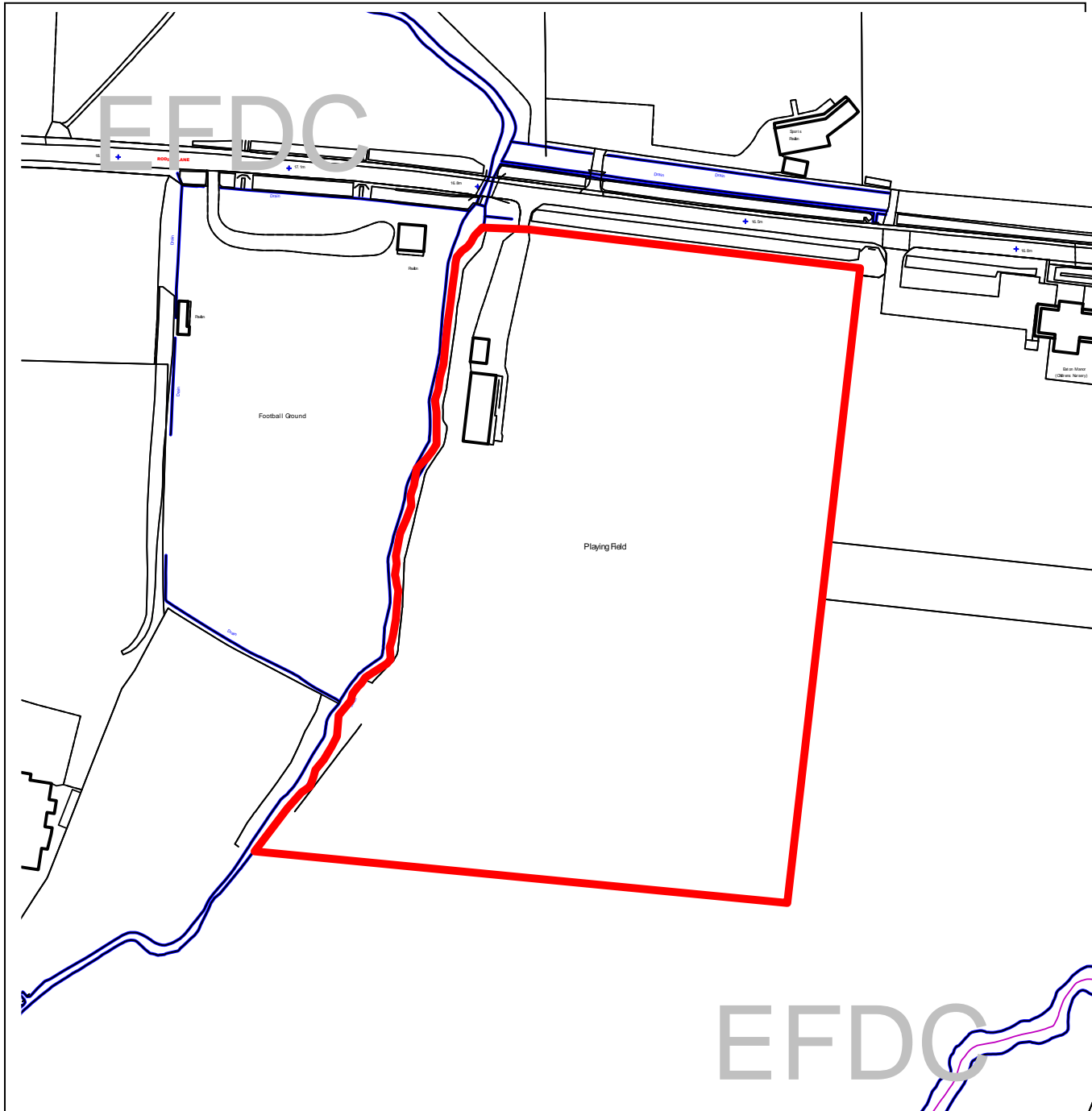




Epping Forest District Council



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Application Number:	EPF/2911/19
Site Name:	Buckhurst Hill Football Club Roding Lane Buckhurst Hill Essex IG9 6BJ
Scale of Plot:	1:2500

Report Item No: 13

APPLICATION No:	EPF/2911/19
SITE ADDRESS:	Buckhurst Hill Football Club Roding Lane Buckhurst Hill Essex IG9 6BJ
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
APPLICANT:	c/o Charlie Biss
DESCRIPTION OF PROPOSAL:	Proposed erection of a new 100 seat stand and 100 person covered standing area and erection of 6 floodlighting columns.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=630877

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers: 001, 200, 201, 210, 220/0063/01, Seated50/10/17, HL250D15F and UKS16983/4 (dated 9/7/20).
- 3 Prior to preliminary ground works taking place, details of surface water disposal and a flood evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 The development shall be carried out in accordance with the submitted flood risk assessment (Buckhurst Football Club: FRA & SWD) and the mitigation measures it details. The proposed stands shall be constructed as an open structure as stated on page 25 of the FRA (9.1 Flood risk elsewhere) and shown in both the FRA Appendix 1 by 'drawing no 201' and standalone drawing 'Sports Ground Development Elite 50 Design'. These mitigation measures shall be fully implemented prior to the stands being first brought into use and shall be retained and maintained thereafter and throughout the lifetime of the development.
- 5 The floodlighting hereby approved shall be installed strictly in accordance with the details contained in the pitch lighting plan shown on drawing number UKS16983/4 (Abacus Lighting Ltd, July 2020), and fitted with cowls to prevent light spillage in accordance with the agreed details. Upon installation, and prior to first use (other than for testing), a lighting survey shall be undertaken to confirm the lighting levels do not exceed those shown on the approved plan, and submitted for approval by the Local Planning Authority. Thereafter, no increase in lighting levels above the

approved plan shall be installed without the prior consent of the Local Planning Authority.

- 6 The floodlights hereby permitted shall not be used before 10am on any day of the week, nor after 10.30pm Mondays to Fridays, 8pm on Saturdays, and 6pm on Sundays, Bank and Public Holidays.

This application is before this Committee since it has been 'called in' by Councillors Heap and Patel (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application relates to the site occupied by Buckhurst Hill Football Club to the south of Roding Lane. The football club's existing site comprises of the main area containing three pitches, a pavilion building comprising changing and ancillary facilities, a recently constructed car park on the frontage, and open areas used for training areas. To the west across the drainage channel lies a separate single football pitch accessed both from a separate access on to Roding Lane and via a bridge from the application land. This part of the site includes two dilapidated pavilion buildings not currently in use, and at the northern end of the site an area of hardstanding for around 30 vehicles. Further pitches and training areas are located to the south.

The immediate surrounding area is predominantly open in character and relatively free of structures, excepting the pre-school nursery to the east. The whole site and the surrounding land lies within the Green Belt.

Description of Proposal:

The application proposes upgraded facilities for the northern most pitch within the site, immediately east of the pavilion building. The works comprise the erection of floodlighting and construction of spectator facilities.

Floodlighting comprises six x 15m high galvanised metal columns placed three on each side of the pitch, one centrally and two close to the corners. Each column is indicated as housing two adjustable lights fitted with cowls, and sits on a concrete base. The columns are pivoted to allow the upper sections to be lowered for maintenance.

Two metal frame structures are proposed on the north side of the pitch for spectators. Each is 12.5m long, 5m deep and 3m high and open on three sides, the rear section and the roof are clad in metal sheeting. The structures are raked and one will be fitted with seating for 100, the other will provide covered standing.

Relevant History:

None directly affecting the proposed works. A permission to extend the sports pitches to the south and to construct the car park (EPF/2446/16) has been implemented, although outstanding works remain to be completed.

Policies Applied:

Adopted Local Plan:

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations

indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC1	SPA's, SAC's and SSSI's
NC4	Protection of established habitat
RP3	Water quality
RST1	Recreational, sporting and tourist facilities
RST22	Potentially intrusive activities
U2A	Development in flood risk areas
U3B	Sustainable drainage systems
DBE1	Design of new buildings
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

NPPF (February 2019):

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

- 13 Protecting Green Belt land – paragraphs 141, 143, 144, 145, 146.
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 155, 163, 164.
- 15 Conserving and enhancing the natural environment – paragraphs 170, 175, 176

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, the Council resolved to approve the Epping Forest District Local Plan (2011-2033) – Submission Version ("LPSV") for submission to the Secretary of State and the Council also resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

The Council submitted the LPSV for independent examination on 21 September 2018. The Inspector appointed to examine the LPSV ("the Local Plan Inspector") held examination hearings between 12 February and 11 June 2019. As part of the examination process, the Council has asked the Local Plan inspector to recommend modifications of the LPSV to enable its adoption.

During the examination hearings, a number of proposed Main Modifications of the LPSV were 'agreed' with the Inspector on the basis that they would be subject to public consultation in due course. Following completion of the hearings, in a letter dated 2 August 2019, the Inspector provided the Council with advice on the soundness and legal compliance of the LPSV ("the Inspector's Advice"). In that letter, the Inspector concluded that, at this stage, further Main Modifications (MMs) of the emerging Local Plan are required to enable its adoption and that, in some cases, additional work will need to be done by the Council to establish the precise form of the MMs.

Although the LPSV does not yet form part of the statutory development plan, when determining planning applications, the Council must have regard to the LPSV as material to the application under consideration. In accordance with paragraph 48 of the Framework, the LPAs "may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given)."

Footnote 22 to paragraph 48 of the NPPF explains that where an emerging Local Plan is being examined under the transitional arrangements (set out in paragraph 214), as is the case for the LPSV, consistency should be tested against the previous version of the Framework published in March 2012.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

POLICY	WEIGHT AFFORDED
SP1 Presumption in favour of sustainable development	Significant
SP6 Green Belt and District Open Land	Some
SP7 The Natural Environment, landscape character and green infrastructure	Significant
T1 Sustainable transport choices	Significant
DM2 Epping Forest SAC and Lee Valley SPA	Significant
DM3 Landscape Character, Ancient Landscapes and Geodiversity	Significant

DM4	Green Belt	Significant
DM5	Green and Blue Infrastructure	Significant
DM9	High Quality Design	Significant
DM15	Managing and reducing flood risk	Significant
DM16	Sustainable Drainage Systems	Significant
DM21	Local environmental impacts, pollution and land contamination	Significant
DM22	Air quality	Significant
D4	Community, leisure and cultural facilities	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: 08 June 2020

Number of neighbours consulted: Twelve

Site notice posted: No, not required

Responses received: Objections have been received from 4 local properties – 3, 5 and 6 ROUS ROAD and 8 CASCADE ROAD raising the following concerns:

- Implications from increased activity at the site – the objectors are concerned that the development will result in additional activity through the use of the floodlights – this would include additional noise from participants and spectators and increase in associated vehicle activity both in terms of parking and journeys, residents suggest that the lack of parking controls sees vehicles park on the road rather than in the car park to avoid queueing on exit.
- Intrusion from the floodlights – the height of the columns will make the lights visible from a wide area, and intrusive to those residents in closest proximity
- General issue around the impact of the built elements on the Green Belt
- Impact on the flood plain function of the land
- Impact on local wildlife, particularly in the adjacent watercourse to the west
- Comments around the principle of further development should the club wish to progress further in the wider football system.

PARISH COUNCIL: Buckhurst Hill Parish Council have objected to the application, making the following comments:

- Adverse effect upon change of use of land
- Impact on wildlife
- Impact on the surrounding area
- Detrimental change of use of this area
- Adverse impact upon infrastructure by increased traffic flow
- Serious concerns of this development on a flood plain
- Buckhurst Hill Parish Council is very disappointed that this planning application has been submitted subsequent to the development previously granted.

Other representations: As a result an orchestrated campaign, the football club have submitted more pro-forma e-mails supporting the scheme comprising around 530 comments. These allowed interested parties to submit a comment why they supported the proposal. Around 20% give addresses in Buckhurst Hill, a further 14% show Loughton addresses and 5% Chigwell addresses. The remainder include local representation within the District and neighbouring areas with others from further afield – a cluster from Grays/Tilbury, various London postcodes and from much further afield including Glasgow, Cumbria and Canterbury among many others.

A selection of the comments are set out below:

It will be great for the local and wider community in the area to bring them together and would be a the stepping stone needed to bring Buckhurst Hill into 2020s with greater financial gains, community spirit, charities, fun days, football tournaments, major sponsorships and the list goes on, it would also be a major club in the local and wider area that can teach young talent the importance of community spirit, team spirit and supporting each other. (Broxbourne)

BHFC means a lot to my family and many others (Buckhurst Hill)

Love watching my son play here and the new stand would give the whole club a big lift. (Harlow)

I support youth sport (Loughton)

My niece and nephew play for the team and I support this application (Berkhamsted)

This is a fantastic local club for the local community. Both of my children and most of their friends have been at and used their facilities. Would be great to improve it for the youth of the surrounding areas (Buckhurst Hill)

My son play for the under 8's team and he is very happy. The club need to develop its facilities (Chigwell)

I have spent many years with children playing against Buckhurst Hill and it is a role model as to how a club should be run for the entire community with a fantastic youth set-up with an excellent focus on getting girls playing football (Westcliff)

A friend plays for the club & future development would be amazing for them (Rayleigh)

We have had 2 sons play at BHFC one is still playing U16's. We hope with continued development he can continue playing for a number of years to come. This development would enhance current facilities and build a forward looking future for everyone. (Hainault)

Both of my children (girl and boy) have been playing at the club from a young age and they both love it. Not just the sport but be able to socialise with other children that are not just their school friends. By expanding the football club it's just making it a better and safer place for all the children and also bringing the community together (Buckhurst Hill)

My grand-daughter's go there and have made many friends and built up good relationships (Canterbury)

Fan of club (Ilford)

This is a tremendous football club with an amazing community spirit. We currently suffer for both evening training and all weather facilities. It would be a massive gift to all of our children to allow this development (Buckhurst Hill)

This is a fantastic club that does so much for the community. (Waltham Abbey)

Comment: The scope of the comments from interested parties should be noted by Members – these evidently focus on sporting and community grounds, and the canvassing for support has included current and past club members and their families, and sporting competitors. As a testimony to the club as a community organisation, the comments are a glowing reference, but in terms of their relevance to the planning issues, the responses make few references to the matters to be assessed and little weight should therefore be attached to them.

Main Issues and Considerations:

Green Belt issues

The primary issues arising from the proposals relate to the location of the site within the Green Belt. Paragraph 145 (b) of the NPPF considers that '*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*' as not inappropriate development.

No further definition of what may constitute 'appropriate' is offered and it is very much a matter for interpretation on a case by case basis. The wording of paragraph 145 (b) would imply a two stage test – firstly of appropriateness, and secondly of harm. The former should be assessed in generic terms rather than any consideration of the potential progression of the football club in a sporting context. The site is used for football activity, the layout dictated by the operational priorities of the occupiers. As such, the key question is whether it is appropriate for a football ground to have floodlights and covered accommodation for spectators. Such facilities are relatively common in fact, many sports grounds – football, rugby, cricket have spectator cover, other examples such as golf ranges provide cover, at all the above there are facilities with floodlighting. Thus, in broad terms, it is evident that the facilities proposed can be considered appropriate, and the acceptability thereof should be assessed on the level of harm which results.

The site and surrounding area is relatively free of built structures; within the site the pavilion is the only substantive structure which has one floor but has been built on an elevated base for flood protection. The nursery to the east is a substantial two storey structure and there are dilapidated single storey buildings to the east. In this context, any additional built development could potentially have a physical impact on openness. However, the built elements are relatively modest. The floodlighting columns are relatively slim, the maximum diameter being around 250mm at the lower end, the upper fitting around 1.8m wide. The two covered structures are modest in height and the external cladding can be conditioned to a dark neutral finish to lessen any impact they may have. The built elements represent individual pockets within the wider setting, views across the site remain both within and outwith the site. The siting of the structures relates to the existing pavilion and car park in terms of setting and does not involve any significant further incursion of structures, enclosures or hard surfaces further south into the site. Considered cumulatively therefore, officers conclude that the impact on the openness of the Green Belt is not significant and does not impact substantially on the wider Green Belt function in this location.

Residential amenity considerations

Objectors have raised concerns at the potential harm from any substantial increase in the use of the site as a result of the installation of floodlighting, and the more direct impact from the floodlights when illuminated. In order to consider the first issue, it is necessary to understand the operation of the floodlit pitch. The site remains in the flood plain and nothing in the current proposals changes that function and it is a regular occurrence in extremely wet weather for the whole ground to be unplayable. This remains a natural grass pitch, and as with any grassed surface it can only be played on if it remains in a reasonably good condition. This inevitably means that the number of games and training sessions held on the floodlit area will have to be managed in order to keep the ground in good order. The purpose of providing the additional facilities is to allow the club to play at a higher level, and the maintenance of a good surface will be a requirement of that standard. Thus concerns raised by residents of a significant increase in activity within the floodlit area, and associated concerns at the increase in vehicle movements will not arise. Additional games on midweek evenings will be played, but the constraints above will serve to limit these to an acceptable level.

The floodlights lie on the north and south side of the pitch, residential properties lie to the west predominantly, the nearest dwelling on Roding Lane being around 250m from the closest column. The floodlights themselves can be directed to reduce light spread (and the application includes a detailed lighting layout to confirm this) and are to be fitted with cowls (see ecology issues section below) which will further screen properties to the west. In terms of direct glare therefore, the siting and alignment, and the separation will minimise potential direct impacts. Floodlights of this nature will give a general glow but conditions can restrict times of use to preclude use late into the evening.

Flood Risk

The site lies within Flood Zone 3b.

Built development within the flood plain has implications over a wider area. The nature of the built development is such that it involves minimal disruption to the flood flows or the flood plain function. The application is accompanied by a Flood Risk Assessment which concludes that the proposal meets the requirement in Planning Practice Guidance for appropriate development within Flood Zone 3b. Some design considerations are affected by the flood risk, for example key electrical elements in the lighting columns will need to be around 300mm above ground level.

A surface water drainage strategy is proposed to SUDs requirements, discharging into the water course to the west.

Consultees support the conclusions; the Environment Agency raise no objections subject the implementation of the FRA and the local considerations require conditions to confirm the surface water drainage proposals and a flood evacuation plan to be developed.

Ecology issues

Key ecological corridors have previously been identified as being the watercourse and its environs along the west side of the site and the highway verge along the northern edge. Any substantial light spillage has the potential to impact wildlife using these areas.

Modern sports lighting is capable of being directed and managed to reduce light spillage. The application includes a detailed lighting plan which demonstrates that while lighting levels on the pitch area will meet levels required for sporting activity, this diminishes to less than 25% within 10 metres, and to around 1lux (equivalent to strong moonlight) within the wildlife corridors.

Subject to a condition requiring the implementation in accordance with the detailed plan, ecology consultees are satisfied the development demonstrates a sensitive lighting scheme has been designed, in order to avoid and minimise lighting impacts on retained wildlife habitats and associated species such as bats (European Protected species) and invertebrates.

Epping Forest SAC (EFSAC)

The site lies within the core area of the EFSAC and has been considered in terms of potential impact on air quality. As detailed, the development represents an enhancement of the existing facilities and does not increase the number of pitches or the overall capacity of the site, indeed the safeguarding of the pitch means some peripheral areas that could have been used for mall sided or training games will no longer be available.

Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended)

A significant proportion of the EFSAC area lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest LPSV.

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concludes that there are two Impact Pathways whereby development within the Epping Forest District is likely to result in significant effects on the EFSAC. The Impact Pathways are disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development).

Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Impact Pathways identified. Consequently, the Council, as competent authority under the Habitats Regulations, is satisfied that the Impact Pathways to be assessed in relation to the likely significant effects of development on the EFSAC alone and in combination with other plans and projects are:

1. Recreation activities arising from new residents (recreational pressures); and
2. Atmospheric pollution as a result of increased traffic using roads through the EFSAC (air quality).

As this application is for non-residential development it has been screened in relation to the air quality Impact Pathway only and concludes as follows:

The development would not result in a net increase in traffic using roads through the EFSAC.

Consequently, the Council is satisfied that the application proposal would not result in a likely significant effect on the integrity of the EFSAC. Having undertaken this first stage screening assessment and reached this conclusion there is no requirement to undertake an 'Appropriate Assessment' of the application proposal.

Conclusion:

The issues are finely balanced given the sensitive location of the site in the Green Belt and Flood Plain.

As a matter of general principle, the provision of floodlighting and covered spectator accommodation are appropriate facilities to be found within a sports ground. The proposed structures are relatively modest in scale in the context of the site, and are located in a position that has least impact on the wider openness. Officers therefore consider the development is not inappropriate.

The practicalities of the use of the grass pitch in question are material to the consideration of potential impact on the nearest residential properties at least 250m away and officers conclude that use will not see significant and substantial increases in activity. The alignment of the

floodlights and cowling will minimise light spill to safeguard residential amenity and ecology interests.

Additional information is required through conditions on drainage and flood evacuation, and further conditions are required to ensure compliance with flood risk and ecology requirements. A condition is also appropriate limiting the hours of use of the floodlights and this should reflect the needs of the football club to play midweek evenings and protect general amenity at other times.

Officers are satisfied therefore that the proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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