F/YR14/0980/F

Applicant: Mr G Wilkinson Agent : Mr David Broker Wisbech St Mary Parish Council David Broker Design Services

Wisbech St Mary Sports And Community Centre Limited, Playing Field, Beechings Close, Wisbech St Mary

Erection of a single-storey side extension to existing Community Centre

Reason for Committee: This application is before committee given the level of objections received

1 EXECUTIVE SUMMARY

This proposal seeks full planning permission for the erection of a single storey side extension to the existing community centre.

Providing enhanced community benefits the proposal complies with Policy LP2 which identifies that schemes should positively contribute to creating environments within which communities can flourish, an integral part of this aim is to ensure good access to leisure and recreation facilities.

The scheme clearly furthers this aim and will contribute to the residential amenity of those within the village. In addition compliance withPolicy LP6 is achieved as it serves to enhance the offer of an existing community building.

Whilst significant response has been received from adjoining residents relating to the extension proposals the content of these having been fully evaluated it is not considered that the proposal itself will cause significant issue with regard to existing residential amenity. With regard to the noise aspects it is considered by the relevant specialist advisors that existing noise disturbance issues will be ameliorated by virtue of the design of the proposed extension.

Following evaluation and consideration of the scheme as presented it is considered that the proposal on balance complies with the relevant planning policy framework and as an enhancement of an existing community facility should be favourably recommended.

2 SITE DESCRIPTION:

2.1 The site lies to the west of Beechings Close and north of properties in Churchfields. It comprises a detached pavilion building and a detached community centre, associated parking and playing fields. Accessed from Beechings Close, which is an unclassified residential estate road. The existing playing field abuts the south-eastern and western elevations of the existing community centre.

3 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of a single storey side extension to the existing community centre. Situated to the southern side of the existing building it will have a footprint of 40 metres long x 8 metres wide.
- 3.2 The extension will feature a cantilever roof which will wrap over part of the existing building roof at a maximum height of 6 metres. This roof scape will be at variance to the more traditional pitch of the main community centre; the roof design has been developed to provide noise mitigation for the main building and a detailed noise assessment, together with supplementary information, has been provided to demonstrate the rationale behind the roof design.
- 3.3 Internally the additional floorspace will provide an indoor sports hall, store room, snack preparation kitchen, toilets, cellar access and meeting rooms (with foldable screens to offer versatility with regard to the room sizes) and it will also extend the bar counter.
- 3.4 Constructed of Brown profiled sheeting with rolled eaves detail the extension will contrast with the community centre materials of brick, albeit there will be some synergy in terms of colour.

4 SITE PLANNING HISTORY

F/YR10/0497/F	Erection of 2no x 8.0 metre high and 2no x 4.0 metre high lighting poles to car park and footway of existing community centre	Granted 03.09.2010
F/YR10/0398/F	Variation of Condition 6 and removal of Condition 7 of planning permission F/YR08/0348/F (Erection of a community hall) to allow one-way access into the site from the byway south of Beechings Close	Granted 29.07.2010
F/YR09/0832/F	Variation of Condition 6 and removal of Condition 7 of planning permission F/YR08/0348/F to allow one-way access into the site from the byway south of Beechings Close	Refused 16.03.2010
F/YR09/3041/COND Details reserved by conditions 2, 3, 5, 6, 7, 8, 9 and 10 of planning permission F/YR08/0348/F (Erection of a community hall in association with existing sports and recreation site)		Approved 17.07.2009
F/YR08/0348/F	Erection of a community hall in association with existing sports and recreation site	Grant 19.08.2008
F/YR07/0604/F	Erection of 4 x 18 metre high floodlights to main football pitch	Grant 27.07.2007
F/YR03/1430/F	Single-storey extensions to existing Pavilion to form Community Centre and Changing Rooms	Granted 11.03.2004

F/97/0808/F	Erection of Community Centre with 2-bed flat over for caretaker, together with associated car parking, access road from Station Road and pedestrian access from Station Drive	Granted 08.04.1998
F/94/0204/F	Erection of a single-storey extension to existing sports pavilion	Granted 18.08.1994
F/0614/77/O	Erection of sports pavilion and social club	Granted 22.12.1977
F/0614/77/RM	Erection of a sports pavilion and social Club	Approved 12.07.1978

5 CONSULTATIONS

- **5.1 Parish Council**: No comments, Wisbech St Mary Parish Council are the applicant and therefore support the application.
- 5.2 Cambridgeshire County Council Highways Authority: Initially identified that they would raise objection to any intensification of use of the back land access due to the poor access visibility out onto Station Road; which was considered likely to jeopardise the safety of pedestrians along the western footway on Station Road. Recommended that improvements be made to site access in the way of metalled surface for the initial part of the access off Beechings Close into the community centre car park to prevent gravel and detritus migrating out onto the public highway.CMS (Construction Management Statement) also required detailing how construction related activity will be managed given the only suitable access is through a residential estate road this could be conditioned and details agreed prior to commencement of site works.

Subsequent to this initial consultation response amended information has been provided highlighting that the secondary access will not be available to vehicles accessing the centre and that they would accept a condition with regard to construction management arrangements.

In light of the further information provided CCC highways now raise no highway objections subject to conditions relating to (i) only access shall be via Beechings Close, (ii) access shall be sealed and drained, (iii) permanent space for parking and turning etc and (iv) the submission of a detailed construction management plan.

- **5.3 North Level Internal Drainage Board**: No comment to make
- **5.4 Environment Agency**: No objection to the application. Site is located within Flood Zone 2 and a FRA should be undertaken and assessed by your authority/the IDB as a more vulnerable use as per the standing advice.
- 5.5 Environment & Health Services (FDC): Initially the Environmental Health raised concern relating to the extension and identified that an Acoustics Report was required to evidence that the development /application would increase the noise attenuation. It was identified that there had been a number of complaints in the past about noise from this premises from local residents however it noted that

they had received no noise complaints over the last 9 months (consultation response received January 2015). We would like this to continue and hope the applicant can give us some further information on how they will maintain this, should the extension be granted.

Following significant delay in providing the required noise information the report together with an addendum/ addition has been provided and the EP team have considered this information and discussed the proposal further with the applicant's noise consultant and responded as follows:

"While the consultant has not been able to give any definitive noise attenuation data to the Council in relation to this scheme it was agreed during the discussion that the proposal will increase the current attenuation that the building currently has. Also the proposal has been discussed with the applicant and they are taking steps during all the events with amplified music to reduce noise at local resident's home. It was noted that the EP team have not received any noise complaints for over 12 months. Therefore no objections in principal to this proposal going ahead. However the applicant must note that Environmental Health do have a statutory duty to investigate any further noise complaints that are made

- **5.6 Local Residents/Interested Parties**: 13 letters of objection have been received from 8 households, with 5 writers providing supplementary comments during the evaluation phase of the development and in response to specific additional information provided. These may be summarised as follows:
 - Beechings Close (BC) was intended as a close with no right of way for through traffic; on completion of the community centre circa 2010 BC became the access to the facility
 - Further construction will increase the amount of traffic on a road which is not designed or built to take high levels of traffic (from cars, to tractors and heavy trucks). Road constructed of tarmac and block paving
 - BC is not a normal width road and this width is further reduced by residents parking, in addition users of the centre park in BC
 - The block paved section of the road has no pathways so the additional traffic will represent a pedestrian safety issue
 - Queries how construction phase will be managed and how any damage to the road will be dealt with
 - Concerned regarding the safety of children who play outside their homes and the health and safety implications of construction traffic and future traffic
 - Likely impact on residential amenity with regard to noise and disturbance during construction phase, request start and finish times
 - Anti-social behaviour is on the increase, and the police have been contacted to deal with rowdy behaviour and extreme noise this impact on residents late at night
 - Residents suffering enough from the current constant traffic noise and volume of traffic
 - BC has no speed restrictions
 - Existing car park should be resurfaced to deal with the issue of gravel being transferred to the BC carriageway
 - Consider access track to the rear of properties in BC should be designated to take the traffic
 - Has adequate provision been made for on-site parking to serve the new development?

- Objected 5 years ago to community centre with concerns relating to noise, traffic and anti-social behaviour, which were dismissed at the time but are now proven.
 Any increase in activities will naturally increase these issues.
- Residents objections should not be dismissed out of hand
- Increase of traffic is already endured due to the increase in activities in the centre and the opening of the restaurant 5 days a week, there are also endless football tournaments
- Objected to original scheme in respect of noise and light pollution, from the security lights on the south eastern side of the building and a street light on the field
- The building would be 8 metres closer to the boundary and would increase light and noise pollution; and antisocial behaviour
- Adverse impact on existing residential amenity
- Residents should be able to sit in their gardens in peace and look at the stars without a halo of lights
- Many unresolved problems with the existing centre with noise and floodlights which impact on use/enjoyment of their dwelling in Churchfield Way
- Your Council will have records of many complaints relating to noise pollution whilst much effort has been made to reduce this there are still problems when controls are not correctly activated which causes anxiety
- Complaints over recent years have been restricted to a local level, direct to trustees, as previous complaints to FDC had not eradicated the problem entirely
- Activity on the field has increased and organised and casual football is normal from dawn to dusk, Constant banging of footballs is a daily occurrence and is causing stress to residents
- No quiet time can be spent in their garden in or out of the season and they have concern about having at least a peaceful evening
- Money should be spent on soundproofing and should have been part of the consideration when permission was first given for live entertainment
- The proposed extension will not solve the existing problem and may add to it as a result of additional volume of activity
- Scheme may redirect sound waves but the bass noise comes from vibration and it is not believed that the partial cover will cure the problem
- Not happy with any further development even closer to their home with doors opening adjacent to their property which will increase activity which is already at an unacceptable level.
- Depreciation of properties in the vicinity of the centre
- What measures are to be taken to safeguard the wellbeing of all the residents
- Noise report states issue with noise disturbance is substantive and that the roof design is inadequate to solve the problem so the cantilever is suggested to alleviate the problem, but this may make it worse – has this been tried elsewhere
- Feel that the council and trustees are failing in their duty of care as nobody accepts responsibility for policing the park and activities which is impacting on their wellbeing; ignoring this constitutes a violation of their human rights
- Consider consultations undertaken do not meet the criterial of how the additional application affects them, i.e all residents of Beechings Close should be consulted
- There are many others who are experienced the disturbance which emanates from the centre and playing field
- There are no time restrictions on daily activities and people play until it gets dark, there are no controls to move people away from homes into the main football field away from homes
- Consider this is a human rights issue and they are being pushed out of their homes mentally and the homes are now blighted by the status quo
- Request a meeting with planning and environment health to discuss the Council' duty of care to ratepayers and homeowners

In addition a letter has been received whilst raising no objection to the proposal identifies that they would like the existing car park to be maintained before any extension is granted

6 POLICY FRAMEWORK

6.1 National Planning Policy Framework (2012)

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 28: promote the retention and development of local services and community facilities in villages

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraph 69: planning system can play an important role in facilitating social interaction [..] should aim to achieve places which promote opportunities for meetings between members of the community [...]

Paragraph 100: Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

6.2 Fenland Local Plan (May 2014)

Policy LP1 - A Presumption in Favour of Sustainable Development

Policy LP2 - Facilitating Health and Wellbeing of Fenland Residents

Policy LP6 - Employment, Tourism, Community Facilities and Retail

Policy LP14 - Responding to climate change and managing the risk of flooding in Fenland

Policy LP15 - Creation of a Sustainable Transport Network

Policy LP16 - Delivering and Protecting High Quality Environments across the district

7 KEY ISSUES

7.1 Key issues are identified as follows:

- Principle of Development
- Background
- Sustainability and Access
- Character of the Area and design considerations
- Residential amenity
- Flood risk
- Other Matters
- Health and wellbeing
- Economic Growth

8 ASSESSMENT

8.1 Principle of Development: As a scheme which provides enhanced community benefits the proposal falls to be considered predominately under Policies LP2

and LP6, issues of sustainability, design, scale, residential amenity and servicing are considered under Policies LP1, LP12, LP15 and LP16.

Policy LP2 notes that development proposals should positively contribute to creating environments within which communities can flourish, an integral part of this aim is to ensure good access to leisure and recreation facilities. The scheme clearly furthers this aim and will contribute to the residential amenity of those within the village.

Policy LP6 stresses the importance of retaining community facilities and this scheme serves to enhance an existing village hall for community use.

8.2 Background:

8.2(i) This community complex was initially established on the site in the late 1970s with the community centre element being delivered in the late 2000s following on from the development of the residential properties in Beechings Close and the related access road circa 2004.

8.3 Sustainability and Access:

- 8.3(i) The community centre forms part of an established community hub with sports field and associated pavilion. Given that this scheme seeks to provide enhanced leisure and recreation facilities to serve the village it will by default be sustainable development as it will reduce the need for those within the locality to travel to other settlements for such purposes. Accordingly the scheme complies with Policy LP1, LP2, LP15 and LP16.
- 8.3(ii) Responding to the initial concerns of the Local Highway Authority the agent has confirmed that the main and fully used access to the community centre is via Beechings Close, the secondary access track (which was originally the access to the playing field is not used. It is also identified on the plans that the access has been upgraded with a tarmac surface which links the hardstanding infront of the community centre with Beechings Close; this hardsurfacing will extend sideways in both directions by 10 metres to eliminate gravel and detritus transference. The agent has also confirmed that the secondary access is shown as fitted with a lockable bollard to prevent un-authorised use whilst remaining open to pedestrians.
- 8.4(iii) It should be noted that CCC Highways have recommended that a condition be appended to the decision relating to the submission of (and adherence to) a construction management plan dealing with all aspects of construction traffic. This should ameliorate any construction impacts on the adjoining residents amenity, which was a strong theme in the consultation responses received.
- 8.4(iv) The onus rests with drivers accessing the facility to adhere to speed limits and drive in a responsible manner; the planning system is unable to address the actions of a minority when clearly the road environment is such that issues of highway safety which is not deemed to be compromised are not worsened as a result of the development.

8.5 Parking:

- 8.5(i) The existing building together with the sports pavilion combined have a requirement for 142 spaces with 129 being provided on site. The new extension provides 300 square metres of additional accommodation and the resultant building will have a cumulative requirement of 186 spaces. Overall across the complex 165 spaces are available (36 of these being overspill parking to the south of the proposed extension)
- 8.5(ii) The agent notes that overspill parking on BC has never been reported to the centre's management committee although residents parking in BC has hampered emergency vehicles and some residents use the centres car park for their own parking, some on a permanent basis. On limited special occasions (summer fair and five a side football tournaments (twice per year) parking is strictly controlled by marshalls on neighbouring roads and within the site temporary overspill parking is available on the playing field adjacent the building, now shown on the plan. They further note that it is unlikely that all 4 function areas would be in use at the same time involving full capacity attendance
- 8.5(iii) The Local Highway team identify that any overspill will park along surrounding streets and that this is unlikely to result in any highway safety issues; it would just be the nuisance factor and the impact on residential amenity .There are clearly some residential amenity issues arising from the existing use of the centre, and some reported incidents with regard to inconsiderate parking. However it is the additional impacts of the extension that require evaluation not the status quo and the nature of the additional accommodation provided, i.e. sports hall and meeting rooms, is such that the additional amenity impacts are not envisaged as being so significant as to warrant refusal of the scheme.
- 8.5(iv) Whilst there will be a shortfall in parking provision should both the pavilion and community centre be operating to maximum capacity at any one time due consideration is given to the positioning of the complex within the village, the sustainability of the location and the likelihood for a range of travel modes to the centre. Furthermore the control measures that the operators have identified as being adopted when larger events are held, i.e. marshalls etc, as such that it is not considered a refusal could be substantiated on the grounds of parking shortfall alone and on balance there are no issues arising with regard to Policy LP15.

8.6 Character of the Area and design considerations:

- 8.6(i) The site is established for leisure/community use and there have been no adverse comments generated through the consultation response from either statutory consultees or from the neighbouring occupiers. The proposed extension is of an appropriate scale and design and there are no issues of overlooking or overshadowing given their scale and positioning.
- 8.6(ii) Given the above considerations the scheme does not represent any adverse issues in terms of the visual amenity of the area.

8.7 Residential amenity, noise and disturbance

8.7(i) The objections generated by the consultation process may be categorised into 6 distinct themes, i.e. (a) access/traffic generation, vehicle speeds and parking, (b)

- construction phase impacts, (c) antisocial behaviour, (d) road surface and responsibility for its upkeep. (e) light pollution and (f) noise and disturbance
- 8.7(ii) Items (a) and (b) have been addressed in section 8.5 and items (c) (d) and (e) will be considered in Section 8.9. Item (f) noise impacts are considered below:
- 8.7(iii) Following the first consultation response of the FDC Environmental Protection team the agent has worked with specialist advisors to address the concerns raised. Whilst securing this information from the agent has been somewhat protracted it has now been illustrated that the scheme is acceptable with regard to noise impacts.
- 8.7(iv)As part of the submission the agent advised that as the structure of the existing community centre was not strong enough to carry the additional weight of the materials necessary to soundproof the existing building it was decided to enclose the elements of the existing building with a secondary shell thus forming a sound trap and at the same time provide additional amenity space.
- 8.7(ii) The agent also identified that the community centre management team keep a keen watch on the volume of sound emanating on certain function occasions. With sound control within the building and sound monitoring at relevant boundaries preventing all but the occasional request from 2 neighbours to reduce noise levels.
- 8.7(iii) The agent further advises that the proposed rooms will not be used for any form of entertainment producing high levels of sound, on the contrary the agent highlights that the proposed quieter enclosures will encapsulate the 2 existing areas from where the original problem emanates.
- 8.7(iv) Following the submission of an addendum to the original noise report the Environmental Protection team have confirmed that whilst no definitive noise attenuation data has been provided it is agreed that the proposal will increase the current attenuation that the building currently has. Also the proposal has been discussed with the applicant and they are taking steps during all the events with amplified music to reduce noise at local resident's home. Furthermore the EP team have not received any noise complaints for over 12 months and they have no objections in principal to this proposal going ahead. Notwithstanding this it was highlighted that Environmental Health do have a statutory duty to investigate any further noise complaints that are made
- 8.7(v) Whilst it is acknowledged that residents in Churchfield Way have highlighted that they suffer noise and disturbance as a result of their location to the community centre and playing field; as certain element of the reported disturbance relates to the general organised and casual use of the playing fields for what they perceive as relentless football activity. As indicated in the history section above the site has a planning history dating back to the 1970s and the scheme currently under consideration has no implications for the playing field or its usage. It is only the noise impacts of the extension which may be considered. Within the wider site and mindful of the existing use of the land and buildings it is considered that the scheme potentially will ameliorate the existing noise impacts and as such there would be no grounds to withhold consent for the extension on the grounds of noise and disturbance. It is further noted that there are safeguards in the Environmental Health legislation to address noise issues.

8.8 Flood Risk

- 8.7(i) The application site lies within Flood Zone 2 and the development classification is 'More Vulnerable'. The development seeks to provide 300 square metres of additional floor space and as such is 50 square metres over the definition of 'Minor Development' as identified in the NPPF. Given that this relates to an extension to an existing premises sequentially there are no other available sites within a lesser flood zone area on which to deliver the development.
- 8.7(ii) A site specific flood risk which accompanies the application which demonstrates that the proposal will be safe for its lifetime and the scheme clearly will provide community benefits that outweigh the flood risk. It is further acknowledged that the North Level Drainage Board have raised no objection with regard to the scheme. Accordingly there are no issues to address with regard to Policy LP14. Issues of surface water disposal will be subject to Building Regulations.

8.9 Other issues:

- i) Any damage caused to the public highway as a result of the construction phase would need to be made good and repaired as per Section 59 of the Highways Act 1980. A condition can be imposed requiring a pre-commencement condition survey to avoid disputes at a later stage.
- ii) It is not considered that the extension per se will generate additional antisocial behaviour, this is an established facility and such matters remain a police matter.
- iii) Light pollution the lighting on site benefits from planning permission and there is no mechanism to address this via Planning, if the columns are causing nuisance the householders should raise this matter with the operators of the centre in the first instance and/or the FDC Environmental Protection Team
- iv) Devaluation is not a material planning consideration
- v) With regards to human rights the Local Planning Authority has a duty to consider this aspect, however having applied all the relevant planning policy, both local and national, it is considered that the issues raised that are pertinent to the consideration of this application for an extension to an existing community building have been fully evaluated and there are no legitimate reasons which would warrant refusal of this scheme.

8.10 **Health and wellbeing**:

- 8.10(i) Whilst officers have some sympathy with the observations of local residents with regard to noise and disturbance and the anticipated additional disturbance which they consider will result from the development they are mindful of the specialist consultation response of the Environment Protection team and the contents of the noise assessment data, both illustrating that the scheme has the potential to reduce such disturbance. Nonetheless the extension per se is not so significant in scale as to warrant refusal of the scheme and residential amenity will be continue to be safeguarded through Environmental Protection legislation.
- 8.10(ii) Appropriate weight must also be given to the positive benefits that the scheme will have on the health and wellbeing of villagers by enhancing an existing community facility and providing additional opportunities for leisure and recreational pursuits.

8.11 **Economic Growth**

8.11(i) The scheme will support the sustainability of the village and will provide employment during the construction phase

9 RECOMMENDATION

The proposed development complies with the relevant development plan policies and meets the aims and objectives of Policies LP2 and LP6 of the Fenland Local Plan which supports development of this nature. Approval is therefore recommended.

Case Officer	Team Leader
Date:	Date:

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The only vehicular access to the site shall be via Beechings Close.

Reason - In the interests of highway safety and to ensure safe access to the site at all time in accordance with Policy LP15 of the Fenland Local Plan, adopted May 2014.

The access shall be sealed to the back edge of the highway and have adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Thereafter the drainage scheme shall be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority.

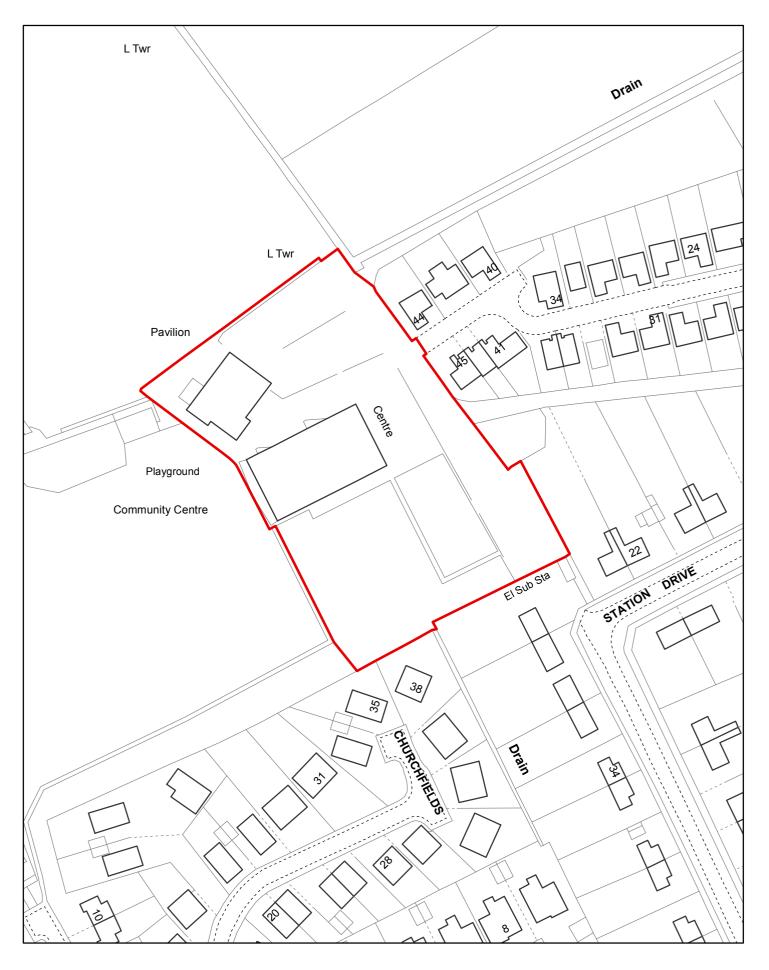
Reason - In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan, adopted May 2014..

- Prior to the first occupation of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:
 - 1. enter, turn and leave the site in forward gear;
 - 2. park clear of the public highway; and shall be levelled, hard surfaced and sealed and drained away from the highway and thereafter retained for no other purpose in perpetuity.
- No development shall take place until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
 - Parking of vehicle of site operatives and visitors
 - routes for construction traffic

- hours of operation
- method of prevention of mud being carried onto highway
- pedestrian and cyclist protection
- any proposed temporary traffic restrictions and proposals for associated safety
- -Signage

Reason: In the interests of safe operation of the highway in accordance with Policy LP15 of the Fenland Local Plan, adopted May 2014.

- The development hereby approved shall be finished externally in materials as specified in the application,
 - Reason To safeguard the visual amenities of the area and ensure compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans



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