

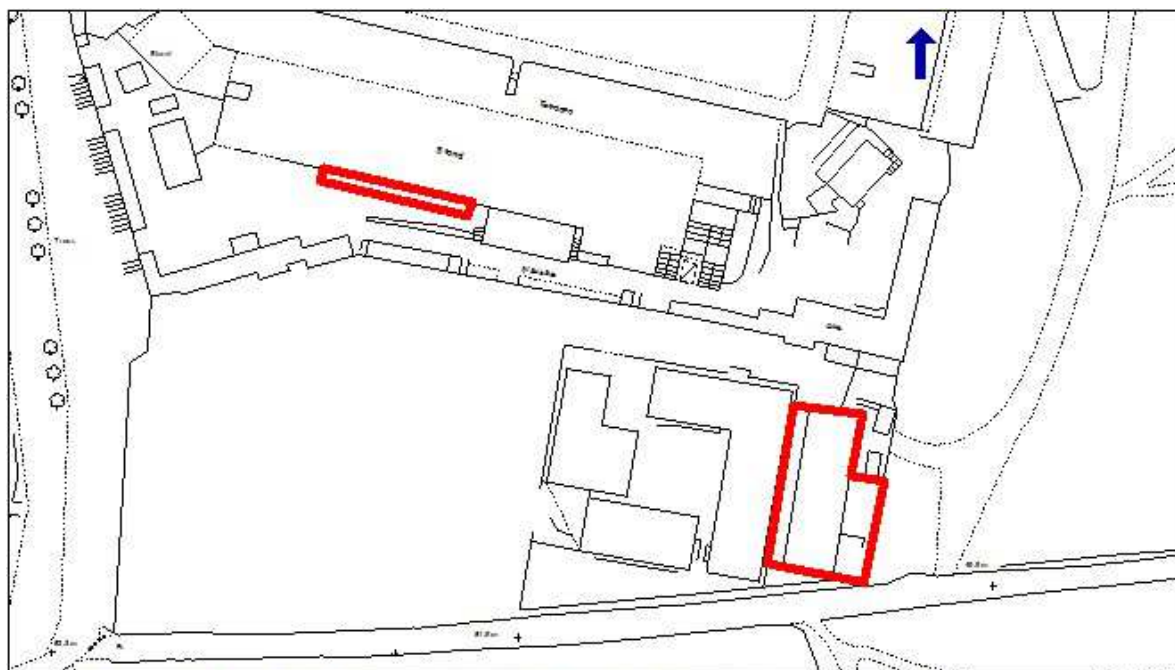
# PLANNING APPLICATION REPORT



<b>Application Number</b>	16/01409/FUL	<b>Item</b>	02
<b>Date Valid</b>	09/08/2016	<b>Ward</b>	Peverell

<b>Site Address</b>	HOME PARK FOOTBALL GROUND, OUTLAND ROAD, PLYMOUTH		
<b>Proposal</b>	Use of hospitality suite on a permanent basis (retrospective) and enlarge dressing rooms.		
<b>Applicant</b>	Mr Gary McGuire		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>04/10/2016</b>	<b>Committee Date</b>	<b>Planning Committee: 29 September 2016</b>
<b>Decision Category</b>	Assistant Director for Strategic Planning & Infrastructure Referral		
<b>Case Officer</b>	Mike Stone		
<b>Recommendation</b>	Grant Conditionally		

**Click for documents** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



**This application has been called to committee by the Assistant Director for Strategic Planning and Infrastructure as there are public interest reasons for the matter to be determined by the Planning Committee.**

### **1. Description of site**

The site comprises of the south stand (Devonport End) of the Home Park Stadium and a large marquee known as the Green Taverner's Hospitality Suite. The marquee is located roughly 20 metres to the south of the stadium in an open area that contains a number of portable buildings that are used as offices, the club shop and ticket office. The site is covered by proposal CP02 of the Central Park Action Plan that relates to the redevelopment of Home Park.

### **2. Proposal description**

Enlarge dressing rooms and retrospective consent for the use of hospitality suite on a permanent basis. The extension to the changing rooms would be built in an area currently used for private match day parking. The improvement to the changing rooms is required to meet new Football League standards. Failure to meet these standards would have serious financial implications for the club. The marquee was given a temporary consent that expired in 2006.

### **3. Pre-application enquiry**

16/01137/MIN - To extend existing changing room to meet current Football League guidelines and to secure training area from vandalism - The planning authority would support the extension of the changing rooms subject to a suitable design.

### **4. Relevant planning history**

03/01057/FUL - Erection of marquee for use for match day hospitality on waste ground adjacent to existing offices for a temporary period of two years - Grant conditionally.

### **5. Consultation responses**

Public Protection Service - PPS were consulted but due to the relatively minor scale of works did not wish to comment.

### **6. Representations**

None received.

### **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). In the case of this application it also comprises the Central Park Area Action Plan (Adopted 2008).

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines Supplementary Planning Document.

## 8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the National Planning Policy Framework and other material policy documents as set out in Section 7.

### **Is the development acceptable in principle?**

2. The site is covered by proposal CP02 of the Central Park Area Action Plan. This proposal deals with improvements to the stadium. The proposal states that it will aim to “deliver major improvements to Home Park Stadium and support the extension of Plymouth Argyle Football Club’s programmes of training and fitness within the community, engagement with the city’s youth, through developing its southern stand for supporters, corporate clients and hospitality, and through complementary commercial development...”
3. The proposed extension to the south stand is relatively modest being only 2.0 metres deep and single storey and the marquee by its nature is impermanent in character. It is the case officer’s opinion that approval of the application would not present any impediment to the long term redevelopment of this part of the stadium and so would not be in conflict with proposal CP02.

### **Is the design acceptable?**

4. Changing rooms.  
The enlargement of the changing rooms would see two extensions to the south elevation of the stand. One would see a 2 metre deep and 26 metre long extension to enlarge the Away Team and Match Officials changing rooms. Roughly 7 metres to the west there would be a 2 metre deep and 2.5 metre wide extension to the Home Team changing room. The extensions would be single storey and would be linked by a continuous flat roof.
5. The extensions would be built in a space currently used for match day parking that is not accessible to the public and not readily visible from any public area. In the case officers view the proposed extensions, given the scale of development and location would not result in an adverse impact on the streetscene and would comply with LDF policies CS02 and CS34 and emerging Plymouth Plan policy 29.
6. Hospitality Marquee  
In 2003 consent was granted for the marquee with a 2 year temporary permission that expired on 28<sup>th</sup> February 2006. Use has continued beyond that period and the applicants are now seeking permission for a permanent use.
7. No enforcement action was taken because there was an extant application for the phased rebuilding of Home Park in place and the expectation was that this part of the stadium would, like the other three sides eventually be redeveloped. When it became apparent that this would not happen officers have worked closely with the club to encourage them to regularise this use. Since the temporary consent expired there have been no complaints received by the Public Protection or Planning Services about the marquee.
8. The marquee is 30 metres long and 9 metres wide and is located in the eastern end of the club’s private car park. It is well away from the public road and is also shielded from public

view by the presence of a number portable buildings used by the club as offices. There is a footpath running to the east of the stadium that provides pedestrian access via a lockable gate. It is well away from any residential properties.

9. On normal match days the marquee operates from 12.00, closes when the match starts, reopens during the half time interval and then from 17.00 until 22.00. For evening games it operates from 18.00 to 19.30. The marquee is open to supporters using a pre-booking system. The club has a license to operate from 12.00 until midnight for private events. A condition requiring the exterior of the marquee to be maintained in good order is recommended.
10. It is the case officer's view that the proposals would not have an adverse impact on the character and appearance of the area or the amenity of users of the park and for these reasons it is recommended for approval.
11. There are health and safety issues relating to the means of escape from the area of the site that this application relates to, however this is a building regulations issue and is currently being addressed through a renewed safety certificate. An informative has been attached to reflect this.

## **9. 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.

## **10. Local Finance Considerations**

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

## **11. Planning Obligations**

None

## **12. Equalities and Diversities**

The Green Taverner's Hospitality Suite is fully accessible to wheelchair users.

## **13. Conclusions**

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically policies CS02 (Design) and CS34 (Planning applications considerations) of the LDF Core Strategy, Proposal CP02 of the Central Park Action Plan and paragraph 14 of the NPPF which states that development proposals that accord with the development plan should be approved without delay. The application is recommended for approval.

#### **14. Recommendation**

In respect of the application dated **09/08/2016** and the submitted drawings Location Plan, 1023/1, 1032/2, 1023/3, 1023/4.1023/51023/6,it is recommended to: **Grant Conditionally**

#### **15. Conditions**

##### **CONDITION: 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.

##### **CONDITION: APPROVED PLANS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 1023/1, 1032/2, 1023/3, 1023/4.1023/51023/6.

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

##### **CONDITION: EXTERIOR MAINTAINENCE**

(3) The exterior of the hospitality suite shall continue to be maintained at all times in a clean condition, and any panels replaced to match the appearance of the existing materials, in the event that they become damaged.

Reason:

In the interests of visual amenity in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and the National Planning Policy Framework 2012., so as to ensure the external appearance of the structure remains acceptable.

#### **Informatives**

##### **INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)**

(1) 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 including pre-application discussions and has imposed planning conditions to enable the grant of planning permission.

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

(2) 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: STADIUM SAFETY**

(3) The use of the Green Taverners Hospitality Suite shall be strictly controlled in accordance with the requirements outlined in any review of the existing Plymouth Argyle FC Safety Certificate (issued under the Safety at Sports Ground Act 1975 legislation)