

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	3rd September 2008
Application Number	08/01605/FUL
Site Address	Chippenham Sports Club, Bristol Road, Chippenham
Proposal	Erection of Air Hall for Indoor Sports Use
Applicant	Chippenham Sports Club
Town/Parish Council	Chippenham
Grid Ref	391133 174166
Type of application	Full Application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

This application proposes the erection of an air hall at Chippenham Sports Club to provide a facility for indoor sports use. The key points to consider are as follows:

- Implications on DC Core Policy C3 and Policy CF2
- Affect of the residential amenity of existing properties
- Design and scale of the development
- Impact on traffic and parking in the local area

Officer Recommendation

Planning Permission be GRANTED subject to the conditions.

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Proposal and Site Description

The proposed air hall is an inflatable structure constructed of a non-combustible PVC material, which is indicated to be dark green on the bottom third and the remainder in white. The hall stays inflated by electrically driven fans with a back-up diesel generator if the fans fail.

The hall is to be erected on an area of land within the existing sports complex. It will be located to the rear of the football ground and the all weather sports pitch and next to the bowling green. Hardenhuish Park is to the north of the site and the Listed building which forms part of Hardenhuish School can be seen across the park and school grounds. Residential properties fronting onto Yewstock Crescent West are visible to the east of the site.

The proposed air hall will be approximately 36 metres X 36 metres and have a height of approximately 9.5 metres.

A previous application for an air hall on this site was withdrawn to allow time for a noise impact study to be prepared, this has now been completed and was submitted with this new application.

Planning History		
Application number	Proposal	Decision
08/00966/FUL	Erection of Air Hall	Withdrawn

Consultations

Chippenham Town Council have no objections.

Wiltshire County Council Highways have no objections.

Environmental Health – With regard to the Noise Impact Study provided for this application, there are some uncertainties, eg plant continues to operate beyond the hours assessed and subject to the application. Despite this the source noise levels provided from another site suggest that there will be no adverse noise impact.

However, given some uncertainties, a 2.5 metres high, close boarded timber fence to the north-eastern and southern boundaries is recommended.

With regard to the diesel generator for emergency use, this has not been subject to the above assessment therefore this should be sited in such a way as to benefit from the screening effect of the fence.

In addition to the close boarded fence, it is also recommended that a condition is attached regarding noise levels.

Representations

12 letters of objection have been received together with a petition signed by 17 households (3 of which have already sent in a letter of objection).

Summary of the key points raised:

- Will generate noise and congestion in area where access is difficult;
- Visually unpleasant and not in keeping with the surroundings area, this type of facility is more in keeping with an out of town development;

- Adversely affect house prices and saleability;
- Noise from the electric fans and the lateness of opening times
- Late night activities are considered by residents to be anti-social;
- A proper building would be better, this is a cheaper and uglier option. A purpose built hall would have no light pollution and sound insulation and be preferable for long term energy saving;
- Need to know what it will be used for, is it exclusively for sports use or will it be rented out for parties, exhibitions etc.;
- It could house over a hundred people training, the traffic and parking could not cope;
- The increased density of use will add to the noise and light pollution problems.
- Not enough bicycle facilities.

Planning Considerations

Principle of Development

Policy CF2 which relates to Leisure Facilities and Open Space is generally permissive of proposals which improve existing leisure facilities and provide benefit to the local community. It is considered that the proposal is in accord with Policy CF2. However, the application must also be assessed with regard to DC Core Policy C3 which seeks to protect the amenity of neighbouring properties.

Impact on Amenity

The information submitted with the application indicates that the hall will be used for netball, basketball, cricket, tennis and football. There was a discrepancy on the hours of use as the timings given on the application form did not correspond with the times given in the Noise Report, however, the agent has now confirmed in writing that the proposed hours of use would be: Monday to Friday 09:00 to 22:30 hrs and Saturday and Sunday 10:00 to 19:00 hrs. These times seem to be in-line with the use of other facilities within the sports complex.

The sound tests in the Noise Report were carried out with regard to 5-a-side football which was considered to be the noisiest of the activities listed. There is a distance from the air hall of approximately 60 metres to the boundary of the nearest residential property and approximately 100 metres to the rear of the nearest dwelling. Environmental Health raised no objection to the proposal subject to conditions, relating to a 2.5 metre fence along two of the boundaries and noise levels.

As there have been a number of objections from local residents relating to the possibility of noise and disturbance Environmental Health were contacted for further clarification. It was stated that from the information submitted it was not felt that the operational equipment would be close enough to cause noise nuisance, although there were some uncertainties, as the data was obtained from a similar plant not a manufacturer's spec and the noise readings were not taken at the most noise sensitive time and no account had been made of the diesel generator. However, in assessing the application a worst case scenario was taken and it was still found from the information supplied that a statutory noise nuisance was unlikely to exist. The fence was recommended to mitigate in the event of wind direction and speed.

Given the size of the proposed hall and to alleviate worries from nearby residents over the use, a condition has been added restricting the use to those activities listed by the agent in the latter accompanying the application and an hours of use condition.

Impact on Listed Building

The Listed building forming part of the Hardenhuish School can be seen clearly across the park. English Heritage have been consulted but have not responded, however, the Senior Conservation Officer has verbally stated that given the distance of the air hall to the school there is unlikely to be a significant impact although as the site is fairly open some landscaping would be recommended.

As stated above, Environmental Health have recommended a 2.5 metre high timber fence along two of the boundaries and given that this would appear fairly harsh, it was suggested to the agent that the fence should be pulled in slightly from the boundary to allow for some landscaping along the edge. The agent has confirmed in writing that this would be acceptable and a landscaping condition has been recommended, this would also reduce any impact on the Listed building across the park.

Highways and Parking

Access to the site will be via the existing access from Bristol Road and whilst six additional car parking spaces have been provided within the site it is intended that the existing car parking associated with the sports club will be used. Highways have raised no objection to the proposal.

Recommendation and Proposed Conditions/Informatives

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. The development hereby permitted shall be used for netball, basketball, cricket, tennis, football or other sporting activity which has been previously agreed in writing with the Local Planning Authority and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that inappropriate uses do not take place in this locality.

4. The use hereby permitted shall not be open to customers before 09:00 hrs nor after 22:30 hrs Monday to Friday and not before 10:00 hrs nor after 19:00 hrs Saturday and Sunday.

Reason: In the interests of the amenity of the area.

5. Prior to the commencement of the development hereby permitted, details of a 2.5 metre high close boarded timber fence along the north-eastern and southern boundaries of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: In the interests of the amenity of the area.

6. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the

local planning authority.

Reason: In the interests of amenity.

7. The Rating Level (in accordance with BS4142:1997) of all fixed plant associated with the proposed development shall not exceed 35 dB when measured at the boundary of the site adjacent to residential properties.

Reason: In the interests of the amenity of the area.

Informatives:

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3 and CF2

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: Drawing showing Elevations received by the local planning authority on the 2nd July 2008 and Revised Plan showing Site Location and Block Plan received by the local planning authority on the 24th July 2008.

Reason for Decision

The proposal will create an additional facility within an existing sports complex and is considered to be in accordance with the provisions of policies C3 and CF2 of the North Wiltshire Local Plan 2011.

Appendices:	<ul style="list-style-type: none">NONE.
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">1.20 2.02 3.03 4.02 4.04