

PLANNING APPLICATION REPORT



ITEM: 02

Application Number: 13/01545/FUL

Applicant: Old Plymothians And Mannameadians (OPMS) Rugby Football Club

Description of Application: Siting of container to store sports equipment and provision of 2 movable/temporary floodlights

Type of Application: Full Application

Site Address: KING GEORGE V MEMORIAL PLAYING FIELDS, HAYE ROAD PLYMOUTH

Ward: Plymstock Dunstone

Valid Date of Application: 24/09/2013

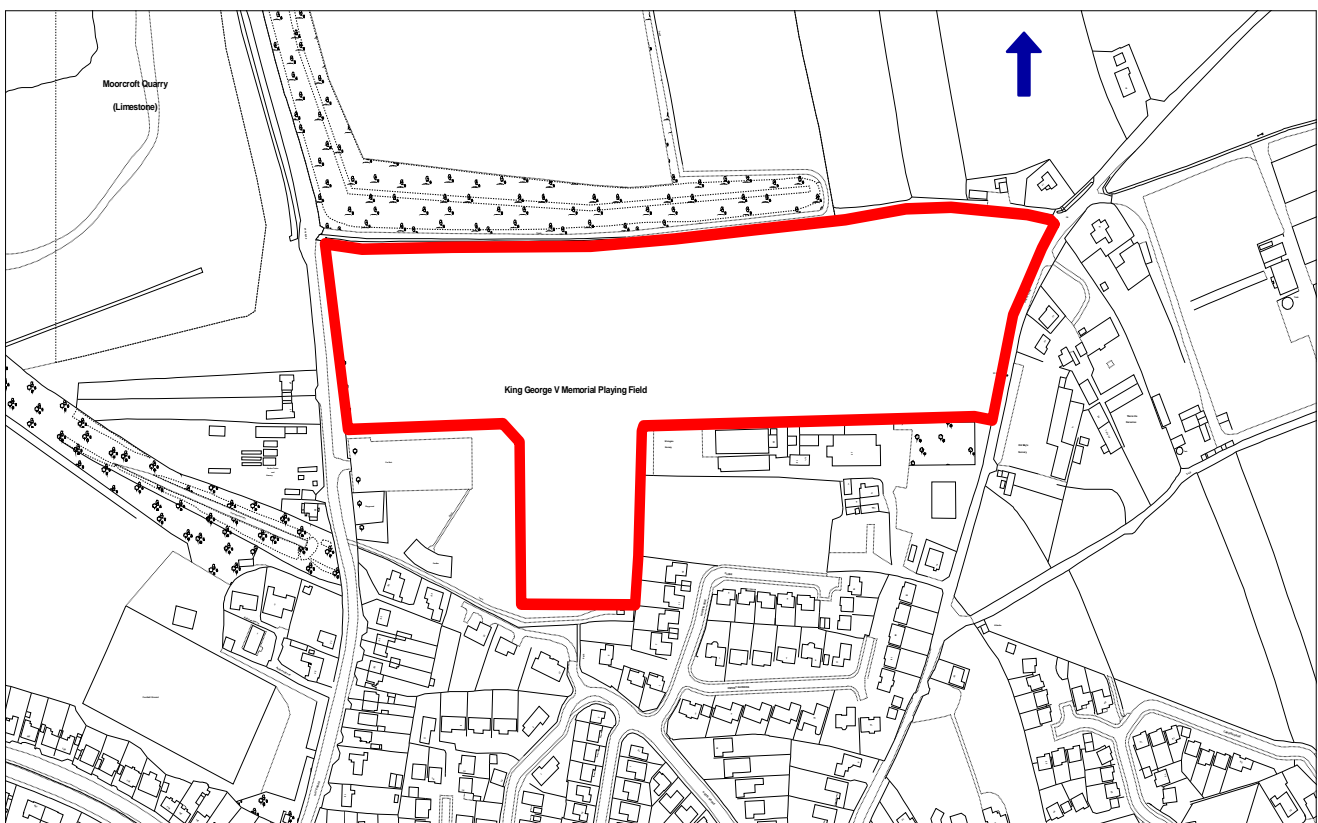
8/13 Week Date: 19/11/2013

Decision Category: Member/PCC Employee

Case Officer : Simon Osborne

Recommendation: Grant Conditionally

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This application has been brought to Planning Committee because the applicant is a Council employee

Site Description

The site is King George V playing fields located in Plymstock. The playing fields are bounded by Vinery Lane to the east, Haye Road to the west, a collection of business workshops located in an ex nursery and some dwellings to the south, and Hazeldine Quarry to the north.

Proposal Description

Siting of a container to store sports equipment and the provision of 2 movable/temporary floodlights.

The container would be located approximately 4 metres from the southern boundary and would measure approximately 12.2m x 2.44m x 2.4m.

The flood lights would be movable and would be located in different positions around the playing pitches depending on the state of the ground.

Pre-Application Enquiry

No formal pre-app

Relevant Planning History

90/03680/FUL - (pitch no.2) - installation of floodlights involving erection of eight lighting towers. – Grant Conditionally.

88/00994/30 - extension to pavilion to provide changing rooms and kitchen. (regulation 4 proposal) - Granted.

86/00822/30 extension of sports ground into dis-used farmland and formation of three new rugby pitches. (regulation 4 proposal). Granted Conditionally

06/02036/OUT - Outline planning permission for part of the proposed 'Sherford' settlement comprising residential development (320 new dwellings); a community sports hub; recreation and open space facilities and detailed approval for highway improvements to Stanborough Cross; the construction of a new junction with Haye Road and the construction of part of a Main Street link road to serve 'Sherford'.

Consultation Responses

Transport- No objections.

Public Protection – No comments at time of publication.

Lighting engineer – No comments at time of publication.

Representations

None at the time of publication.

Analysis

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core

Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

3. This application turns upon policies CS22 (Pollution) and CS34 (Planning Application Considerations) of the Plymouth Local Development Framework Core Strategy 2007 and the NPPF.

Storage container

4. The proposed container would be positioned to the south of the site adjacent to the boundary with the ex-nursery which now contains business workshops and carparking and storage areas. The use of stationary storage containers is never ideal however the proposed position is partly screened by vegetation which would limit its visual impact. It is therefore considered by officers that a temporary consent for a period of 5 years would be acceptable and comply with policy CS34 in terms of visual impact and impact on neighbouring amenity.

Temporary/Movable Flood Lights

5. The two proposed floodlights would not have a fixed position but would be moved around depending on the state of the ground at the time. The majority of proposed locations are located a considerable distance away from any residential dwellings. The closest location would be approximately 10 metres from the rear boundary of 11 Nightingale Close and 25 metres away from the actual dwelling. The lights would point away from the properties. Officers consider that the light itself would not have an unreasonable impact on neighbouring dwellings.
6. The applicant has indicated the lights would typically be used 3 nights per week until 9pm. This will inevitably extend the hours of use of the playing fields for rugby training and potentially prolong noise and disturbance to nearby dwellings. Considering the distance between the pitches and the dwellings officers consider this is acceptable subject to an hours of use condition limiting hours of use between 4pm and 9pm Monday to Saturday.

Other issues.

7. Given its small scale nature and relationship with the Sherford proposals it is not considered that the proposals will impact the Sherford Development.

Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Local Finance Considerations

None applicable

Equalities and Diversities

No further issues.

Conclusions

It is recommended that this application is granted conditionally including a condition limiting the siting of the proposed storage container for a temporary period of 5 years.

Recommendation

In respect of the application dated **24/09/2013** and the submitted drawings P.01/A, P.02/A, P.03/A, P.04/A, P.05/A, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: P.01/A, P.02/A, P.03/A, P.04/A, P.05/A.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TEMPORARY SITING OF STORAGE CONTAINER: REINSTATEMENT

(3) The storage container hereby permitted shall be removed and the land restored to its former condition on or before 01/11/2018 to the satisfaction of the Local Planning Authority

Reason:

In the opinion of the Local Planning Authority the temporary building to which this permission relates will by the said date have fulfilled its required purpose. This condition is imposed to comply with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF OPERATION

(4) The movable floodlights hereby permitted shall not be operated outside the following times: 1600 hours to 2100 hours Monday to Saturday inclusive; nor at any time on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOODLIGHTS - HOURS OF OPERATION

(5) The floodlights hereby permitted shall only be operated from the positions and pointing in the directions shown in red on drawing P.05/A.

Reason:

To protect the amenity of neighbouring properties in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy 2007.

FLOODLIGHTS- DETAILS

(6) No development shall commence until details and specifications of the approved movable floodlights have been submitted and approved in writing by the Local Planning Authority. The floodlights shall accord with the approved details.

Reasons:

To ensure the floodlights are acceptable and to protect the amenity of neighbouring properties in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy 2007.

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1)The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

(2)In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.