

Extract from Area Plans East 24 October 2012

APPLICATION No:	EPF/0817/12
SITE ADDRESS:	Upper Clapton Football Club Upland Road Thornwood Epping Essex CM16 6NL
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Upper Clapton FC
DESCRIPTION OF PROPOSAL:	Replacement club house and associated development and outline planning for enabling development of 8 Semi detached houses.
RECOMMENDED DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537099

REASON FOR REFUSAL

- 1 The proposed enabling development of 8 semi detached 4 bedroom dwellings is inappropriate development and is physically as well as by definition harmful to the Green Belt. The circumstances put forward in the application to support the development are not considered to be sufficient to outweigh the very real harm to openness that would result from the development. The proposal is therefore contrary to the principles set out in the National Planning Policy Framework and to policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed residential element of the scheme is considered to be a form of unsustainable development due to the location of the site in an area where residents are likely to be heavily reliant on use of the car to reach shops, employment, schools and other facilities. As such the development is contrary to the principles of the NPPF and ST1 of the Adopted Local Plan and Alterations.
- 3 The provision of 8, 4 bedroom properties within the residential element of the development would be likely to result in a cramped form of development with insufficient private amenity space contrary to policy DBE8 of the adopted Local Plan and Alterations.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))

Description of Site:

The application site is a roughly rectangular area of land on the southern side of Upland Road and has a road frontage of about 130m and a depth of over 330m, which has current use as a Rugby Football Club ground and golf range. There is an existing run down pavilion building set about 50m back from the road and a separate changing room block at the eastern boundary of the site, behind which is a golf range. To the front of the building is a hard surfaced car park with 90 spaces. The remainder of the site comprises 3 rugby pitches and a training ground. This part of Upland Road itself is characterised by semi detached residential properties with long rear gardens. There are substantial hedgerows around the boundaries of the site and the vehicular access is via a gateway adjacent to number 45 Upland Road.

Description of Proposal:

The application is a hybrid application in two parts seeking full planning permission for the replacement of the existing club facilities with new and improved facilities and outline consent for 8 semi detached residential properties to be located at the front of the site in order to provide adequate funding for the proposed replacement facilities.

The proposed replacement pavilion would provide updated and improved facilities and would be located more centrally within the site. The proposed building has been kept low in profile by the use of double pitched roofs with a main ridge height of just 6.2m. In addition the intention is to provide improved training areas with natural and artificial grass pitches and hardcourt training (for soccer and netball), improved access to the ground with a total of 193 parking spaces, improved access for disabled visitors, improved floodlighting, facilities for indoor sports and community use within the clubhouse, facilities to support women's rugby and relocation of the golf driving facility

The proposed enabling development of 4 pairs of semi detached houses is located along the road frontage adjacent to Number 45 Upland Road. Although this element is in outline only indicative plans have been submitted that show 3 suggested house types all of which would be 4 bedroomed properties with ridge heights similar to other properties within the road. The houses are shown set forward of the nearest properties and with 10m deep rear gardens. The suggested layout retains gaps of about 1.5m between the pairs of dwellings and indicates footpath accesses between the pairs through to the rear access road.

Vehicular access to the club and to the residential properties would be shared and would be in the centre of the site and 2 parking spaces are proposed for each dwelling immediately behind each house off a 5m wide access road running behind the houses.

It is proposed that the gate into the rugby club site be set back some 60m from the road frontage, just beyond the turning to the rear residential parking area. The existing substantial hedgerow around the site is shown to be retained, although gaps would of course be needed for the proposed pedestrian and vehicular accesses.

Relevant History:

The rugby club has operated from this site since the 1930's with the existing clubhouse being built in 1933.

The Golf Driving Range was approved in 1990, apart from that there have been only minor additions and alterations over the years none of which are of particular relevance.

Policies Applied:

The following policies from the adopted Local Plan and Local Plan Alterations are considered relevant and in general accord with the National Planning Policy Framework (The Framework) and should therefore be accorded substantial weight.

CP2 Protecting the quality of the rural and built environment
CP3 New development
CP5 Sustainable building
GB2A Development in the Green Belt
GB7A Conspicuous Development
NC4 Protection of established habitat.
RP4 contaminated Land
HC6 Affordable housing thresholds
H7A Levels of affordable housing
H8A Affordable housing in perpetuity
RST1 Recreational, sporting and tourist facilities
RST21 Lighting for driving ranges
CF12 Retention of community facilities
DBE1 Design of new buildings
DBE2 effect on neighbouring properties
DBE4 design in the green Belt
DBE5 Design and layout of new development
DBE6 Car parking in new development
DBE8 Private amenity space
DBE9 Loss of amenity
LL2 Inappropriate rural development
LL3 Edge of settlement
LL10 Adequacy of provision for landscape retention
LL11 Landscaping Schemes
ST1 Location of development
ST2 Accessibility of development
ST4 Road Safety
ST5 Travel Plans
ST6 Vehicle parking
I1A Planning obligations
I3 Replacement facilities

SUMMARY OF REPRESENTATIONS:

The application was advertised in the local press, a site notice was erected and 42 neighbouring properties were written to.

The following responses were received.

PARISH COUNCIL – No objection in principle to this application However members would like this application to go before the Area Plans Sub Committee in order that a Section 106 Agreement could be negotiated with the applicant in relation to benefitting the local community for some Highway/Street Lighting/Road junction improvement works.

NORTH WEALD BASSETT RURAL PRESERVATION SOCIETY - Concerned. Whilst supporting the application to replace the club house we are concerned over the development of the recreation ground, the provision of extra powerful lighting, the removal of hedges, and safety issues involved in extra traffic in a small residential road. Parking would become quite an issue when the football

ground was open. Recognise the need for more housing but would be more sympathetic if it was promoted as affordable housing for local people.

42 UPLAND ROAD – Object. Already suffer noise and disturbance when the hall is hired out for private parties some Friday / Saturday Noise and sometimes fighting can occur at 1 and 2am I have contacted the police on a number of occasions.

The rugby club will not develop the housing plot themselves but sell it on and then more houses will be proposed. Two parking spaces for each dwelling is not enough. Already on-street parking problems in the road. This is untouched Green Belt land; the development will impact on the character of the area. Loss of view of rolling country. The rugby club could refurbish the existing clubhouse and deal with the parking problem by extending parking into the area intended for the all weather pitch. In Summary: Traffic, Parking, Building on Green Belt land, View of Countryside, Light Pollution, Extending hours of use, Noise Levels.

37 UPLAND ROAD – Comments. Housing- Concern over breaking up of hedgerow, increased flood risk, increased local traffic, light pollution, house design vulnerable to burglaries Car parking too close to houses, noise nuisance from car alarms and queuing traffic after games, no pedestrian walkway between parking areas. All weather pitch is too close to roadway. 4m fence would be eyesore, floodlighting source of pollution and distraction from road. Training pitch more light pollution, this is an existing problem in winter months. Existing properties may be overlooked by the clubhouse.

26 UPLAND ROAD – Concerns. 8 new houses is too many, should be maximum of 4 as the 8 would extend beyond the development on the opposite side of the road. Concerned that even with increase in parking people will still park on the pavement at peak times so residents are forced to walk on the road. If approved they should resurface, re line and install cats eyes along Upland Road. With the increased traffic, provision should be made to update and improve the junction of Upland Road and the High Road, install a traffic island, reduce the High Road speed limit, improve lighting, road markings etc. Generally should have right to redevelop their site but more consideration should be given to how it will impact on local residents.

24 UPLAND ROAD – Support the application. The proposal will benefit the local area and reduce congestion at a weekend along Upland Road, making it a safer area for all to use. Anything that will assist developing young children in sport can only be good.

PETITIONS The applicants have submitted a petition IN SUPPORT of the redevelopment and the enabling development signed by **315** people, the vast majority of whom are from within the District. The petition states” We the undersigned ask Council Members of Epping Forest District Council to support and vote in favour of the Upper Clapton Football Club planning Application for a new Club House, changing rooms, grounds improvements and enabling residential development. As a member of UCFC I fully support the application for a new Club House and sports facilities. Our existing Club House has reached the end of life and it is vital that approval is given by EFDC to build a new Club House with sports facilities and the enabling development for the long term future of rugby and sports within the EFDC area.”

They have also submitted a hard copy of an e petition, which can be viewed on the Council’s website, which has **161** entries IN SUPPORT of the development, a few of the entries appear to be duplicates and there are no addresses but some people have also provided comments explaining their reasons for supporting the development.

STATUTORY CONSULTEE

As the works include development on existing playing fields Sport England is a statutory consultee. They have assessed the proposals with regard to Sport England’s policy which aims to ensure no further reduction in the supply of conveniently located, quality playing fields to satisfy the current and likely future demand. They consider that the proposed works meet their policy.

The potential sports development benefits that the proposed all weather pitch would offer would clearly outweigh the detriment caused by the impact on the playing field.

Aside from their statutory response, Sport England have additionally commented that from their experience they consider that it is most unlikely that the club would be able to achieve funding sufficient to meet their costs without the enabling development proposed. They support the provision of floodlighting, to make best use of the facilities provided and suggest that conditions should not be imposed that are too restrictive on hours of use (10pm on weekday evenings is considered necessary), and reiterate that the RFU have been involved in the scheme to ensure that it meets current requirements.

Issues and Considerations:

The site is within the Metropolitan Green Belt and the main issue is therefore whether the development is appropriate in the Green Belt and if not whether there are very special circumstances sufficient to outweigh this and any other harm from the development. In addition impact on the character and visual amenity of the area, residential amenity, traffic, access and parking issues, trees and landscaping, ecology and sustainability all need to be considered.

Green Belt

Facilities required for outdoor recreation are one of the few forms of development that are deemed "appropriate" within the Metropolitan Green Belt and whereas the Council's adopted policy GB2a follows earlier government advice and refers to "small scale" facilities, the Framework published earlier this year allows for "appropriate" facilities as long as it preserves the openness of the Green Belt. It is considered that the replacement club facilities that are proposed have been designed to meet the needs of the club in relation to the outdoor sporting activities it promotes and that its size is not excessive. The main increases in floor area over the existing facility are to provide adequate showers, toilets and changing facilities. The building has been designed to be compact and although there is some first floor accommodation (training and fitness room, meeting room and offices, the height of the building has been kept low to minimise visual impact and bulk within the Green Belt. It is considered that the building is therefore appropriate within the Green Belt. In addition the proposed replacement driving range facility and the proposed improved pitches, which are clearly for outdoor recreation, are also appropriate in Green Belt terms.

The proposed 8 semi detached houses on the other hand are clearly inappropriate development and by definition harmful to the Green Belt. They also have a physical impact on openness, so there need to be very special circumstances to justify such development.

The applicants have put together a very strong case. The club has operated from the site since 1933 and is an established and popular facility. The club fields 3 senior teams and 12 youth teams for children between the ages of 6 and 17, the youth teams play every Sunday providing sporting activities for 300 children, in addition the club works with the West Essex Schools Sports Partnership providing facilities and hosting tournaments encouraging school participation. They have developed a women's rugby squad, and have a programme for the development of its coaching staff.

However, the existing club house which dates from 1933 is clearly substandard and the club needs to bring their facilities into the 21st century, to be able to continue to offer their facilities to schools. A structural and fabric report on the building has been submitted with the application that highlights that the problems of the building are considerably more than cosmetic, internal timber supports have rotted and essentially the building could not be simply refurbished as it is beyond economic repair. The toilet and showering facilities do not meet current building regulations or the standards required by the RFU and Sport England. The existing facility provides only 28% of the changing space required to meet current standards.

The cost of the project to upgrade the facilities in the manner proposed has been calculated as £1.4 million. The club have applied for funding from Sport England totalling £500,000 and are expecting a further £100,000 in donations and gifts and have a target of £50,000 from local sponsors and fundraising. There is no guarantee of the Sport England grant coming forward but they have calculated that at best they would require £800,000 from an alternative source. They propose therefore selling part of their site. An independent valuation assessed that with planning permission the area identified could realise a figure of between £800,000 and £1 million. This would enable the club to continue with its redevelopment plan.

Generally “enabling” development of this kind is accepted as appropriate when it is proposed in order to maintain heritage assets such as listed buildings or ancient monuments, which would otherwise be at risk. This is clearly set out in national policy in Para 140 of The Framework, however no such exception to normal restrictions is made for other forms of development, including sporting and community facilities. The applicants are seeking for the same principle to be applied here.

Officers maintain concern that to apply this principal here when there is no policy basis to do so could set a very dangerous precedent for allowing inappropriate development in the Green Belt. Normally if any facility is to develop or expand they would be expected to meet their own costs without inappropriate “enabling” development. However in this instance there may be other factors which if taken together, members would consider are sufficient to outweigh the harm to the Green Belt. The applicants have set forward the following factors:

- The historical establishment of the Club (which was founded in 1879)
- Its contribution to sport in the community through extensive outreach programmes and links to the wider sporting community
- Its commitment to inclusivity including providing for youth and women’s sport and access for disabled people both to participate and spectate
- Its contribution to social cohesion and sense of wellbeing through community involvement
- The necessity to redevelop to ensure the club’s survival
- The essential and appropriate nature of the facilities provided and
- The financial necessity of raising significant funding to enable the development and hence the continuation of the club.

Officers agree that these are all important issues which do carry weight, the question is whether they are of such weight as to outweigh the harm to the Green Belt from the development of 8 houses. This is a difficult thing to balance. The proposed houses as shown in the indicative plans have a total footprint of about 500 square metres therefore a total floorspace in excess of 1000 sq.m. including rooms within roofs. Collectively the development extends over 54m of road frontage, extending the built development of Upland Road considerably and having a significant physical impact on openness. Conversely the proposed dwellings are not situated on undeveloped land; they are located within an area that is currently car park. In addition whilst they do extend development on this side of Upland Road, it is a logical form of development that would not in principle appear out of keeping. Importantly there are semi detached properties also on the opposite side of the road facing this site, which reduces the sense of intrusion beyond existing development limits. Unfortunately however the westernmost pair of proposed dwellings would be located beyond the westernmost property opposite (number 50), as pointed out by one of the objectors to the scheme.

Character and Visual Amenity

The proposed replacement clubhouse, being set well back from the road, and with relatively low ridge height should not have a significant impact on the street scene or the character of the area, it will be visible from the entrance to the site, but will not be intrusive and is a suitable design. The proposal enables the removal of the existing rundown buildings and storage unit, and improves the visual amenity within the site. The indicative housing scheme would, as already explained, be

broadly in keeping with the pattern of development in the road and setting aside green belt concerns, it is accepted that semi detached properties of a suitable scale could be located within the site without harm to the street scene or the character of the area. The proposals include an increase in floodlighting including to the proposed all weather pitch located at the front of the site. There is existing floodlighting which can be seen for a considerable distance and is quite intrusive in the rural area. Some information has been provided indicating the level of illumination proposed, but more information and restrictions can be required by condition to ensure that light spillage beyond the pitch areas is kept to the minimum and it is expected that the visual intrusion from the proposed lighting will be less than the existing.

Design and layout of new dwellings

The indicative plans for the proposed 8 semi detached houses suggests that they would be 4 bedroomed houses. This results in 6 habitable rooms, which under the current adopted policies would mean that each dwelling should have 120 square metres of private amenity space. The layout shown indicates just 65 or 70 square metres of amenity space would be provided, well below the standard and the rear gardens proposed are conspicuously short in comparison to those of adjoining properties. In addition the suggested layout leaves less than 2 metres between properties, whereas there is generally greater spacing between other properties in the road and 2 metres would normally be required even in established residential areas. Although the submitted plans are only indicative, Officers consider that it is unlikely that 8, 4 bedroomed dwellings with adequate amenity space provision can be achieved within the plot provided with adequate amenity space to meet current standards. Whilst government advice is that there should be scope for flexibility on amenity space provision, the shortfall in this instance is likely to exceed that which would be acceptable. 8 smaller properties may be achievable or 6 4 bed properties with wider gardens, but it is unclear whether this would provide the income that the applicants need to enable the main part of the development to take place.

Residential Amenity

This is an existing well used sporting facility and it is not expected that the proposed development will result in any greater impact on the amenity of neighbours than the existing. Inevitably there will on occasion be noise and disturbance from the use and the number of vehicles and people accessing the site, but with the increased on site parking the impact on neighbours should if anything be reduced as fewer people will be returning to vehicles parked on street in front of neighbours houses.

The moving of the access towards the middle of the site will reduce disturbance to the residents of number 45 and the proposed new houses can be sited such that they will not have an overbearing impact on that property.

Although residents opposite the proposed housing will have a change in their outlook it is not considered that there would be any significant harm to residential amenity.

The issue of light pollution has to some extent been covered above, and conditions can be imposed that would minimise light intrusion that could otherwise be harmful to residential amenity.

Traffic, Access and Parking Issues

A large part of the proposed scheme is the increase in parking provision for the club. It is clear that the current car parking at the site is insufficient to meet the demand at the most busy times and this has resulted in significant overspill of parking onto the highway and pavements which has caused problems for residents and potential highway safety issues. The proposals include the provision of 193 parking spaces and 2 coach parking spaces, which is a total of 103 more spaces than currently available; this will clearly help resolve the current problems. Although the sports facilities at the site are being substantially improved, it is not anticipated that this will result in a significant increase in the maximum number of people utilising the site at any one time. The all

weather pitches will simply enable greater use of the facility throughout the year and widen the choice of sports available.

Essex County Council Highways have advised that the proposed alteration to the access and parking are acceptable and an improvement over the existing. Adequate sight lines of 2.4m x 70m in each direction can be achieved and conditioned and in addition the developer can be required to extend the footway on the southern side of the road as far as the new access to the site.

With regard to the proposed residential development the suggested 2 parking bays per unit meets the adopted standards and the proposed rear access road is considered acceptable.

The Parish Council and a local resident have suggested that other highway improvements should be negotiated, however, it is not considered that these can be required given that this is predominantly an existing use and that the houses proposed would not generate excessive traffic levels. In addition any additional financial contributions would eat into the money that the applicants need for the redevelopment of the site and may well make the development unviable.

Trees and Landscaping

A full tree survey, arboricultural report and method statement has been submitted which demonstrates that the proposal can be implemented without a detrimental impact on trees around the boundaries of the site. The hedgerow to the front of the site to the west of the proposed new access is shown to be retained and this will significantly screen the sporting development and maintain the rural character of this part of the site, similarly the trees and hedging around the sides and rear of the site are to be maintained.

Ecology

A phase 1 habitat survey was submitted with the application and this recommended further reptile surveys take place and a bat emergence survey, these can be required by condition, in order to ensure that adequate protection is provided in the event that such species are found. The report provided recommendations relating to protection of nesting birds, retention of boundary hedgerows and means of enhancing biodiversity at the site such as the provision of bird and bat boxes to achieve positive results in the long term and these can be the subject of a condition.

Sustainability

This site is not in a particularly sustainable location. It is likely that the vast majority of people utilising the site will arrive by car, but this is an existing facility not a new use and at least the location is relatively well linked to the main road network, (only about 250m from Thornwood High Road) and not in a more remote location. The proposed improvements to the sports facilities will enable the best use of the facility by a wide variety of people for a variety of outdoor sports and this can be seen as a more sustainable use of land. The clubhouse has been designed to maximise energy efficiency and reduce energy costs.

With regard to the proposed housing however, this introduces a new use to the site which is poorly located for access to shops and facilities and public transport. Given the number of houses proposed, it is considered that this element of the scheme would be considered unsustainable.

Highway Improvements

The Parish Council have suggested that other highway improvements should be negotiated, however, it is not considered that these can be required and inevitably they would eat into the money that the applicants need for the redevelopment of the site. The parish council's suggestions were forwarded to the applicants.

Conclusion.

The merits to this planning proposal are finely balanced. In policy terms the redevelopment of the sports facilities is clearly acceptable and there will be clear benefits to the community from the continued and improved availability of the facility into the future. Increased participation in sport is one of the wider aims of both Government and this Council and this aspect of the application is non contentious. There is however no policy basis for allowing “enabling“ development for sporting facilities. There is therefore a fear that to allow such enabling development here may lead to similar arguments being used on for instance golf courses or other sports venues which could lead to significant numbers of houses in inappropriate locations. In addition the “enabling” development proposed here is quite a significant level of development, not for instance a single house, or two houses, but 8, four bedroom properties with a floor area greater than the floor area of the proposed new clubhouse, and this does seem potentially disproportionate. In addition whilst there is some policy support for sporting and community facilities, there is also very strong policy support for protection of the Green Belt.

The case officer has concluded that although there are circumstances in this case which weigh in favour of the development it is not clear that these are sufficient to *clearly* outweigh the harm to the Green Belt that would accrue from the provision of 8 residential properties in this location. The application is therefore recommended for refusal.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

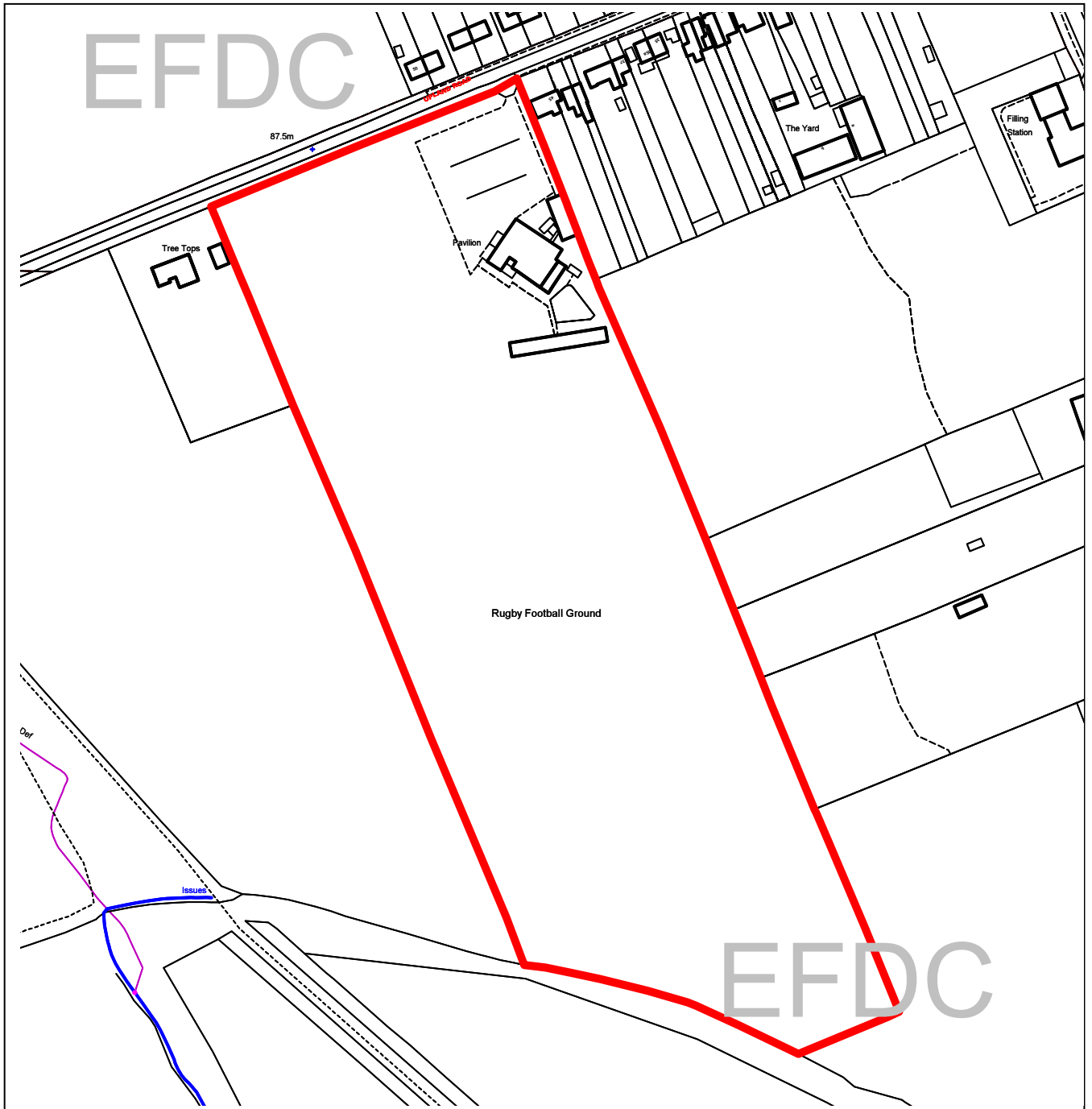
***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564016***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	
Application Number:	EPF/0817/12
Site Name:	Upper Clapton Football Club, Upland Road, Thornwood, CM16 6NL
Scale of Plot:	1/2500