

Item No. 12

APPLICATION NUMBER	CB/13/00333/REG3
LOCATION	Land Adjacent To 94, Ampthill Road, Flitwick
PROPOSAL	Change of use of land from agricultural to D2 (outdoor sport and recreation) and associated landscaping. It is proposed to use the land for outdoor sports and recreation - playing fields with 1 full sized and 6 junior grass pitches.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Judy Self
DATE REGISTERED	12 February 2013
EXPIRY DATE	09 April 2013
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE	Council owned Land
RECOMMENDED DECISION	Full Application - Granted

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The principle of the development has been established as acceptable. The change of use of the land from agricultural to a D2 usage for the playing fields is not considered to harm the character and appearance of the area and is considered to constitute appropriate development and be acceptable in Green Belt terms. In addition the application would not result in a detrimental impact upon neighbouring amenity. As such the development would be in accordance with objectives of the National Planning Policy Framework (2012), the Core Strategy and Development Management Policies (2009).

Site Location:

The site comprises 6.76 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.

Planning permission had been previously granted in 2009 for a new football pitch facility on the land as a replacement for the existing pitches at the Flitwick Leisure Centre. This permission lapsed on the 21 November 2012. Under CB/09/05708/REG3 permission was granted for the following:

- 1 senior football pitch with fenced perimeter;
- 5 further senior/junior sized football pitches;
- 6 mini football pitches;
- car parking facilities. Access to the site is directly off amphill Road;
- a six team changing pavilion with officials changing, toilets, classrooms and other ancillary facilities including car parking.

The Application:

The application proposes a change in use from agricultural to D2 (outdoor sport and recreation) with associated landscaping for outdoor sports and recreation playing fields to include 1 full sized pitch and 6 junior grass pitches.

This application is to establish the principle of changing the use of the land to playing fields. If planning permission is granted for the change of use of the land, further planning applications will be subsequently prepared with full details (changing facilities etc.)

Given the timescales involved, a change of use of the land is required to prepare (ie seed) the grass pitches.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies, November 2009

Policy DM3 High Quality Development

Policy DM4 Development Within and Beyond Settlement Boundaries

Development Strategy for Central Bedfordshire

Policy 22: Leisure and open space provision

(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.)

Supplementary Planning Guidance

None applicable to this application

Planning History

09/05708 Regulation 3: Change of use of land to football pitches with associated changing pavilion and external landscaping - approved

Representations:

(Parish & Neighbours)

Flitwick Town Council Supports the application

Neighbours Two objection responses have been received and have been summarised as following:

An objection on the grounds that the planning application is not correctly represented in the plans submitted because:

- The plan does not correctly depict the number of residential units adjacent to the site – the plan is out of date and significantly under represents the number of households which will be affected.*
- The plan shows no outline of the positioning of the pitches in either of the two plots of land shown. There is no reference to mitigating noise and nuisance of landscaping – I fail to see how this can be categorised as a full planning application.*

An objection on the grounds of noise and un-neighbourliness. The field referred to has areas which are not directly adjacent to property and it is unfortunate that these areas have not been selected on the plan.

An objection regarding the noise factor when all pitches are in use at the same time. The argument that they wont all be in use simultaneously doesn't hold water, since there wouldn't be any point building 7 pitches.

Consultations/Publicity responses

Internal Drainage Board (IDB)	No objection submission to a condition.
Environment Agency	No comments to make as the site falls within the jurisdiction of the IDB
Public Protection	No comments to make
Sport England	No objection
Highways	No objection on the understanding that the proposal merely seeks to establish the principle of the change of use and an appropriate condition be attached to any grant of permission to ensure that no works can commence until details have been agreed with regard to access and parking.
Play and Open Space Officer	No comments received
Community Safety Officer	No comments received

Ecology

The application site lies within an identified Biodiversity opportunity area seeking habitat enhancements in the form of wetland and woodland. No objection has been raised to a change of use for the land but it is requested that any future applications for the site take the opportunity area into account.

It is clear that appropriate drainage will be needed for the site and an ideal solution would be a SUDS supporting wet woodland creation.

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. Highway considerations
5. Other Considerations

Considerations

1. The Principle

The application site lies outside the Settlement Envelope for Flitwick in open Countryside and within the Green Belt.

Permission was granted in 2009 for a new football pitch facility on the land as the site was deemed to be a suitable location for the proposed development. As such the principle of development has been established as acceptable. In addition the National Planning Policy Framework (2012) states that local planning authorities should:

- *“Plan positively to enhance the beneficial use of the Green Belt, such as to provide opportunities for outdoor sport and recreation”.*

Whilst the current proposal is for the change of use of the land it is reasonable to expect further planning applications to be submitted for the outstanding matters such the changing facilities etc. It is considered these would also be in accordance with the NPPF as national planning policy supports facilities which would be for outdoor sport and recreation.

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

The provision of this site would allow the relocation of the football pitches adjacent to the existing Flitwick Leisure Centre where it was proposed to provide a new Leisure Centre.

The application site was originally chosen as it lies on the edge of the town and would maintain the separation between Flitwick and Ampthill. Planning permission has been previously granted and as such the principle has been established.

The land is relatively flat and currently lays fallow. The National Planning Policy Framework supports the:

- *“Provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”.*

The proposed change of use from agricultural land to a new football facility to include 1 full sized pitch and 6 junior grass pitches is considered to accord with the National Planning Policy Framework as it is an appropriate use within the Green Belt and would preserve the openness of the Green Belt. In addition, the emerging Development Strategy for Central Bedfordshire places an importance on providing new ‘green space’ in the form of playing pitches that provides opportunities for open access to the public for recreational purposes.

In conclusion it is considered that the proposal would not result in any harm to the character and appearance of the area and would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

3. Impact on the amenities of neighbours

The nearest residential properties to the site lie to the north side of The Birches which is a modern close formed off Ampthill Road. No direct impact to the residential amenity of neighbouring occupiers would result by way of overbearing impact; loss of privacy or loss of light. The issues raised from the consultation process relate to noise disturbance and these concerns have been addressed below.

Response to the objections received:

- *The plan does not correctly depict the number of residential units adjacent to the site – the plan is out of date and significantly under represents the number of households which will be affected. The plan shows no outline of the positioning of the pitches in either of the two plots of land shown.*

Response: Revised details were requested and all neighbouring properties have been re consulted.

- *There is no reference to mitigating noise and nuisance of landscaping – I fail to see how this can be categorised as a full planning application.*

This application seeks only to determine the principle of using the land for recreational purposes. No objection has been received from Public Protection. The previous permission was the subject of a condition requiring a landscaped bund adjacent to those nearest properties. A condition is again recommended and it is considered that this buffer would satisfactorily mitigate noise concerns.

- *An objection on the grounds of noise and un-neighbourliness. The field referred to has areas which are not directly adjacent to property and it is unfortunate that these areas have not been selected on the plan.*

Response: The proposal accords with the previously approved application and it is envisaged that this section of the site will form part of a future application (subject to funding).

- *An objection regarding the noise factor when all pitches are in use at the same time.*

Response: The proposal accords with the previously approved application and appropriate conditions will be attached to any approval.

In conclusion no significant harm to the residential amenity of occupiers of neighbouring properties is considered to arise and as such the proposal is considered to be acceptable in this regard.

4. Highway implications

On the understanding that the proposal merely seeks to establish the principle of the change of use no objection has been raised by the Highways Authority subject to a condition to ensure that no works can commence until details have been submitted and approved in writing by the Local Planning Authority. As such the proposal is considered to be acceptable in this regard.

5. Other considerations

Drainage considerations

The application site falls within Flood Zone 3. No objection has been made by the IDB subject to 'Condition 4' which is attached to any approval. The proposal is therefore considered to be acceptable in this regard.

Human Rights issues

The previous permission was the subject of a condition requiring a landscaped bund adjacent to those nearest properties. A condition is again recommended and it is considered that this buffer would satisfactorily mitigate noise concerns.

Equality Act 2010

The planning application process has been undertaken in accordance with the Equality Act 2010.

Recommendation

That Planning Permission be approved 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 **No development shall take place until details of vehicle access and on site parking have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.**

Reason: Highway safety.

- 3 **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 defensive landscaping and shall be implemented in full prior to the use of the playing fields for recreational purposes.**

Reason: In order to protect the amenities of nearby residents and to ensure the mound is not used for casual play.

- 4 **No development shall take place until calculations have been submitted to and approved in writing by the Local Planning Authority showing that the raising of the ground to form level football pitches will be compensated by level for level lowering of ground in other areas.**

- **any bunds formed from surplus materials or ground raising or lowering activities must not remove capacity from the flood plain.**
- **any excess material which is not removed from site must be moved to a location which is not within the flood risk area.**

Reason: to ensure that flood risk is not increased by development within the flood plain.

- 5 **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.

- 6 **Full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **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.

Notes to Applicant

1. The application area lies within an identified Biodiversity opportunity area seeking habitat enhancements in the form of wetland and woodland. It is recommended that future applications for the site take the opportunity area into account. It is clear that appropriate drainage will be needed for the site and an ideal solution would be a SUDS supporting wet woodland creation.

DECISION

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