

Report of the Chief Executive

APPLICATION NUMBER:	24/00863/VOC
LOCATION:	Stapleford Town Football Club, Hickings Lane Recreation Ground, Hickings Lane, Stapleford, Nottinghamshire
PROPOSAL:	Variation of condition 2 approved plans of application reference number: 23/00051/REG3 to revise the position of the approved MUGA

The application is brought to the Committee as the applicant is the Council.

1. Purpose of the Report

1.1 The application seeks planning permission for the variation of condition 2 of planning permission 23/00051/REG3 to amend the approved plans to change the location of the MUGA. Planning permission was previously granted 7 July 2023 for the demolition of an existing changing pavilion and the construction of a community leisure pavilion together with associated external works including the installation of a MUGA and replacement of skate park with community garden.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the Appendix.

3. Detail

3.1 The application seeks planning permission to vary the approved plans to relocate the MUGA southwards to allow space for the previously approved AGP development reference 24/00175/REG3. The proposed size of the MUGA has been increased to comply with FA guidelines for 7v7 pitches.

3.2 The application site is Hickings Lane Recreation Ground in Stapleford which is afforded protection under Policy 16: Green Infrastructure, Parts and Open Space of the Aligned Core Strategy (2014) and Policy 28: Green Infrastructure Assets of the Part 2 Local Plan (2019).

3.3 The main issues relate to the impact of the proposal on Hickings Lane playing pitches and public open space, the impact on the character and appearance of the area and the impact on amenity of neighbouring properties

3.4 The benefits of the proposal are that the development would deliver a new community and leisure pavilion building. The proposal includes a MUGA which offers health benefits to children and the wider community. The revised location of the MUGA has been carefully considered to ensure the proposal would positively integrate within the wider development on Hickings Lane Recreation Ground. Further to this, any potential noise or light pollution associated with the MUGA has been mitigated. On balance, it is considered that any potential concerns would be outweighed by the benefits of the

scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

3.5 Conditions which have been discharged since planning permission was granted have been updated accordingly including conditions 3 (materials), 4 (contamination), 5 (coal mining legacy), 6 (landscaping), 7 (Landscape and Ecological Management Plan) and 8 (Construction / Demolition Statement), 9 (cricket relocation plan).

3.6 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

7.1 Nil.

Appendix

1. Details of the application

- 1.1 The application seeks planning permission to vary the approved plans to relocate the MUGA southwards to allow space for the previously approved AGP development reference 24/00175/REG3. The proposed size of the MUGA has been increased to comply with FA guidelines for 7v7 pitches.

2. Site and surroundings

- 2.1 The application site comprises of playing field land at Hickings Lane recreation ground. Hickings Lane recreation ground is bound by the B6004 Hickings Lane to the north and residential properties to the south, west and eastern boundaries. The site is predominantly flat with a gentle fall from north to south. There are trees bordering the northern boundary of the site.

3. Relevant Planning History

- 3.1 Planning permission was previously granted 7th July 2023 for the demolition of an existing changing pavilion and the construction of a community leisure pavilion together with associated external works including the installation of a MUGA and replacement of skate park with community garden. The original pavilion has been demolished and the new pavilion is currently under construction. Further to this, planning permission was previously granted 6th June 2024 for the creation of a 3G artificial grass pitch with associated infrastructure reference 24/00174/REG3.

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

- 4.2 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
- Policy 12: Local Services and Health Lifestyles
- Policy 13: Culture, Tourism and Sport
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity

4.3 Part 2 Local Plan 2019:

4.4 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 25: Culture, Tourism and Sport
- Policy 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets

4.5 National Planning Policy Framework (NPPF) 2024:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 9: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

5. Consultations

5.1 **Sport England** – No objections, subject to the retention of condition 9 (cricket club relocation plan) of planning permission 23/00051/REG3.

5.2 **Broxtowe Environmental Health** – No objections subject to conditions to restrict lighting and requiring a Noise Management Plan to be submitted detailing measures that will be implemented to ensure that any noise associated with the development does not adversely impact the amenity of neighbouring residential properties. The Noise Management Plan shall be complied with for the lifetime of the development.

- 5.3 **Resident comments** - Comments are due to follow. Consultation was sent for 21 days and comments are due by 04/02/25. Comments received will be added as a late item and will be presented to Planning Committee 05/02/25.
6. Assessment
- 6.1 The main issues for consideration are the principle of the development and the impact of the loss of open space/playing fields, the impact of the development on the character and appearance of the area and its impact on the amenity of neighbouring properties.
- 6.2 Principle of Development
- 6.3 In accordance with Policy 28 – Green Infrastructure Assets of the Part 2 Local Plan (2019), the site comprises of a playing pitch and informal open space. Development proposals which are likely to lead to increased use of any asset will be required to take reasonable opportunities to enhance the asset. Furthermore, permission will not be granted for development that results in any harm or loss to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm.
- 6.4 It is important to note that the principle of a MUGA was previously approved under planning permission 23/00051/REG3 for the new pavilion building. The MUGA is to be relocated to the south of the approved pavilion building and AGP development. The proposed size of the MUGA has been increased to comply with FA guidelines for 7v7 pitches. Whilst the new MUGA location and footprint size would result in partial loss of the playing pitch and informal open space at Hickings Lane Recreation Ground, the proposed development offers significant benefits to the local community in respect of the enhanced sports facilities.
- 6.5 Sport England have provided no objections subject to the retention of the cricket club relocation plan (condition 9) being retained. This condition was previously discharged by the Local Planning Authority 15/04/24 and has been added to the list of conditions (now condition 8). Moving the MUGA further to the south will not alter the ability to mark out pitches on the remaining area of playing field. The increased encroachment on the remaining area of playing field to the east does have the potential to impact on the capacity of the playing field to accommodate sporting activity and playing pitches. Sport England have previously commented on the combined impact of both the AGP (24/00175/REG) and the MUGA in this location, Sport England concluded that taking into account the range of pitches that could be accommodated on the AGP and MUGA, alongside those which could be accommodated on the area of playing field to the east of the MUGA, the playing field would retain the ability to provide a range of football pitches.
- 6.6 The proposed new location of the MUGA allows the integration of the MUGA and wider development of Hickings Lane including a new pavilion building and AGP. The provision of which would be of significant benefit to the development of sport in this location which would outweigh any detriment

caused by the loss, or prejudice to the use, of the area of the playing pitches and informal open space.

6.7 Design

6.8 Policy 10 - Design and Enhancing Local Identity of the Part 1 Local Plan states that all new development should be designed to make a positive contribution to the public realm and sense of place. Policy 17 - Place-making, Design and Amenity of the Part 2 Local Plan advises that for all new development, permission will be granted for development which integrates into its surroundings.

6.9 The revised layout relocates the MUGA southwards of the approved pavilion building. The new MUGA design includes an increased footprint 61m x 43m. The new MUGA location will remain well contained within the Hickings Lane Recreation Ground and will not disrupt the existing footpath that surrounds the development. As such, the MUGA will be mostly screened from views along Hickings Lane. Views of the MUGA would be most visible from Saville Close to the south of the site. The MUGA will be enclosed by 4.5m high green coated wire fencing.

6.10 It is considered that the proposed new location of the MUGA and its design would be consistent with the wider character of sports facilities at Hickings Lane Recreation Ground.

6.11 Amenity

6.12 Policy 17 - Place-making, Design and Amenity advises that for all new development, permission will be granted for development which ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

6.13 The revised location of the MUGA would be closer to residential properties south of the site including Saville Close, Hemlock Avenue and Tevery Close. The application has been supported by a lighting assessment and Noise Impact Assessment. The Council's Environmental Health team have reviewed the submitted lighting and noise assessment and have provided no objections subject to conditions to limit any potential adverse impact on the amenity of nearby residential properties. The submitted Noise Impact Assessment concludes that noise from the use of the MUGA may still be noticeable but not intrusive, therefore, it is concluded the use of the MUGA would have no observed adverse effect at noise sensitive receptor locations. Further to this, environmental health recommended conditioning that a Noise Management Plan be submitted that will include measures that will be implemented to ensure that any noise associated with the development does not cause any adverse impact to the living conditions of neighbouring properties in terms of noise.

6.14 Other proposed site uses including football training and matches already form part of the existing use of the site, and therefore, whilst noise from the activities may still be noticeable, it is unlikely to be intrusive. It should be noted

that opening hours of the MUGA were previously restricted by condition of planning permission 23/00051/REG to Monday to Sunday 08.30-21.00 only. This condition will remain in place to protect nearby residents and road users from excessive operational noise and light pollution.

6.15 To conclude on amenity, it is considered the proposed development will have no significant impact on neighbour amenity.

6.16 Other matters

6.17 Coal mining legacy condition 5a (23/00051/REG3) was previously discharged 08/08/24, enabling the development to commence. The applicant has confirmed that the strip of the site and foundation dig is now completed and there was no evidence found of any coal mining activity. As such, it is confirmed that no remediation is required, therefore condition 5b (23/00051/REG3) is satisfied and is no longer required in the below list of conditions.

7. Conclusion

7.1 The benefits of the proposal are that the development would deliver a new community and leisure pavilion building. The proposal includes a MUGA which offers health benefits to children and the wider community. The revised location of the MUGA has been carefully considered to ensure the proposal would positively integrate within the wider development on Hickings Lane Recreation Ground.

7.2 Further to this, any potential noise or light pollution associated with the MUGA is deemed accepted subject to conditions. On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.

1.	<p>The development to which this approval relates shall be begun no later than 7 July 2026.</p> <p>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.</p>
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<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with the following plans:</p> <ul style="list-style-type: none"> • Site Location Plan • Utility Survey 45652_T_UG Rev. 0 • Topographical Survey 45652_T Rev. 0 • Existing Site Plan 0101 Rev. P02 • Existing Building 0016 Rev. P01 <p>(All received by the Local Planning Authority 19/01/23)</p> <ul style="list-style-type: none"> • Proposed Floor Plans 0010 Rev. P07 • Proposed Roof Level Plan 0012 Rev. P05 • Proposed Elevations 0015 Rev. P09 <p>(All received by the Local Planning Authority 11/10/24).</p> <ul style="list-style-type: none"> • Full Size APG and 7v7 Pitch 00 Rev 04 • Site Section 13 • Proposed MUGA Drainage Strategy 12 Rev 01 <p>(Received by the Local Planning Authority 24/12/24).</p> <p>Reason: For the avoidance of doubt.</p>
<p>3.</p>	<p>The development to which this relates shall be carried out in accordance with materials as approved by the Local Planning Authority 23/10/24.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>4.</p>	<p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been</p>

	<p>implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>5.</p>	<p>The development to which this relates shall be carried out in accordance with landscaping details as approved by the Local Planning Authority 08/08/24.</p> <p>Reason: To ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>6.</p>	<p>The development to which this relates shall be carried out in accordance with the Landscape and Ecological Management Plan as approved by the Local Planning Authority 08/08/24.</p> <p>Reason: In the interests of securing an environmental net gain and habitat protection in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</p>
<p>7.</p>	<p>The development to which this relates shall be carried out in accordance with the Construction / Demolition Method Statement as approved by the Local Planning Authority 08/08/24.</p> <p>To protect the amenity of neighbouring residents in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>8.</p>	<p>The development to which this relates shall be carried out in accordance with the cricket club relocation plan as approved by the Local Planning Authority 15/04/24.</p> <p>Reason: To ensure suitable relocation of the cricket club is secured in accordance with the aims within Part 8 - Promoting healthy and safe communities of the of the National Planning Policy Framework 2021.</p>

<p>9.</p>	<p>No part of the development shall be brought into use until a detailed renewable energy and sustainability management plan has been submitted to and approved by the Local Planning Authority. Details should include the siting, design and required maintenance of any renewable energy structures.</p> <p>Reason: In the interests of sustainability in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2024.</p>
<p>10.</p>	<p>Prior to development being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019</p>
<p>11.</p>	<p>Suitable ventilation and filtration equipment shall be installed to suppress and disperse odour created from food preparation operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority prior to the installation of the any ventilation and filtration equipment. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.</p> <p>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>12.</p>	<p>No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number Full Size APG and 7v7 Pitch 00 Rev 04. The parking, turning and servicing areas shall be maintained in the bound material for the life of the</p>

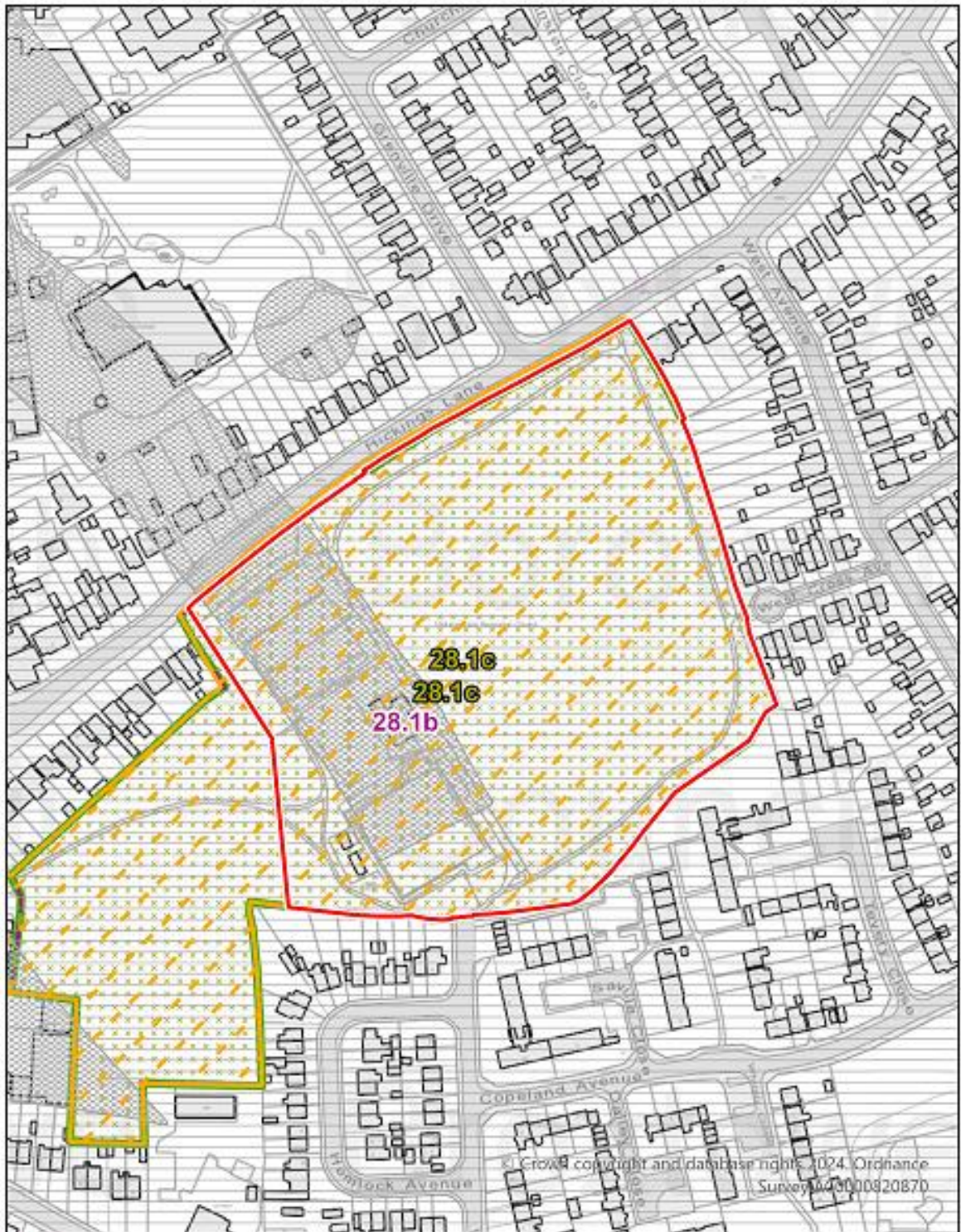
	<p>development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p> <p>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>13.</p>	<p>No part of the development shall be brought into use until illustrative details of the siting and design of the bin and cycle storage facilities has been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>14.</p>	<p>No part of the development shall be brought into use until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.</p> <p>Reason: To reduce the potential for crime in accordance with Part 8 - Promoting healthy and safe communities of the National Planning Policy Framework 2024.</p>
<p>15.</p>	<p>No part of the development shall be brought into use until a Noise Management Plan has been submitted in writing and approved in writing by the Local Planning Authority detailing measures that will be implemented to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance to those living in the vicinity. The Noise Management Plan shall be complied with for the lifetime of the development.</p> <p>The Noise Management Plan must include:</p> <ul style="list-style-type: none"> • the design measures which will ensure that the surrounding fence meets the ‘best practical means’ to reduce impact noise,

	<ul style="list-style-type: none"> • repair and maintenance measures to ensure that these design measures are maintained, • proposed measures to manage the behaviour of clients using the MUGA, • proposed measures to prevent unauthorised use of the MUGA outside the permitted hours of use, and • proposed local community engagement measures to ensure that the impact of the development on residents is mitigated through effective communication and community liaison. <p>Reason: To protect nearby occupiers from noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>16.</p>	<p>The lighting scheme for the new development shall be designed and operated to ensure that light intrusion into neighbouring residential windows shall not exceed 5 Ev (lux) measured as vertical luminance.</p> <p>Reason: To protect nearby residents and road users from excessive light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>17.</p>	<p>The floodlit MUGA shall only be used at the following times: Monday to Sunday 08.30-21.00 only.</p> <p>Reason: To protect nearby residents and road users from excessive operational noise and light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>18.</p>	<p>The pavilion building shall not be used except between 08.00 - 22.00 Monday to Sundays without the prior agreement in writing of the Local Planning Authority.</p> <p>Reason: To protect existing residents from noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>

<p>19.</p>	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: To protect nearby occupiers from excessive construction noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>20.</p>	<p>The hereby permitted development shall be carried out in accordance with the recommendations contained within Section 6.3 of the Sustainable FRA and Drainage Strategy by Tunstall Smith King dated May 2023.</p> <p>Reason: In the interests of flood risk in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2024.</p>
<p>21.</p>	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the statutory 13-week determination timescale.</p>

<p>2.</p>	<p>The applicant is advised that the proposed will require a Food Registration. Please contact the Councils Environmental Health Department on Tel 0115 9173485.</p>
<p>3.</p>	<p>The internal layout, design and construction of the premises must meet the current Food Safety and Health and Safety requirements. The applicant must therefore contact the councils Food and Occupational Safety Section on tel :01159173485.</p>
<p>4.</p>	<p>The applicant is advised that the proposed may require a Premises Licence. Please contact the Councils Licensing Department on Tel 0115 9173485.</p>

Site Location Plan (not to scale)



-  Site
 -  Open Spaces
 -  Coal Standing Advice
 -  Coal Referral Area
 -  Playing Pitches
 -  Informal Open Space
- Policy 28.1b
- Policy 28.1c

