
Site Address: Hooks Lane Ground Clubhouse, Fraser Road, Havant,
PO9 3EJ

Proposal: 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

Application No: APP/15/00832 Expiry Date: 01/10/2015

Applicant: Mr Mangnell Team: Team 1
Havant Rugby Football Club

Agent: Mr S Lawrence Case Officer: Sally Smith
ACHIEVE - Town Planning and
Urban Design Ltd

Ward: Bedhampton

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is that of the Rugby club building in Fraser Road together with the court to the west, the area of open space between the building and that court and a small area of land to the north of the building, which is currently grass adjacent to a tarmac footpath that runs in front of the building - that footpath being a definitive right of way.

2 Planning History

Of relevance:

00/51637/006 - 6 Floodlights. refused. allowed on appeal 5/6/00

93/51637/003 - 2 Storey side extension. Permit 1/7/93

91/51637/002 - 203 seated stadium as an extension. Permit 8/8/91

15228/2 - erection of clubhouse, squash courts, changing room and bar. Permit
21/8/73

3 Proposal

The proposal involves:

- Conversion of two squash courts by insertion of mezzanine floor to provide first floor space that would be multi-functional for the club and which could host its own and community events; ground floor to be a children's day nursery together with additional windows with shutters and new entrance doors.
- Enclosure of the planted area between the clubhouse and the ball court for use in connection with the nursery
- Re alignment of the footway alongside the building so it is between the open space and the ball court.
- New external balcony with external staircase and with enclosed storage space beneath on the north side of the building.
- Upgrade the playing surface of the ball court to a 4G playing surface.
- Slight diversion of the definitive footpath to the north of the building in order to provide the necessary width - to accommodate the new external balcony and storage area.

4 **Policy Considerations**

National Planning Policy Framework

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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Environmental Health Manager, Community Group -
Informatives requested with respect to hours of work, bonfires and dust.

Development Engineer - Highways -
No adverse comment but request that the two new rooms within the old squash courts cannot be booked by outside organisations if there are home games or club functions.

Traffic Management Team
No response

Economic Development - Commercial and Housing
No comments or observations

Crime Prevention -Minor Apps
Sport England-

The site forms part of a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), however the development is not likely to prejudice the use, or lead to the loss of use, of land being used as a playing field. Therefore Sport England has considered this a non-statutory consultation.

Sport England has assessed the application in the light of Sport England's Land Use Planning Policy Statement 'Planning for Sport Aims and Objectives' along with the National Planning Policy Framework in particular Paragraph 74 which states: *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- ☐ *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- ☐ *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

□ *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Sport England considers this application as a two part proposal. The first relates to the internal works to the clubhouse to create a day nursery on the ground floor and a multi-use space on the first floor. These internal works would result in the loss of two squash courts. The second part of the proposal involves the creation of a 4G pitch on the hard play area to the west of the club house which is currently laid out for tennis, basketball and netball.

In preparing comments on this application Sport England consulted National Governing Bodies for Sport. Below is a summary of the comments received:
England Squash and Racketball: England Squash and Racketball confirmed that the existing courts do not have high rates of usage but they are home to 20 junior players and there is a level of adult recreation squash taking place. The site is close to England Squash and Racketball Tier 2 priority areas (Southampton/Eastleigh and Winchester) and it is working closely with the County Sports Partnership to identify and address the impact of possible closure. England Squash and Racketball advised there would be an impact if the courts were to close and advised that provision must be addressed to ensure participation is maintained. Until such is provided, England Squash and Racketball object to the application.

Lawn Tennis Association: The Lawn Tennis Association is unaware of the courts being used in the last 20 years. It is likely to occur on an ad hoc basis. There is a number of tennis clubs and other publically accessible facilities in Havant, therefore the loss of these courts is unlikely to have an adverse effect on tennis. The LTA advised there is good provision at Denmead TC and Rowlands Castle TC, both clubs are planning improvements to their facilities.

Basketball England: The usage of this court is unknown. It is likely to have occurred on a recreational basis. The area is served by 12 outdoor courts.

Basketball England considers outdoor courts a priority and would prefer to see this court retained as it has a good surface, line markings and equipment. However it is not a significant strategic priority and as there are other in the vicinity, Basketball England does not raise objection to this proposal.

England Netball: There is a shortfall of outdoor netball courts and so England Netball does not support the loss of any. However there is no knowledge of netball at this site. If possible, England Netball would like to work with the rugby club to bring the court back into use and help grow participation.

1. Artificial Grass Pitch

The creation of a new artificial pitch must be fit for purpose in order for it to be considered an alternative sports facility in accordance with the last criterion of Paragraph 74 of the NPPF. Whilst it would result in the loss of tennis courts, basketball court and netball court, it's understood the need for a rugby training facility is greater than the need to retain the existing courts. Therefore Sport England raises

no objection to the creation of an artificial grass pitch subject to it being suitably designed with an appropriate surface and fencing. This can be secured via a condition.

2. Loss of squash courts

Paragraph 74 of the NPPF does not support the loss of sports facilities unless an assessment has been undertaken which shows the facilities to be surplus to

requirements, or it would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

This application does not attempt to provide an assessment demonstrating the squash courts are surplus to requirements, nor has it proposed a replacement facility but it has attempted to accommodate the needs of squash elsewhere. The National Governing Body for squash has confirmed the courts are still in use and provision will need to be provided elsewhere to accommodate users if this application is approved. Until such happens, England Squash and Racketball will object to the proposal. The design and access statement advises that the Rugby Club offered squash members an introductory season's membership at the Avenue Lawn Tennis, Squash and Fitness Club in Denvilles which may be a potential solution. There is potential for the scheme to be considered acceptable if a long term solution is found to accommodate the existing squash elsewhere. The Local Planning Authority will need to satisfy itself that the loss resulting from the proposed development would be replaced by equivalent or better provision in order for the proposal to comply with Paragraph 74 of the NPPF. Sport England considers there to be potential for the applicant and squash club to agree appropriate replacement provision.

This being the case, Sport England does not wish to raise an objection to this application **subject** to the following condition being attached to the decision notice (if the Council are minded to approve the application):

Condition

No development shall commence until details of the design and layout of artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The artificial grass pitch shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.

Informative: 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 <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/>

If you wish to amend the wording of the conditions or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

Property Services Manager

No objection in principle to the proposed development

Environmental Health Manager, Community Group -

Informatives requested with respect to hours of work, bonfires and dust mitigation.

Advice provided in respect of SUDS and confirmation that there does not need to be a specific air quality assessment. A condition requested in respect of mitigating against any contaminated soil or groundwater that is encountered during groundwork.

Public Spaces Development Manager-

No response

Countryside Access Team-

No response in response to original application or later response on plan showing

diversion of definitive footpath. Agent included this Team in correspondence and has gained advice on process for seeking diversion of footpath

Open Space Society -
As with Countryside Access Team

Ramblers Association -
As with Countryside Access Team

Sports Development

Any loss of squash provision, no matter how small, should look to be re-provided for at another suitable venue. Havant Junior Squash Club have been in negotiation with Horizon Leisure over the development of squash at the Havant site. It should be noted that Havant Leisure Centre only have provision for 1 squash court, greatly reducing the number of young people that can play/be coached at any one time. However, I am happy that Horizon Leisure are capable of providing a suitable squash function at Havant Leisure Centre. Therefore, if the negotiation with Horizon Leisure receives a positive outcome I would not raise any objection.

With regards to the development of an artificial grass pitch on the existing MUGA area. Any development would need to ensure that it is compliant for the type of activity that is proposed, in line with Sport England and RFU guidelines.

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: 12

Number of site notices: One

Statutory advertisement: Yes ; Rights of Way notification

Number of representations received: 5

Summary:

1. Bidbury pre school, a non profit charity, is concerned over competition from the nursery proposal. it is considered it will affect pupil numbers and force staff redundancy and possible closure.
2. The nursery will impact on the ability to use the rugby club car park for school drop off and pick up and introducing the use will add to highway congestion at peak times and therefore add to safety concerns.
3. There has not been support from the rugby club for the squash courts despite the Squash Club refurbishing the courts recently.
4. The two courts are the only courts left serving the Havant area unless you join an expensive club.

5. The Havant Junior squash Club would be disbanded; membership varies between 25 and 35 members

6. Support for the proposal:

- The nursery is to be welcome as it will offer provision at all times including out of term time which is not the case with the Bidbury Pre-School.
- It will encourage women's participation in Rugby as childcare is proposed for Saturdays.

7. Comments from Havant Area Disability Group on toilets, platform lift, access doors. (Addressed with revised plan)

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 streetscene
- (iii) Impact upon residential amenity
- (iv) Highway and Rights of Way considerations

(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 and consideration of whether the loss of the squash courts is acceptable and its replacement with a nursery facility.

On the matter of the loss of the squash courts the full response of Sport England is provided above. It is evident that the issue does not require a statutory consultation with Sport England but they have provided a response of no formal objection subject to a condition with respect to the upgrade details of the court area - this being despite the objection understood to have been raised to them by England Squash and Racketball. The LPA is required, however, to have regard to para 74 of the NPPF which requires that sports building should not be built on unless:-

- an assessment is undertaken to clearly show that the buildings to be surplus to requirements OR
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location OR
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Sport England has considered the proposal in respect of the second criteria and considers that the upgrade of the outside court provides an improvement in a sports facility and that the provision of improved training facility for rugby will benefit sport greater than the retention of the existing outside courts. On the matter of the squash courts, this enhanced provision helps address the loss of the indoor facility also, with Paragraph 74 not expressly requiring a like-for-like assessment of sporting provision. Furthermore the agent has submitted further information on the provision of squash courts in the area, including Havant Borough, Portsmouth, Chichester, Petersfield and Fareham. Havant Leisure Centre has one court for public use; that facility being only

0.6 miles from the Rugby Club. There are also courts within Leisure Centres at Chichester (10.7miles), Fareham (11.4miles), Petersfield (16.6miles) and Portsmouth (6.1miles). In addition there are private clubs, the nearest being Avenue Lawn Tennis and Squash Club at Denvilles at a distance of 1.6miles. There is therefore a range of offer within fairly close proximity of the Rugby Club to meet the requirements of those squash members no longer able to play at the Club. It has also been confirmed by the Sports Development Officer that the Havant Leisure Centre is capable of providing a suitable squash function. In addition the Rugby Club liaised with the Avenue Club which offered existing squash players a first free season's membership if they joined by October 2015. It is therefore considered that the requirements of para 74 of the NPPF and Core Strategy policy CS1.4 have been met by the package of the alternative provision at the Club and the capacity of the nearby Leisure Centre and Club in particular to provide a suitable alternative squash provision for Club members.

On the matter of the provision of a nursery within the building this expands the provision available of a commercial/community facility and may enable more people to participate in the rugby provision with a nursery facility on site. The concerns of the Bidbury Pre-school are understood but the proposal cannot be refused on the basis of commercial competition.

(ii) Impact upon the streetscene

The physical changes proposed entail some amendments to fenestration and the installation of a balcony with storage under. These changes will not be detrimental 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. It is therefore considered to accord with policy CS16 in this respect.

The provision of an outside area for the nursery, subject to suitable screening and repositioning of the footpath should also not be detrimental to the character of the area.

(iii) Impact upon residential amenity

The Rugby club is able to hold events and hires out its rooms at present for events. There is no restriction on historic permissions to the hours of opening. The licence for the building enables it to be open until 0100 hours all week. Against this background it is not thought unacceptable for the club to expand the size of the room that could be used by both the Club for its own events or for renting out for events. Environmental Health have not raised any objection to the proposal.

Whilst the use of the site for a nursery may result in further traffic movements there is adequate space during the working week within the car park to accommodate drop off and pick up. The car park is already in use as an unofficial drop off car park for the schools so the impact on residential amenity should not be detrimental.

(iv) Highway and Rights of Way considerations

The Development Engineer has no objection subject to there being no hiring of the club room when the Rugby club is operating. This has been confirmed by the agent.

On the matter of the slight diversion required to the Right of Way there is adequate

room to accommodate it and it can be surfaced to match the remainder of the footpath. Consultation of the additional plans to show the area involved have been undertaken with the consultees prescribed in Appendix 1 of the Rights of Way Circular 1/09. There has been no response. On this basis the proposal for the additional piece of footway is considered acceptable and this is reflected in the Recommendation. An informative is also proposed to advise that the formal process for diversion of a Right of Way needs to be followed and the necessary application made under S257 of the Town and Country Planning Act.

The application also proposes the diversion of the footpath (not definitive) alongside the Club to accommodate the outside area for the nursery. This is considered acceptable subject to it being in place before the outside area is put in place

8 Conclusion

For the arguments set out the application is considered acceptable subject to the conditions proposed and it is to be recorded that the LPA raise no objection to the diversion of definitive footpath 40.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00832 and

(A) Raise no objection to the proposal to divert Definitive footpath 40

(B) 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 Compulsary Purchase Act 2004.

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

Application form

Achieve - Design and Access Statement with Appendices A to E

1:1250 Site plan

1:500 Block Plan

Existing Elevations MM/March 2015

Existing First Floor Plan MM/March 2015

Existing Ground Floor Plan MM/March 2015 - Tender

Proposed Elevations MM/March 2015 - Rev A

Proposed First Floor Plan MM/March 2015

Proposed Ground Floor Plan MM/March 2015

Existing Footpath Alignment MM/March 2015

Proposed Footpath Alignment MM/March 2015 - Tender

Emails from Steve Lawrence of 29th September and 15 October 2015

Reason: - To ensure provision of a satisfactory development.

- 3 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 <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/>.
- 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 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.
- 5 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.