

**APPLICATION REPORT – FUL/349908/22**  
**Planning Committee 7<sup>th</sup> June 2023**

Registration Date: 04.10.2022  
Ward: Chadderton North

Application Reference: FUL/349908/22  
Type of Application: Full

Proposal: Conversion of existing floodlit grass stadium football pitch to a new floodlit 3g artificial grass pitch with storage container, improved access, parking and perimeter fencing.

Location: Chadderton A F C Ltd, Andrew Street, Chadderton, Oldham, OL9 0JT

Case Officer: Matthew Taylor  
Applicant: Mr Bob Sopel  
Agent: Mr Steve Wells

## **1. INTRODUCTION**

- 1.1 The application is being reported to Planning Committee for determination given it is a major development, in accordance with the Council's Scheme of Delegation.

## **2. RECOMMENDATION**

- 2.1 It is recommended that the application be approved subject to the conditions as set out in this report.

## **3. SITE DESCRIPTION**

- 3.1 The application site comprises an established football ground enclosed by fencing, the majority of which is concrete panel fencing approximately 1.8 metre high. The site is used by Chadderton FC, an England Football Accredited Club with over 250 players across all age groups.

## **4. THE PROPOSAL**

- 4.1 Planning permission is sought for the replacement of the existing floodlit grassed pitch with a floodlit 3G artificial grass pitch, the siting of a storage container, improved site access, increased car parking provision, and new perimeter fencing.

## **5. PLANNING HISTORY**

- 5.1 PA/339600/17 - Erection of 2.4m high galvanized and powder coated green paladin mesh fence of approximately 22m in length – Granted 08.03.2017

5.2 PA/336196/14 - Erection of boundary fencing – Granted 14.01.2015.

## 6. RELEVANT PLANNING POLICIES

6.1 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is allocated in the Proposals Map associated with this document as Green Corridor and Link. As such, the following policies are considered relevant to the determination of this application:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 2 – Communities;
- Policy 5 - Promoting Accessibility and Sustainable Transport;
- Policy 6 -Green Infrastructure
- Policy 9 - Local Environment;
- Policy 14 - Supporting Oldham's Economy;
- Policy 20 – Design;
- Policy 21 - Protecting Natural Environmental Assets; and,
- Policy 23 'Open Spaces and Sports.

## 7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	No objection.
Drainage/LLFA	No response received.
Highways	No objection subject to a condition relating to the details of construction, levels and drainage of the parking and access, and cycle storage provision.
Coal Authority	No objection following receipt of amended plans.
Trees	No objection following receipt of amended plans.
Street Lighting	Raised no objection to the amended lighting design.
Sports England	Raises no objection to this application which is considered to meet Exception 5 of our adopted Playing Fields Policy, subject to a planning condition relating to securing community use through a Community Use Agreement.

## 8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.

8.2 In response, one representation has been received raising the following (summarised) comments in support of the application:

- This will be an excellent addition for the use of the community of Chadderton. A facility that will help promote a healthy lifestyle is essential these days to counter the upsurge in obesity and lack of exercise both in children and adults.
- I have seen the plans and welcome the intentions of opening up the facility to both club members, which includes over 300 girls and boys from a number of cultural backgrounds along with community groups and local residents.
- There is a lack of organised sporting activity for a number of age groups and genders in the area as most Astro facilities have limited opening times due to being school based.
- This facility will facilitate "casual" sport for older residents such as walking football and accelerate the growth of female football in the area, be it competitive against other clubs or a friendly game between friends.

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

#### *Green corridor and links:*

- 9.1 Policies 6 and 21 seek to avoid development which would have the effect of severing the open land corridor or link into sections, or harming the potential for wildlife and people to move along it, where appropriate.
- 9.2 It is clear the site is already supported by floodlighting, and whilst the loss of natural grass vegetation to an artificial pitch will have effects on the soil structure and the invertebrate community it supports, this is not a matter which is substantive.
- 9.3 With regards to the increase in the parking area, it is noted that that on site landscaping is to be improved with the planting of 30no. additional native trees. The proposal is therefore considered acceptable in principle.

#### *Sports Provision:*

- 9.4 Policy 23 states that the development of a site that is currently or was most recently used as open space or for sport and recreation will be permitted provided it can be demonstrated the development brings significant benefits to the community that would outweigh the harm resulting from the loss of open space; and a replacement facility which is at least equivalent in terms of usefulness, attractiveness, quality and accessibility, and where appropriate quantity, to existing and future users is provided by the developer on another site prior to the development commencing.
- 9.5 To this end, the proposed new artificial playing pitch would result in a more varied age range of people being able to use it in competitive football matches. Therefore, it is considered in this instance that the loss of one of the grass pitches is acceptable given the resultant facility would achieve a significant community benefit and provide an improved facility for existing or future users.
- 9.6 Nevertheless, it is a statutory requirement for local planning authorities to consult Sport England, the Government's advisors on matters of sport, on development proposals affecting all playing fields.

- 9.7 As the scheme relates to the provision of a new outdoor sports facility on the existing playing field at the above site, Sports England have confirmed that the scheme must be considered against Exception 5 of its own Playing Fields Policy (which is consistent with the NPPF), which states:

*'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.'*

- 9.8 They have assessed the potential benefit of a new or extended sports facility by taking into account a number of considerations including matters such as strategic need, benefits for a local community, compliance with Sport England and NGB design guidance, and accessibility.
- 9.9 The proposal would replace an existing natural turf pitch used for football with a new facility meeting current Football Foundation standards, enhancing its attractiveness and delivering a fit for purpose modern football facility enabling more sport (football) development to take place, local clubs and the local community to access the site for football activity. The site is a long-standing community football club and is referenced in the Football Foundation's 2018 Local Football Facilities Plan for Oldham.
- 9.10 The application documentation advises that the facility would be available for community use. To secure this, a condition is attached to the recommendation for a community use agreement.
- 9.11 The proposal would replace an existing natural turf grass pitch facility enabling more development of football. The need for the 3G pitch has been identified and it would be accessible to the local community through the imposition of a planning condition requiring a community use agreement to be in place. Therefore, development of the facility would meet Exception E5 of Sport England's Playing Fields Policy, paragraph 99 of the NPPF and Policy 23 of the Local Plan.

## **10. RESIDENTIAL AMENITY**

- 10.1 Policy 9 of the Local Plan requires that new development does not result in a significant, adverse impact on the visual amenity of the surrounding area or significantly harm the amenities of occupiers of existing or future neighbouring properties, whilst Policy 20 includes the requirement that development proposals should reflect local character.
- 10.2 The closest neighbouring dwellings are located on Cypress Ave and Andrew Street. Given that the proposed artificial pitch and floodlighting are to be sited in the same position as the grass pitch and existing flood lighting, it is considered the proposed pitch will not have such any detrimental impact on the outlook, noise and privacy of local residents to warrant a recommendation of refusal. It is acknowledged that a 3G pitch could be used more frequently than a grassed pitch but it is not anticipated that any additional activity would result in significant amenity issues for those living closest to the site. Furthermore, no objections have been received to the application, and Environmental Health have raised no issues about noise in their consultation response.
- 10.3 Lighting calculations and a lighting scheme have also been submitted in conjunction with this planning application in order to demonstrate the proposed floodlighting will not detrimentally impact neighbouring properties. This has been assessed by the Council's

Street Lighting section, and they have confirmed the design will not result in intrusive lighting to neighbouring properties.

10.4 The Council's Environmental Health team have been consulted and have not raised any objections provided the floodlighting design is agreed with the LPA prior to operation.

10.5 As such the scheme accords with DPD Policies 9 and 20 of the Local Plan.

## **11. DESIGN AND INTEGRATION WITH LOCAL CHARACTER**

11.1 Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. Policy 9 requires that development does not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape, nor should it cause significant harm to the amenity of neighbouring occupants. Policy 20 is also relevant, as it seeks to promote high quality design.

11.2 The amended proposed development has been designed in accordance with Policy 20 as the scheme is in keeping with the design of the sports facility. Moreover, the proposed hard and soft landscaping, that will form part of the development, is considered to be acceptable. Overall, it is considered that the high-quality design of the proposed development would have a positive impact on the character of the area, in accordance with Policies 9 and 20 Local Plan.

## **12. HIGHWAY SAFETY**

12.1 Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users. Crucially, NPPF paragraph 111 requires that, in considering planning applications, *“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.”* This therefore provides the key test for considering this (and other) proposal in relation to highway safety.

12.2 Having consulted the Council's Highway Engineer, it has been confirmed the amended plans will not have any adverse impact on the local or strategic highway network and therefore do not object to planning permission being granted for highway safety reasons

## **13. TREES**

13.1 Having considered the originally submitted information it is noted that no justification had been provided for the loss of trees as a result of the proposed development. Saved UDP Policy D1.5 'Protection of Trees on Development Sites', which states the following:

*'In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:*

*a) the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and*

- b) *development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.*

*In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.*

*Where trees are to be lost to development, the Council will require, as a minimum, replacement at a ratio of three new native trees for each mature or semi-mature tree lost. Where possible the replacement trees should be accommodated on or immediately adjoining the development site. In exceptional circumstances (e.g. certain small infill sites), where it is agreed that on-site replacement planting is not practicable, arrangements must be made for the planting of replacement trees on a suitable site in the wider locality through a section 106 planning obligation.'*

- 13.2 Following the submission of amended plans, the Council's Arboricultural Officer has confirmed the development is acceptable and therefore it is considered that the scheme complies with the requirements of saved UDP Policy D1.5.

#### **14. COAL MINING LEGACY CONSIDERATIONS**

- 14.1 Paragraph 178 of the National Planning Policy Framework requires the planning system to prevent new development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.
- 14.2 During the consideration of the application amended plans were submitted omitting the additional stands that were originally proposed. Following this amendment the proposals meet with the Coal Authority's exemption criteria and therefore a Coal Mining Risk Assessment is not required. It is on this basis that the Coal Authority has withdrawn its objection to the application.

#### **15. CONCLUSION**

- 15.1 With the above in mind, it is felt that the application, as amended, fully complies with the Local Plan policies identified in this report (including the National Planning Policy Framework) and is recommended for approval accordingly.

#### **16. RECOMMENDED CONDITIONS**

- 1 The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
- 3 The development hereby approved shall not be brought into use until the access to the site, car parking space, turning areas and pedestrian routes have been provided in accordance with the approved plan and with the details of

construction, levels and drainage, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the access and parking spaces. Thereafter the parking spaces, turning areas and pedestrian routes shall not be used for any purpose other than the parking and manoeuvring of vehicles and passage of pedestrians. Reason - To ensure adequate off-street parking facilities including pedestrian facilities are provided and remain available for the development so that parking does not take place on the highway to the detriment of highway safety having regard to Policies 5 and 9 of the Oldham Local Plan.

- 4 The use of the 3g pitch hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter. Reason - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
- 5 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to [describe facilities forming part of the development] and include details of pricing policy, hours of use, access by non-members] management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement. Reason -To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy 23 of the Oldham Local Plan.
- 6 Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause on accordance with the hereby approved Tree protection plan Dwg No. 1462 – 003 Rev A. The protective measures shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas. REASON - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.
- 7 All planting comprised in the approved landscaping detail 'Replacement Tree Planting for the Proposed 3G Stadium Pitch Development at Chadderton FC' and Dwg no. 205-081-1003 Rev B shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless, the Local Planning Authority gives written consent to any variation. REASON - In order to avoid damage to trees/shrubs within the site, which are of important amenity value to the area having regard to saved UDP Policy D1.5 and Policy 20 of the Oldham Plan.

- 8 The use of the sport pitch and floodlights hereby approved for sporting activities shall be restricted to the hours of 08.00 to 22.00 hours Monday to Saturday and 9.00 to 21.00 hours on Sundays. Except for in the event of mid-week cup games whereby the pitch and floodlights can be used until 22.30 hours. Reason - To protect the amenities of occupiers of nearby residential properties, having regard to Policy 9 of the Oldham Local Plan.
- 9 The lighting installation hereby approved shall be installed in accordance with the following plans and details:
- HLS4264/REV2-P+C-H
  - HLS4264/REV2-P+C-V
  - HLS4264/REV2 – AA
  - Siteco- Floodlight FL 11- LED lamp details
  - HL250 15M RL C/W 2no LED
  - Car Park lighting -5XE3C42B08NA (5)
  - Floodlighting - LED lamp details
  - Floodlighting - calcs HLS4264 Calculux Report (3)
  - FL11 MAXI PL33T 3 module BLC full datasheet
  - FL11 MAXI PL33T 2 module BLC full datasheet
  - Car Park lighting -5XE3C42B08NA (5)

Reason - In the interest of protecting residential amenity, having regard to Policies 5, 9 and 20 of the Oldham Local Plan.



**SITE LOCATION PLAN (NOT TO SCALE):**

