

Date of Meeting	29 th November 2018
Application Number	18/03498/FUL
Site Address	Sports Field, Green Lane, Devizes
Proposal	Provision of new football pavilion and changing facilities for Devizes Town Council and to form new headquarters for Wiltshire FA. Reconfiguration of car park and newly laid out football pitches
Applicant	Devizes Town Council
Town/Parish Council	DEVIZES
Electoral Division	Roundway – Cllr Mayes
Grid Ref	401399 160007
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues to be considered are:

- Whether the scheme is acceptable in principle;
- Whether the scheme constitutes high quality design;
- Whether the proposal would protect, conserve or enhance landscape character;
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed use; and
- Whether the proposal would have a harmful impact upon ecology.

3. Site Description

The sports field at Green Lane is located on the south-eastern edge of Devizes, off the A342. It is well-contained within its immediate visual envelope, with mature trees and hedging to its boundaries. The land is currently in regular use for football matches and also appears to be in overspill use for leisure/recreation activities such as dog walking and unstructured/informal sports/play.

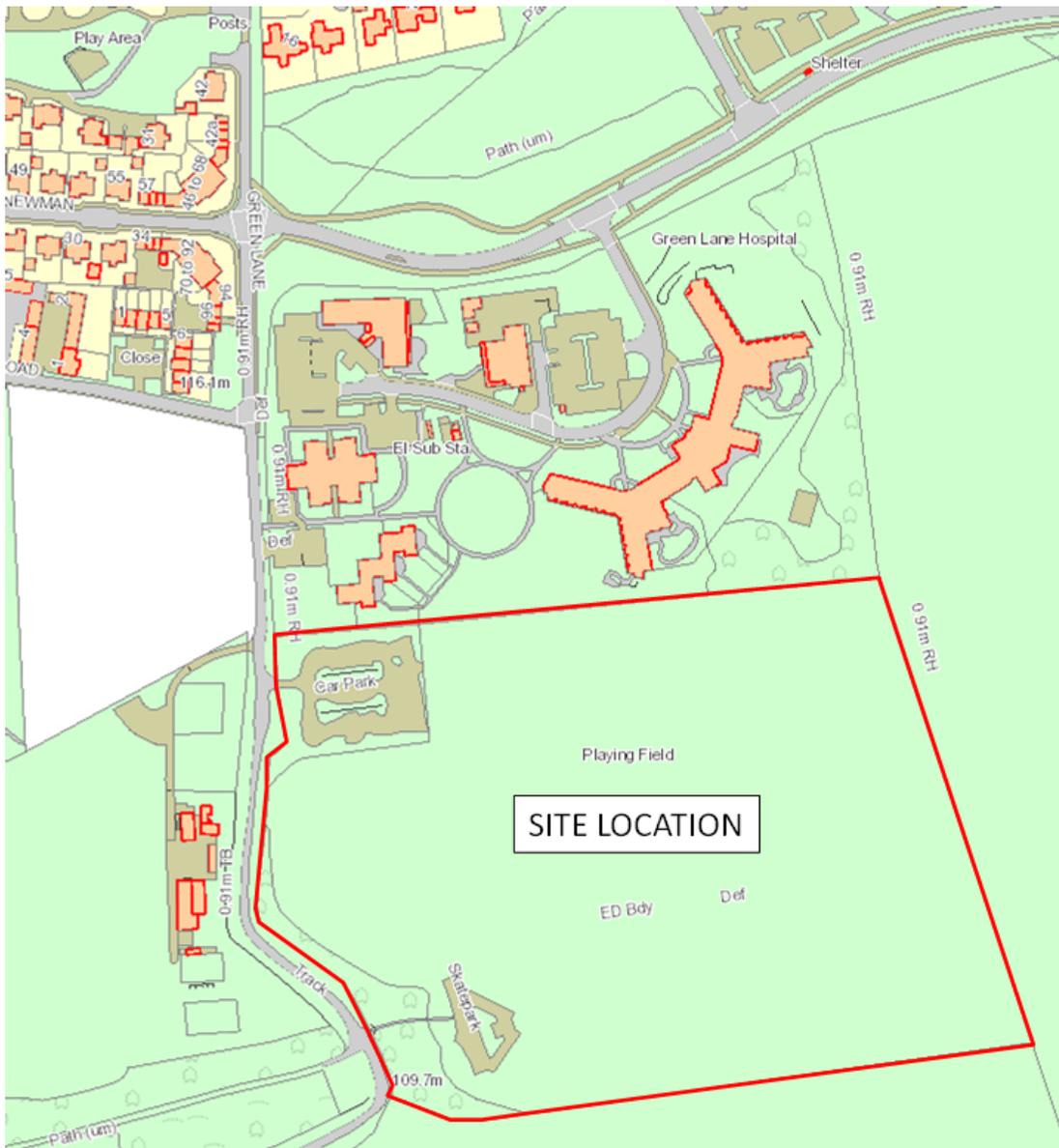
Green Lane hospital and rehabilitation centre lies to the north of the sports pitch; to the west of the sports pitch on the opposite side of Green Lane allotments can be found, and beyond these, lies Drews Pond Wood Nature Reserve.

Within the Drews Pond Wood Nature Reserve, Annex II bat species have been recorded.

Green Lane is recorded as a byway.

There are no landscape or heritage designations covering the site or other planning constraints.

Below is a location map with photographs that show the context of the site.





View of playing field looking south-east



View from playing field looking to the north-west of the site towards the car park



View from playing field looking to the south-west of the site towards the skate park



View of existing car park



View of Green Lane towards proposed entrance



View of Green Lane at junction with Byron Road approaching the site

4. Planning History

K/31434	Variation of condition 24 on application K/19713, to allow the occupation of the adjacent Healthcare Facilities before the playing pitches have been completed.
K/33049	Variation of time limiting condition (No. 2) Ref K/19713/O (erection of community hospital, mental healthcare provision and access road) to extend period for submission of reserved
K/34117	Erection of prefabricated modular unit to provide changing rooms with facilities for the sports field users.
K/37538	Variation of condition 1 on K/33049 to submit reserved matters to 25 July 2002.
K/19712	Change of use from agricultural land to sports field and relocation of changing facilities
K/19713/O	Erection of community hospital and mental healthcare facilities and construction of access road

K/20347	Laying out of playing fields including regrading of land, drainage, car parking, relocation of changing rooms and landscaping
K/20639	Erection of 3 rehabilitation houses
K/21132/D	Erection of 60 bed acute mental illness unit, access road and car park
K/47364	Alterations and adaptation of existing entrance road, enlarged car parking areas to reduce incidence of on street parking.
K/47419/A	Erection of a free standing entrance sign
K/53452/F	Erection of 2.4m high security fence.
E/2012/1020/FUL	Erection of perimeter fencing and gate and creation of car parking area.
14/01071/FUL	Installation of skatepark
14/06529/FUL	Rain water holding tank
17/06672/PREAPP	Provision of new football pavilion and changing facilities for Devizes Town Council and to form new headquarters for Wiltshire FA. Reconfiguration of car park and newly laid out football pitches

5. The Proposal

The application proposes the provision of a new football pavilion and changing facilities for Devizes Town Council; and the formation of new headquarters for Wiltshire FA. The application also includes the reconfiguration of the car park and newly laid-out football pitches, including the provision of a 3G pitch with floodlighting.

The site is to be accessed off Green Lane, utilising the existing access into the current informal car park. The application proposes to resurface this car park, thus providing 105 car parking spaces.

To the east of the car park, it is proposed to construct a two storey pavilion building. This will have a footprint of approximately 330m² with a ridge height of 7.8m. It is to be constructed of a mixture of red bricks and profile sheeting (in 2 shades of grey). Windows are to be anthracite grey uPVC. At ground floor level, the building will contain changing rooms, toilets, service areas (including kitchen) and a club room. At first floor level, the building is to contain offices for use by Wiltshire FA.

The proposed 3G pitch will be a full-size, artificially-surfaced football pitch, measuring a total area of 113m x 74m. It is proposed to have 6 flood lighting columns, at a height of 15m.

Since the original application was submitted, the location of the 3G pitch has changed, in order to mitigate against ecological impacts i.e. minimising light spill for the local bat populations in Drews Pond Woods.

Dimensions must not be scaled from this drawing



West elevation 1:100 @ A3



South elevation 1:100 @ A3



Key plan



REVISIONS:

Dimensions must not be scaled from this drawing



West elevation 1:100 @ A3



South elevation 1:100 @ A3



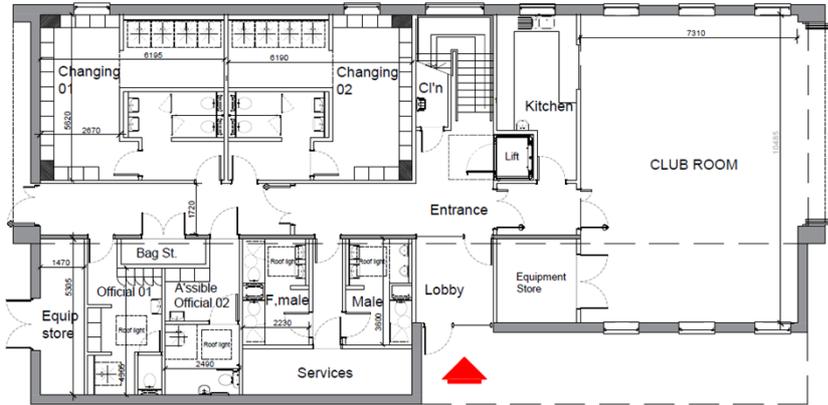
Key plan



REVISIONS:



Gross internal area 297m² (3195 Sqft)
 Total gross internal area 471m² (5,069 Sqft)

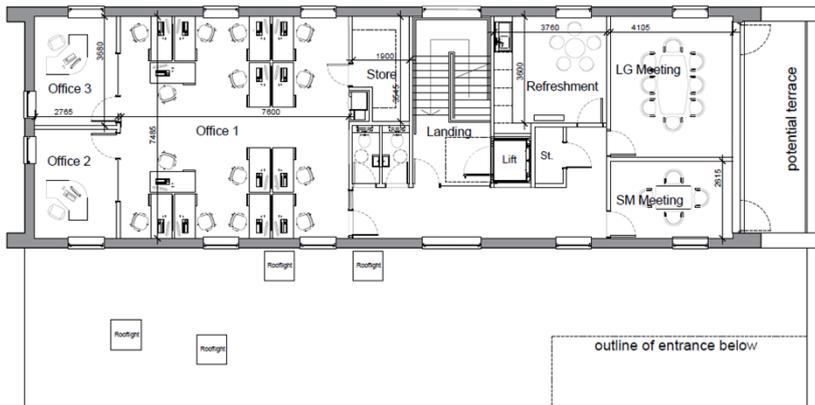


Ground floor plan 1:100

D 23.02.18 UPDATES RELATED TO ELEVATIONS
 C 14.02.18 AMENDMENTS FOLLOWING CLIENT UPDATES
 B 07.02.18 AMENDED TO CLIENTS REQUIREMENTS.
 A 31.01.18 REDRAWN
 REVISIONS:



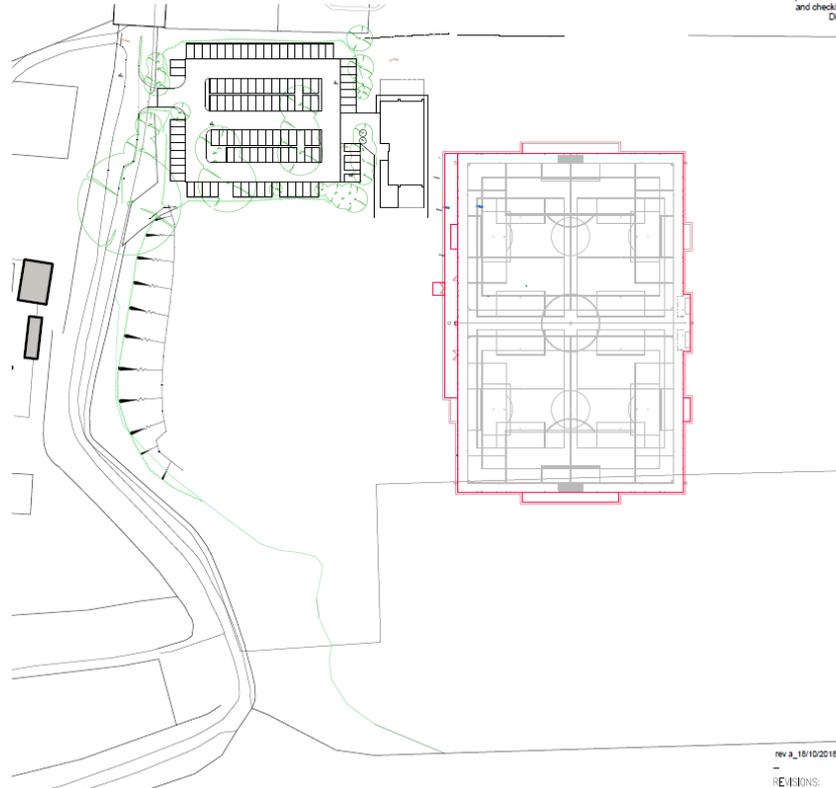
Gross internal area 174m² (1872 Sqft)



First floor plan 1:100

D 23.02.18 UPDATES RELATED TO ELEVATIONS
 C 14.02.18 AMENDMENTS FOLLOWING CLIENT UPDATES
 B 07.02.18 AMENDED TO CLIENTS REQUIREMENTS.
 A 31.01.18 REDRAWN
 REVISIONS:

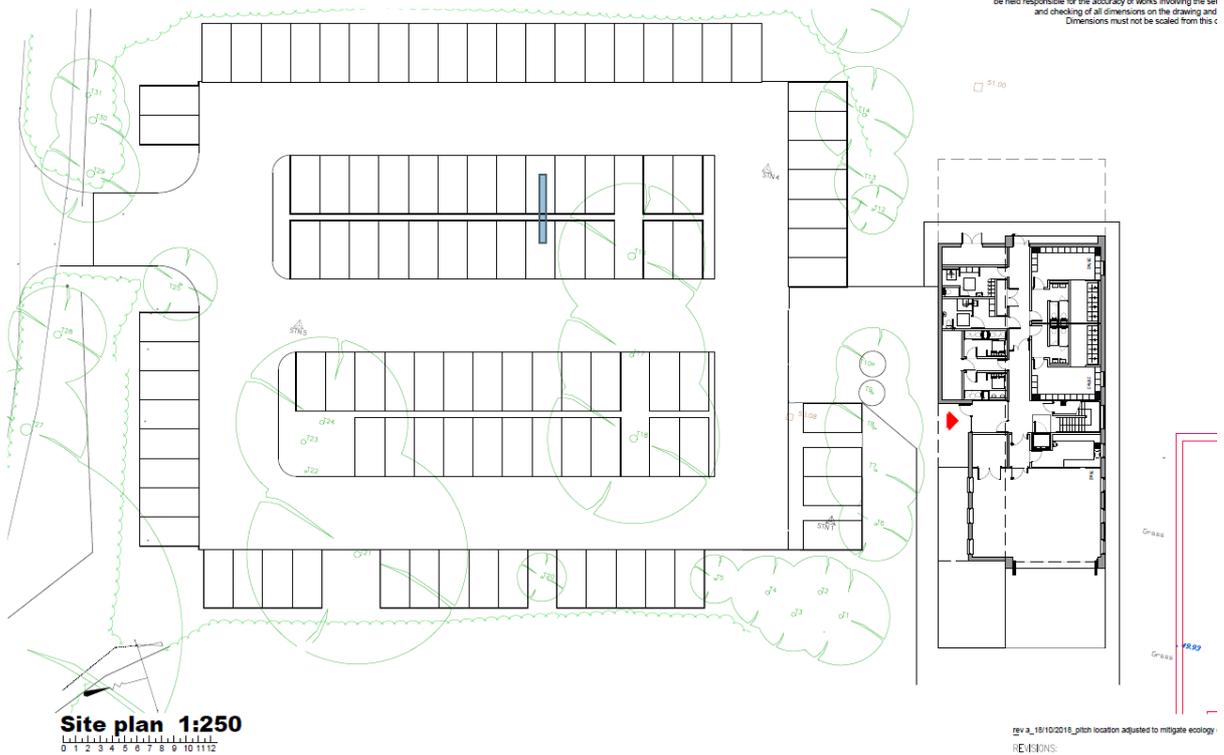
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Site plan 1:1000

rev_a_18/10/2018_pitch location adjusted to mitigate ecology
 REVISIONS:

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Site plan 1:250
 0 1 2 3 4 5 6 7 8 9 10 11 12

rev_a_18/10/2018_pitch location adjusted to mitigate ecology
 REVISIONS:

6. Local Planning Policy

Wiltshire Core Strategy 2015 (WCS):

- CP 1 – Settlement Strategy
- CP 2 – Delivery Strategy
- CP 12 – Devizes Community Area
- CP 38 – Retail and Leisure
- CP 41 – Sustainable Construction and low-carbon energy
- CP 51 – Landscape
- CP 52 – Green Infrastructure
- CP 57 – Ensuring high quality design and place shaping
- CP 58 – Ensuring the Conservation of the Historic Environment
- CP 61 – Transport and new development
- CP 64 – Demand Management
- CP 67 – Flood Risk

National Planning Policy Framework 2012 (NPPF)

Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) – Maximum parking standards.
- Local Transport Plan 2011-2026 Cycling Strategy (March 2015) – Appendix 4

7. Summary of consultation responses (including amended scheme where received)

Sport England

'The Proposal and Impact on Playing Field

Provision of new football pavilion and changing facilities for Devizes Town Council and to form new headquarters for Wiltshire FA. Reconfiguration of car park and newly laid-out football pitches, including creation of a 3G artificial grass pitch AGP.

Assessment against Sport England Policy

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site and a new pavilion. It therefore needs to be considered against exceptions 2 and 5 of the above policy, which states:

E2: 'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

E5: 'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exceptions 2 and 5.

Consideration of exception E2 is straight forward as the changing facility on site and the proposal will replace the temporary changing accommodation on site and remodel the

existing car park without negatively prejudging the playing fields. This is supported in table F of the Area Action Plan of the Wiltshire Playing Pitch Strategy (PPS)

Regarding exception E5, in this instance this is also straight forward: the current adopted playing pitch policy identifies a shortage of artificial grass pitches for football. Table C in the Area Action Plan of the Wiltshire PPS), identifies this site as one of the key sites for football and in Table F it suggests that this site should be considered for the creation of an AGP.

The Football Association are very supportive of this project and the Football Foundation have prioritised funding to the scheme.

Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exceptions 2 and 5 of the above policy.

Normally Sport England would wish to see conditions attached to this type of project to ensure that the project is fit for purpose, however given there is public money being invested into the project, it does not make sense to do so in this instance.

I would like to make a few observations on the design of the pavilion, which I would be grateful if these could be passed on to the applicants:

- There is only one disabled toilet on the ground floor which is accessed via an officials' changing room; this is not good practice, especially if the changing room is occupied by a member of the opposite sex. It would be better to create a disabled WC elsewhere on the ground floor;
- It is not really acceptable to have disabled people go down a level to access a WC in the 21st century. It is better to have an accessible WC on the first floor to ensure the building is inclusive for people meeting and working on the first floor; and
- Communal showers do not cater for a number of sections of today's community, including some BME groups, transgender, shy male and female. I would suggest the end shower area in each of the changing rooms are created as cubicles to allow for private showering cum changing.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Wiltshire Council Arboricultural Officer

'There are no objections in principle of the proposed development however, the mature Scots Pines adjacent to the existing car park are significant landscape features worthy of protection. The applicant would need to demonstrate that the rooting environment of these trees are adequately protected prior to and throughout the development.

The installation of Heras mesh weld fencing should be installed prior to any works and should

remain in situ until the landscape phases begin.

The site plan, P17-012, submitted by Barclay & Phillips Architects, indicate a minor incursion to the RPA of the large pine south west of the car park which would have no overall impact on the retained trees.

All the trees within the existing car park are considered to be of low landscape value and could easily be replaced by a suitable landscape scheme.'

Wiltshire Council Drainage Engineer

No objections, subject to the imposition of conditions to control foul and surface water drainage schemes.

Wiltshire Police

Allowing the proposal to go forward with the design shown has the potential to cause a detrimental increase in the burden of policing and calls upon other public services. Recommend that changes are made to the design of the scheme.

Wessex Water

The strategy is currently acceptable to Wessex Water, subject to agreement to detail with the local planning authority.

No comments to make on the revised plans.

Wiltshire Council Public Protection Officer

'Providing the proposed development is carried out in accordance with the submitted details and plans, including the opening hours, then I have no objections or conditions to recommend.'

Wiltshire Council Countryside Officer

'I note the above application for sports facilities and lighting on land adjacent to Drews Pond Wood Devides. Drews Pond Wood is a Wiltshire Council owned countryside site, managed by the Countryside Team with assistance from the Drews Pond Wood Project. Question 13 on the application form has been incorrectly answered because:

- Protected species have been recorded in Drews Pond Wood (Barbastelle and Bechstein's bats, both Annex II species)
- Drews Pond Wood is designated a CWS and also a Local Nature Reserve

Consequently it seems that no ecological survey has been submitted as part of this application, and one should have been. The lifecycle of bats impacts upon when in the year the survey can be properly conducted. Before any decision is made regarding this development proposal, an ecological survey must be undertaken by a suitably qualified professional in line with the BCT's Bat Survey Manual. The proposal should be allowed only if it can be demonstrated that, once in use, it will have no adverse impact on the adjoining habitats and their associated species.'

Wiltshire Wildlife Trust

'Thank you for the opportunity to comment on the above application. On viewing the documents submitted it is very concerning to see that there has been no ecological assessment of the impact of this planning application on the adjacent Drews Pond Wood Local Nature Reserve and the protected species that occur there.

Drews Pond Wood is a designated Local Nature Reserve, and County Wildlife Site. It is an extremely important site for wildlife. Recent surveys via extensive radio tracking has shown the presence of 12 species of protected bat using the area. In particular there are records of Annex 2 European protected bat species which use the wood, most notably Bechstein's bat and Barbastelle bat. It is essential that a full ecological survey of the bat species using the woodland and the adjacent field edge boundaries which surround the application site is undertaken. Bat species use both the woodland and the field edge boundaries as foraging and commuting corridors.

The proposals to install 15 metre high flood lighting is of great concern due to their potential detrimental impact on protected bat species, which are light averse. Such lighting has the potential to impact directly on commuting and foraging bats and also the potential to disrupt roosting sites, and therefore affecting populations of protected bats. This application needs to be assessed in the full context and understanding of the potential impact on protected bat species.

This location does not appear a sensible or appropriate location for this sort of facility, when the Town already has a football facility in the centre of town which it would appear could be developed and extended to accommodate such a facility without such a detrimental impact on protected species in the area around Drews Pond. Such green spaces on the edge of the town are already tremendously valued by local residents for the quiet and peaceful enjoyment of the designated Local Nature Reserve. The Trust believes that such spaces should be protected and expanded as an essential component of a comprehensive ecological network which works to enhance and further protect and expand wildlife populations, not further deplete them.'

Wiltshire Council Highways

'Marshall Road is able to accommodate the likely vehicle movements. Green Lane being a Byway takes both vehicles and pedestrians. As part of the adjacent Curo development Green lane has been improved in width and surface and I am happy that it can accommodate the vehicle movements. It should also be acknowledged that the site is currently being used for sporting use (in particular football) so there is an existing level of vehicle movements taking place without the requirement of planning permission. The main change will be the introduction on the site of the Adult football and the club-house which may attract social uses outside of the football games I am minded that the use of the site will be tidal and that the use of the pitches should not have a significant cumulative negative impact on the walking users of Green Lane (bearing in mind that there is a current use on site). Also, though I appreciate there may be a benefit to having a footway implemented between the access and Byron Road I am minded that there does not appear to be adequate width in the highway (ROW) and there would also be an impact on the rural nature of the hedgerow so based on both positions I am not minded to insist upon a link being provided.

I note that the applicant now proposes 100 spaces. This number seems reasonable but given the lack of information in regards to how each use will be utilising the site and when (I know

from personal experience youth football can attract a significant number of vehicle use) It will be useful to have a breakdown of movements so I can be satisfied that displaced parking will not take place on this section of Green Lane. (There are double yellow lines further into the rest of the housing estate). To ensure that proper use of all the spaces takes place, the parking area should be properly surfaced (tarmacked) and marked out.'

Wiltshire Council Ecology

Are satisfied that the survey work requested has been carried out to an acceptable standard by a suitably qualified ecologist and states that mitigation measures are possible to minimise the impacts to bats and other local ecology; and that these can be delivered via planning conditions. If the appropriate conditions are added to any permission given, then they believe that the scheme can be achieved without resulting in any significant adverse impact to protected habitats and species.

They are therefore able to support the application, but only if the following conditions are imposed:

- 1 The site will be constructed in strict accordance with the recommendations made in the two reports by Eclipse Ecology, covering the Phase I survey of the site and the subsequent bat surveys.
- 2 Prior to commencement of any works within the site, a suitable revised Landscape & Ecological Mitigation Plan will be submitted to the LPA for approval by their ecologists. This will show all recommendations for mitigation by both Eclipse Ecology but in addition will particularly address the provision of a secondary hedgerow 5m inside the existing hedgerow along the eastern boundary, with a rough grassland strip between the two. It will also address ways to reduce and prevent light spill from the building onto the car park and vegetation to the immediate west.
- 3 No lighting of the car park, or any other additional areas of the site will be permitted without first applying for approval to the LPA.
- 4 Prior to commencement of works within the site, a robust Landscape and Ecological Management Plan will be submitted to the LPA for approval by their ecologists. This will specifically (but not exclusively) address suitable management of the secondary hedgerow on the eastern side of the site to ensure it reaches a height of 3m in a reasonable length of time (to be indicated within the prescriptions) and the placement and maintenance of willow hurdles on the inside edge of the new hedge to ensure instant light baffle while the hedgerow grows.

8. Publicity

The application was advertised by way of a site notice and neighbour notification letters. As a result of this exercise, the following representations have been made:

- Loss of the open space would benefit less people than it would harm
- Do not want to see artificial grass pitches and a stadium
- Exiting car park does not accommodate the numbers they are suggesting (90)
- It is not accepted that overspill onto the surrounding network will not occur
- Already overspill from hospital site
- Where will the buses go after dropping off players
- Green lane is byway not a highway – it is not suitable for additional traffic

- The lane is much used by pedestrians, cyclists and horse riders given the lack of footpaths etc. it will become hazardous to use with increased vehicles on it
- Noise and environmental pollution from increased traffic
- Application is all about football and not much else when this is supposed to be a multi sports facility for the community
- It will have a bar and thus we can expect longer opening hours
- Floodlighting will be harmful to the environment, spoil the countryside and affect neighbouring properties
- Why does Wiltshire FA want to move to Devizes which is less accessible than Swindon
- Car parking provision will be inadequate given the existing users of the site
- Site is used by Devizes Bowman Archery Club
- Drainage strategy is of concern. Soakaways to car park would be best option
- The planning application submitted by Devizes Town Council contains factual errors, in that in Section 13 it wrongly states that there are no priority / protected species or designated sites / important habitats on the land adjacent to the proposed development.
- Bat populations will be adversely affected – notably by the light pollution
- Littering will increase
- Will toilet facilities be made available at the pavilion for uses of the skate park
- No enough parking
- The junction of Green Lane and Byron Road is already an accident waiting to happen
- No noise assessment
- The clubhouse will likely have events late into the evening causing noise and disturbance to local residents
- Inaccuracies in the plans as they do not show the recent housing development nearest the site or extensions to Green Lane Hospital
- A lit up sports field will ruin a local amateur astronomer's hobby
- They should only use the field during daylight hours and keep the skies dark
- The recreation ground should be a centre for many activities, and a proper plan for its development is needed, not the piecemeal approach we have at present where a skate park is tucked into one corner and a football pitch and pavilion into another. In both cases the availability of cash has spurred the development, not a coherent plan.
- It is regrettable that planning permission is being sought by Devizes Town Council, which has consulted football-oriented organisations, but not thought it necessary to engage with its own residents.
- The current football ground for Devizes FC should be expanded. This would be a better option.
- The sports ground is not neglected as the applicants state
- Alongside the proposed floodlit football pitch the NHS has Mental Health Partnership facilities. These two activities do not make good neighbours.
- The substantial pavilion building will add a large built element.
- The extensive car park will also be intrusive.
- The floodlighting will introduce tall, alien structures, and light pollution.

The revised location of the 3G pitch was consulted upon. Comments in addition to those mentioned above are summarised below:

- Light pollution from 15m floodlights will still occur despite additional lighting information
- This recent submission will selfishly exclude all sports except Football
- The FA should not be allowed to monopolize sporting venues or areas purely because "they" have better funding.
- Our primary concern is over the complete disregard to the needs of Devizes Bowmen for whom Green Lane has been home for the past 50 years.
- The proposed plans, as presented, will mean that Devizes Bowmen will probably have to be disbanded unless the Town Council can find another suitable venue for the club to shoot.
- The Devizes Town Council has placed itself under financial obligation to the Wiltshire FA, and has failed to consult all stakeholders of Green Lane about this planning application
- Archery club will be destroyed by the 3G pitch.
- Not enough space to accommodate an archery range anymore with the current proposals
- The drawings prepared and submitted fail to show the full extent of the site and how the facility might be best utilised by the local community, whom the Devizes Town Council are supposed to represent.
- The proposal fails to support the strategic objectives of Sport England in tackling inactivity in the community by ensuring the facility is developed as a 'multi-sport community facility' as originally set out by the Devizes Town Council brief, and are simply focussing on what is arguably the most active group in our community.
- The proposals fail to recognise the access and usability needs of other users of the facility. Our club has disabled members one of whom is a tetraplegic and as such specific access and use requirements have not been considered in the proposed plans for the archery club.
- The ground conditions on the site are poor and drainage is inadequate, with frequent waterlogging in the winter months, yet are not being improved as part of this proposal and additional surface water from the proposed building, re surfaced car park and 3G pitch will simply make the conditions worse.
- It is complete disbelief that Devizes Town Council have chosen to ignore a well-established and respected community group, and rail road the plans through with no consultation or consideration of other user groups at Green Lane.
- No facilities being provided for existing users if the site e.g. The Devizes Bowmen.
- Development of the site would be contrary to Sport England objectives.
- Loss of this facility would greatly sadden local people.
- Re-positioning the football pitch in a south-easterly direction would enable the continued use of the established archery range as part of the multi-sport community facility at the field.
- It seems Devizes Council have forgotten their obligation to provide sports facilities/opportunities for all, and not just those that have lots of money to spend.
- No accompanying documentation to show how the bats will be mitigated against or protected.
- It is perfectly feasible to develop the site with the new facilities positioned to meet both the ecology requirements and requirements of other sports clubs using the site - but only if consultation occurs with all the parties.

- As a pensioner I cannot play football and archery is an important way for me to get some exercise and fresh air.
- Access to the sports field is currently from Green Lane which is classed as a byway, not a highway and not suitable for increased traffic levels 7 days a week. There is no consideration of this within the Planning Document.
- Replacing two shipping containers with a substantial two-storey building that will be place of employment is not 'like for like' and whomever placed this within the Planning document is creating a false illusion and has stated a falsehood on what should be an accurate reflection on an application that is for 'Public Consumption'.
- Its usage has narrowed, whereas previously, this area has been used by the general public, is of high recreational value and used on a multi-purpose basis by families, dog walkers, cyclists, horse riders, multi-sports personnel etc.
- To my mind, the Town Council have not followed due process by failing to consult with all stakeholders in the site and have placed themselves under a financial obligation to the Wiltshire FA who have unduly influenced the proposed development. I believe this may contradict their own Code of Conduct.
- As a previous employee of Green Lane Hospital I am also concerned how the flood lights and football match noise so close to the inpatient wards will affect service users, some of whom have very serious mental illnesses and are detained in hospital under the Mental Health Act. This will cause unnecessary and avoidable distress to some of the most vulnerable people in our society.
- The proposal fails to support the strategic objectives of the National Planning Policy Framework July 2018 that states planning policies should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, for all sections of the community, through the provision of safe and accessible green infrastructure and sports facilities.

9. Planning Considerations

Principle of Development

The site lies outside of the built-up part of Devizes and therefore, in planning terms, it is considered to be a countryside location. However, the site is currently in use as a D2 (leisure and recreation) playing field and there were no conditions imposed on the original consents (planning applications K/19712 and K/20347) restricting the use of the land to only grass sports pitches within the D2 use class. The proposed formal sport pitches and football pavilion would also be a D2 use, thus compatible with the wider use of the site, which includes the Devizes Skatepark.

The offices at first floor will be occupied by Wiltshire FA. Wiltshire FA will be running / managing the facilities at the site and therefore, these offices would be ancillary to / associated with the wider use of the site. As such, a separate B1 use is not being created here but rather ancillary / associated offices attached to a wider D2 use. The office element therefore, does not constitute a change of use and is therefore acceptable.

Although the application site lies just outside of the Limits of Development (LoD) of Devizes, where under Core Policy 2 development is strictly controlled i.e. limited to those exceptions identified at paragraph 4.25 of the WCS, the site is already in use as a sports field with some operational development e.g. a skatepark and steel shipping containers used by the Devizes Bowmen. The site is well-related to Devizes and easily accessible from the main centre /

residential areas such that it is not considered to be an isolated, unsustainable form of development e.g. access on foot or bicycle would be possible given the distances involved (to accord with IHT Guidance, the site is less than 2km from the centre for walking and 5km for cycling). Furthermore, a facility such as this is far more likely to be located on the outskirts of a town rather than within the main built-up area.

As such, the principle of development is considered to be acceptable, subject to compliance with other relevant policies of the development plan and national planning documents.

Loss of part of the playing field / inclusivity

Whilst the NPPF is supportive of the provision of community facilities such as this, it also seeks to protect existing sport and recreational provision from unnecessary development. It states in paragraph 97 that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

However, the loss of this land should not prohibit the wider use of the sports field for recreational activities as it is only a small area that is being given over to the building, and the car park is an existing feature, though now with a formalised surface. Furthermore, the building will help facilitate the use of the pitches and will be an associated recreational facility. The 3G pitch is considered to be an improvement on the existing situation as it would replace a grass pitch. As such, the proposal is considered to satisfy the latter criteria from paragraph 97 of the NPPF cited above.

In addition to the above, it is noted that Sport England has raised no objections to the application that would warrant the refusal of planning permission.

Concern has been raised that the proposed facilities simply cater for the footballing needs of the town, with the suggestion made that the views of the FA have been considered above all other users of the site. It should be noted that the LPA has control over the use of the site insofar as its Use Class is concerned i.e. that it is a D2 use and any activities on the site must accord with this. It is the operator of the site / owner who has control over what specific D2 uses would be allowed on the site. The LPA cannot police this provided that it does not amount to development and is in accordance with the D2 use of the site. In fact, irrespective of whether a planning permission exists on the site, the Town Council has the authority, as operator of the site, to deny access to any of the existing users should they wish to do so. That said, planning does have a role to play in shaping the social objectives of sustainable development providing accessible open spaces that support a communities health, social and cultural well-being. The applicants have provided a total site plan as part of the landscaping submission. This plan does show an alternative location on the site for the archery range and there would appear to be sufficient space for the operation of the boot camp that takes place here. Whilst the principle use of the site would appear to be football-

related, this has probably always been the case with the running of youth football here on an informal basis on many weekends of the year. However, this use does not appear to prohibit the existing users off the site from carrying out their activities. As such, the LPA considers that the site still benefits the wider community and not just those with an interest in football, and can therefore contribute to the health and well-being of the town in the same way that it does now.

Design

Core Policy 57 of the WCS is the primary reference point for assessing the design of the scheme. This policy requires a high standard of design to be met across all new development proposals. It requires development to conform to the existing settlement pattern, and be respectful in terms of building form, layout, plot size, elevation treatment and neighbour amenity. Additionally, section 12 of the NPPF is relevant. The design of the scheme needs to be read in its context.

The design of the pavilion is akin to other sports pavilion-type buildings within the wider area. Its scale and height are considered to be acceptable given the required internal uses of the building, whilst ensuring it is not excessive in size. Furthermore, the building will sit within a large site that is covered in its entirety by a D2 use. It is located within the corner of the site so as to take advantage of existing screening and car parking facilities, to ensure unnecessary further development (e.g. access roads, pavements etc.) and to minimise the visual impact of siting it on more open ground.

Elevational treatment is considered to be acceptable. The materials are appropriate to the context of the site (rural fringe) and should ensure the building assimilates into the landscape rather than standing out in a prominent manner. However, whilst acceptable in principle, it will be necessary to control the materials via condition to ensure the finer details are acceptable. The arrangement of fenestration is considered appropriate, being in keeping with the contemporary look of the building; and helps to break up the massing of the elevations. Furthermore, the use of large format glazing helps to break the building up, giving it a more lightweight feel / appearance.

Sport England have made some comments with regards to the specifics of the internal layout e.g. use of communal showers and the placement of the disabled WC, however, the internal layout of the building is not subject to planning controls. Therefore, it is not a matter the LPA needs to address.

The Crime Prevention Officer has recommended some changes to the design of the scheme in the interests of reducing anti-social behaviour. Whilst it is acknowledged that these changes may help to reduce any actual or perceived opportunities for antisocial behaviour and that they may help to secure a higher standard of design, the scheme as presented is in broad accordance with Core Policy 57. As such, by not incorporating these changes into the design scheme, it is not considered that the development would be rendered unacceptable in design terms. These changes are more on the aspirational side; if they are not achieved, it is not considered that there would be sufficient grounds to refuse the application. Officers consider that such a reason would most likely be difficult to defend at appeal, particularly as the impacts are perceived. In reaching this conclusion, consideration has been given to the fact that the site will be managed by Wiltshire FA who will have offices on the site. Consequently, there will be surveillance provided, as a result of the building's daily use.

Furthermore, the site is to operate from 8am until 10pm on all days of the week. It is therefore not a sport pavilion that is only used on match days, for example. Such frequent use and long operation hours is likely to act as a deterrent to anti-social behaviour.

The 3G Pitch is of standard design; so too are the flood lights. There is little scope, therefore, for the design of these to be changed and consequently, they vary little between sport grounds across the country. The key consideration with these structures is whether the visual impact is acceptable – this issue will be discussed in the next section of the report.

Visual Impact / Loss of Green Infrastructure

The site falls within the landscape setting of Devizes, being on the edge, but outside of, the built-up area of the town. The site forms part of the existing sports field and the general ambience and appearance of its immediate surrounds are of a rural setting, with the public footpaths and Drews Pond Nature Reserve close by. Whilst the field is already in leisure use, it is accepted that the football pavilion could initially appear as an alien landscape feature, although not an unsurprising feature within the context of playing fields. However, the site is fairly level and well-contained within its own visual envelope, with mature trees and hedging at the boundaries. These would help to screen the football pavilion and filter any views experienced from public vantage points. The football pavilion has been designed with appropriate materials and coloration and subject to controls on external lighting (which can be controlled via condition), its visual impact would be limited. The visual impact of the building would need to be significant for it to be considered unacceptable on landscape grounds.

The only other form of development is the 3G pitch which arguably, along with the proposed floodlighting, would have the greatest visual impact. The pitch sits centrally in the field in order to ensure that any light spill does not fall outside of the application site, and the lighting is angled in such a way as to avoid upward light spill. It is, however, appreciated that when the flood lighting is on, the site will be visible, as currently there is no lighting present. Ambient lighting will be inevitable. That said, the site is close enough to the existing built form, which includes the adjacent well-lit Green Lane Hospital, such that the impact of the lighting would not be overtly harmful on the rural surrounds during dark hours operation – which, given the hours of operation of the site will not be year-round. A more isolated location would have a very different impact. In reaching this conclusion, consideration has been given to the fact that the site is not located within a sensitive / designated landscape e.g. AONB. Matters of lighting with regards to ecology and the sensitivity of nearby ecological areas is a separate issue that will be dealt with in a subsequent section of this report. Acceptance in landscape terms of the lighting is different to the ecology considerations.

The floodlights themselves, although visible development, due to their height and position in an edge-of-town location, are not considered to cause harm to the landscape character of the area such that a reason for refusal could be justified. Whilst the intrinsic character and beauty of the countryside must indeed be recognised, this landscape is not afforded the same weight of protection as designated landscapes such as the North Wessex Downs. The existing landscape is very much rural fringe and given the current use of the site as a sports field, the introduction of floodlighting will not have a fundamentally harmful change to the character of this landscape. Their greatest intrusion comes from when they are switched on and this, as detailed above, is not considered harmful enough to warrant a refusal.

The pitch itself will be surrounded by fencing and will obviously be of an artificial surface compared with the current grass surface. However, this level of development within a sports field that is well apportioned at the boundaries with natural hedging and trees, will not cause harm to the character of the landscape such that a refusal could be defended.

Core Policy 51 of the WCS requires development to protect, conserve and where possible, enhance Wiltshire's landscape character, whilst any negative effects must be mitigated as far as possible. Some additional planting is proposed, which will further help screen the development, and which is considered an appropriate level of mitigation to deal with the negative effects of the proposal in landscape terms. Overall, it is considered that the proposal would have a broadly neutral impact on the surrounding area in visual terms. As such, it would accord with the aims of this policy.

The site currently has a D2 use as a sports field and such sporting uses are considered to fall within Wiltshire's green infrastructure. Core Policy 52 requires that development should retain and enhance Wiltshire's green infrastructure network. The pavilion represents a very small loss of open green space, but will enhance this area by providing a facility that will aid the use of the space as a sports field. The formal pitches would also be seen as an enhancement to this space. As such, there is no conflict with Core Policy 52 of the WCS.

Highways Safety / Parking Standards

The Local Highway Authority (LHA) considers that Marshall Road is able to accommodate the likely vehicle movements associated with the development. Green Lane, being a Byway, takes both vehicles and pedestrians. As part of the adjacent Curo development, Green Lane has been improved in width and surface and, therefore, the LHA are also satisfied that it can accommodate the vehicle movements associated with the development.

As part of this consideration, it is necessary to factor in the existing level of use of the site by youth football, archery and the bootcamp, all of which bring with them a level of traffic. There are also small numbers of dog walkers or other users of the playing field who may choose to drive to the site and park. Such uses occur on a weekly basis without any control and fall outside of the planning remit. The proposed use is adding to this, primarily through the development of adult football at the site. However, it is clear from this that the development is not creating traffic to a site that currently has none.

Paragraph 109 of the NPPF states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Officers do not consider that the cumulative impact on the surrounding road network would be 'severe' and therefore assert that a refusal on such grounds is not justified and could not be substantiated at appeal. This is because the LHA are satisfied that the surrounding road network can handle the volumes of traffic anticipated by the development and that, to a large

extent, much of the traffic is already coming to the site at weekends for youth football, and during the week and weekends for archery and the bootcamp.

The LHA did have some concerns over the amount of parking and whether this would be sufficient to accommodate all of the uses on the site. Since this concern was raised, the applicants have provided a Transport Statement (TS) to detail the likely vehicular movements throughout the week and thus what the required parking would be. Whilst there are no facilities as such being provided for spectators e.g. seating, it is anticipated that there will be some. Whilst the TS does not specifically address this, the LHA are not raising it as a concern. Any spectators for the youth football would most likely be parents who would be taking their children to the games anyway. Adult football games are likely to involve lift-sharing e.g. partners or friends would travel with players. As such, the LHA are accepting of the findings within the TS.

Furthermore, with Wiltshire FA running / manning the site, there is the opportunity for them to police / control parking there i.e. by limiting the amount of football played to suit the parking availability at different times of the week. In addition to this, the TS caters for the worst-case scenario i.e. everyone travelling to the site does so in their own car. The reality is that many players would lift-share, particularly 'away' teams, and there would be some dropped-off by coaches / minibuses. Therefore, the actual parking figures may be less.

Overall, the LHA raise no highway objection to the scheme subject to the parking and access being provided as demonstrated prior to the first use of the development. This condition can be reasonably imposed.

Ecology

Annex II bat activity has been recorded around the area close to Drew's Pond Wood, Potterne and Easterton Wood, with probable commuting between these and other foraging sites, along suitable routes. Several other species of bat have also been recorded within Drew's Pond Wood and surrounding area.

The proposed development lies in close proximity to Drews Pond Wood and therefore, a potential for bats to be using the site as a commuting route or foraging route needed to be investigated. Ecological work subsequently took place over the course of the summer and early autumn to identify if bats were using the site and if so, how.

This survey work was undertaken by a suitably qualified ecologist and has been accepted by the Council's Ecologist. No roost for any species of bat was found within the site itself, however, the surveys have shown regular use of the boundary features of the site by more than one Annex II species. This is sufficient to indicate that substantial mitigation measures are required to achieve the proposed development without adverse impact to bats, particularly the use of lighting and the availability of habitat features used for foraging and commuting.

The Council's Ecologist is satisfied that subject to suitable mitigation, the scheme can be delivered without adverse impact to protected habitats and species. Mitigation measures outlined in their consultation response have been agreed by the applicants and can be delivered via suitably-worded planning conditions. With such conditions in place, the scheme would comply with the requirements of Core Policy 50, which seeks to protect features of

nature conservation and enhance biodiversity.

Neighbour Amenity

There are a number of residential properties in close proximity to the development and it also adjoins Green Lane Hospital. It is important, therefore, to consider the reasonable living conditions of these nearby residents and the patients of the Hospital to ensure there are no harmful impacts arising from the development.

With regard to the use of the site and the hours of operation, the Council's Public Protection Team has been consulted. They consider that there would be no significant impact to any of the neighbouring properties adjoining the site, subject to the development being carried out in accordance with the plans submitted, and operating under the hours specified (8am to 10pm). They also considered the impacts of introducing floodlighting to the site and reached the same conclusion i.e. no harmful impacts.

It can be concluded from this that there will be no significant impact by reason of noise or disturbance (including that from lighting). In the absence of an objection from Public Protection, officers consider that a refusal on such grounds would not be justified and could not be substantiated at appeal.

With regard to the physical development, this is sited a sufficient distance in from the boundaries of the field, such that it will not cause loss of light, overbearing impact or loss of privacy to the occupiers of neighbouring properties.

It can be concluded overall that there will be no detrimental impact on the reasonable living conditions of the adjoining residents. Hours of operation for the site can be conditioned, including the floodlighting.

It is also of note that no objection was received from Green Lane Hospital, which immediately adjoins the site to the north.

Drainage

Whilst a Drainage Strategy has been submitted, further study work / information is required before the Council's Drainage Team would be satisfied with the proposal. Accordingly, they have suggested that the imposition of conditions to cover foul and surface water drainage details would be sufficient to address their concerns. Such conditions are considered necessary to ensure the site is adequately drained in the interests of minimising flood risk and therefore officers suggest they are imposed on any planning permission given.

10. Conclusion (The Planning Balance)

The site is an established D2 use which the proposal would form part of. It sits outside of the LoD of Devises but nevertheless, in a sustainable location. In principle, there is no objection to the proposals.

The proposed pavilion and 3G pitch are considered to meet the high standards of design that are required by Core Policy 57 of the WCS, with the more detailed aspects capable of being controlled through appropriate planning conditions.

As the site is located on the edge of the built-up area of the town, within an established D2 (playing field) site with sufficient existing and proposed landscaping, there would be no detrimental visual / landscape impacts. Compliance with the aims of Core Policy 51 is thus secured.

The Local Highway Authority is satisfied that the surrounding road network is capable of accommodating the increase in road traffic without causing severe harm to highway safety. As detailed in the report, the level of parking provision is considered acceptable and accords with the Council's maximum parking standards.

Suitable mitigation is possible to ensure that there will be no adverse impact on protected species and habitats - this can be delivered through appropriate planning conditions.

There are no other technical issues that would warrant a refusal of planning permission, or that cannot be mitigated through the use of appropriate planning conditions e.g. matters regarding ecology and drainage.

The LPA must also take account of any benefits the scheme would bring that weigh in favour of granting permission. The proposal will provide a modern community facility for the benefit of Devizes Town and its hinterland for football purposes. Both local and national planning policy is supportive of the provision of new community facilities, particularly where they are aimed at improving health and well-being (NPPF paragraph 92 and Core Policy 52). Whilst numerous comments have been made regarding the narrow extent of the facility (i.e. that it is just for footballers to enjoy), the benefits the scheme will bring cannot be overlooked. Arguably, the footballing community involves the greatest number of participants who would benefit from this scheme. Officers consider the benefits of the scheme to be significant and weigh in favour of the grant of planning permission.

No conflict has been identified with the policies of the WCS and thus, it is considered that the proposals accord with the development plan as a whole. Material considerations, including the policies of the NPPF, do not indicate that a decision should be made otherwise.

In the absence of any material harm, the balance lies in favour of approving the application.

RECOMMENDATION

Approve subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Drg No. P17-012-02-02-001 - Location Plan
- Drg No. P17-012-02-02-002A - Planning GA Site Plan
- Drg No. P17-012-02-02-003A - Planning GA Site Plan
- Drg No. P17-012-02-02-005 - LANDSCAPING Total Site
- Drg No. P17-012-02-03-001D - Planning GA Ground Floor Plan
- Drg No. P17-012-02-03-002D - Planning GA First Floor Plan
- Drg No. P17-012-02-05-001 - Planning GA Elevations (Sheet 1 of 2)
- Drg No. P17-012-02-05-002 - Planning GA Elevations (Sheet 2 of 2)
- Drg No. 04 Rev 02 - Proposed AGP Elevations
- Proposed Materials and Appearance - 3G Pitch
- SSL A Floodlighting Performance Results Rev 2
- Optivision - downlight performance - Optivision MVP507

REASON: For the avoidance of doubt and in the interests of proper planning.

3 No development shall commence on site above ground floor slab level until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

4 No development shall commence on site above ground floor slab level until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

5 Prior to commencement of any works within the site, a suitable revised Landscape & Ecological Mitigation Plan will be submitted to and approved in writing by the Local Planning Authority. The plan should show all recommendations for mitigation by both

Eclipse Ecology Reports but in addition, should particularly address the provision of a secondary hedgerow 5m inside the existing hedgerow along the eastern boundary, with a rough grassland strip between the two. It will also address ways to reduce and prevent light spill from the building onto the car park and vegetation to the immediate west.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

6 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before first use of the development hereby permitted. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management - notably securing the secondary hedge on the eastern side of the site to a height of 3m in a reasonable length of time (to be indicated within the prescriptions) and the placement and maintenance of willow hurdles on the inside edge of the new hedge to ensure instant light baffle while the hedgerow grows.;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an (X) year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

- 7 No external lighting shall be installed on site other than that shown on the approved plans until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site primarily in the interests of ecology.

- 8 No development shall commence on site above ground floor slab level until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area

- 9 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 10 No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 11 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until tree protection fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been erected around the mature Scots Pines adjacent to the existing car park, and;

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 12 The mitigation measures detailed in Section 5 of the approved Ecological Assessment by Eclipse Ecology dated 26th October 2018 shall be carried out in full prior to the first bringing into use of the development and in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the impacts of the development upon existing biodiversity and nature habitats, priority species and priority habitats.

- 13 The offices hereby approved shall be used for purposes ancillary to / associated with the D2 Use Class attached to the wider site as set out in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed office use is acceptable in an ancillary capacity but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 14 The use hereby permitted shall only take place between the hours of 8am in the morning and 10pm in the evening from Mondays to Sundays.

REASON:

To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 15 The floodlights hereby approved shall only be illuminated when the 3G Pitch is in use within the permitted hours of operation, 8am to 10pm Monday to Sunday.

REASON: To minimise the impact of the floodlights in the interests of the amenity and ecology of the area.