

Plans Committee – 11th October 2018

Additional items received since the report was drafted.

Page 9	Site Address Park Hill Golf Club
Item No. 1	Park Hill Lane
P.A. No. P/18/1269/2	Seagrave
	Leicestershire
	LE12 7NG

Environmental Health

The Borough Council's Environmental Health Officer has formally confirmed they have no objection to the proposed application. They originally made comments regarding dust, noise, air quality, lighting and ground contamination and these were taken into account within the committee report and the proposed conditions. The Borough Council's Environmental Health Officer has confirmed that the proposed conditions mitigate any potential issues regarding these matters.

Lead Local Flood Authority,

Following further discussions with the local lead flood authority regarding the wording of the conditions, as a result of the proposed programming of the ecological work for the development and the recent changes to the use of pre-commencement conditions introduced by the National Planning Policy Framework 2018, which took effect from the 1st October 2018, the Lead Local Flood Authority has confirmed amended wording for conditions 15 and 18 set out in the committee report. The proposed amended wording does not alter what the condition is delivering, it only amends the trigger points.

Officer Response

It is recommended to Members that conditions 15 to 18 in the committee report are replaced with the following conditions:

15	<p>Prior to the implementation and construction of any permanent drainage infrastructure, a surface water drainage scheme shall have been submitted to, and approved in writing by, the Local Planning Authority. The development should be completed in accordance with these approved details.</p> <p>REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p>
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16	<p>No development (with the exception of works set out and defined within the 'Enabling Works edp4523_r033_0110182' document received on the 01/10/18), hereby approved shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed and completed in accordance with these approved details.</p> <p>REASON: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.</p>
17	<p>Prior to the implementation and construction of any permanent drainage infrastructure, a details in relation to the long-term maintenance of the sustainable surface water drainage system within the development shall have been submitted to, and approved in writing by, the Local Planning Authority. The sustainable surface water drainage system shall be maintained in accordance with these agreed details.</p> <p>REASON: To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.</p>
18	<p>No development (with the exception of works set out and defined within the 'Enabling Works edp4523_r033_0110182' document received on the 01/10/18), hereby approved, shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.</p> <p>REASON: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.</p>

Green Spaces

The Borough Council's Green Spaces Team has raised concern over the closure, and loss of public access to, existing golf facilities at the site. They do not wish to raise objections to the new proposals for the site but recommend that the loss of public access to sports/recreation facilities is mitigated. In their view appropriate mitigation of this loss of public access would be an off-site contribution to alternative replacement provision (ideally golf provision) and/or agreement of a community access and initiatives programme for the benefit of the wider community and sports clubs. Accordingly it is requested that community access and a programme of community sports/recreation initiatives are secured for the

lifetime of the development with appropriate mechanisms for the monitoring and review of community benefits.

Officer Response

The committee report recognises the loss of the golf course and public access to recreation on pages 28 to 30. This matter is considered in depth in the committee report. In summary, the existing golf facility ceased operations in January 2018; the proposed development would replace the existing golf course and fishing facility with a high quality sports and leisure facility in the form of a professional football training facility; and the loss of public access to the previously established sports facility on site can be appropriately mitigated by securing a community initiative and access program which would be secured via condition. The request for a financial contribution is not compliant with the CIL Regulations as explained in the report. On this basis the proposal is considered to accord with policy CS15 of the core strategy and the relevant provisions within the framework.

As indicated on page 57 of the committee report, the recommended wording of condition 34 is:

34	<p>Prior to the development hereby permitted coming into use, a Community Initiatives and Access Scheme will be submitted to and approved in writing by the local planning authority. The Scheme shall include details of:</p> <ul style="list-style-type: none">• Details of community access to the facilities forming part of the development when those facilities are not otherwise required. This will include no less than 260 hours on-site activities per annum; and• The provision of measures to promote sports, recreational and community programmes within Charnwood. This will include no less than 1,460 hours off-site activities per annum;• A timetable for implementation of the scheme; and• Details for monitoring, review and record keeping of the Community Initiative and Access Scheme, to include activities, attendance statistics and appropriate criteria for measuring delivery outcomes. <p>The Scheme will then be implemented as approved and shall thereafter continue for the lifetime of the development. The Scheme will be reviewed no less than every 3 years and submitted to and approved in writing by the Planning Authority prior to any amendments being implemented.</p> <p>REASON: to secure managed community access to the sports facilities, to ensure sufficient benefit to the development of sport and mitigate for the loss of public access to the former leisure use.</p>
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	<p>Informative;</p> <p>The submitted Community Initiatives and Access Scheme, required by condition 34 is expected to include details of</p> <ul style="list-style-type: none"> • Sport and Community Programmes within Charnwood to benefit children, young people and adults, throughout the year; • details of community access and use of the onsite sports facilities; • Community benefits of sports turf academy including knowledge sharing and upskilling to benefit local sport facilities and volunteers; • Forest School and outdoors activity programme; • Details of the pricing policies for the activity programmes.
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This planning condition has been agreed following negotiations with the Borough Council's Open Spaces and Neighbourhoods services teams and the applicant. It will deliver at least 1,720 hours of community access and community programs per year. The scheme will include the delivery of initiatives such as direct public access to the sports and recreation facilities on site; sports, recreation and community programmes (ie Kicks, Youth and Healthy living, Physical Activity Programmes, Grassroots Clubs and local Junior Grassroots clubs initiatives etc); forest schools and/or other outdoor ecology activities and access to the sports turf academy. Finally details will be secured and agreed through the discharge of the planning condition.

The Borough Council's Open Spaces team are keen to secure the implementation of this Community Initiatives and Access Scheme as soon as possible as the golf facility has already been lost. However it is not considered this would be reasonable or meet the test set out within the National Planning Policy Framework. The likelihood is that the applicant will start to roll out their community program prior to the completion of the development; however it is not considered that a planning condition requiring this prior to the use of the site commencing can be justified.

In conclusion is it considered the delivery of at least 1,720 hours of community access and community programs per year would sufficiently and appropriately mitigate the loss of public access to the previously established sports facility on site. The proposal would also provide community benefit through the delivery of both public accesses to the onsite recreation facilities and off site through sports, recreation and community programmes. Therefore it is considered the proposal accords with policy CS15 of the core strategy and the relevant provisions within the framework.

Additional comments received

Additional comments have been received since the publication of the committee report. Full copies of their correspondence are available on the website for members of plans committee to view in full. A summary of the correspondence is detailed below.

Edward Argar MP

- Urges members of plans committee to carefully consider all the representations and comments of the local community in the deliberation of the application.
- Highlights the application is for a major development in a rural location and is larger than the facility it replaces with commensurable impact on local amenity.
- The Council's Core Strategy seeks to protect and enhance the character of our rural villages.
- Raises concerns regarding the potential for increased traffic both in the villages and the A46/Seagrave-Thrussington junction, which he considers requires further improvement.
- In order to protect the villages from traffic turning left out the site, he requests measures to be put in place to protect the village from additional traffic.
- Construction traffic should not be permitted to access the site by travelling through the villages and traffic management measures are out in place to enforce this.
- Any proposed access via the common land only proceeds after full and open consultation with the parish council and obtain firm reassurance from the applicant that the use will not be expanded in the future.
- Requests committee to consider if the proposal respects the context of its rural setting and whether it is compliant with policy CS12.
- Urges the local planning authority to consider the energy efficiency and specification of the buildings and whether the proposed security fence is necessary.
- Considerations should be given to retractable floodlights to minimise the visual impact of light on the village and its rural setting.
- While ecological mitigation is proposed this will take years to establish with net loss of biodiversity. Mature trees should therefore be used as part of the mitigation package.
- Obligations should be placed on LCFC to invest in community facilities in the village and develop a formal plan giving access to children from the local schools to use the facilities.

Officer Response

No new issues have been raised by Edward Argar MP. It is considered that his concerns have been adequately addressed in the committee report.

Seagrave Village Primary School PTA

- Objects to the proposed development due the increase in traffic driving through Seagrave at peak time and the impact on the safety of the children at the primary school.
- The timing of the end of football training at 15:30 hrs on weekdays will clash with the end of the school day when around 40 additional cars park on the main road.

- It is considered the players will drive through the village and towards Sileby, rather than attempt to cross the busy A46, this will increase traffic through both Seagrave and Sileby.
- Parents that walk to and from school down Seagrave Road into Sileby are going to be at greater risk due to high speeds of the additional cars, especially as the pavement along Seagrave road is quiet narrow.
- It is considered the development will not offer anything to the community other than increased noise pollution and traffic, which could increase the number of accidents.

Officer Response

No new issues have been raised by the Seagrave Village Primary School PTA. The impact on highway safety and cumulative residual impact is considered in the report. It is considered that the PTA's concerns have been adequately addressed in the committee report.

Local Residents

5 additional letters have been received from local residents. Their concerns are summarised below:

- The proposal may have economic benefits for the city of Leicester and the county, but there are no economic benefits to the village of Seagrave or the surrounding villages.
- The health, social and cultural wellbeing of the local community will not be improved by the development. There is mention of initiatives with schools put these are not specific and there is no indication local schools will benefit. The proposed 9 hole golf course will not be open to the public, unlike the former facility and the increase in traffic, noise and light pollution together with the visually intrusive perimeter fence will do nothing to benefit either the physical or mental health of local residents. In addition the proposal will also discourage walking, cycling and horse riding.
- The proposal would result in the loss of mature trees, hedgerow and grassland together with the wildlife they sustain will take many years to regenerate.
- The facility is too big, larger than the village itself and would be contrary to the adopted Core Strategy. The location is not considered appropriate for a development of this type and scale
- The development will have a detrimental impact on amenity due to the foul water drainage, noise, light pollution and loss of open green space.
- The proposal will not be acceptable in highway terms. There is no public access and the A46 junction is unsafe with limited visibility and capacity. The issues relating to the A46 junction will result in cars turning left into the neighbouring villages.

- The submitted transport assessment is inaccurate and it is considered a live trial should be carried out to fully assess the impacts of the development.
- If permitted the development should be required to take its access directly out onto the A46 or out to the rear (south) of the site
- It is considered the local planning authority should challenge Highway England over its response to the planning application as it does not fully comply with DMRB TD 41/95
- The transport measures/changes should not affect or have an impact on existing businesses in the area or restrict their access.
- The development maybe impacted by potential odour caused by the neighbouring poultry farm.

One of the residents has submitted a technical transport assessment, commissioned on behalf of residents, on the 10th October 2018. The report concludes:

- The site is not in a sustainable location and insufficient mitigation is provided to provide meaningful improvements which is contrary to requirements of the NPPF 2018
- No suitable evidence has been submitted to support the average car share occupancy and the selected football sites do not appear representative of the development proposals.
- Sensitivity tests should have been carried assuming greater trip rates to identify potential impacts on the local highway network. The transport work is too definitive when considering the bespoke nature of the proposals.
- Following consultation with TRL, the junction modelling software manufacturer, it is considered the updated assessments requested by Highways England are incorrect. It is also considered the modelling parameters applied are incorrect and therefore the current junction assessment cannot be relied upon.
- Other issues have been identified with some of the highway models which have an impact to the junction capacity results.

Officer Response

The adjacent poultry farm is approximately 600m west of the application site at its closest point. Given the proposal is not proposing residential development and given the proximity of the adjacent poultry farm and proposed use, it is not considered the development should be resisted due to the potential impacts of the adjacent poultry farm on odour and amenity grounds. With regards to the transport assessment, comments from Highway England have been sought and committee will be updated further. No other new issues have been raised by the local residents. It is considered that these concerns have been adequately addressed in the committee report.

Applicant's Agent

- Conditions 15 to 17 should be amended to reflect the agreed changes with the Local Lead Flood Authority.
- A number of the conditions are requested to be amended to better accord with the operational needs of the football club, as follows:
 - Condition 28 – include allowing the use of the outdoor pitches from 09:30 hrs instead of 10:00 hrs, but would also include the finish time of the outdoor pitches being moved earlier on Sundays from 18:00 hrs to 17:00 hrs.
 - There is an error in condition 29 which currently says Monday and Saturday instead of Monday to Saturday. Requests the wording of this condition be reconsidered to allow training to take place on the show pitch when it is not being used for competitive matches.
 - Condition 30 – to include allowing the use of the indoor pitches to be used from 09:30 hrs instead of 10:00 hrs on Sundays.
 - Condition 31 – to reflect the amendments suggested to condition 28 above and require the floodlights to be turned off at 17:00 on Sundays. It also requests amendments to allow the lights on the show pitch to be used for training when the show pitch is not being used for competitive matches.
- An error appears on page 36 – it should refer to 35 games per season for the show pitch rather than 30.
- The applicants have highlighted the community benefits of the proposal. Which include public access and outreach programmes. They consider the public benefits secured through the public access and community initiative programme are significant and should be appropriately considered in the planning balance.

Officer's Response

Amendments to conditions 15 to 17 have been recommended above.

The amendments requested to condition 28 are considered reasonable and the proposed amendments to the finish time on Sundays and recognised bank holidays will result in a net decrease in hours of use on these days. Accordingly it is recommended the wording of condition 28 is amended to;

28	<p>Once completed the outdoor pitches shall only be used between the hours of 09:30 and 21:00 Monday to Saturday and 9:30 to 17:00 on Sundays and bank holidays.</p> <p>REASON: The premises are close to residential properties and are within the countryside. A limit on the use is required to prevent nuisance to nearby neighbours and protect the tranquility of the area.</p>
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The applicant's request to use the show pitch for training when it is not required for competitive matches is considered to be reasonable. The application indicated as a maximum there would only be up to 35 matches per season, this would mean significant periods of time when the pitches are not in use. Consideration needs to be given regarding the impact of the use of the show pitches for training given the close proximity of the neighbouring dwelling. However it is considered the noise and disturbance associated with professional training activities would be significantly less than during competitive matches when the spectator stand is at use. Given the proximity of the neighbouring dwelling it is recommended that the use of the show pitch is continued to be limited on Sundays (09:30 to 17:00 hrs). It is recommended the wording of condition 29 is amended to:

29	<p>Once completed the show pitches and spectator stand shall only be used for matches between the hours of 12:00 and 22:00 Mondays to Saturdays only, for a maximum of 35 days per season. When not in use for spectator matches/games, usage of the show pitch shall be restricted to training only, in accordance with the times controlled by condition 28.</p> <p>REASON: The premises are close to residential properties and are within the countryside. A limit on the use is required to prevent nuisance to nearby neighbours and protect the tranquillity of the area.</p>
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The amendments requested to condition 30 are considered reasonable. Accordingly it is recommended the wording of condition 30 is amended to:

30	<p>Once completed the indoor pitches shall only be used between the hours of 07:30 and 22:00 Monday to Saturday and 9:30 to 20:00 on Sundays and bank holidays.</p> <p>REASON: The premises are close to residential properties and are within the countryside. A limit on the use is required to prevent nuisance to nearby neighbours and protect the tranquillity of the area.</p>
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The amendments requested to condition 31 are considered reasonable and the proposed amendments to the finish time on Sundays and recognised bank holidays will result in a net decrease in hours of use of the flood lights on these days. The amendments would also recognise that the show pitches can be used for training purposes. It is recommended the wording of condition 31 is amended to:

31	<p>Once installed the floodlights hereby approved shall only be switched on between 14:30 and 21:00 Monday to Saturday and 14:30 and 17:00 on Sundays and recognised bank holidays. During spectator matches the floodlights on the show pitches shall only be switched on between the hours of 14:30 and 22:00 on Mondays to Saturdays when the show pitch is in use for matches (as controlled by condition 29 above).</p> <p>REASON: A limit on the use is required to prevent nuisance to nearby neighbours, to ensure biodiversity and ecology on the site is protected and protect the tranquillity of the area.</p>
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It is also confirmed that the report should state 35 games per annum rather than 30 on page 36.

The applicant is correct in that the planning balance should appropriately take into consideration the public benefits of the proposed development. As highlighted above the recommended conditions will secure the provision of at least 1,720 hours of community access and community programs per year. It is recommended that members consider the community benefit through the delivery of both public accesses to the onsite recreation facilities and off site through sports, recreation and community programmes when determining the planning application.

Other matters

It is recommended that the wording of condition 26 is amended. The amendment is necessary as the required information has already been submitted as part of the submitted Environmental Statement. Accordingly it is recommended the wording is amended to reflect this.

25	<p>Arboricultural supervision is to be obtained in accordance with the approved Arboricultural Method Statement (AMS) (EDP4523_r014). The methodology set out within the AMS will be strictly followed to prevent loss of or damage to retained trees, including detailed inspections of tree protection measures to be carried out for at least two years after the development's completion.</p> <p>Reason: To ensure protection measures are correctly implemented and maintained throughout development. To minimise impacts to trees throughout development</p>
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