reason:** In the interest of highway safety.

- 8 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.**

- 9 **Prior to the commencement of development, a scheme for the secure and sheltered parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented solely in accordance with the approved details and prior to the first occupation of the development or prior to the development first being brought into use. The works approved for the parking of cycles shall thereafter be retained for this purpose.**

**Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.**

- 10 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall include what arrangements are to be made to restrict such vehicles solely to the approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

- 11 **Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0 m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.**

**Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.**

- 12 **Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.**

**Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.**

- 13 **Before the premises are occupied all on site vehicular areas shall be**



surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

- 14 Before the premises hereby permitted are occupied a scheme indicating the proposed means of illumination shall be submitted to and approved by the Local Planning Authority. The scheme submitted shall include details and mitigation methods to ensure that no glare or dazzle occurs to drivers of vehicles using the public highway or to adjacent residential properties, through illumination on the site and details of hours of usage and appearance of the units. The development shall be implemented prior to the first use of the development hereby permitted in accordance with the approved scheme and shall be retained thereafter.

Reason: In the interest of road safety.

- 15 Prior to the bringing into use of the development a Management and Maintenance Scheme for a period of 5 years to include measures to ensure, management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development.

Reason: To ensure that new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (PPG17 Par 14).

- 16 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-
- proposed finished levels or contours;
  - materials to be used for any hard surfacing;
  - minor structures (e.g. furniture, play equipment, signs, etc);
  - proposed and existing functional services above and below ground level;
  - planting plans, including schedule of size, species, positions, density and times of planting;
  - cultivation details including operations required to establish new planting;
  - details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 17 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 agreed in writing with the Local Planning Authority.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 18 No sound reproduction or amplification equipment (including public address systems, loudspeakers, tannoys etc) which is audible from the site boundary shall be installed without the prior written consent of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 19 The premises shall not be used except between the hours of 0800 to 2200 Monday to Saturday and 0800 to 1600 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 20 The development hereby permitted shall be undertaken in accordance with the approved Waste Audit Ref CBC002.

Reason: To ensure that the development conforms with the waste audit requirements.

### **Notes to Applicant**

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council, Highways Help Desk, P.O. Box 1395, Bedford MK42 5AN quoting the planning application number and supplying a copy of the Decision Notice and a copy of the approved plans. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc) then the applicant will be required to bear the cost of such removal or alteration.
2. The applicant is advised that in order to comply with condition 7 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN

3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group, Highways Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford MK42 5AN.
  
4. The applicant is advised that the closure of the existing accesses shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council, Highways Help Desk, P.O. Box 1395, Bedford MK42 5AN. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the accesses.

**DECISION**

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