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**Report of the Chief Planning Officer**

**SOUTH AND WEST PLANS PANEL**

**Date: 20<sup>th</sup> June 2013**

**Subject: PLANNING APPLICATION 13/00521/FU**

**New Cricket Pavilion, at Rodley Cricket Club, Town Street, Rodley, LS12 1HW**

**APPLICANT**

Mr Gary Walton  
Rodley Cricket Club

**DATE VALID**

2<sup>nd</sup> April 2013

**TARGET DATE**

28<sup>th</sup> May 2013

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**Electoral Wards Affected:**

**Calverley and Farsley**

☐ Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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**RECOMMENDATION: Grant Planning Permission subject to the following Conditions:**

- 1 3 year time limit
- 2 Accordance with approved plans
- 3 Walling and roofing materials to be approved
- 4 Use only allowed in conjunction with a cricket match/ training
- 5 No use of building after 21:30 hours
- 6 Details of enclosed bin store to be submitted to, and approved by the LPA

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public

representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

**GP5, N1, N6, N12, N33, T2, SA6 and GB20**

**On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.**

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Panel due to the number of objections which have been received to the application in the interests of democracy and transparency.

## **2.0 PROPOSAL:**

- 2.1 The applicant seeks planning permission for a single storey building which will function as a cricket pavilion. The proposed building has a footprint of 11.6m x 17m, and is 2.5m in height to eaves level and is 5.3m to ridge level. The building has a footprint of 197 sq m, and a roof pitch of 25 degrees.
- 2.2 Internally the accommodation offers two separate changing rooms with showers and toilets. Other public toilets, a bar and seating area, kitchen and store. The building is to be constructed in brick with an artificial slate roof. The front elevation of the building has been designed as a traditional cricket pavilion with a canopied deck area at ground floor level. This is raised external viewing / seating area approximately 0.9m above ground level due to the slope of the site.
- 2.3 The proposal has been submitted, as at present the Cricket Club shares changing facilities with both local rugby and football clubs, which does result in some clashes. The proposal will allow the cricket club to operate without the constraints of agreeing a mutual timetable with these other sport users.
- 2.4 The applicant has confirmed that the proposal would be used by a junior team for training purposes on a Tuesday evening and matches on Friday evening, and the senior team on Saturday afternoons and occasional Sundays. As such, the changing facilities would be required to be operational at these times, along with kitchen facilities to allow relevant parties to change and also to allow supporters of games to have the option of a snack or hot drink.
- 2.5 The applicants have stated they intend to apply for a match day alcohol licence only, which in essence means Saturday's and very occasional Sundays, to enable both the home and away team players and supporters to have a drink together after the games. The bar area will not be used independently or hired out for separate social functions.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site consists of an open area of land which lies on the opposite side of the canal to the built settlement of Rodley, which lies to the west. The land is used as a cricket pitch and an existing red brick built single storey building which acts as the club house and offers changing facilities lies to the south of this site, approximately 100m away. This at present this building is shared with other sport users including local Rugby and Football clubs. The site is designated as a protected playing pitch within the Green Belt and Urban Green Corridor. The site is surrounding by Green Belt land to three sides.
- 3.2 Rodley is an attractive popular residential area which lies on the western edge of the Leeds settlement. Rodley is characterised by stone built terraced properties and more recent in-fill modern housing developments. A relatively new modern housing development of town houses and apartments lie opposite this site, across the canal. This development is 3 storeys in height and is situated at a higher land level when compared to this application site. The locality is popular with walkers who use the canal, and the nearby Rodley Nature Reserve, which lies to the south-east of this site.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Replacement single storey detached cricket scoreboard and store. Approved 19<sup>th</sup> January 2011.
- 4.2 Planning consent has also previously been granted for a detached cricket pavilion in March 1983 (H24/41/83). However it appears this building has since been demolished. The applicants states this occurred in 1992.
- 4.3 Planning consent for the existing club house and changing room building was granted planning consent in June 1978 (H24/362/78).

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 No negotiations took place with the Local Planning Authority prior to the submission of this application.

### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Three site notices were also posted adjacent to the site on 12<sup>th</sup> April 2013. To date 19 objections have been received to the application, and two letters of support.
- 6.2 The points raised in these objections are highlighted below.
- The building is too small to accommodate other sports, the building should be larger and adaptable for other sports
  - The size and design of the structure is out of keeping with the character of this locality
  - The outlook from properties opposite will be harmed
  - A large illuminated structure would effectively urbanise a wild area, and destroy what is currently a semi rural site.
  - There has been no provision for youth teams of any sport.

- The proposal will have an adverse impact on property prices
- Noise / anti-social behaviour from the bar in the late evening
- The existing changing facilities should be developed rather than a new building being constructed
- Emergency Services would not be able to access the site
- The site has no services and no access
- The proposal will attract vandals due to its remote location
- The proposal will generate cooking odours
- The proposal could be located elsewhere which would have a lessen impact on residential properties
- There is insufficient parking for this proposed use
- The proposal would be devised in conjunction with the adjacent Rugby Club

6.3 The points raised in the two letters of support are highlighted below

- The development is in keeping with other public park sited cricket clubs
- The existing facilities are shared with football and rugby clubs as there are regular clashes in games times in the summer season which restricts when games can be played
- The proposal replaces a previous cricket club which was burnt down in the early 1980's
- The proposal will encourage sport, activity and team building

## 7.0 CONSULTATIONS RESPONSES:

### Statutory

- |     |                        |  |
|-----|------------------------|--|
| 7.1 | Sport England          | No objection now revisions have been made to the scheme which mean the changing rooms now meet the standard minimum criteria |
| 7.2 | Environment Agency     | Confirmed no comment to make   |
| 7.3 | Canal and Rivers Trust | No objections  |

### Non-Statutory Consultations:

- |     |                   |  |
|-----|-------------------|--|
| 7.4 | Contaminated Land | No objection   |
| 7.5 | Highways          | No objection, the site benefits from a large car park and there are no records of complaints regarding overspill parking when the use is in use. |

## 8.0 PLANNING POLICIES:

- 8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this application, furthermore the RSS is due to be revoked shortly and its policies should be afforded little weight.

8.2 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26<sup>th</sup> April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.

8.3 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

8.4 UDP Policies:

GP5 Refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion and to maximise highway safety.

SA6 Encourage Provision of facilities for Leisure Activities

N1 Development of area identified as protected greenspace will not normally be permitted other than for outdoor recreation.

N6 Development of playing pitches will not normally be permitted.

N12 Design of New Buildings

N33 Development in the Green Belt

T2 Impact on Highway Safety

GB20 Buildings essential for outdoor sport and recreation in the Green Belt.

8.6 National Planning Policy Framework

This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

## 9.0 MAIN ISSUES

- Principle of Development
- Design/ Visual Impact
- Impact on Residential Amenity
- Highways/ Parking
- Other Issues

## 10.0 APPRAISAL

### Principle

10.1 The main issue of principle is whether the submitted proposal is acceptable in the Green Belt. The starting point for this is to consider whether the form of development

is one that is considered appropriate for the Green Belt. Paragraph 89 of National Planning Policy Framework and Policies N33 and GB20 of the UDP consider this issue.

- 10.2 Paragraph 89 of the NPPF indicates that the construction of new buildings in the Green Belt is inappropriate other for, inter alia, appropriate facilities for outdoor sport. Policy N33 effectively reiterates this.
- 10.3 Policy GB 20 of the LUDPR expands on this, stating that new buildings for outdoor sport will be permitted provided:
- The development is required for a use which preserves the openness of the Green Belt; and
  - Does not exceed in size the needs of those taking part in or viewing the sport or recreation;
  - The visual impact on the countryside is minimised.
- 10.4 In assessing the proposal against policy GB20, the proposal is required for a use (playing of a sport) which does preserve the openness of the Green Belt. The floor area of the proposed development is 197 m<sup>2</sup> which is considered to be relatively small and typical of a building of this function, which is not considered to exceed the size and needs of those taking part. The response from Sport England confirms that the changing facilities meet the minimum criteria. The social space within the building is also considered to be small, approximately half the size of the building and it is not considered the proposed social facilities are disproportionate to the size of the membership and the changing facilities. The impact on the countryside is minimised by its small size and height. It is considered the proposal follows the policy guidance of paragraph 89 of the NPPF and policy GB20 of the adopted Leeds Unitary Development Plan, and as such is considered to be acceptable in principle.
- 10.5 The proposed development does not erode the size of the actual cricket pitch, and therefore the development will maintain all of the existing sporting pitches, whilst the function of the building is to provide improved and additional facilities to enhance the use of the identified greenspace for recreational purposes. It is considered therefore that the proposal complies with Policies N1 and N6 of the UDP.
- 10.6 Sport England have confirmed they support the application as it will enhance recreational facilities for playing sports. It is also important to note the benefit of playing sports in terms of exercise and physical wellbeing, community involvement and social cohesion, which this proposal will contribute towards. Paragraph 17 of the NPPF supports improvements to local health, social and cultural wellbeing for all, and Paragraph 74 which Promotes Healthy Communities, also supports development for alternative sports and recreational provision. The application is therefore considered to be acceptable in principle, subject to an assessment against all other normal development control considerations.

#### Design/ Visual Impact

- 10.7 The proposal is single storey in height, of brick construction with a tiled pitched roof. The proposal includes a front facing veranda/ decked area which will be used as a viewing platform for games. The design is considered to be typical of a building of this function and setting within playing pitches and open green land. The proposal has a simple design which is considered to follow the policy guidance of N12.
- 10.8 A number of objections have been received to the visual impact of the proposal in its setting which is upon open green land. The rear elevation of the pavilion, which

faces towards the canal is located approximately 50m away from nearest residential properties. The site is also situated at a lower level when compared to these properties, which further minimises its visual impact. These opposite properties are 3 storeys in height and sited in raised position, in relation to the canal and this site. Given the distance to the proposal, and the relatively low height of the proposed pavilion it is not considered the proposal would appear unduly dominant or significantly affect the views from these properties. The canal towpath is also bound by a row of trees and shrubs which partially screens the site. For all of these reasons it is not considered the proposal would appear unduly dominant or have an detrimental impact on the overall character of the locality. As stated above, its appearance and design does relate to the function of the site as a cricket pitch.

#### Amenity Considerations

- 10.9 The rear south-eastern elevation of the building which faces onto the canal and residential properties beyond, only contains doors which serve a plant room. There are no other openings contained in this elevation. The veranda is orientated away from these properties. The nearest residential properties lie approximately 60m away from this external viewing/ seating area, and the proposed building would act as a buffer between this area and properties located on the opposite side of the canal. For all of these reasons it is not considered the proposal would have an adverse impact on these residential occupiers.
- 10.10 A number of objections have been received to the potential for noise, anti-social behaviour and the fact the proposal could be used as an independent social club/ venue in the late evening. As stated in section 2.4 of this report, the social facilities will only be in use after matches, to allow opposing teams the opportunity to socialise. It is not considered, given the fact the wider site is already used for playing cricket that the proposal will introduce a new element of activity or noise on days when sport is being played.
- 10.11 The use of the building will be conditioned on approval to ensure the social facilities are only used in conjunction with a game, and not hired out separately by third parties for separate functions as it is considered the use in late evening hours could have an adverse impact on nearby residents. The use of the building will be conditioned until 21:30 hours which will allow ample time after matches for the teams to use the social facilities.
- 10.12 No details of bin storage have been included into the application. It is considered an enclosed bin store is required both to protect the amenity of residents opposite and in the interests of visual amenity. A duty to submit full details of a covered bin store will be conditioned on approval.

#### Highways/ Parking

- 10.13 The applicants have confirmed that for senior matches there is usually a maximum of 40 people present and between 20-25 cars. Junior matches have a smaller attendance and fewer cars present. The existing car park comfortably holds 50+ cars and it is shared between the rugby and cricket club. There is no guideline for parking for sports pitches within the UDP so we would look at each site on its own merits.
- 10.14 Should both clubs be in use at the same time, it is not considered that there would be overspill car parking on Town Street. If however, it should occur it is not considered it would be significant. This highway is covered by waiting restrictions which prevent parking during 8am and 6pm Mon-Sat. The Council's Traffic Management team have confirmed they are not aware of any parking problems emanating from this site. It is therefore considered the proposal follows the policy guidance of policy T2.

#### Other Issues

- 10.15 There are no grounds to refuse the application due to the fact the proposed sports pavilion is for the use by the cricket club only. The applicant has stated at present that sharing the existing club house does result in clashes with other sports users which prohibits cricket games from the been played.
- 10.16 The fact the site does not benefit from services at present, does not warrant grounds to refuse the application. The impact on nearby property prices is also not a material planning consideration. It is not considered the proposal would have any impact on nearby wildlife.

### **11.0 CONCLUSION**

- 11.1 It is considered that the proposal is by definition appropriate development within the Green Belt, and on balance, the benefits of the scheme in providing modern facilities to allow the continued use and popularity of this sport, outweigh any harm caused in terms of activity and visual impact. For these reasons the proposal is recommended for approval subject to conditions.

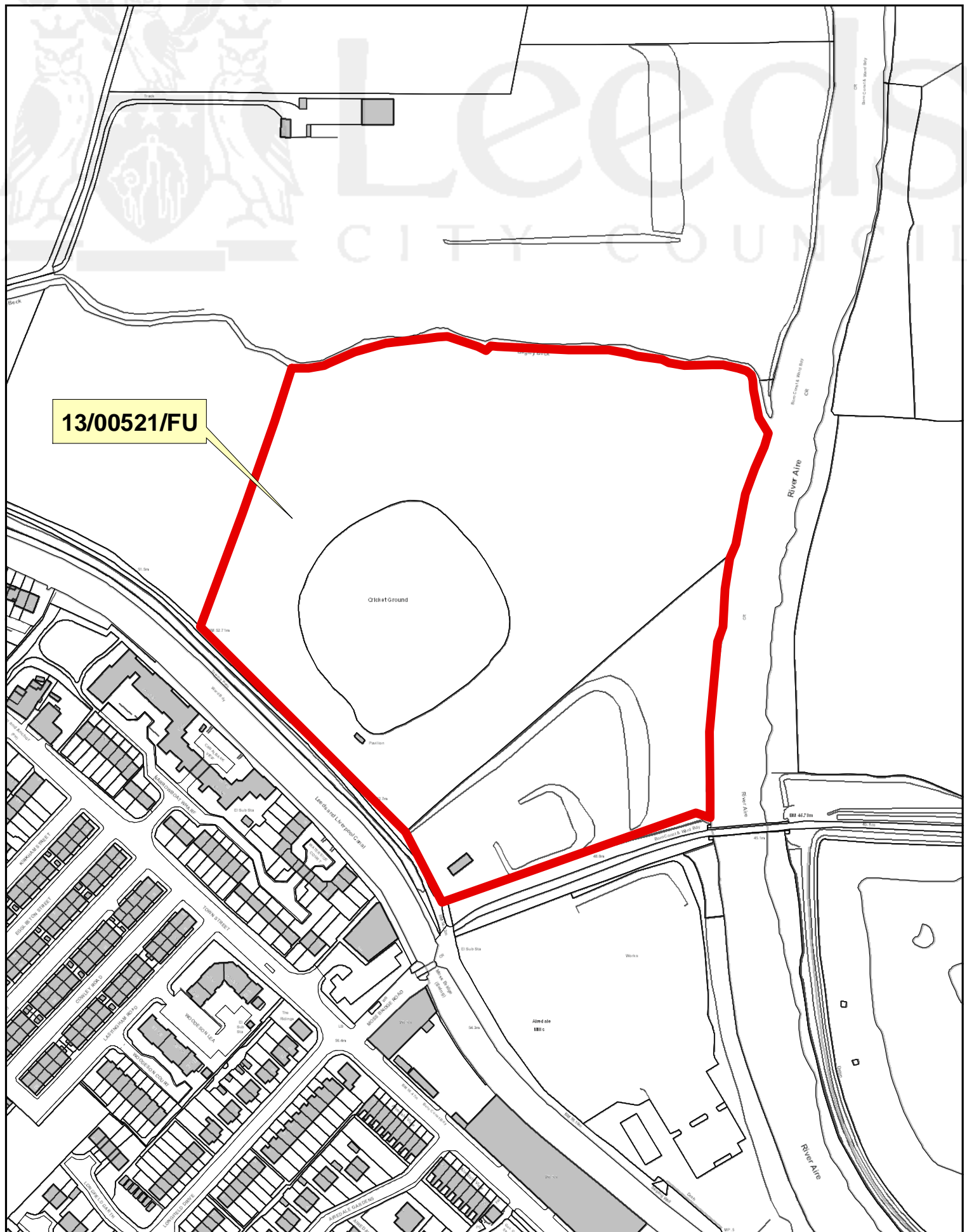
#### **Background Papers:**

File 13/00521/FU

#### **Ownership Certificate:**

Certificate A signed by applicant





SOUTH AND WEST PLANS PANEL<sub>0</sub>