

The application seeks full planning permission for the reconstruction of 2 pitches at Stoke City's football training complex. The application also includes a single storey extension to the pavilion, installation of a camera recording platform, a security lodge, traffic barrier, under pitch heating boilers, 5 metre – 8 metre high ball stop fencing, a grounds maintenance garage, storage compound and associated works.

The application is one of a pair – the proposal crossing the boundary with Stoke City Council. The larger part of the site is within the Borough Council's administrative area. The application that the City Council are considering seeks permission or the reconfiguration of a field towards the south of the development (referred to in the application as the south field) to create junior football pitches

In addition to determining its own application, the Borough Council has the opportunity to pass comments on the application that the City Council is expected to be considering on the 3<sup>rd</sup> February.

The site is situated within the Green Belt as well as an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map.

Vehicular access to the site from the Strategic Highway Network (A34) is obtained via residential estate roads Riverside Road and Rose Tree Avenue.

**The 13 week period for the determination of this application expires on 4<sup>th</sup> February 2016.**

#### **RECOMMENDATIONS**

**A. With respect to the application before the Borough Council PERMIT subject to conditions relating to the following:-**

1. Time limit.
2. Approved drawings.
3. The construction management and mitigation measures identified in the submitted Transport Statement are fully adhered to.
4. Introduction of temporary vehicle parking and waiting restrictions.
- 5.
6. Details of the sports fencing prior to installation.
7. Tree protection measures.
8. Site landscaping.
9. Ecological mitigation measures.
10. Flood risk mitigation measures.
11. Japanese Knotweed removal/treatment.

**B. That the Borough Council has no objections to the application submitted to Stoke on Trent City Council although it does ask that Stoke City Council provides the opportunity for the Borough Council to comment on any details submitted to all relevant conditions.**

#### **Reason for Recommendation**

There are important construction management issues arising from importing material into the site which will have a harmful impact on local amenity but those impacts will be short lived and there is no overriding detriment to public safety. A public footpath is impacted upon by a small element of the proposal and a diversion order is to be secured by the applicant in order to ensure adequate access can continue. Although certain elements of the proposal constitute inappropriate development within the Green Belt, very special circumstances are present to outweigh the harm of the development. Those circumstances include that the development has a very limited impact on openness in the context of the existing approved use and development of the site as a training ground and the Club's

investment in maintaining elite training facilities for the benefit of the club and in wider terms the economic benefits of the area. Overall subject to appropriately worded planning conditions the proposal adheres with aims and objectives of the NPPF as well as those development plan policies which are relevant.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

### **Key Issues**

The application is for a further upgrade of the facilities at Stoke City's Clayton Wood football training ground complex.

The part of the development which falls within the Stoke City Council's administrative boundary is the reconfiguration of a field towards the south of the site (referred to on the submitted plan drawing as the south field) to create junior football pitches.

The elements of the development within the Borough's administrative area, and which the Borough Council must consider, include the reconstruction of 2 football pitches; a single storey extension to the existing pavilion measuring 4.8 metres by 2.7 metres by 2 metres in height which will serve as a lobby; a recording platform measuring 2.4 metres square and around 6 metres in height including the camera hoist; a security lodge measuring 6 metres by 3.2 metres in footprint by 2.4 metres in roof height with traffic barrier; a grounds maintenance garage measuring 18.7 metres by 15.5 metres in footprint by 4 metres in roof height; a small concrete yard storage area is proposed immediately adjacent to the maintenance garage building with two heating boilers for the pitches to the other side; 5 metre – 8 metre high ball stop fencing is proposed around the periphery of the goal keepers training area and pitches 3 and 2 (similar fencing is also to be erected around the south field area where the junior football pitches are to be reconfigured).

The site is situated within the Green Belt as well as an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map. Vehicular access to the site is obtained via residential estate roads Riverside Road and Rose Tree Avenue off the A34. The key issues to consider are:-

1. Is the proposal appropriate development in Green Belt terms?
2. Is the impact of the proposal upon the surrounding landscape and countryside acceptable?
3. What is the impact to trees and is that acceptable?
4. What is the impact on highway safety and the use of public footpaths in the vicinity?
5. Would the development cause material harm to the interests of residential amenity?
6. What is the impact on air quality and is that acceptable?
7. Would the development either increase flood risk or be at risk itself?
8. Do the required very special circumstances exist to justify approval?

#### **1. Is the proposal appropriate in Green Belt terms?**

The NPPF indicates that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt which should include looking for opportunities to provide for outdoor sport and recreation. The proposal is in line with that broad objective.

Paragraph 89 of the National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate development within the Green Belt unless it is, amongst other things, for the provision of "appropriate facilities for outdoor sport, outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it".

The extension to the pavilion is extremely limited and will effectively function as a small lobby entrance. The garage storage building is directly linked to the machinery needed for the upkeep of a large predominantly open sporting facility. The small security lodge proposed is also directly linked to the functional recruitments of this type of outdoor sporting facility. Accordingly all of those particular elements are considered to be appropriate forms of development in the Green Belt in line with the provisions of the Framework.

Strictly speaking the tall fencing, camera gantry platform and associated engineering works for pitch reconstruction are inappropriate forms of development in the Green Belt. A view must be taken therefore regarding the presence of any very special circumstances for the development to proceed. The other planning merits of the scheme are firstly now considered before doing that.

## 2. Is the impact of the proposal upon the surrounding landscape and countryside acceptable?

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 states that 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 and the way it functions.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. The policy is consistent with the NPPF.

The training ground complex is already well established with a large main building, associated car park and surrounding pitch facilities. The additional buildings, gantry and fencing now proposed to complement those existing facilities would not appear out of place. The engineering works proposed for the pitch reconstruction entail cut and fill meaning there is no significant impact on the contours of the land which is clearly read as a sports training facility from wider vantage points.

## 3. Is the tree loss proposed acceptable?

Saved Local Plan Policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Where exceptionally, permission can be given and trees are to be lost through development, replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme. Where appropriate, developers will be expected to set out what measures will be taken during the development to protect trees from damage.

Tree loss has been avoided by the applicant in planning the proposal within the Newcastle administrative area. Having said that there is a line of poplar trees and a single oak tree which will require protection measures during construction. The biggest impact to trees concerns the south field pitch reconfiguration element which subject to condition the City Council's Landscape officer has no objections to. Subject to tree protection measures and landscaping details there are no objections to the proposal.

## 4. What is the impact on the use of highway safety and public footpaths in the vicinity?

### *The Highway safety impact with particular consideration towards Rose Tree Avenue and Riverside Road*

From a development management perspective it is the vehicle movements needed to bring in construction material to and from the site which need to be focused on. The proposal will not lead to the increase of vehicle movements in relation to the approved use of the site.

The pitch reconstruction will involve the importation of 14,000 tonnes of material using 30 tonne HGV's. The applicant proposes to import the material over a planned 5 week period commencing in February 2016. That equates to a total of 186 HGV planned movements per week on average to bring in the material and then leave the site (in other words 93 movements in and 93 movements out). The reconstruction works would then commence in March and are to last approximately 6 months. The imported material together with material excavated from the two pitches would be stored on the southern field and moved to that location using dumper trucks over a footpath, access track using an existing gap in boundary trees. The applicant's intention is to keep the removed material on site and use it for the pitch reconfiguration in the south field.

There are vehicle circulation issues relating to the junction with Stone Road A34, the bend along Riverside Road and the turn from Riverside Road into Rosetree Avenue. The junction is currently covered with 24 hour parking restrictions with around the first 25m covered by either the traffic regulation orders or the access to an un-named service road that fronts the shops, hence parking in this region is prohibited.

The bend in Riverside Road which is around 185m from the A34 is sufficient to effectively restrict the width for the HGV and should a larger vehicle, such as a van, be parked on the bend the HGV would struggle to pass it. The proposals therefore include for a 10m extension in the 24hr waiting restrictions along Riverside Road adjacent to Stone Road plus introduction of 50m section of 24hr restrictions on both sides of Riverside Road around the bend adjacent to no 42 Riverside Road.

The applicant has submitted to undertake the following mitigation provisions to manage the process:-

- The proposed hours of working on the site are 07.30 to 18.30 hrs Monday to Friday and 08.00 to 13.00 hrs on Saturday.
- Routing of HGVs via Riverside Road and Rose Tree Avenue from the A34. Limitation of 6 HGV's into the site per hour and 6 HGV's leaving the site per hour.
- HGV delivery is to be restricted to 09.00 and 15.00 hrs Monday to Friday excluding Wednesday when it is limited to 13.00 hrs within the school term time. Within school holiday periods the period could be increased to 17.00hrs Monday to Friday.
- HGV movement to be controlled to restrict the potential for HGV's to meet on the access route.
- HGV movements to be routed to and from the A500 wherever possible.
- Temporary signage is proposed be erected mark the HGV routes to and from the site and to prevent HGV usage of Bridge Street, Greenwood Avenue and Somerville Road.
- Banksman to be employed to ensure safe crossing between the southern field and the site during the hours of work.
- A 10m extension in the 24hr waiting restrictions along Riverside Road adjacent to Stone Road (A34) plus introduction of 50m section of 24hr restrictions on both sides of Riverside Road around the bend adjacent to no 42 Riverside Road. The temporary traffic regulation order would be required for around 6 months.

In addition the applicant acknowledges that the existing state of Riverside Road and Rose Tree Avenue is not ideal and is offering to repair, resurface and remark the affected areas.

Your Officer's advice is that careful consideration has been given by the applicant with regards to how this material will be brought into the site and possible alternative options have been assessed. The route proposed is considered by the applicant to be the only practical means of bringing material to and from the site having considered all alternative options. That conclusion is supported by officers in both administrative areas. The route selected is via Riverside Road and Rose Tree Avenue both of which are residential roads and therefore not ideal for carrying larger HGV's. Based on the mitigation measures identified by the applicant there are no objections to the proposal.

Concerns have been raised by residents over the physical condition of both Riverside Road and Rosetree Avenue. However, it is not considered reasonable to seek improvements to the existing adopted highway through the planning process. The responsibility of maintaining adopted highways lies with the Local Highway Authority and is not for developers or the Local Planning Authority. However, the applicant is aware that this is a matter of local importance and is therefore looking to

enter into a legal agreement with the City Council to secure any necessary resurfacing and repairs at the end of the proposed construction works (anticipated to be September 2016).

The appropriate mechanism to secure such works would be by a Unilateral Undertaking, which would bind the applicant to entering into a Section 278 Agreement to carry out any necessary improvement works to the public highway. The extent of the area to be covered by the Unilateral Undertaking is shown at Appendix 6 of the submitted Transport Statement. This plan will be exhibited at the Committee meeting

Despite the above, it is important for Members to note that Officers of both Councils are of the view that this aspect should not be afforded weight when considering the case, for the above reasons. For this reason the recommendation given is not dependent upon the prior completion of the Unilateral Undertaking although it is understood that the applicants are seeking to have completed such an Undertaking prior to the Planning Committee meeting. An update will be provided

#### Public footpath impact

The position of a public footpath which lies along the southern boundary of the site close to the internal access road and then is aligned northward towards Clayton Wood Farm is a concern. The effect of a development on a public right of way is a material consideration in the determination of applications for planning permission

The proposal, in particular the position of the storage garage building, does directly straddle that footpath which is within the Borough Council's administrative area. In response to that issue the applicant has applied outside of this planning application process for a "Diversion Order". The diversion would reposition the footpath marginally away from the garage storage area still allowing access over the land. The diversion process is separate to obtaining planning permission and must be completed before any development impacting specifically on the footpath (which is a very small element of the overall proposal) could commence. It is also the case planning permission must be first granted before a diversion can be secured. Given reasonable public access can be maintained through the diversion process there are no objections to the approach taken by the applicant.

#### 5. Would the development cause material harm to the interests of residential amenity?

Noise and disruption arising from the level of construction vehicle activity required to facilitate the development are material concerns. The applicant has carefully considered these points at pre-application stage and through negotiations with both Stoke on Trent City Council and the Borough Council to ensure construction vehicle movements are controlled to those which are absolutely essential and during points of the day when traffic is less.

Given the limited scope available to access to the site no matter how well thought out the approach to construction vehicle activity there will no doubt be a significant period of disruption attached to allowing the proposal for local residents in Rose Tree Avenue and Riverside Road. However there will be no long term damage to amenity from granting consent for the works and there are no overriding highway safety issues.

#### 6. The impact on air quality

The pitch heating system proposed requires the use of an oil filled boiler tank which will be banded. The Borough Council's Environmental Health Division issued an initial holding objection in relation to the unknown air quality impact of the boiler system envisaged. Since that time further technical information in the form of an air quality assessment has been considered and air quality concerns have been addressed. The Environmental Health Division now have no objections.

#### 7. Would the development either increase flood risk or be at risk itself?

The Environment Agency and County Council's Flood Risk Team have no objections to the proposal subject to appropriate mitigation measures which are largely already set out in the submitted Flood Risk Assessment. Subject to appropriate conditions the flood risk impact would be acceptable.

#### 8. Are there any very special circumstances to justify approval?

In Green Belt policy terms the formation of the pitches, fencing and camera gantry are not 'appropriate development'. The Committee must decide whether it considers the required "very special circumstances" exist. Members are reminded that inappropriate development is, by definition, considered to be harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF indicates that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

On the harm side, whilst the fencing and camera gantry proposed are not insignificant structures, by reason of their height, they have little volume or mass and the openness of the site – a fundamental aim of Green Belt policy – is largely maintained. Moreover the engineering works proposed for the pitch reconstruction have no impact on openness. The works are also part of an overall package of related to the Club's continued investment in maintaining elite status training facilities which it can enjoy. In turn such level of provision is ultimately good for the economic benefit of the area. Overall it is therefore considered that the required very special circumstances do exist and that planning permission can be granted.

## APPENDIX

### **Policies and proposals in the approved development plan relevant to this decision:-**

#### Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP3: Spatial Principles of Movement and Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets  
Policy CSP5: Open Space/Sport/Recreation

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3: Development in the Green Belt  
Policy N17: Landscape Character – General Considerations  
Policy N19: Landscape Maintenance Areas  
Policy N12: Development and the Protection of Trees

### **Other Material Considerations include:**

National Planning Policy Framework (NPPF) (2012)  
National Planning Practice Guidance (PPG) (2014)  
Right of Way Circular (1/09) Guidance for Local Authorities

#### Supplementary Planning Guidance/Documents

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)  
Planning for Landscape Change – Supplementary Planning Guidance to the Structure Plan (Staffordshire County Council)

#### Relevant Planning History

##### *Within Newcastle under Lyme administrative area*

There have been numerous applications over the years showing the development of this site.

|      |              |   |
|------|--------------|---|
| 2000 | 00/207/FUL   | Permitted - reconstruction and upgrading of existing football pitches, resurfacing and irrigation tank and pumphouse  |
| 2002 | 02/00170/FUL | Permitted - installation of irrigation tank and pump house  |
| 2007 | 07/00500/FUL | Permitted Erection of 3 temporary (2 years) portacabins to be used for academy training facilities  |
| 2007 | 07/00664/FUL | Permitted - stoned car park   |
| 2009 | 09/00112/FUL | Permitted - development of Stoke City Football Club Academy Sports Pavilion including grounds maintenance and pitch equipment store, ancillary utilities structures, perimeter fencing and associated car parking   |
| 2009 | 09/00227/FUL | Permitted - development of floodlight synthetic pitch and floodlighting to existing Football Academy match pitch  |
| 2010 | 10/00769/FUL | Permitted - installation of automatic irrigation system including erection of water storage tank, pump house and associated works.  |
| 2012 | 12/00132/FUL | Permitted - extension of the existing academy building, erection of a building enclosing an indoor football pitch, the formation of four floodlit synthetic pitches, demountable spectator stands, running track, salt saturator tank, associated floodlighting, landscaping and external works (cross boundary application). |

##### *Within the Stoke's administrative area*

2012                      53537/FUL                      Permitted – Extension to existing Academy building, erection of indoor football pitch, four floodlit synthetic pitches, demountable spectator stands, running track, salt saturator, associated floodlighting, landscaping and external works (cross-boundary application)

### **Views of Consultees**

**Stoke Ecology** have no objections subject to the following:-

1. A condition requiring the submission of Construction Environmental Management Plan.
2. Detailed assessment of the proposed impacts upon great crested newts and their habitats following site clearance, top soiling, regrading and materials storage and a mitigation/method statement outlining proposed reasonable avoidance measures, timings and mitigation, to be submitted to the LPA for approval.
3. Detailed lighting scheme to take account of potential impacts upon bat foraging habitats around the periphery of the site.
4. Detailed measures to deal with invasive species such as Japanese knotweed and Himalayan balsam identified by Middlemarch surveys.

**Stoke Sports Development** comment that the project is a positive one but to meet the benefits of a professional club rather than bringing any significant direct community benefit.

**Stoke Landscape** comment with respect to the south field pitch reconfiguration only. They accept the removal of tree T5 rather than allow it to go into decline and replace it with a long lived specimen such as an oak, ash or lime. They recommend pruning of tree T10 by 30% whilst retaining T9, T11 and T12 for companion shelter. They accept the removal of younger, mostly alder trees to the west of the largest pitch, labelled T14-T17 and without the need for replacement.

**Stoke Highways** comment that the proposals within the Newcastle part of the site result in little to no increase in overall traffic generation at the site in the long term. The only issue will therefore be during the reconstruction of the two training pitches which will require the importation of 14,000 tons of material. Consideration has therefore been given with regards to how this material will be brought into the site and five possible options have been assessed. Of these only one is considered appropriate although this route is also far from ideal. The route proposed is via Riverside Road and Rose Tree Avenue both of which are residential roads and therefore not ideal for carrying larger HGV's. The applicants are therefore proposing a number of restrictions with regards to HGV movements to and from the site including a limit on hours during the week, controls to prevent vehicle conflict and the temporary extension and introduction of additional waiting restrictions. The applicants have also agreed that this existing section of Riverside Road and Rose Tree Avenue is in a poor condition and that they will sign up to an appropriate legal agreement in order to ensure that the road is resurfaced on completion of the proposed development works. Based on all of the above and subject to an appropriate agreement being entered into to ensure that both Riverside Road and Rose Tree Avenue are resurfaced to an agreed specification upon completion of the works they have no objection to these proposals.

**Stoke Design and Conservation Officer** has no comments.

**Stoke Archaeology, Drainage, Economic Regeneration, Public Protection, Planning and Transport, Planning Policy** - no comments received by the due date of 4th December so it is assumed there are no objections.

**Ramblers Association** object to the development on the basis that footpath no.127 is affected by the development and may need to be diverted.

**Environment Agency** has no objections subject to conditions relating to the development proceeding in accordance with the submitted Flood Risk Assessment.

**Natural England** has no objections in terms of significant impacts on statutory designated nature conservation sites or landscapes.

**Severn Trent Water** have no objections subject to conditions relating to the prior approval of drainage plans for surface and foul sewage.

**Sport England** has no objections.

**Police Architectural Liaison Officer** have no objections to the improvement of the training ground facilities and indeed supportive of security lodge arrangement as an improvement. The applicant is advised that the security and maintenance of the garage should reflect the value and desirability of equipment stored within it.

**Staffordshire County Council Footpaths Officer** the development will directly impact on Public Footpath no 127. The development should not commence until Newcastle Borough Council has made and confirmed an Order to divert the public right of way to allow the development to commence.

**Staffordshire County Council Flood Risk Team** has no objections subject to conditions relating to the development proceeding in accordance with the submitted Flood Risk Assessment and the following mitigation measures:-

1. Surface water runoff from the Northern Permanent Sports Fields and additional roof areas to be controlled by the existing outlet pipe within the existing manhole so that there will be no increase to the peak runoff and no increase to the runoff volume.
2. Finished floor level of the proposed security lodge building to be set no lower than 101.47m AOD.

**Staffordshire County Minerals Planning Officer** has no objections, noting that whilst the site falls within various existing Mineral Consultation areas and proposed Mineral Safeguarding area, the nature of the development is such that it would be unlikely to constrain any long term proposals to utilise the underlying mineral resource.

**Highways England** have no objections - the proposals being considered not to have a severe impact on the strategic highway network

**Highway Authority** have no objections.

**Environmental Protection** have initial concerns relating to the absence of under pitch boiler systems details as to demonstrate whether an air quality impact assessment is required.

**Staffordshire Wildlife Trust, Council for Protection of Rural England, Stafford Borough Council, Staffordshire County Council Ecologist, Access for the Disabled Committee, Newcastle South LAP, and the Landscape Development Section** - no comments received by the due date of 4th December so it is assumed there are no objections.

#### Representations

8 letters of representation have been received raising the following concerns:-

- The amount of traffic along Riverside Road and Rose Tree Avenue has increased significantly since the original development began. Traffic is also generated when the Michelin building (who own a sports facility adjacent to the site) hold events further exacerbating the problem.
- The number of vehicles has already increased noise levels at all times of the day throughout the week as well as pollution from emissions. Vibrations from larger vehicles is also a significant problem to local residents.
- The surface of Riverside Road has been very badly damaged by the previous work on the site and heavy wagons and coaches pulling into the site. The potential further damage to the road and cars parked in the road is significant. The road doesn't meet present day specifications for sub surface construction for heavy vehicles.
- The proposal warrants the construction of a new road access which would alleviate problems.
- The existing road access arrangement is not suitable for purpose and should be revised.
- Newcastle Council should bear the costs of the upkeep of the road if permission is granted rather than residents who pay their tax in the Stoke area.
- An access road from Clayton Lane would be far better and would improve the current inappropriate level vehicle movement which is focused along Riverside Road.
- The land is Green Belt. Wildlife will continue to suffer from the development.

- The site is on a flood plain, the continued development of the site could lead to drainage issues and an increased risk of flooding from Lyme Brook.

#### Applicant's/Agent's submission

Application forms and plans have been submitted along with a:-

- Design and Access Assessment
- Bat Survey
- Transport Statement
- Ecological Appraisal
- Flood Risk Assessment and Drainage Strategy
- Tree Report

These documents are available for inspection at the Guildhall and searching under the application reference number 15/00958/FUL on the website page that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/>

#### Background papers

Planning files referred to  
Planning Documents referred to

#### Date report prepared

18<sup>th</sup> January 2015