

Planning Committee

18 January 2018

Reference:
APP/17/00179

Area Team:
South Team

Case Officer:

Ward:
Eastham

Location: Old Anselmians Rugby Club, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ

Proposal: Mixed development following the demolition of the existing pavilion building including the construction of 21 houses, the erection of a sport pavilion/community facility, the construction of a car/coach park, the repositioning of flood lights, the layout of new pitches and the erection of ball catchment fencing.

Applicant: Anselmians Rugby Club

Agent : Cass Associates

Site Plan:



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Development Plan Designation.

Road Corridor subject to Environmental Improvement
Primarily Residential Area
Green Belt
Conservation Area (for illustrative purposes)

Planning History:

Location: Old Anselmians Rugby Club, EASTHAM VILLAGE ROAD, EASTHAM
Application Type: Full Planning Permission
Proposal: The demolition of the existing single storey changing rooms and the erection of a new 2 storey clubhouse.

Application No: APP/11/00127
Decision Date: 07/09/2011
Decision Type: Approve

Location: Old Anselmians R.U.F.C., Eastham Village Road, Eastham. L62 0BJ
Application Type: Full Planning Permission
Proposal: Extension to form referees changing room.
Application No: APP/85/07065
Decision Date: 20/02/1986
Decision Type: Approve

Location: Old Anselmians Rugby Club, Eastham Village Road, Eastham, Wirral, CH62 0BJ
Application Type: Full Planning Permission
Proposal: Ground floor alterations to existing clubhouse and first floor extension.
Application No: APP/08/05095
Decision Date: 07/03/2008
Decision Type: Approve

Location: Malone Field ,Eastham Village Rd ,Eastham ,L62 0BJ
Application Type: Full Planning Permission
Proposal: Residential development
Application No: APP/80/16701
Decision Date: 20/01/1981
Decision Type: Refuse

Location: Old Anselmians Rugby Ground, Eastham Village Road, Eastham, Wirral, CH62 0BJ
Application Type: Full Planning Permission
Proposal: Retention of gate across entrance to replace wooden fence and hedge
Application No: APP/07/05160
Decision Date: 28/03/2007
Decision Type: Refuse

Location: Malone Field, Old Anselmians Rugby Ground, Eastham Village Road, Eastham, Wirral, CH62 0BJ,
Application Type: Full Planning Permission
Proposal: Erection of a 20 metre timber telecommunications monopole accommodating 3 no. antennae (1.7m), 1 no. 300mm microwave dish, and equipment compound.
Application No: APP/02/07163
Decision Date: 24/01/2003
Decision Type: Refuse

Location: Old Anselmians Rugby Club, Eastham Village Road, Eastham, Wirral,

CH62 0BJ
Application Type: Full Planning Permission
Proposal: Ground floor alterations to existing club house and erection of a first floor extension
Application No: APP/06/06739
Decision Date: 05/01/2007
Decision Type: Refuse

Location: S Carlett Pfs ,New Chester Road ,Eastham , L62 0BZ
Application Type: Full Planning Permission
Proposal: Erection of private school at land south west of Malone Fields and between Carlett Service station and Church of England primary school fields
Application No: APP/81/17427
Decision Date: 14/05/1981
Decision Type: Refuse

Location: Malone Field, Eastham Village, Eastham
Application Type: Full Planning Permission
Proposal: Proposed clubhouse and changing rooms.
Application No: APP/74/00251
Decision Date: 11/10/1974
Decision Type: Withdrawn

Location: Old Anselmians R.U.F.C.,Eastham Village Rd ,Eastham L62 0AN
Application Type: Full Planning Permission
Proposal: Extension to Club lounge to form kitchen and dining facilities
Application No: APP/80/14934
Decision Date: 02/06/1980
Decision Type: Conditional Approval

Location: Malone Field,Eastham Village,Eastham
Application Type: Full Planning Permission
Proposal: Extensions to changing rooms at clubhouse
Application No: APP/74/01741
Decision Date: 25/03/1975
Decision Type: Conditional Approval

Location: Land bordered by,New Chester Road and,Eastham Village Road,Eastham,CH62 0BJ
Application Type: Full Planning Permission
Proposal: Erection of groundsman's store.
Application No: APP/78/11047
Decision Date: 11/12/1978
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received: Consultations

Traffic Management - There are no highway objections to the proposals subject to conditions relating to reinstatement of obsolete crossings and the applicants entering into a section 106 agreement to provide a speed limit reduction through Eastham Village.

HSE - Do not advise against development

Historic England- Do not wish to make comment.

LLFA - Initial objection, withdrawn following the submission of additional information. No objection

subject to conditions.

Environmental Protection -No objection subject to conditions relating to contamination and noise surveys.

Housing and investment - Proposal triggers the requirement for affordable housing.

Sport England -No objection subject to conditions .

Wirral Green Belt Council- Objection

Eastham Village Preservation Society - Object on the following grounds:-

- Concern over Councils impartiality given links with the application.
- Both the Council and the Rugby Club stand to make significant financial gain from the proposals.
- The proposal will result in a significant increase in traffic in Eastham Village.
- The club will have no real gain in pitches despite stating a previous need for more.
- The test of Very Special Circumstances has not been met.
- The development will result in harm to the Conservation area .

Neighbours

In line with the Councils policy for publicity of planning applications, letters were sent to 195 neighbouring properties and a notice posted on site. The application has attracted both opposition and support in the form of individual letters and petitions.

Objection

2 petitions of objection have been received and 105 individual letters. The reasons for objection relate to the following matters:-

- Proposed relocation of floodlights will result in light pollution
 - Existing traffic and noise problems will worsen.
 - Existing footpath should be improved.
 - Traffic situation is dangerous now and results in congestion on match days.
 - Wrong to build houses on a playing field in a Conservation Area.
 - Development will destroy the character of the Village.
 - Building works will result in disruption to neighbours.
 - The club house will increase the potential for anti-social activity.
 - Most of the support comments are not from people who live in the village.
 - Club house and houses are not in keeping with their historic setting.
 - will set a precedent for further development in the Green Belt.
 - If really a local community facility, such a large car park would not be needed.
 - Its a bad idea to relocate the youth club across one of the busiest roads in the Borough.
 - Youth club and Licensed bar should not be in the same building.
- Public footpath runs through training pitch limiting its accessibility.

Support

5 petitions and 286 individual letters were received in relation to the proposals. In addition Councillor Phil Gilchrist confirmed his support of the proposals.

The reasons for support concern:-

- Provision of a much needed facility.
- Improved parking .
- Better use of land, green belt is outdated.
- Will support the future of rugby for all.
- Increase in much needed housing stock.

DIRECTORS COMMENTS:

The application was deferred from Planning committee on 14th November 2017 to allow a members site visit.

REASON FOR REFERRAL

The application is a departure to the adopted Unitary Development Plan and has received several qualifying petitions.

INTRODUCTION

Mixed development following the demolition of the existing pavilion building including the construction of 21 houses, the erection of a sport pavilion/community facility, the construction of a car/coach park, the repositioning of flood lights, the layout of new pitches and the erection of ball catchment fencing.

PRINCIPLE OF DEVELOPMENT

The application is a departure from the Wirral Unitary Development Plan. The development constitutes inappropriate development which is in conflict with Green Belt Policy and should not be approved unless supported by very special circumstances that clearly outweigh the harm.

In addition, the site is located within the Eastham Village Conservation Area where new development must preserve and enhance the conservation area.

The site is also located within a Health and Safety Executive hazard notification zone where development could only be permitted if the Local Planning Authority is satisfied that the level of risk is acceptable following assessment under the criteria in UDP Policy PO9.

Proposals for development that would have a significant impact on the openness of the Green Belt must also be referred to the Secretary of State before permission can be granted as required by the Town & Country Planning (Consultation) (England) Direction 2009.

SITE AND SURROUNDINGS

The site consists of the existing rugby club, pitches and car park. The site is bounded on two sides by the A41 and Eastham Village Road. The site is largely open with sports pitches forming the bulk of the site. The existing club house is a single storey structure which is located to the northern end of the site. The access to the small car park adjacent to the club house is from Eastham Village Road. The site boundary to Eastham Village Road is an established hedge with mature trees sited behind it on the site. The boundary to the A41 is also hedging and mature trees.

POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. Special regard must be given to the desirability preserving or enhancing the character or appearance of the conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The statutory Development Plan for Wirral consists of the Unitary Development Plan (UDP) saved by a Direction of the Secretary of State issued on 18th September 2007 and the Joint Waste Local Plan for Merseyside adopted on 18th July 2013.

The following policies are considered relevant:

Wirral Unitary Development Plan

Policy URN1 makes it clear the Local Planning Authority will be concerned to ensure that full and effective use is made of land within the urban areas and that various types of land including sites within the Green Belt will be protected from inappropriate development.

Policy GB2 establishes a general presumption against inappropriate development in the Green Belt and makes it clear that such development will not be approved except in very special circumstances.

Policy HS4 whilst only applicable in Primarily Residential Areas contains criteria for new housing development that would be relevant subject to addressing Green Belt policies.

Policy HS6 sets out the principles of affordable housing.

Policies GR5 and GR7 set out the requirements for landscaping and the protection of trees. New development should retain existing features as far as possible and supplement existing landscaping with new proposals.

Policy RE13 specifically concerns the criteria which must be applied for sports facilities in the Green Belt. New development must be accompanied by sufficient parking to meet the likely traffic needs without major road alterations must not disturb neighbours or wildlife and most significantly should not be intrusive and preserve openness.

Policies WAT2, WA2, WA3, WA4, and WA5 only permit development that would not increase the risk of flooding, where drainage and surface water runoff can be controlled with regard to the need for the protection of water resources including groundwater.

Policies TRT3, TR11 and TR13 make it clear that regard will be given to minimising vehicular and pedestrian conflict, securing access for disabled people, minimising the need to travel, parking and servicing arrangements and ensuring there is no negative impact on routes used by cyclists when assessing the impacts of the proposed development

Policies CHO1, CH2 and CH10 only permit development affecting the setting of the Eastham Village Conservation Area where the visual and operational impact of the proposal can be demonstrated to preserve or enhance distinctive characteristics including important views. Principle objectives under Policy CH10 are to (i) maintain a sense of separation from the built up area through the retention of open spaces around the village core; (ii) preserve the setting and sense of enclosure afforded by boundary walls, hedges and mature landscaping.

Policy PO9 only be permits where the Local Planning Authority is satisfied following consultation with the Health & Safety Executive that the level of risk from the hazardous substances installation at KANEB Terminals would acceptable having regard to the size and nature of the development, the number and vulnerability people and the nature of the hazard.

Joint Waste Local Plan

Waste Local Plan Policies WM8 and WM9 set out the requirements for waste management, recycling and efficient use of resources.

Emerging Core Strategy

Policy CS3 in the Core Strategy Local Plan Proposed Submission Draft (December 2012) would continue to reflect the national requirement for the Green Belt. The protection of high quality open space and playing fields while addressing need for additional facilities for young people, and the preservation and enhancement of Eastham Conservation Area are also identified as priorities for the settlement area in Policy CS7.

National Policy Considerations

The National Planning Policy Framework (NPPF), at Paragraph 79, attaches great importance to the Green Belt. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The five stated purposes of the Green Belt are to:

- prevent unrestricted sprawl;
- prevent the merging of neighbouring towns;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns; and
- assist in urban regeneration.

Once defined, local planning authorities are expected to plan positively to enhance the beneficial use of the Green Belt such as providing opportunities for access, sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity (NPPF paragraph 81 refers).

NPPF paragraph 87 indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that Local Planning Authorities 'should ensure substantial weight is given to any harm to the Green

Belt and states that 'very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'. The NPPF paragraph 89 makes it clear that the construction of new buildings in the Green Belt should be regarded as inappropriate development, besides limited exceptions, including appropriate facilities for outdoor sport and development on brownfield land that preserves and has no greater impact the openness and purpose of the Green Belt.

NPPF, paragraph 74 also indicates that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless: an assessment clearly shows the land to be surplus to requirements; or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The Playing Pitch Strategy & Action Plan, approved by the Cabinet Member for the Housing & Community Safety and Deputy Leader of the Council on 23 October 2017, recommends improvements to maintenance on all pitches, alongside the investigation on the feasibility for additional floodlighting improvements to the quality of the clubhouse and the potential for a 3G pitch at Anselmians RUFC. It also notes that as the site is in the Green Belt and Conservation Area associated planning constraints apply.

APPEARANCE AND AMENITY ISSUES

The proposed development which is the subject of this application consists of two main elements. The first relates to the erection of 21 houses on land currently occupied by the club house, car park and part of the pitches. The second is the provision of a new club house and community hub, coach and car park, floodlights and new pitches.

Residential Scheme

The proposed housing consists of 21 detached houses in the form of a cul-de-sac with access from Eastham Village Road. The houses are two storey of a traditional design with a variation in the house types to create a varied street scene. The materials are mainly brick and tile. Most of the houses have detached or integral garages and all have off street parking. The vehicular and pedestrian access to the housing development uses the existing access point for the Rugby Club but it is widened to 5.5m to allow satisfactory access. The existing site boundary to Eastham Village Road consists of a dense hedge with a number of mature trees within the site behind the hedge. The proposed development retains this hedge and trees and will include additional planting where parts of the hedge are sparse. Within the site, a landscaped buffer is proposed around the housing development which will consist of a raised bund with landscaping in the form of trees on top.

Rugby Club

There are a number of elements to the development proposed as part of the Rugby Club. The residential development will displace the existing club house, car parking and pitches. The proposed clubhouse would be located centrally to the site and to the rear of the existing petrol filling station on New Chester Road. The three pitches will be laid out around the club house. The proposed clubhouse is a modern two storey building similar to the design approach approved through APP/11/00127. The ground floor comprises changing facilities, toilets and storage for the club which includes segregated and separately accessed areas for juniors. The upper floor provides the lounge, bar and kitchen for the club. The new building also houses on both the ground and first floor, two activity rooms for the community hub.

A new larger car park is proposed which would be alongside the Eastham Village Road Boundary in between the proposed housing development and the existing houses to the south of the site. The surface of the car park is to be a form of grasscrete to try and minimise the visual intrusion that would occur with a hard surfaced area. The initial proposals for a 150 space car park with coach parking has been reduced to 142 so that less of the Eastham Village Road frontage is taken up by car parking and views into the site are softened by additional landscaping. The existing boundary treatment to Eastham Village Road is to remain.

The proposal includes three pitches comprising a main pitch, a second pitch and a training pitch. The position of the pitches is largely dictated by the position of the club house and the Rugby Football Union Guidelines. The reorientation of the pitches necessitates the repositioning of floodlights from the south of the site to the new training pitch to the north west of the site adjacent to New Chester Road and the erection of 6m high containment netting within the site.

A new vehicular access is proposed to serve the car and coach park from Eastham Village Road which would require an opening in the existing boundary of 9m. This access runs between the pitches to the club house.

Impact on the Conservation area

Eastham Village Conservation Area is made up of a dense historic core with routes into and out of the Conservation Area radiating out from the centre. The periphery of the Conservation Area is mainly characterised by open spaces. Land to the north and west of the Conservation Area tends to be residential with the commercial parts of the New Chester Road to the west. The land to the south and east is a combination of open land and industrial land. The existing Rugby club is situated in one such open space to the north western boundary of the Conservation Area.

Eastham Village Road is one of the main routes into the Conservation area and includes the eastern boundary of the application site

Policy

New development within conservation areas must be considered against relevant local and national policies.

Policy CH2 of the Wirral Unitary Development Plan (UDP) requires new development in conservation areas to preserve or enhance the distinctive characteristics of the area, the general design and layout of the area and the character and setting of any period buildings or important elements in the Conservation area. UDP Policy CH10 makes it clear that the objective is not only to retain the distinctive character of the settlement but also to maintain the open or woodland setting of the village and a sense of separation from the surrounding urban area.

The NPPF recognises the importance of sustaining and enhancing heritage assets whilst ensuring that any new development makes a positive contribution to local character and distinctiveness. As the site shares a boundary with one of the main roads through the Conservation Area, the visual impact of any development on this route must make a positive contribution to the character of the area. The existing Rugby Club building is a single storey structure which is not of any architectural interest. The Conservation area appraisal identifies this building as one which has a negative impact on the conservation area. A more contemporary two storey building was approved in the same location as a replacement in 2011 and was considered to make a positive contribution to the area. The elements of the proposed development which will have the most impact on the character of the area are the visual impact of new buildings and the car parking area, the opening of the site boundary to provide access, the containment fencing and the traffic generation.

The houses are positioned to the northern part of the site so that they form an extension to the existing built development across the open pitch area, carpark and existing clubhouse around the north western boundary of the Conservation Area. Whilst a layout which turns its back with private gardens adjacent to the main road frontage would not normally be the preferred design solution, in this instance it would enable the existing soft boundary treatment to remain intact with supplementary planting to help retain a feature which forms part of the character in this part of the area. The existing trees and shrubs which form the boundary with Eastham Village Road will soften the impact of the development which will afford glimpses of the new houses which will be set back from the road. The houses are traditionally designed and have sufficient variety in appearance to fit in with the scale of development in the Conservation Area.

The proposed position of the club house is towards the western boundary of the site to the rear of the existing service station on New Chester Road. The design approach is similar to the 2011 approval for a club house and the building will be viewed against the backdrop of the service station and its landscaping. In terms of the impact on the conservation area, the new club house will provide a focal point which will make a positive contribution to the conservation area.

The proposed development includes a large car and coach car park which will take its access from Eastham Village Road. The car park is located near to the boundary with the road and due to the larger access will be a visible feature. In order to minimise the visual impact, the car park will have been moved so that there is more space between the edge of the car park and the site boundary, which retains the existing landscaping. The coach parking within the site is partially offset by a landscaped buffer which will soften the visual impact. In addition the surface of the car park is to be

formed from a material which allows grass to grow through thus minimising the harshness of the hard-surfaced area. Notwithstanding this, it is likely that the parking area will be a visually intrusive feature which has a negative impact on the conservation area. This however can be balanced with any benefit of removing much of the on street parking generated by the Rugby Club at match times which is also harmful to the character of the area. The existing club car park is relatively small and cannot accommodate the volume of traffic which is generated by the club including coach parking. The proposed development could help remove this congestion with a car park which has been designed to minimise its visual impact. Whilst making the club more accessible to more people and clubs is likely to increase use of the club and car park, the proposals could nonetheless address an existing problem which could be of benefit to the character of the Conservation Area .

Other aspects of the development include repositioning of the pitches and floodlights and a 6m containment fence. The pitches and floodlights already exist on site and their alteration will not have a greater impact on the conservation area. The 6m fence is a substantial height but by its nature is an open lightweight structure . The fence will be positioned around the pitches within the site and is likely to have a neutral impact on the conservation area.

Alteration to pitches

The proposed development results in the loss of some playing field land which is contrary to local and national planning policy and therefore must be assessed under Sport England's exception policy, E4. This determines whether the loss of playing field can be considered acceptable if it is to be replaced by playing field of an equivalent or greater quantity or quality in an appropriate location. Following consultation, Sport England advised that the provision of a new club house and improved pitches does broadly meet the planning policy exceptions, however concern is raised about the proposed pitch specification. The details of the pitch specification can be secured through conditions suggested by Sport England.

Affordable Housing

The development of 21 houses is of a scale which would normally require the inclusion of an element of affordable housing. The applicant has submitted a viability assessment which concludes that in this instance, the provision of affordable housing would not be financially viable. This report has been scrutinised by an independent expert who advises that the conclusions are correct. As such no affordable housing is proposed as part of the development.

Green Belt

Within the adopted Green Belt. Within the Green Belt, new development must be regarded as inappropriate unless it falls within the categories of appropriate development listed in NPPF paragraph 89. Where development is classed as inappropriate, it can only be considered acceptable if it is justified by very special circumstances and these very special circumstances are considered to clearly outweigh the harm caused by inappropriateness and any other harm.

The list of appropriate development includes:-

- buildings for agriculture and forestry
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development

Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction

- engineering operations
- local transport infrastructure which can demonstrate a requirement for a Green Belt location
- the re-use of buildings provided that the buildings are of permanent and substantial construction
- development brought forward under a Community Right to Build Order

The proposed housing which forms part of this application must therefore be considered as inappropriate development as are the proposed club house, floodlighting and car park as they do not fulfil the criteria for appropriate development listed above. The provision of the outdoor pitches is considered to be appropriate development.

The case submitted by the applicant for very special circumstances includes a number of factors but fundamentally revolves around the desire to retain the existing rugby club at its existing site whilst providing better facilities for both the club and the wider community.

The club has existed on this site before both the designation of the conservation area and the green belt and the recreational use of the land accords with both designations. The club house has evolved as a piecemeal building and is now in need of modernisation and improvement. The club contends that it is struggling financially which it attributes to the decline in membership and the difficulty in recruiting and retaining new members. The club facilities are outdated and restrict the clubs ability to promote and facilitate wider community use through the encouragement of youth teams, female players and people who require a more accessible facility. The club has also submitted financial evidence which indicates the difficulty of funding the proposed improvements without an additional form of revenue due to the high level of debt which would be required to finance the alterations. Members should be aware that this not uncommon for other sports club in similar circumstances.

The revenue from the sale of part of the clubs land to provide 21 houses would assist with funding and help secure the future of the club and ongoing maintenance costs. The residential development would be located to the north west of the site. In terms of impact on the Green Belt, it could be contended that the concept is the least obtrusive as it appears as a continuation of the existing buildings to the north of the site. Whilst, visually, the new housing will be relatively well screened, the new residential development would still result in a significant loss of openness which can only be supported if the harm is outweighed by the enablement of the Rugby Club's continued use of the remainder of the site.

The provision of appropriate facilities for outdoor sport can be considered as appropriate development if it preserves the openness of the Green Belt. The new club house, provides improved facilities which will enable a much wider use of the building and site for sporting use. This improvement is acknowledged by Sport England whilst suggesting some minor changes to the internal layout of the changing rooms and showers. The new club house is however, significantly larger than the existing club and will be located on a previously open part of the site. In addition, the new building includes a new community hub facility which necessitates a larger building than a size that would simply be required for just the club. As such, the proposed development will result in a loss of openness to the Green Belt and is considered inappropriate.

The proposed location of the new club house has been determined by the location of the proposed residential development. Whilst the new building will have a greater impact on the openness of the Green Belt, its position near the western side of the site with existing trees and a filling station as a backdrop, would help to limit the visual impact of the building and would enable the pitches to be positioned around the clubhouse. In this location, the visual harm to the green belt can be considered to be limited. The new two storey club house will provide six modern standard changing rooms on the ground floor along with ancillary facilities. There will be specific provision for disabled participants in sport. The first floor would accommodate the main lounge. In addition to the Rugby Club facilities, linked to the club house will be a two storey element for a community centre and cafe. This is to be operated by the Council as a community resource to replace the youth club facility nearby at Lyndale Avenue. It could provide a community facility which is fit for purpose and could be promoted as a community benefits which also contributes to the case for very special circumstances.

The closure of the facilities at Lyndale Avenue has led to the need for an alternative community facility. The current site at the Rugby Club was chosen after a review of other available assets within a 1 mile radius of Eastham Youth Club. The properties considered and the conclusions are detailed

below

COUNCIL OWNED ASSETS

1	Eastham Branch Library and One Stop Shop	Mill Park Drive, Eastham CH62 9GB	Part of LLSC review, future use and ownership to be decided. Limited available space and unsuitable for youth service activities
2	Eastham Youth and Community Centre	Lyndale Avenue, Eastham CH62 8DE	Current location of Youth Club Backlog maintenance £360k+ significant h&s issues.
3	Plymyard Lodge	New Chester Road, Eastham CH62 8AB	Tenanted dwelling within cemetery.
4	Plymyard Sports Pavilion	Bridle Road, Eastham CH62 8AU	Predominantly changing rooms with 1 room used by pre-school on daily basis
5	Warren Farm Depot	Green Lane, Eastham	Operational depot Not suitable to youth activities

COUNCIL OWNED ASSETS – LEASED

1	Air Training Corps	Eastham Rake, Eastham	Lease - fully committed timetable
2	Delamere Community Centre	Delamere Avenue, Eastham	Community Asset Transfer Activities throughout the week, the centre could offer some availability. Multi-use centre by community and support groups, setting up for youth club activities could be an issue. Hire charges apply.
3	Eastham Adult Centre, Training Centre	3 Eastham Rake	Lease – conflict of activities envisaged
4	Leverhulme Sports Field	Warren Lane, Bromborough	N/A
5	Scout Hut, 6 th Bebington Sea Scouts	Eastham Rake, Eastham	Lease – fully committed timetable
6	Torr Hall	Eastham Village Road, Eastham	Small facility; 10 year lease in place
7	Torr Park, Cricket Pavilion	Eastham Village Road, Eastham	This is a container on the sports field; not suitable for youth activities

SCHOOLS

1	Primary Schools: Brookhurst, Christ the King RC, Heygarth, Mendell, Millfields, Raeburn, Lyndale (closed)	Primary schools would not be suitable for the age ranges of the young people attending youth clubs. All schools in this area are at capacity, no available/dedicated space available.
2	Secondary Schools: South Wirral High	This is a PFI school, some letting undertaken but on adhoc basis and would not be allowed on permanent basis unless deed of variations completed (costly). Unlikely that young people would attend in school setting. Increased insurance due to higher risk of building damage

	(Inc PFI costs).
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NOT COUNCIL OWNED

1	Bromborough Methodist Church	Allport Lane, Bromborough	Churches often have their own youth activities linked to the parish. Limited external space for sports activities. Unlikely to accommodate 4 nights per week use for youth club activities.
2	Carlett Evangelical Church	Carlett Boulevard, Eastham	
3	Chapel of the Holy Spirit	Eastham Rake, Eastham	
4	St Mary's Church Hall & Scout Group	Ferry Road, Eastham	
5	Old Anselmians Rugby Club	Eastham Village Road, Eastham	Hold 99 year lease for adjacent land incl community use.
6	Octel Sports and Social Club	Bridle Road, Bromborough	Now a bar and restaurant; unsuitable for youth activities

The land on the southern part of the application site is already included in a lease between the Council and the Anselmians Rugby Club which requires that it is made available at certain times for community use. The siting of the new community hub adjacent to this land reinforces and makes use of this unique connection.

Objections/support

The application was submitted following a public meeting of local residents and has attracted a large volume of letters both in support and in opposition to the proposals. Objectors have expressed concern over the precedent set by the incursion into the Green Belt, the harm to the Conservation Area and the additional traffic that could be generated by the scheme if approved. Supporters have taken the view that the improvement of facilities will safeguard the clubs position in the community and provide better facilities for the wider community. The arguments put forward indicate that the final assessment of this proposal is finely balanced and depends on the acceptance of the case for very special circumstances.

The Eastham Village Preservation Society have opposed the proposals because of the impact and precedent on both the Green Belt and the Conservation Area. Furthermore they have expressed concern that the Council's financial links with the development means that it is too close to assess the proposals objectively.

The proposal has been assessed against the relevant policies which requires the consideration of very special circumstances. This test is one which will by definition require a set of circumstances which are unique to a particular site and cannot easily be replicated elsewhere. In this instance the factors put forward in support of the scheme for the reasons set out previously in the report, are considered on balance, to support the proposed development.

Referral

Under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, local planning authorities must notify the Secretary of State if they intend to approve a planning application for the following types of development within the Green Belt:

(a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

The proposed development by virtue of the total floor area created and the extent of its incursion into the Green Belt falls into both of the above criteria and as such must be referred to the Secretary of State if the recommendation for approval is confirmed by the Planning Committee.

SEPARATION DISTANCES

The proposed residential element of the scheme meets the Councils required interface distances between both the new houses and existing properties and also within the proposed development. The proposed club house is to be located away from existing properties and will not impact on the privacy of neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposals involve the creation of a new access from Eastham Village Road to serve the 142 space car and coach park and the widening of the existing vehicular access to serve the proposed housing. There are no highway objections to the proposals subject to conditions relating to reinstatement of obsolete crossings and the applicants entering into a section 106 agreement to provide a speed limit reduction through Eastham Village.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Green Belt controls form part of the Government's approach to achieving sustainable development through the planning system. The proposal if approved could support the retention of a sports facility.

HEALTH ISSUES

Increased participation in sport could have positive health implications.

CONCLUSION

The proposed development is intended to secure a new rugby club building with improved changing facilities, an upper floor lounge/bar, carpark, reconfigured pitches, 6 metre high containment fencing and new floodlighting; enabled by building 21 houses in the Green Belt and the Eastham Village Conservation Area; and a Council funded and operated youth hub to replace existing facilities in Lyndale Avenue.

The site is located within the Green Belt and therefore the proposal constitutes inappropriate development, as set out in both local and national planning policy. Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances.

The applicant's case for very special circumstances includes several factors. It can be accepted that the current facilities at the Rugby Club are outdated and could act to inhibit further progression of the club. The applicant contends that without new membership and uses the club will have a finite lifetime and will not be able to make any improvements which could promote sport and wellbeing and be of benefit to the wider community. However, this is an argument which could be replicated with other sports club elsewhere in the urban area or Green Belt.

In addition to this, the Council is seeking a suitable location to provide a replacement community facility for the youth facilities at Lyndale Avenue. The provision of a replacement youth centre and a community hub fit with the aspirations and facilities of the Rugby Club and would provide funding to assist the construction of the club. Thus, whilst the club itself will benefit from remaining at its existing location within the community the expansion of facilities will bring wider sporting, health and lifestyle opportunities. Whilst, the proposed development presents an opportunity for improved outdoor sports and recreational facilities, substantial weight must be given to any harm to the Green Belt that would arise from the proposed development. The harm to the Green Belt through loss of openness is acknowledged, however on balance, it is considered that this is outweighed by the wider community benefits of the whole development.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The site is located within the Green Belt and therefore the proposal constitutes inappropriate

development, as set out in both local and national planning policy. Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances. The case for very special circumstances includes several factors including retention of an existing sporting facility and wider community benefit through an enabling development. Whilst the harm to the Green Belt through loss of openness is acknowledged, this is outweighed by the wider community benefits of the whole development.

Recommended Decision: **Approve : Subject to a section 106 agreement and referral to the Secretary of State**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 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).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (insert date) and listed as follows: (insert plan/drawing numbers & date)

Reason: For the avoidance of doubt and to define the permission.

3. Before any approved phase of the construction commences, samples of the facing, roofing and window materials to be used in the external construction of this phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH2 of the Wirral Unitary Development Plan.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent developments.

5. The hard and soft landscaping scheme hereby approved for each approved phase of the development shall be carried out prior to the occupation of any part of the corresponding phase development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to comply with Policy GR5 of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy GB2 of the Wirral Unitary Development Plan.

7. Before any approved phase of development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan.

8. Before any equipment, machinery or materials are brought onto site for each approved phase, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the relevant phase of the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

9. Prior to the commencement of development in relation to the club house, details of secure covered cycle parking and/or storage facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

10. The floodlights hereby approved shall be turned off between the hours of 2100 hours and 0900 hours Monday to Friday, between 1800 hours and 0900 hours on Saturday and between 1700 hours and 0900 hours on Sundays and Bank Holidays.

Reason: In the interest of residential amenity having regards to policy HS15 of the Wirral Unitary Development Plan.

11. The playing pitches and areas for junior rugby hereby permitted shall not be constructed other than substantially in accordance with the Rugby Football Union's Notes Guidance note 2 'Grass Pitches for Rugby' and are passed by a recognised pitch specialist (agronomist).

Reason: To ensure the development is fit for purpose and sustainable and to accord with Wirral Unitary Development Plan Policy RE13

12. Surface water sustainable drainage works, comprising all components of the surface water drainage system for each approved phase of the development, shall be carried out in accordance with the details contained within the submitted Flood Risk Assessment & Drainage Management Strategy (Betts Hydro Consulting Engineers Reference HYD102 Revision 2.2 6th February 2017) read in conjunction with Preliminary Drawing : Preliminary

Drainage Layout (Residential)(Betts Associates HYD102/100 REV A) approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The surface water sustainable drainage scheme shall be fully constructed prior to occupation of the relevant phase of the development and subsequently in accordance with any period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason:To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

13. No development shall commence until full details of a scheme for a surface water sustainable drainage system to serve each approved phase of the development the site, and method of implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason :To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

14. No development on each approved phase of the development shall take place until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this element of the development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, TRO's, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the relevant phase of the development.

Reason: In the interest of highway safety and to comply with UDP Policy HS4 of the Wirral Unitary Development Plan.

15. No development shall take place until an assessment is carried out in accordance with authoritative technical guidance (CLR11), has been submitted to and approved in writing by the Local Planning Authority.
If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority.
The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.
If, during the course of development, any contamination posing unacceptable risks is found, which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure a safe form of development, which poses no unacceptable risk of pollution.

16. NO DEVELOPMENT SHALL TAKE PLACE until arrangements for the storage, recycling and disposal of refuse, and vehicle access thereto, have been made within the curtilage of the buildings, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before any of the buildings are occupied or brought into and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Merseyside and Halton Joint Waste Local Plan.

17. Prior to the commencement of development on the site, a scheme for the phasing of both the residential and sports/community elements of the development hereby approved, shall be submitted to and agreed in writing with the Local Planning Authority. The scheme of phasing shall include a timetable of works and a plan of the phases of work. The development shall be carried out in accordance with the approved scheme of phasing.

Reason : To ensure that the enabling residential development does not take place without provision of the approved sporting and community facilities.

Further Notes for Committee:

Last Comments By: 12/04/2017 09:20:34
Expiry Date: 01/06/2017

