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Item No: 7.6

Application: 230775

Applicant: Mr Ian Booth

Agent: Mr Robert Pomery

Proposal: Retrospective Stationing of Demountable Structure to form a Clubhouse

Location: The Stanway School, Winstree Road, Stanway, Colchester

Ward: Stanway

Officer: Chris Harden

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it has been called in by Councillor Tracy Arnold who states:

"Resident's amenities will be significantly impacted by the light and noise pollution, the operation hours applied for will impact as it is a residential area.

It appears although not mentioned in the application there is an associated shipping container which is not in keeping with street scene. Visitor parking is not contained on the site and spills over onto the highway network with dangerous implications."

2.0 Synopsis

- 2.1 The key issues for consideration are the design, scale and form of the clubhouse and its impact upon highway safety and neighbouring residential amenity.
- 2.2 The application is subsequently recommended for approval. The provision of a facility relating to sport and leisure is supported in principle by Local Plan and National Policies. It is considered the design, scale and form of the clubhouse is acceptable and would be in keeping with the character of the location. The clubhouse is not deemed to be a traffic generator and it is not considered it would increase the intensity of use of this site in this respect. Accordingly it is not considered the proposal can be refused on highway safety grounds or lack of parking provision. It is not considered the clubhouse would result in any significant detriment to neighbouring residential amenity and it would not affect vegetation or wildlife. It is not considered there is any significant impact in respect of light pollution.

3.0 Site Description and Context

- 3.1 The site is part of Stanway school which includes a football ground that is used by Stanway Pegasus FC amongst others. There is also a Youth centre within the school grounds as well as a parking area close to the pitch and adjacent to school buildings.

4.0 Description of the Proposal

- 4.1 The proposal is for the retention of the stationing of demountable structure to form a Clubhouse serving Stanway Pegasus FC. The structure is in the form of a white, single storey, flat roofed building with openings. It is an adapted steel shipping container measuring approximately 11.0m x 3.5m.
- 4.2 The agent has submitted the following supporting information:
- The clubhouse provides a post-match entertaining space for relaxation and refreshments for the teams, officials and supporters. Stanway Pegasus operate a number of men and women's teams across all age groups.
 - The proposal does not remove any parking provision for the Football Club, The Stanway School or Stanway Youth Centre, and would not lead to further vehicular traffic to the existing facilities and surrounding local highway network.

- As the former Site Manager for The Stanway School, I can confirm that Stanway Pegasus have been using the school facilities on Saturday afternoons for the past 10 years, with at least the last 6 on the 4G MUGA.
- They originally started on our grass pitches and then moved over once the 4G was completed.
- Prior to this Stanway Pegasus had used the facilities on Sunday mornings on grass for an additional 12 years. As Site Manager I signed them up for the bookings and can confirm that the above is correct.
- AFC Pegasus became SPFC in 2018, but before that AFC played at Stanway School and had a similar number of teams. In fact, they have been playing at the school for 22 years.
- Football in the area evolved as did the club. Stanway was more of an identity for people to relate to so was added to the name of the club, but the same people ran it and played.
- They have 12 teams from under 7 to adult men and women prior to 2018 they had fewer teams, but it is important to note that at capacity, there are only 4 pitches, so only four teams can play at one time, these may not all be Pegasus teams.
- Clubhouse attracts no additional traffic or visitors, the teams would continue to use the site for matches or training if it were not there. It is also the case that the school and other local teams use the pitches and have always done so.

5.0 Land Use Allocation

5.1 School, Open Space.

6.0 Relevant Planning History

6.1 222981 50 seated small sheltered stadium area. Approved: 26.1.23

230820 For the Stanway School, monopitch canopy Lawful Development Certificate Granted: 30.5.23

162148 Erection of six lighting poles around proposed Multi Use Games Area (MUGA) Approved: 21.10.16

160833 Demolition of teaching building (Gainsborough block) and erection of Replacement building (Arts building), new Science Wing, enclosure of existing area with roof and facade to create multi-use space and kitchen extension. New Multi Use Games Area (MUGA). Approved: 8.6.16

7.0 Principal Policies

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP3 Spatial Strategy for North Essex
- SP6 Infrastructure & Connectivity
- SP7 Place Shaping Principles

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

SG1 Colchester's Spatial Strategy
SG7 Infrastructure Delivery and Impact Mitigation
SG8 Neighbourhood Plan
ENV1 Environment
ENV3 Green Infrastructure
ENV5 Pollution and Contaminated Land
CC1 Climate Change
PP1 Generic Infrastructure and Mitigation Requirements
DM1 Health and Wellbeing
DM2 Community Facilities
DM4 Sports Provision
DM5 Tourism, leisure, Culture and Heritage
DM15 Design and Amenity
DM16 Historic Environment
DM17 Retention of Open Space
DM18 Provision of Open Space and Recreation Facilities
DM20 Promoting Sustainable Transport and Changing Travel Behaviour
DM21 Sustainable Access to development
DM22 Parking

7.4 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Community Facilities
Open Space, Sport and Recreation
Sustainable Construction
Managing Archaeology in Development.
Developing a Landscape for the Future
Stanway Joint Design Statement and Parish Plan

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

Environmental Protection state:” We recommend that use of the clubhouse is restricted to the hours specified in the application.”

Highway Authority states: “The proposed structure although called a clubhouse does not provide the benefits of a true clubhouse. This proposal appears to provide facilities for the use and comfort of those attending the site who watch or support teams playing here. A true clubhouse would be a structure which provides public conveniences, social spaces for meetings, events, the sale and consumption of food and drink within the structure and maybe used for entertainment purposes when matches are not being played.

This proposal would not be considered a traffic generator of attractor nor is it a destination venue, those that would use these facilities would already be attending the site.

The Highway Authority is aware and concerned by the motor traffic that parks indiscriminately and on some occasions in dangerous locations which cause hazards to other highway users and urges the applicant to plan for and manage motor traffic associated with football events at the site.

The Highway Authority does not object to the proposals as submitted.”

Recommended informative regarding any work within or affecting the highway.

Archaeologist: “Having examined the submitted plans and documents, I can confirm that the proposed development will not result in material harm to the significance of below-ground archaeological remains. Therefore, there will be no requirement for any archaeological investigation in this case.”

9.0 Parish Council Response

- 9.1 The Parish Council have stated “Stanway Parish Council raises NO OBJECTIONS to this proposal but does take a dim view of retrospective application.”

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council’s website. However, a summary of the material considerations is given below.

6 letters of objection have raised the following concerns:

- Wholly unacceptable to allow further football facilities at Stanway School. Local residents are already plagued with the consequences of inconsiderate -and sometimes illegal parking.
- Bus routes are often obstructed and roads blocked. This presents a danger to elderly local residents should ambulances and fire engines be unable to get through. In particular Wheatfield Road is jammed every day through parents parking on pavements etc while collecting children from Winstree Primary.

- At weekend also have to deal with parking in Wheatfield and adjoining roads due to football sessions on the King George Playing field. This application must be rejected in favour of the well being of the local community.
- Not used by the school in any means and therefore is not a community asset.
- Should be refused on basis that location situated in a residential area and therefore is unsuitable for the development of football stadia.
- No creation of a traffic management plan following the increased traffic that occurs when the pitches are in private use, with the road now being congested regularly and outside of regular school timings which means that the current road markings designed around school times are not enforceable, this therefore impacts highway safety and there have been several contraventions of highway safety by patrons parking in a safe manner. There is a lack of travel plan with this development.
- Application statement says that this is in keeping with the development in the local area, of which is residential, and therefore this is an untrue statement.
- Request that planning application declined until a workable travel/traffic management plan is developed as this application will further the development of the team and subsequently enable further growth which will impact traffic further.
- They may need to turn down there language.
- Parking and noise levels are outrageous, very dangerous parking on zigzag, on the path, parking on both sides of the road so traffic can't get though, parking half on the path, blocking view coming out of Threshers end, double parking down Threshers end, dangerous parking on both corners, parking across driveways.
- Noise levels at night are bad enough now.
- Family, friends and ourselves can't park down Threshers end.
- Prevents safe crossing for pedestrians as the road crossing becomes obstructed to this.
- Given close proximity of another established Saturday league team there is now both congestion on new farm road and Winstree Road making the area difficult to access via the main road in Stanway.
- Good idea in the wrong place.

4 letters of support have been received which have made the following points:

- Fantastic idea that helps support all the kiddies and players playing on the pitch having a tea hut to help raise funds keeps costs low kiddies in the fresh air and with no hinderance to anyone. A big plus for those using facility.
- As a child welfare officer acting on behalf of this Club this is a huge benefit to all children attending.
- NO added teams added players or persons that already attend the site, its just to facilitate the already attending people so absolutely no increase of traffic.
- Having refreshments available for people attending actually stops traffic in and out as able to purchase them on site instead of going out and then returning.
- Having cold bottled water for children and spectators could be vital in hot summer months. I believe first aid equipment will be present in the cabin too.
- Certain cabin will not increase numbers attending just providing a better facility to all attending.

- Wonderful idea having a place at the school you can go and get refreshments whilst the children train.
- the amount of times I have had to drop off and go back out to the shop to get a drink. this saves the rush about.
- It also saves the amount of traffic constantly coming and going as most parents pop of to costa to get a hot drink.
- Look forward to this being open.
- Fantastic improvement.
- Additional revenues to help support our local children and keep these children entertained and off of the streets.

11.0 Parking Provision

11.1 30 spaces

12.0 Accessibility

12.1 With regards to the Equalities Act, the proposal has the potential to comply with the provisions of Policy DM21 (Sustainable Access) which seeks to enhance accessibility for sustainable modes of transport and access for pedestrians (including the disabled), cyclists, public transport and network linkages.

13.0 Open Space Provisions

13.1 N/A

14.0 Air Quality

14.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

15.0 Planning Obligations

15.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

16.0 Report

Principle:

16.1 In terms of the principle of the application, Local Plan policies are supportive of sustainable leisure uses subject to consideration of normal planning criteria (Policy DM5). The proposal is also supported by Policy DM2 and DM4, which encourage and support the provision of sports and community facilities.

16.2 The National Planning Policy Framework has similar provisions and Para 93 states that planning decisions should aim:

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local

services to enhance the sustainability of communities and residential environments;. As the site is within a sustainable location and there is an existing leisure use the proposal should therefore be judged on its planning merits.”

- 16.3 Accordingly it is considered that there is overall Local and National Policy support for the principle of the facility and that the proposal to retain the clubhouse should be judged on its planning merits having particular regard to issues such as impact upon visual amenity, highway safety and neighbouring residential amenity.

Design, Scale, Form and Impact upon visual amenity

- 16.4 In considering the design, scale, form and layout of the proposal, Policies DM15 and SP7 are relevant. These policies seek to secure high quality and inclusive design in all developments, respecting and enhancing the characteristics of the site, its context and surroundings. All new development must meet high standards of urban and architectural design.
- 16.5 In this case the design, scale and form of the clubhouse is considered to respect the character of the surroundings and would not be detrimental to the character of the street scene. It is modest in scale with appropriate materials and finishes and would fit in reasonably well with the character of the existing modern school buildings. It would be partially screened by boundary planting from some angles and with a backdrop of large modern buildings although is visible from the road from some points.
- 16.6 Overall the clubhouse is considered to be visually acceptable and would thus accord with the abovementioned policies DM15 and SP7.

Highway Issues

- 16.7 The concerns expressed by neighbours in terms of the intensity of vehicular movements and the impact upon the surrounding road network and residential amenity have been carefully assessed. The site is already in use as a school, as well as for Stanway Pegasus FC, and the clubhouse would not increase the intensity of use of the site. The Highway Authority has raised no objections and concludes that “This proposal appears to provide facilities for the use and comfort of those attending the site who watch or support teams playing here.” In accordance with the Highway Authority’s view, it is considered the clubhouse proposal would not be deemed as traffic generator or attractor, nor is it a destination venue with those that would use the facility already attending the site. Indeed some users have argued that it may reduce vehicular movements as people could stay on site rather than going off site for a drink and collecting players later.
- 16.8 There are 30 car parking space available and this is a reasonable provision for the use of the site. It is therefore not considered the proposal should be refused on insufficient parking, particularly as the clubhouse is not considered to be a traffic generator. The parking standards are maximum not minimum for such a use. The site lies within a sustainable location and users can also walk or cycle.

- 16.9 It is not considered that highway safety issues can be compromised but it is not considered this would be the case in respect of the retention of the clubhouse. The access has good visibility splays. It is also not considered the proposal would cause a sufficiently severe impact upon the Highway network, as referred to in the NPPF (para.111) to be contrary to the NPPF. It is therefore considered the proposal is acceptable on highway safety and parking provision grounds and would not conflict with Policy DM15, DM22, SP7 (place shaping principles).
- 16.10 Nevertheless it is clear that there is some concern in the community about vehicular movements and parking in relation to the use of the site. The use of the site also appears to have grown over the years. The Highway Authority has confirmed that it is "is aware and concerned by the motor traffic that parks indiscriminately and on some occasions in dangerous locations which cause hazards to other highway users and urges the applicant to plan for and manage motor traffic associated with football events at the site." Accordingly it is considered that a condition relating to the submission of a traffic management plan is justified in order to help manage vehicular activity in the vicinity and to flag up best parking practice to users of the site (which includes users of the clubhouse).

Impact upon neighbouring residential amenity

- 16.11 The neighbour's concerns have been carefully considered. However it is not considered the proposed retention of the clubhouse would have a significant impact upon neighbouring amenity and could not be refused on these grounds. There is an existing leisure use in terms of a football pitch within the school grounds. There is nothing to suggest that the clubhouse would result in an intensification of use of the site or an increase in any noise and disturbance. Football pitches inevitably have some noise associated with them and the clubhouse is not particularly close to dwellings. There may be spectators watching the game with or without the clubhouse. Environmental Protection have raised no objections and the hours of use condition suggested will be applied. If there is a statutory nuisance deemed to be caused from the site, Environmental Protection can investigate separately.
- 16.12 The clubhouse does not appear overbearing on the outlook of neighbours and does not result in a loss of light or overlooking. Accordingly, overall, it is considered the impact on the amenity of the area from the proposal is appropriate and the proposal accords with Policy DM15.

Other Issues:

- 16.13 Finally, in terms of other planning considerations the proposed development does not raise any concerns. Vegetation is avoided and there are no significant ground works anyway. There is no impact upon wildlife (ENV1) and no archaeological implications (DM16). It is not considered there would be any significant light pollution from the clubhouse.
- 16.14 It is noted that the proposal is situated within Public Open Space, as shown within

the Local Plan Policies Map. However, the proposal would not result in the loss of an area important for its amenity or playing space and achieves the aims of the prevailing strategy relating to recreation, in compliance with Policy DM17.

17.0 Planning Balance and Conclusion

17.1 The provision of a facility relating to sport and leisure is supported in principle by Local Plan and National Policies. It is considered the design, scale and form of the clubhouse is acceptable and would be in keeping with the character of the location. The clubhouse is not deemed to be a traffic generator and it is not considered it would increase the intensity of use of this site in this respect. Accordingly it is not considered the proposal can be refused on highway safety grounds or lack of parking provision. It is not considered the clubhouse would result in any significant detriment to neighbouring residential amenity and it would not affect vegetation or wildlife.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. Development Accord With Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: Block Plan, Location Plan, Floor Plan 11.4.23, SPDP005.301.00, SPD P005310.00 Rec'd 12.4.23.

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

2. Traffic Management Plan

Within one month of the date of this permission precise details of a traffic management plan shall be submitted in writing to the Local Planning Authority. The approved plan shall thereafter be complied with.

Reason: In the interests of highway safety and residential amenity.

3. Hours of Use

The use hereby permitted shall not OPERATE/BE OPEN TO CUSTOMERS outside of the following times:

Weekdays: 18:00-22:00 hrs

Saturdays: 12:00-18:00 hrs

Sundays and Public Holidays: 10:00-18:00 hrs

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission.

19.1 Informatives

19.1 None

Positivity Statement: The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.