

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 14/08/2023	Ref: 69685/FUL
Registration: 19/06/2023	LDfC: 12/07/2023	Expiry Date: 14/08/2023
Site Visit: 27/06/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Single storey extensions at front and rear

Location: Tottington St Johns Sports Club, Beryl Avenue, Tottington, Bury, BL8 3NF

Description

The application relates to Tottington Sports Club, a well established sports facility which lies on the north side of the village and within the Kirklees Valley recreational area. It is also within the Green Belt and is designated as River Valley. The Sports Club was founded in 1887 and still makes an important contribution to the local community. There are two men's cricket teams, a ladies team and a rounders team. There are junior teams who are coached by senior members of the club. The football pitch is used by junior teams. The ground hosts the annual Tottington Big Day Out in early July.

The site measures 0.27ha and the existing pavilion has a footprint of 108sqm. There are houses to the south and a reservoir to the north and an old railway viaduct runs along its western boundary. The site is accessed via Beryl Avenue to the south. The club house is a part single storey, part two storey building in painted brick and block with a flat roof. It is sited to the south of Island Lodge with the rear of the building visible from the former railway line, now a well established walking route.

The proposal is for a single storey flat roofed extension off the rear of the building. It would project 2.25m and would be 8.55m wide. It would be set in 3.45m from the south -western side wall of the club house. It would be finished in blackwork, painted green, white uPVC window frames and a steel security door with roofing felt. This would provide an extended bar area with storage. Some immature trees may be required to be felled.

Additionally, a section of the front elevation under the projecting roof canopy would be infilled with uPVC framed windows. This would provide additional seating in the bar.

The supporting Planning Statement notes that the existing building is too small for the current needs of the club and lacks adequate storage space.

Relevant Planning History

57286 - First floor extension & external stairs to clubhouse (pavillion) - Approve with Conditions 16/04/2014

59342 - Variation of condition no. 2 (approved drawings) of planning permission 57286 (first floor extension and external stairs to clubhouse) to enclose external stairs - Approve with Conditions 20/11/2015

63731 - Erection of new storage building/scorebox and siting/resiting of 2 no. storage containers - Approve with Conditions 01/05/2019

Publicity

Direct neighbour notification 21/06/2023
Site Notice 27/06/2023.

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section: No objection

Environmental Health - Contaminated Land: No objection

Greater Manchester Ecology Unit: No comments received

Borough Engineer - Drainage Section: No comments received

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
RT1/2	Improvement of Recreation Facilities
SPD1	Open Space, Sport and Recreation Provision
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan

1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle (Green Belt)

The Bury Unitary Development Plan contains relevant development policies (Policy OL1/2), but the National Planning Policy Framework (NPPF) includes superseding and the most up to date policies concerning Green Belt.

Section 13 of the NPPF relates to Green Belt.

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Thereafter, paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with an exception being for, amongst others, (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The proposal relates to the existing sports club and therefore constitutes an exception. Thereafter, the proposed development should preserve the openness of the Green Belt. As described above, the extension would be to the rear of the club house, with rising land immediately behind it, such that it is enclosed and screened from view in the wider context. From the recreational route to the rear, the extension would be set against the existing, much larger building.

Therefore, given the context and characteristics of the site and immediate surroundings, it is considered that the proposed buildings would preserve the openness of the Green Belt at this location.

Principle (Use)

UDP Policy CF1/1 - Location of New Community Facilities seeks to ensure that proposals for new and improved community facilities will be considered with regard to the following factors:

- a) impact on residential amenity and the local environment;
- b) traffic generation and car parking provision;
- c) the scale and size of the development;
- d) where applicable, access to shops and other services;
- e) if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- f) accessibility by public and private transport;
- g) the needs and requirements of the disabled;

Where relevant, the above points will be fully considered through the remainder of the report. It is considered necessary to improve and extend the club's facilities given the levels

of patronage. The improvement of facilities at the site is therefore considered to be an improvement of a community facility and as such, would be acceptable in principle.

Layout and Design

Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements.

The proposed extensions are considered to be appropriate in scale and would be in keeping with the existing club house. Existing forms and materials would be replicated. There would be no harm to the character of the area or Green Belt. Complies with UDP Policies EN1/2, OL1/2 and CF1/1.

Residential Amenity

The club house is over 70m from the nearest dwellings to the south of the pitch. The proposed extensions would not therefore undermine existing residential amenity.

Car Parking and Access

The proposal relates to a minor extension to increase the working area of the bar, some additional storage and additional indoor seating (currently outside seating). The proposal would have no additional impacts on parking and access.

CONCLUSION

The proposed development would enhance a sports facility in the Green Belt without harm to openness. The development has also been assessed as not having any unacceptable impacts upon visual amenity.

Given the above, the propoosal would be compliant with the above stated UDP policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings:
Location Plan dated 25/05/2023
Proposed Plans & Elevations (Dwg No. 2)
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those

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of the existing building.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
DSC	14/08/2023	DM	14/08/23