

Recommendation: **GRANT PERMISSION**

00/51637/007 - Erect 6 No. 16 metre high floodlighting columns on pitch 2 (revised scheme), TPP,05/06/2000

99/51637/006 - Erection of 6 no. 16m high flood lighting columns (part retrospective)., REF,03/02/2000

98/51637/005 - Erect 4 No 16 metre flood lighting columns, replace 4 existing 8 metre floodlight columns by 4 x 16 metre high and add additional lamp to existing 16 metre column no, PERM,21/05/1998

91/51637/002 - 203 seated stadium stand as an extension to existing club house, PERM,08/08/1991

93/51637/003 - Erect two storey side extension and spectators stand, PERM,01/07/1993

APP/15/00832 - Conversion/adaptation/extension & flexible use of rugby clubhouse with use part of ground floor as a children's day nursery, alterations to south, west and north elevations, including projecting first floor balcony and staircase with infill over main entrance: alteration of tarmacadam surface of adjacent ball court to the west to a 4g artificial playing surface and use of land between clubhouse and ballcourt as enclosed ancillary outdoor space to day nursery (approved 02.12.2015). Request to Discharge Conditions 3 and 4 (05.04.2016)., PERM,02/12/2015

APP/17/01327 - Redevelopment of grass rugby pitch to provide World Rugby Compliant Third Generation Artificial Grass Pitch, with new floodlighting, storage container and ancillary works. (Approved 31.05.18). Request to Discharge condition No. 5 (04.07.18)., PERM,31/05/2018

APP/18/00690 - Per requirement of condition 5, a noise management plan has been prepared and is submitted for review and approval by Havant BC., UNK,03/07/2018

APP/19/00730 - Removal of Condition 3 (quarterly local community liaison panel) of Planning Permission APP/17/01327.(Artificial Grass Pitch, with new floodlighting)., ,

3 Proposal

Planning permission was granted under reference APP/15/00832 for:

"Conversion/adaptation/extension & flexible use of rugby clubhouse with use part of ground floor as a children's day nursery, alterations to south, west and north elevations, including projecting first floor balcony and staircase with infill over main entrance: alteration of tarmac surface of adjacent ball court to the west to a 4g artificial playing surface and use of land between clubhouse and ballcourt as enclosed ancillary outdoor space to day nursery - granted on 2.12.2015.

The application seeks to vary Condition 2 relating to elevation and balcony alterations and the removal of Condition 3, in respect of the artificial turf pitch, which stipulates:

"The use of the children's day nursery shall not commence until details of the design and layout of the artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority, following consultation with Sport England. The artificial grass pitch shall be constructed in accordance with the approved details and within 6 months of the commencement of the use of the children's day nursery, unless approved in writing by the Local Planning Authority.

Note: The applicant is advised that the design and layout of the artificial grass pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Artificial Surfaces for Outdoor Sports"

Reason: To ensure the pitch is fit for purpose and that compensatory sport provision is provided and having due regard to policies CS1 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS1	(Health and Wellbeing)
CS16	(High Quality Design)
CS19	(Effective Provision of Infrastructure)
CS7	()
DM10	(Pollution)
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Developer Services, Southern Water

No comment.

Economic Development

No comment.

Environmental Health Manager, Community Group

No comment.

Hampshire Constabulary, Tasking & Co-Ordination Directorate

No comment.

Hampshire Highways

No comment.

Havant Borough Council, Sports Development

No comment.

Landscape Team

No adverse comments.

Countryside Access Team, Countryside Service

No comment.

Open Space Society

No comment.

Property Services Manager

No comment.

Ramblers Association

No comment.

Sport England, The Planning Administration Team, Sport Park 1st comment - No Objection

Sport England understands that in relation to the application for removal of condition no.3, the intention is to facilitate the conversion of the MUGA/Courts at the site to provide additional car parking to support access and use of the planned new rugby compliant Artificial Grass Pitch (AGP) at Havant Rugby Club.

Sport England identified in its pre-application response that the MUGA/courts may be needed to meet community needs for sport in the area and recommended consultation with England Netball and the LTA as the representative national governing bodies for netball and tennis respectively.

Sport England has subsequently consulted England Netball and the LTA on this application and has received the following comments. England Netball comments that they are not aware, both at a county, regional or national level of any use of the area for netball for the last 4 years. England Netball therefore do not object. The LTA comments that they are unaware of any current usage of the courts at the

site. The LTA's priority in the area are improvement works to courts at the nearby Bidbury Mead Recreation Ground, approximately 0.5 miles away from the Hooks Lane site. The LTA would ask for confirmation that the three courts at Bidbury Recreation Ground will be fully resurfaced before the proposed loss of the three tennis courts at Hooks Lane.

Sport England has also consulted the RFU on the application. The RFU comments that are happy to support the rugby club and have no objections.

Conclusion

In light of the above comments, Sport England does not have any objection to the application to vary and remove the above conditions respectively. However, we would like confirmation that the proposed resurfacing works of the tennis courts at Bidbury Recreation Ground will be carried out before any loss of court provision at Havant RFC is incurred. We would ask for a letter of comfort from a senior council officer confirming this.

Sport England, The Planning Administration Team, Sport Park 2nd comment - No Objection

Based on the information provided we wish to confirm we do not require a letter of comfort, as previously requested. Sport England reiterate that they do not object of the variation and removal of the condition.

Senior Leisure Officer - Comment

An artificial grass pitch has not been provided at Bidbury Recreation Ground. The surface is however tarmaced, so the tennis courts are still available. The intention of the Council is to improve the tennis court at Bidbury Mead, subject to funding being secured and a successful tender for the works.

Open Spaces Manager

No comment.

Traffic Management Team

No comment.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 18

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
Point about due process - not a proposal, as work on erecting the balcony steel work is substantially complete, as are the other items marked in red on the plan	See Section 7 below.

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Sports facility
- (iii) Impact upon residential amenity

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the character and appearance of the area

Condition 2 relates to the plans approved under planning permission APP/15/00832. The proposed changes, which are retrospective, relate to:

north elevation - relocation of the steel staircase to the balcony from the west elevation to the north elevation

west elevation - 4 high level windows on first floor, 2 of which replaced existing grilles and two new extract grilles on ground level.

south elevation - first floor windows to be in filled - new extract louver to be fitted, plus new masonry infill to match existing with new window.

The physical proposed changes to the fenestration and the relocation of the staircase to the balcony are not detrimentally to the appearance of the building, nor detract from the building in its setting which faces over the rugby pitches and is fronted by a car park. Whilst, an application that is retrospective, is a material consideration, the weight that is given to this in this particular case, is limited, as the proposal is acceptable in planning terms. The changes are, therefore, considered to accord with policy CS16 (Core Strategy).

(iii) Sports facility

The removal of Condition 3, would negate the need to provide an artificial grass pitch. Sports England has raised no objection, as there is no evidence of the use of this facility, subject to "...confirmation that the proposed resurfacing works of the tennis

courts at Bidbury Recreation Ground will be carried out before any loss of court provision at Havant RFC is incurred." It has been confirmed by the Council's Senior Leisure Officer, that an artificial grass pitch has not been provided at Bidbury Recreation Ground. The surface is however tarmaced, so the tennis courts are still available. The intention of the Council is to improve the tennis court at Bidbury Mead, subject to funding being secured and a successful tender for the works. Sports England have been advised of this and confirmed they have no objection to the removal of condition 3.

(iv) Impact upon residential amenity

The changes to the building has no material impact on residential amenity. Based on the response of Sport England, and the provision of tennis courts at Bidbury Recreation Ground, approximately 1 mile to the west, this sport's facility is available within a reason distance of local residents and the general community and therefore its lack of provision at this site, would not adversely impact on residential amenity.

Consequently, having regard to the response from Sport England, the removal of Condition 3 is acceptable as is the variation of Condition 2 which has a negligible impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 and CS7 of the HBLP (Core Strategy).

8 Conclusion

The variation of condition 2 is considered appropriate as it the removal of condition 3 imposed on planning permission APP/15/00832, subject to relevant conditions from this planning permission being imposed on this proposal.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00828 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan

Revised Blacony Arrangement and West Elevation - Drawing No. MM/June 2019

Revised South Elevation - Drawing No. MM/July 2019

Reason: - To ensure provision of a satisfactory development.

- 3 The use of the children's day nursery shall not commence until details of the means of enclosure for the open space area for the nursery, together with a specification for the construction of all diverted footpaths, have been submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure and the footpath that is to be diverted to provide for the provision of the open space for the nursery shall be implemented prior to the commencement of the use of that open space.

Reason: In the interests of the amenities of the area and to provide satisfactory footpath links and having due regard to policies CS16 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 4 The Clubroom as extended shall not be used for purposes unassociated with Rugby Club activities when the Rugby club is hosting home matches.

Reason: To ensure that there is adequate parking provision for the activities undertaken within the Club building and having due regard to policies DM14 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.