

AGENDA ITEM NO 5

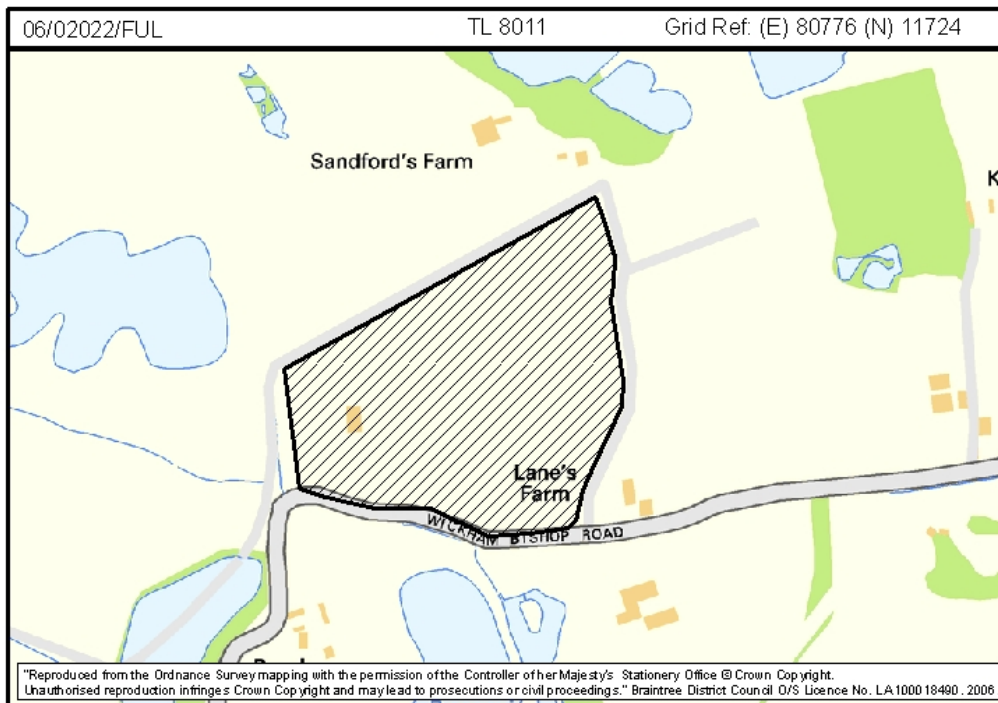
PART A

APPLICATION NO : 06/02022/FUL **DATE VALID :** 16.10.06

APPLICANT : Hatfield Peverel Parish Council
Mr E E Windus (Clerk) Brewery Cottage The Green
Hatfield Peverel CM3 2JQ

DESCRIPTION : Temporary use of portable containers to provide sports accommodation for changing, toilet facilities and storage (up to a maximum of 5 years)

LOCATION : Hatfield Peverel Sports Ground Wickham Bishops Road
Hatfield Peverel Chelmsford Essex



SITE HISTORY

88/02109/	Change of use from agricultural to recreational use.	PER	06.12.1988
93/01213/COU	Change of use of land from agricultural to recreational use.	PER	30.12.1993
94/01524/FUL	Erection of pavilion for Hatfield Peverel Bowling Club	PER	22.03.1995
95/01058/FUL	Erection of sports hall to serve existing village football club	PER	06.11.1995
00/00061/FUL	Erection of pavilion	PER	06.04.2000
02/00449/FUL	Erection of new sports clubhouse and pavilion for Hatfield Peverel Football Club	WDN	04.07.2002

03/01390/FUL	Erection of new building to provide sports clubhouse, pavilion, indoor sports facilities, associated landscaping, formation of astro turf pitch with 6 lighting columns and erection of 8 no floodlight columns for main pitch	REF	01.02.2005
04/00087/REF	Erection of new building to provide sports clubhouse, pavilion, indoor sports facilities, associated landscaping, formation of astro turf pitch with 6 lighting columns and erection of 8 no floodlight columns for main pitch	LODGED	
05/00013/REF	Erection of new building to provide sports clubhouse, pavilion, indoor sports facilities, associated landscaping, formation of astro turf pitch with 6 lighting columns and erection of 8 no floodlight columns for main pitch	LODGED	

POLICY CONSIDERATIONS

PPG17 Planning for Open Space, Sport and Recreation

Essex and Southend-on-Sea Replacement Structure Plan

CS2 Protecting the Natural and Built Environment
C5 Rural Areas not in the Green Belt
BE4 Sports Grounds and Playing Fields

Braintree District Local Plan Review

RLP78 Countryside
RLP79 Special Landscape Area
Para. 10.2 Aims and Objectives relating to sporting facilities

REPORT

Background

The application is for a five year temporary permission to locate three portable containers to provide sports accommodation for changing, toilet facilities and storage.

The development proposed is in connection with the use of the premises for recreation purposes. This change of use from agricultural to recreational use was granted permission in December 1988 (88/02109/). A change of use was reapplied for in December 1993 (93/01213/COU).

The proposed development consists of 3 portable units. The units are clustered together towards the northwest of the site beyond and to the right of the existing bowling pavilion. These consist of a changing facility, toilets and a storage unit. The portacabin for changing facilities will be 9.75m in length, 3m wide. The portable toilet will be 3.71m in length and 2.75m in width. The storage container will be 6.0m in length and 2.5m in width. The applicant states that the 3 units are to be painted green to match bowling pavilion.

No plans of elevations were submitted with the application. This matter will be dealt with through a condition restricting development to one storey. No landscaping details were submitted with the application these will be dealt with a condition relating to screening.

Site Description

The site with planning history is located in the countryside on Wickham Bishops Road outside the village envelope of Hatfield Peverel, and identified as within the Special Landscape Area. The vehicular access is taken directly off Wickham Bishops Road. The site can accommodate parking for 100 cars with a car park to the right of the entrance. The site is immediately next to the long-term proposal for a Country Park.

CONSULTATIONS

Essex County Council Highways – no objection is raised to the proposal.

Braintree District Council Landscape – recommend that the portacabins are re-located adjacent to the rear of the bowling pavilion, with a hedge planted to the carpark edge to match that around the bowling green.

Braintree District Council Local Plans – Any response will be reported at the committee

Braintree District Council Environmental Health – No objection

REPRESENTATIONS

Twenty two letters of objection have been received from the neighbouring residents, including a joint letter of rejection with 19 signatories (some of which have submitted separate letters of objection), which raise the following concerns directly related to planning:

Location objections

- remote location / not in centre of village
- Green Wedge
- eyesore on landscape / usage of unsightly containers
- intrusive noise / noise pollution / noise disturbance from activity on site

- The portacabins are to be located on the highest part of the site.
- Loss of wider community benefit for the pursuit of passive activities and opportunities of linking this site with the proposed country park
- Detrimental impact on quiet amenity of proposed country park
- The site would be become 'one sport dominated'
- Improve existing ground in village centre
- Is the identified demand to accommodate neighbouring village football teams, if so have alternative safer sites been considered.
- Why must popular football be removed from the village centre location.

Access objections

- not accessible by foot
- no safe provision for cyclists
- need for provision for alternative methods of transport
- landowner not willing to permit footpath
- a footpath to the site is not suitable across farmland that contains deep lakes especially in dark
- deep water lakes/danger from siting close to deep water lakes
- will the proposed footpath be tarmac'd with suitable drainage and lighting for safety reasons
- dangerous road/access is taken from a single track road on a blind bend
- access from narrow winding lane
- additional traffic that will occur on a single lane country road/road not suitable for additional traffic
- damage to grass verges
- Members associated with the club are likely to use their own transport
- Question viability, practicality, sustainability of car sharing/shuttle bus

Application objections

- plans show clubhouse from previously submitted plans
- height of temporary buildings not stated
- times of use of temporary buildings not stated
- no accurate description of temporary buildings
- no evidence of screening
- application not on public display
- the application is by the Parish Council, why is the title Hatfield Peverel Football Club on the plans.
- This application has not addressed the grounds for refusal on application 03/01390/FUL

Policy objections

- policies RLP78, RLP79, RLP80, RLP129 clearly state the protection of traditional rural qualities of the countryside / these policies recognise that unsuitable development will cause permanent loss and damage to essential landscape areas,

- especially in Special Landscape Areas such as this site in Wickham Bishops Road.
- This application does not satisfy the first 3 condition of policy RLP129
 - 'recreational use' does not implicitly imply being solely for sports use or specifically football

Other

- This application is a precursor to a permanent application
- This application sets precedent for future applications

The letters also raises the following concerns, which are not directly related to this application:

- probable request for future floodlighting, dangerous distraction on an unlit road
- external lighting to be timer controlled to hours of use only and fully shielded
- how would the committee respond to a request for floodlighting

CONCLUSION

1. Principle of development

The principle of recreational use has been established on the site, given that Planning Permission was granted firstly in 1988 and subsequently in 1993. The purpose of the proposed temporary portacabins is considered ancillary to the established recreational use of the site.

The site is located in the countryside, outside of the village development envelope of Hatfield Peverel where the principle of development is subject to compliance with countryside development plan policies. Specifically, Policy RLP 78 of the Adopted Local Plan Review states that inter alia the countryside will be protected for its own sake, this will be achieved by the restriction of new uses to those appropriate to a rural area, and the strict control of new building in the countryside outside existing settlements to that required to support agriculture, forestry or other rural uses or development. Development should be well related to existing patterns of development and of a scale, siting and design sympathetic to the rural landscape character.

Policy RLP79 states that any development that is permitted in Special Landscape Areas will be expected to conform to the highest standards of design, siting and layout, with materials appropriate to the character of the area and with appropriate landscaping.

Location

While the site lies beyond the village envelope, the site has established recreational use. The Adopted Braintree Local Plan Review does not contain any allocations for Green Wedges, areas of countryside are protected by our Countryside policies RLP 78 and RLP79. Planning permission for the containers will be conditioned to include a restriction to one storey in height and provision of appropriate screening. Braintree District Council Environmental Services have raised no objection to the proposal on environmental health grounds. While this site is adjacent to the proposed Country Park, this application is for a temporary permission while the country park remains a long-term proposal.

The activity of bowling is well established on the site and it is anticipated that this will continue operate in conjunction with the football club. Transference of the junior teams football club from the recreational ground on Maldon Road will reduce the intensity of the use of the site and facilitate alternative non-organised recreational activities to take place within the village. The adult football teams are to remain at the Maldon Road site. Any improvements to be made to the existing sports ground will require the due consideration of the Parish Council. The applicant has raised issues of lack of available car parking at Maldon Road, over intensification of use on site and congestion caused by on-road car parking.

Access

In respect of the objections relating to access, Essex County Council Highways have raised no highways objections. Essex County Council is satisfied that the proposed portacabins are not contrary to policies relating to safety, accessibility, efficiency/capacity, road hierarchy and parking standards. On the separate matter of pedestrian access, if a public right of way is approved in the future it would be required to meet health and safety standards.

Planning Application

While the sports pavilion has been shown on the submitted layout plan for this application it is not for consideration with this application. While elevations plans are not submitted with this application, the height of the buildings will be limited by condition to single storey. Details of screening have not been provided, therefore this will be dealt with by condition. Times of use will be dealt with by condition. A notice was posted on site as required by the legislation and neighbour consultation carried out. The 03/01390/FUL application because of its large scale raised issues of accessibility and detriment to visual amenity, this application differs in scale and seeks only a temporary permission.

The application does not propose floodlighting. The football club is relocating the junior teams only to Wickham Bishops Road, and therefore there is no need for floodlighting which is only required for training by the adult teams.

Policy

In response to the objections relating to policies RLP 78, RLP79, RLP80 it is considered that the portacabins will not result in permanent loss and damage to essential landscape areas as the application is for temporary permission only. The development is small scale and with the landscaping condition makes the proposal acceptable with minimal impact.

Policy RLP 129 relates to large-scale sports developments, the proposed development is for small scale, temporary portacabins and therefore policy RLP 129 is not applicable in this case.

The Adopted Braintree Local Plan Review and PPG17 generally support sports facilities in rural areas. Hatfield Peverel has limited recreational space allocated within the village envelope. PPG 17 states that smaller scale facilities will be acceptable where they are located in, or adjacent to villages to meet the needs of the local community. In chapter 10, Sport, Recreation and Tourism, of the Local Plan one of the aims in paragraph 10.2 states 'To make facilities for sports, recreation and tourism available and accessible to all sections of the community'. As an authority this is re-enforced by Braintree District Council's Corporate Direction and Ambition and Core Values, which includes providing 'A Better Place to Live, Work and Play'.

2. Detailed Consideration

With regard to external materials and colours it is recommended that a condition be added requiring the submission of samples of the external materials of the development and to be approved in writing by the Local Planning Authority prior to the commencement of the development, in order to ensure that it does not prejudice the appearance of the locality.

A condition is recommended to require submission of an appropriate landscaping scheme in order to reduce the visual impact of the development and to be approved in writing by the Local Planning Authority prior to the commencement of the development.

To further reduce the impact of the development, it is recommended that the temporary permission is conditioned and reduced from 5 years to 3 years.

The siting of the portacabins should remain as per plan to ensure that they are directly associated with the football pitches.

The inclusion of a previously refused Football Clubhouse on the submitted plans will not be considered with this application. A condition will be included to omit any consideration of the clubhouse with this application.

A condition will be included to require the operation of the car sharing scheme as submitted by the applicant in order to reduce the number of vehicles travelling on Wickham Bishops Road.

Whilst it is acknowledged that the site is not ideal in terms of its distance from the village, in conclusion it is considered that the proposal broadly meets the Council's policy objectives contained within the Local Plan. With the appropriate conditions, the proposed temporary permission for use of the portacabins is now considered to be satisfactory in terms of external appearance and landscaping and unlikely to have an adverse impact on the countryside or public amenity.

RECOMMENDATIONS

It is **RECOMMENDED** that the following decision be made;
Application **GRANTED** subject to the following conditions and reasons :-

- 1 TIME21 Full PP 3 Years**
- 2 The development hereby permitted shall be carried out only in accordance with the approved plans and specifications as shown on Drawing Nos. HPFC/PLAN10/TDH and DPFPort1TDH; except as follows:- The Football Clubhouse identified on drawing No HPFC/PLAN01/TDH will be omitted;**
- 3 A schedule of the types and colour of the materials to be used in the external finishes shall be submitted to and approved in writing by the local planning authority before the development is commenced.**
- 4 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping to screen the portacabins. Such scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate. All planting, seeding or turfing contained in the approved details on the landscaping scheme shall be carried out in phases to be agreed as part of that scheme by the local planning authority. Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.**
- 5 This permission shall expire on 31 December 2009 and on or by that date the use of the premises/site for the purposes hereby permitted shall be discontinued.**
- 6 The height of the proposed development will be restricted to one storey or 4m in height, unless agreed in writing with the Local Planning Authority.**
- 7 This permission shall relate to the letter submitted 16th October 2006 as part of the application, stating the operation of a car**

sharing scheme and minibus shuttle service. Such scheme will be continued for the duration of the permission.

REASONS

- 1 RTIM21 Time Reason**
 - 2 To ensure that the development is satisfactory in accordance with Policies CS2, CS5, BE4 of the Essex and Southend on Sea Replacement Structure Plan and RLP 78, RLP 79 of the Adopted Braintree District Local Plan Review.**
 - 3 To ensure that the development does not prejudice the appearance of the locality and to comply with Policies CS2 of the Essex and Southend on Sea Replacement Structure Plan and RLP78, RLP79 of the Adopted Braintree District Local Plan Review.**
 - 4 To enhance the appearance of the development and safeguard the amenity and character of the locality and to comply with Policies CS2, C5 of the Essex and Southend on Sea Replacement Structure Plan and RLP 78, RLP79 of the Adopted Braintree District Local Plan Review.**
 - 5 In order that the local planning authority may review the matter at a later date in the light of planning policies and all material considerations and circumstances appertaining at the time.**
 - 6 To ensure that the development is satisfactory in accordance with Policies CS2, CS5, BE4 of the Essex and Southend on Sea Replacement Structure Plan and RLP 78, RLP 79 of the Adopted Braintree District Local Plan Review.**
 - 7 In the interest of highway safety and the amenity of residents.**
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