

COMMITTEE DATE 17/02/2021 **WARD** Kingsway

APP REF V/2020/0778

APPLICANT J Dawn

PROPOSAL Installation of a Shed to be used as a Match Day Ticket Kiosk, Covered Spectator Stands and Privacy Screening Along the North and East Side of the Pitch Perimeter Fencing

LOCATION Kingsway Park, Kingsway, Kirkby in Ashfield, Nottinghamshire, NG17 7D

WEB LINK <https://www.google.com/maps/@53.0964636,-1.2487677,17z>

BACKGROUND PAPERS A, B, C, D

App Registered 02/12/2020 Expiry Date 26/01/2021

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Councillor Lauren Mitchell on the grounds of the impact on neighbouring properties and highway safety.

The Application

This is an application for the installation of a shed to be used as a match day ticket kiosk, covered spectator stands and privacy screening along the north and east side of the pitch perimeter fencing, located at Kingsway Park, Kirkby in Ashfield.

Consultations

A site notice has been posted together with individual notification of surrounding residents.

ADC Landscaping

- No comments to make on this application other than to request that the football club outline their timescales for completing the works and agree a program of works with the Council prior to commencing.

ADC Environment and Cemeteries

- No objections to the use of the overflow car park on match days. A maintenance and inspection regime would potentially be required for these kinds of structures.

NCC Highways

- None of the proposed works will affect the highway network. Highway visibilities will not be affected and there will be no obstruction. No new access is proposed, parking and the Right of Way will be unaffected.
- The Highway Authority would not wish to raise objection to the proposal.

NCC Public Rights of Way

- A public footpath, Kirkby 57, runs to the south of the site. The public right of way is unaffected by the proposal, as such Rights of Way Team has no objections to the proposal.

Natural England

- No comments to make on this application.

Resident comments: 6 objections and 2 in support of the proposal.

Objections:

- Lack of parking available.
- Increased traffic resulting from the proposal.
- The proposed facilities will have a disproportionate effect on other uses of the Kingsway Park.
- The proposal privatizes the Kingsway Park which is public open space for residents.
- Concerns have been raised in respect of anti-social behavior related to the football team such as swearing.

Support:

- The proposed development will improve local sports facilities and enhances spectator opportunities.
- The proposal will not increase traffic on match days as the capacity will not be increased.

Petitions

Two petitions have been set up by residents in support and against this application which were available on the Councils website. Both petitions had a proposed date running until 22nd March 2021. ADC Democratic Services have provided a snapshot of the result taken on 8th February 2021. The results are as follows:

- In support – enhance local football facilities: 90.
- In objection - lack of parking: 12.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

Ashfield Local Plan Review ALPR 2002

ST1 – Development

ST2 – Main urban area

RC3Kg – Formal Open Space

National Planning Policy Framework NPPF 2019

Part 2 – Achieving sustainable development

Part 8 – Promoting healthy and safe communities

Part 9 – Promoting sustainable transport

Part 12 – Achieving well designed places

Relevant Planning History:

- V/1980/0187 - Floodlighting to two pitches (conditional consent)
- V/1980/0132 – Construct hard porous playing pitch (unconditional consent)
- V/2016/0471 – Fencing and access gates (conditional consent)

Comment :

The applicant seeks full planning consent for the installation of a shed to be used as a match day ticket kiosk, covered spectator stands and privacy screening along the north and east side of the pitch perimeter fencing.

The facilities have been proposed by Ashland Rovers FC, it should be noted that the site is owned by Ashfield District Council.

The main issues to consider in this application are the:

- Principle of development.
- Character and appearance of the area.
- Residential amenity.
- Parking and highway safety.

Principle of development

The application site is located in the Main Urban Area as defined by Ashfield Local Plan Review 2002 (ALPR), Policy ST2 and the Proposals Map. The Policy identifies that development will be concentrated within the Main Urban Areas. The proposal would comply with this policy.

The site is also located within Formal Open Space under saved Policy RC3Kg situated within Kingsway Park, Kirkby in Ashfield. It is considered that the principle of

development is acceptable as the proposal would assist in the enhancement of the recreational use of the site.

Character and Appearance

The proposed facilities will be situated immediately adjacent to an existing football pitch. A ticket kiosk shed is proposed adjacent to the gated access to the football pitch and two spectator stands are proposed to the north of the football pitch nearest to the car park. The proposed ticket kiosk shed will be constructed from wood and the stands will include corrugated metal sheeting. The proposed screening will be 2m in height situated along the northern and eastern perimeter of the football pitch. The proposed facilities will be set behind the existing 3m high rebound sports fencing which lies around the perimeter of the football pitch.

The proposed facilities are considered appropriate within the setting of a sports and leisure facility. The proposal would conform with Part 12 – Achieving Well Designed Places of the NPPF 2019, which seeks to ensure that developments add to the overall quality of an area, and are sympathetic to local character and history, including the surrounding built environment.

Residential Amenity

The application has been considered against the requirements of paragraph 127 of the NPPF 2019, which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

The application has also been considered against the requirements of Part 8 – Promoting Healthy and Sustainable Communities of the NPPF 2019, which seeks to enable and support healthy lifestyles and to plan positively for the provision and use of shared spaces, which includes sports facilities.

In support of the application, given the siting, size and scale of the proposed facilities within the Kingsway Park grounds, approximately 43m from the nearest residential property 42 Hodgkinson Road, the proposal would not give rise to any detrimental overbearing, overshadowing or overlooking impacts on nearby residential occupiers.

Concerns have been raised by residents with regards to the private use of the sports facilities being disproportionately exclusive. This application seeks to improve the pitch facilities and does not change the existing arrangement of booking or use of the pitch. The club have had a lease agreement in place with the Council which gives them priority over bookings but not sole exclusivity. The application helps to enhance the existing facilities which will remain available for public usage.

Other concerns relate to the anti-social behavior associated with users of the existing football pitch. However, it cannot be assumed that would be a link to an increase in anti-social behavior as a result of this application.

Parking and Highway Safety

The application has been considered against Part 9 – Promoting Sustainable Transport of the NPPF 2019, which seeks to ensure that safe and suitable access to the site can be achieved for all users, whilst minimising significant impacts on the transport network or highway safety.

Concerns have been raised by residents in respect of the lack of available car parking spaces in the existing car park, resulting in on-street car parking nearby residential properties such as along Hodgkinson Road to the north of the site.

The existing car park currently has 54 spaces and 6 disabled spaces. However, there is an extension car park which has the potential capacity to provide approximately 54 car parking spaces. The applicant has confirmed that spectator numbers for a Saturday game can range from 20 to 50 and 50 to 100 on a mid-week game. It should be noted that this site is already used by the football club, this application seeks to improve spectator facilities, therefore the proposal does not increase the capacity of the site. A condition is therefore proposed requiring the overspill car parking extension area to be open during match days to increase parking availability.

As the site provides off-street car parking and is in a sustainable location, the proposal complies with Part 9 – Promoting Sustainable Transport of the NPPF 2019, as development should only be refused if the residual impacts on the road network are severe.

Conclusion :

The proposed facilities will be available for public use and a parking extension will be used on match days in association with the football club to improve parking availability and help to reduce on-street parking nearby residential properties.

On balance therefore, it is considered that the proposal enhances the existing sports facilities, and it is subsequently recommended that this application is granted conditional consent.

Recommendation: - Approval – Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. This permission shall be read in accordance with the following plans: site location plan 1:1250, proposed block plan 1:500, proposed layout plan No. PLN/1, proposed kiosk elevations and floor plan 1:50 (01/12/20), proposed screening elevation, proposed shelter elevations and floor plans No. 1913/G/1 (12/11/20). The development shall thereafter be**

undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

- 3. The overspill car park extension shall be made available on match days.**

REASONS

- 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.**
- 2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.**
- 3. In the interests of enhancing parking availability.**

INFORMATIVE

- 1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).**