

Report of the Chief Executive

APPLICATION NUMBER:	21/00291/FUL
LOCATION:	Pavilion, Long Lane Recreation Ground, Long Lane, Attenborough, Nottinghamshire
PROPOSAL:	Change of use from changing facility to café, add mono-pitched roof, render building, and siting of cabin for changing facility

This application is before the Planning Committee as the Council owns the application site.

1 Executive Summary

- 1.1 This application seeks permission to change the use of the existing pavilion to a café. Proposed external alterations to the building include the replacement of the existing flat roof with a mono-pitched roof and the rendering of the facing elevations. It is also proposed to site a timber clad cabin at the site to provide replacement changing and storage facilities.
- 1.2 The existing pavilion is underutilised and suffers from vandalism and anti-social behaviour. The Chairman of the Attenborough Colts Football Club who use the pavilion has confirmed the replacement facilities meet the needs of the club and that they are in support of the proposed café which would give the club a better home. The Council's Parks and Green Spaces Manager raise no objection to the change of use and replacement facility.
- 1.3 The proposal is considered to be acceptable in terms of its design and appearance and is not considered to result in an unacceptable loss of amenity for the residents of neighbouring properties. It is also considered that the proposal will not result in an unacceptable impact on highway safety.
- 1.4 Overall it is considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendation in the appendix.

Appendix 1

1 Details of the Application

- 1.1 This application seeks permission to change the use of the existing pavilion at the Long Lane Recreation Ground, to a café. A new timber clad cabin is proposed to provide the changing and storage facilities that will be lost. External alterations to the existing pavilion include replacing the flat roof with a mon-pitched roof, and rendering the facing elevations.

2 Site and surroundings

- 2.1 The application site is set within the Long Lane Recreation Ground, with the pavilion situated on the south side of the recreation ground, adjacent to the existing car park which is accessed via Long Lane. The existing pavilion is a flat roof building of brick construction. It is set fairly centrally in the frontage of the site, with the neighbouring properties located to each side being a reasonable distance from the pavilion. The land is relatively flat, there is an existing access to the site, and no vegetation of significance will be affected.

3 Relevant Planning History

- 3.1 There is no relevant planning history for the application site.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity
- Policy 28: Green Infrastructure Assets

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Council's Parks and Green Spaces Manager:** Taking into account the support of the project from the Chairman of the Attenborough Colts, no objections are raised to the perceived loss of changing facilities.

5.2 **Council's Environmental Health Officer:** No objection subject to conditions regarding operating hours, delivery times, suitable ventilation equipment.

5.3 **Highways Authority:** Notes that there will be Section 106 contributions available from nearby development to upgrade car park and provide more spaces. Should the number of car parking spaces be increased, the access will require widening. As the car parking spaces will remain the same for the time being, with no further vehicle movements, no objections are raised.

5.4 **Nottinghamshire County Council Lead Local Flood Authority:** No Objection

5.5 **Rights of Way Officer:** No objection

5.6 Four properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.

5.7 Due to the nature of the application the Chairman of the Attenborough Colts Football Club has been consulted, as they are the main users of the pavilion. A summary of the response is provided as follows:

- The pavilion is only used by the Attenborough Colts as other teams use the facilities at Chilwell Olympia. The showers within the pavilion have been removed.
- The league's Colts are members of require the club to have changing facilities if required and WC facilities. However, over the years it has become common practise for youth teams to arrive at the ground already changed and therefore the need for changing rooms has reduced to just odd occasions. The Colts therefore only require one changing room for odd occasions, and storage.
- The proposed changing facility is therefore considered more than sufficient.
- The pavilion has been subject to vandalism over the years, and therefore the change of use to a bistro/café would be positive.
- The bistro would give the teams more of a base to call home.

6 Assessment

6.1 The main issues for consideration are whether or not the principle of development is acceptable in terms of the replacement of a changing facility at a recreation ground, the design and appearance of the proposal, impact on neighbouring amenity, and impact on highway safety.

6.2 **Principle**

6.2.1 The existing pavilion provides changing facilities for the users of the Long Lane Recreation Ground, notably the Attenborough Colts football club. The existing pavilion provides two changing rooms, a kitchen facility, store and WCs. It originally also had showers, but these have been removed. The condition of the existing

facilities is not ideal, and they are not fully utilised in terms of use as a changing facility. The pavilion is a frequent target for anti-social behaviour, and vandalism, with the flat roof design making it relatively easy to access the roof unlawfully.

- 6.2.2 The proposed change of use to a café would bring the building into more frequent, viable use, which is likely to go a long way to reducing anti-social behaviour as there will be staff and customers in attendance at the site more frequently. The replacement of the flat roof with a mono-pitched roof will also make it less easy to access, and the rendering of the building will make it more attractive, and therefore less likely to be vandalised.
- 6.2.3 As confirmed by the Chairman of the Attenborough Colts football club, the pavilion is underused, with most youth teams now arriving changed for matches, and Chilwell Olympia being utilised by most teams, particularly adult teams for changing facilities and the place where equipment such as goal nets and corner flags are stored. Therefore, whilst the replacement cabin proposed is significantly smaller than the existing pavilion, it would allow for at least one team to change within it if required, and it will provide sufficient space for storage of equipment. The café will be open on match days and for training, and will provide WC facilities for players and members of the public in attendance. The overall provision of facilities is therefore considered to be improved as a result of the proposal.
- 6.2.4 Policy 28 of the Broxtowe Part 2 Local Plan states that planning permission will not be granted for development that results in the loss of Green Infrastructure Assets, which playing pitches and recreation grounds. The proposal will not result in a loss of any Green Infrastructure Assets, and the facilities proposed are likely to enhance the use of the site by providing refreshments for members of the public, resulting in a destination that may be an attraction in itself. It is therefore considered that the proposal is in accordance with Policy 28.
- 6.2.5 Taking the above into account it is considered that the principle of development is acceptable subject to an assessment of the design and appearance of the proposal, impact on neighbouring amenity and impact on highway safety.

6.3 Design and Appearance

- 6.3.1 The proposed external alterations to the existing pavilion include the replacement of the flat roof with a mono-pitched roof, including new composite cladding on the external facing elevations. It is also proposed to render the external elevations. The existing building is not in a good condition in terms of external appearance, and it is considered that the proposed amendments will result in a more modern appearance that would enhance the building, improving its appearance and having a positive influence on the character of the surrounding area.
- 6.3.2 The proposed cabin for changing will be of a size and scale that is in keeping with the existing pavilion and will not negatively impact on the character of the area. It is proposed that it will have a timber clad finish, which will be in keeping with the more modern design for the proposed café.
- 6.3.3 Overall it is considered that an acceptable standard of design has been achieved.

6.4 Amenity

- 6.4.1 The pavilion and proposed cabin are approximately 15.5m from the west boundary of the site, neighbouring No. 39 Long Lane, and more than 40m from the east boundary of the site, neighbouring No. 79 Long Lane. Taking into account the limited size and scale of the physical development proposed, it is considered these distances are sufficient to ensure the proposal will not result in an unacceptable loss of light or sense of enclosure for any neighbouring properties.
- 6.4.2 The main consideration in terms of impact on neighbouring amenity is the extent to which increased noise generation from the proposed café could impact neighbouring properties. The proposed café will be run primarily during the daytime, and will notably be required during times when the football club are training and have matches. The café will be primarily serving daytime food and drink, which is not considered likely to draw overly noisy crowds. It is therefore considered that the proposal in principle is unlikely to result in an unacceptable level of noise generation that will result in a loss of amenity for the residents of neighbouring properties.
- 6.4.3 The applicant has indicated initially that the café will be open Tuesday to Friday 10.00 to 17.00 and Saturday and Sunday 08.00 to 15.30. The Environmental Health Officer has therefore recommended these operating hours are conditioned. However, this is a new endeavour for the applicant, and therefore a more flexible approach to operating hours may be appropriate. Furthermore, the Council will retain the freehold of the building, acting as the landlords, and will therefore have powers outside of planning to take action if unacceptable disturbance to local residents is caused as a result of the proposed use. It is therefore considered appropriate to condition that the operating hours should be limited to 09.00 to 20.00 throughout the week. This allows greater flexibility to cover evening training sessions and weekend football matches.
- 6.4.4 the Environmental Health Officer has also suggested a condition restricting times of deliveries. The applicant has noted that daily fresh bread deliveries will be required at 05.30. Taking into account the size of the café, which is indicative of the size of the deliveries, along with its location reasonably well set away from neighbouring properties, it is considered that this condition is not necessary in this instance. Again, taking into account the Council's role as the freeholder of the building, there will be powers operating outside of planning that can take action should this generate a noise nuisance for neighbouring properties.
- 6.4.5 Any noise generated by the proposed change of use is likely to be conversational noise from customers, with limited noise from the operation of the café. This could however change should amplified music be played on the proposed decking area or outside the café. Given the open nature of the rear of the property, such noise would likely travel to nearby residential properties, potentially resulting in nuisance for residents. It is therefore considered appropriate to condition that no amplified music or speech shall be played outside the café at any time. This will protect the amenity of nearby residents.
- 6.4.6 Subject to the aforementioned conditions it is considered that the proposal will not result in an unacceptable impact on neighbouring amenity.

6.5 Access

- 6.5.1 The existing site is served by a car park. Given the café is likely to be utilised by people already visiting the recreation ground, as well as those living in the local vicinity, it is considered that the 9 spaces provided by the existing car park will be sufficient.
- 6.5.2 The Highways Authority suggested that the access to the car park from Long Lane should be widened to allow two cars to pass at a time. The development to the south of Long Lane (ref: 17/00778/OUT) is required to make Section 106 contributions in the sum of £27,956 for surfacing and car park improvements at Long Lane Recreation Ground. Therefore, there will be funding in place in the future to make alterations to the car park which could include increasing its capacity, and widening the entrance. Therefore, it is not considered worthwhile or proportionate to make alterations to the car park at this stage, given future works will be carried out in response to increased capacity as a result of the neighbouring development. Furthermore, the road from which the car park is accessed has a 30mph limit and is not overly busy. The risk of cars waiting to access the car park from the road is therefore considered limited.
- 6.5.3 Overall it is considered that the proposal will not result in an unacceptable impact on highways safety.

6.6 Flood Risk

- 6.6.1 The application site is set within Flood Zone 3 in an area protected from all flood events up to the 1 in 100 year+ climate change event. The proposal is for a change of use as well as the siting of a container to be in the same use as the existing use of the site. The finished floor levels will be the same as those of the current development, and it is not considered necessary to raise this for the proposed development. Taking into account the scale of development proposed it is considered that the proposal will not increase the flood risk for the surrounding area. The proposal is considered to be acceptable in terms of flood risk.

7 Planning Balance

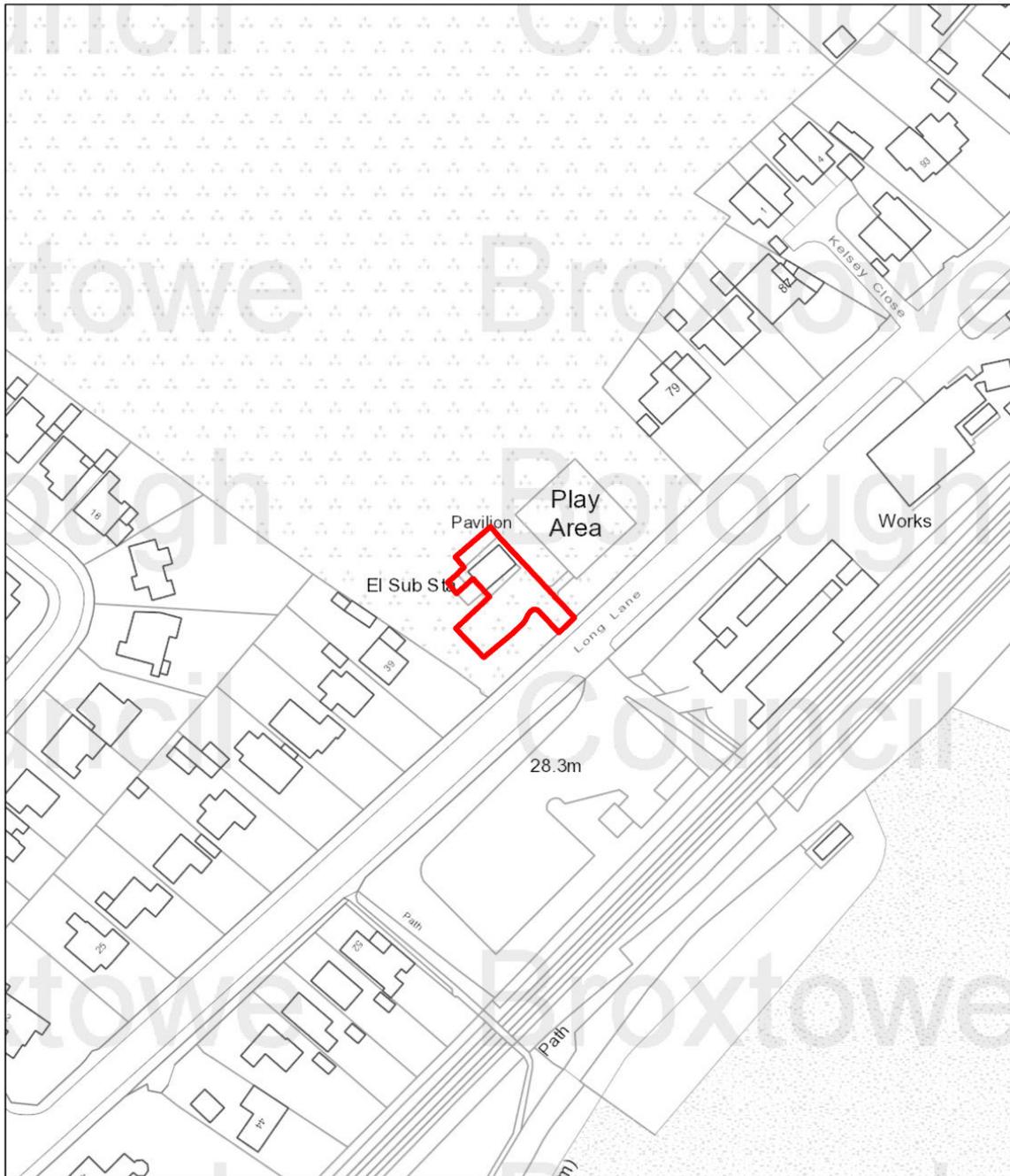
- 7.1 The proposed change of use will bring the existing building into more regular use, improve its appearance and provide a replacement changing/storage facility. The proposal is not considered to have a harmful impact on the character of the area, or result in an unacceptable loss of amenity for the residents of any neighbouring residents. It is also not considered to have a negative impact on highway safety. On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

- 8.1 The proposal is considered to be in accordance with the policies set out in the Local Plan and the NPPF. It is therefore considered that the proposal is acceptable and that planning permission should be granted subject to the recommended conditions.

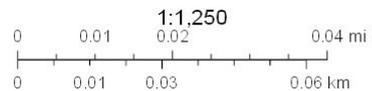
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing number 3519/01B; received by the Local Planning Authority on 25 May 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The premises shall not be used except between 08.00 and 20.00 Monday to Sunday.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
4.	<p>No amplified speech or music shall be operated on the outside area of the café hereby approved at any time.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

21/00291/FUL - Pavilion, Long Lane Recreation Ground



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 Site



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Photographs



South elevation of pavilion.



North elevation of pavilion.

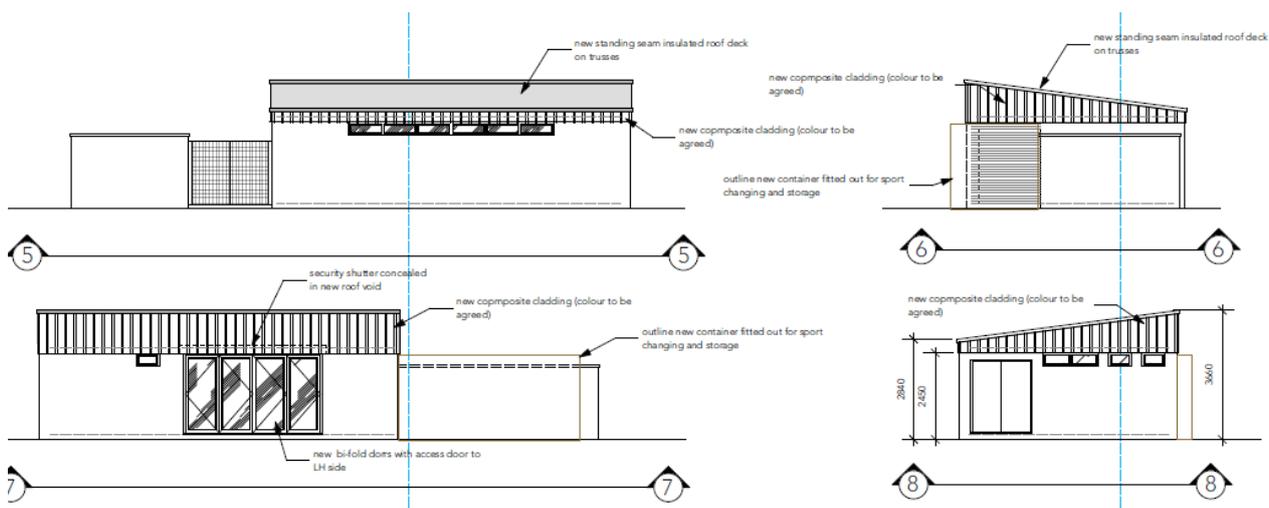


Relationship with neighbouring property to the west of the site.

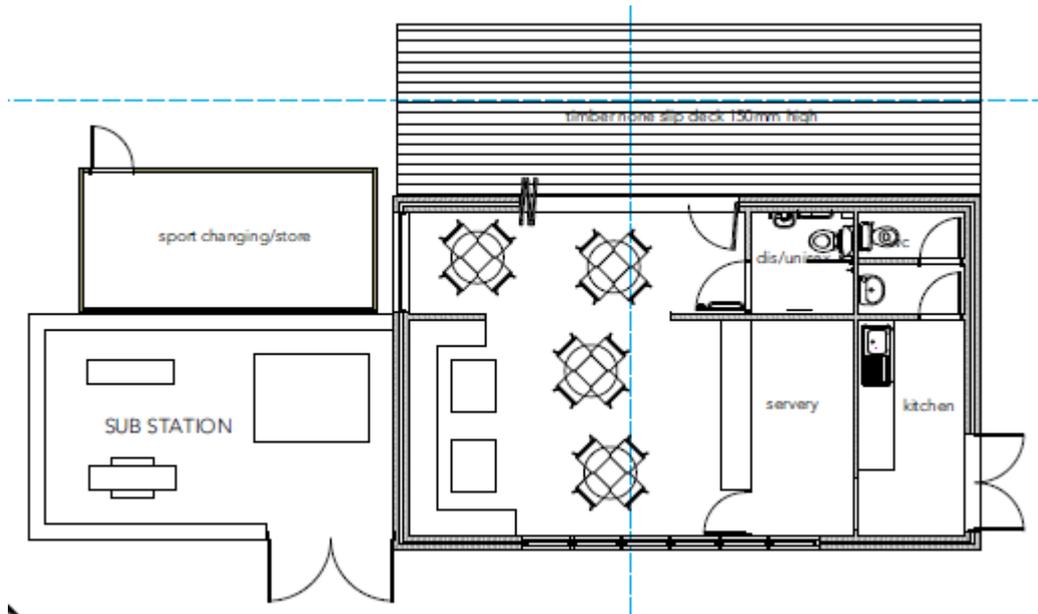


Car park and access.

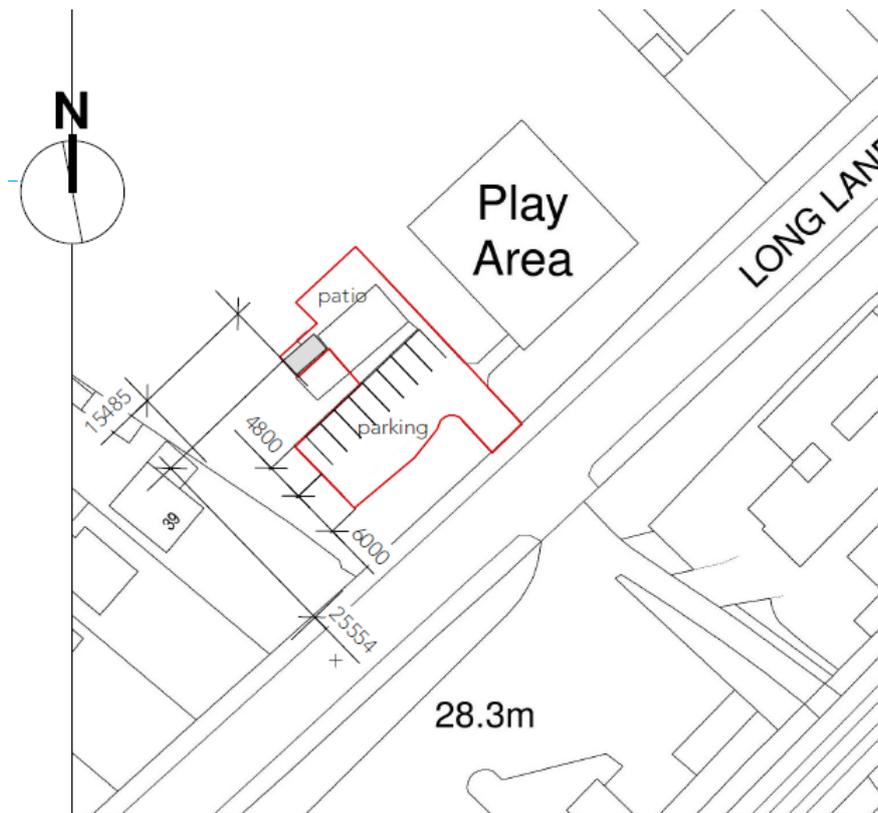
Plans (not to scale)



Proposed Elevations



Proposed Floor Plan



Proposed Site Plan