

APPLICATION REPORT – 23/00855/FUL

Validation Date: 12 October 2023

Ward: Chorley South East And Heath Charnock

Type of Application: Full Planning

Proposal: Use of land for Fanzone comprising bar kiosk, timber fencing and tables with seating

Location: Chorley FC Victory Park Duke Street Chorley PR7 3DU

Case Officer: Mr Iain Crossland

Applicant: Director Prince Yemoh Chorley Sporting Club

Agent: Mr Tom Clarke Chorley FC

Consultation expiry: 30 July 2024

Decision due by: 12 September 2024 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located within the core settlement area of Chorley and is within an inner urban area of the town. It comprises the Victory Park football ground, which is home to Chorley Football Club, and is designated as existing sport and recreational facilities under policy HW2 of the Chorley Local Plan 2012-2026. The proposed development itself is located in an area to the north east corner of the ground adjacent to the clubhouse building, and the boundaries of residential properties located on Ashby Street. It is only accessible through the football ground itself and is enclosed within its boundaries.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission retrospectively for the use of land for a Fanzone comprising a bar kiosk, timber fencing and tables with seating. The development consists of an outdoor seating area of tables and chairs covering a space measuring approximately 22m by 17m. Customers are served from a kiosk located to the north east side of the seating area consisting of a cabin measuring approximately 6m by 2.5m with a flat roof of approximately 2.7m in height. There is a timber fence either side of the kiosk that encloses the seating area on three sides, with the north west side enclosed by the clubhouse. The fence is between approximately 2.3m and 2.6m high adjacent to the boundaries with the residential properties on Ashby Street and along the south east boundary of the fanzone before dropping down to a height of approximately 1m for a distance of approximately 8.6m and along the boundary adjacent to the football pitch.

REPRESENTATIONS

4. Letters have been received from the occupiers of 5 no. addresses citing the following grounds of objection:
 - Impact on the amenity of residential occupiers through noise and loss of privacy.

- Unightly development and general untidiness.
- Inaccurate details submitted with the application.
- Permission not sought before works carried out.
- Lack of drainage detail.
- Lack of maintenance of land to rear of the fence and fanzone.

CONSULTATIONS

5. Regulatory Services - Environmental Health: No comments have been received.

PLANNING CONSIDERATIONS

6. The application site comprises the Victory Park Football Ground, which is within the core settlement area of Chorley. The National Planning Policy Framework (The Framework) sets out the three dimensions of sustainable development having an economic, social and environmental role. Paragraph 11 further identifies the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.
7. The application site is located within Chorley town, which is identified as a key service centre and the focus of growth and investments under Central Lancashire Core Strategy policy 1(b).
8. Policy 25 of the Central Lancashire Core Strategy encourages and seeks to support the provision of new community facilities. The football club falls to be considered a community facility.
9. The application site is located also designated as existing sport and recreational facilities under policy HW2 of the Chorley Local Plan 2012 - 2026. Policy HW2 applies to all sites currently or last used as open space, sport or recreational facilities regardless of whether they are allocated as open space or not and must be applied in this instance.
10. Policy HW2 of the Local Plan seeks to protect land currently or last used as open space unless alternative provision is made or subject to satisfying certain criteria. In this instance the proposal seeks to use a part of the site that was previously used for storage and parking with an alternative use associated with the football club. The proposal would not affect the playing area in any way, and is supporting infrastructure that would be of wider benefit to the ongoing operations of the football club and the sport and recreational facilities that it provides. The part of the site on which the development is proposed previously served no specific purpose and the change to the proposed use would be of greater benefit to the football club. As such the proposed development is not contrary to the overarching aims of policy HW2.
11. Policy HW6 of the Chorley Local Plan 2012 – 2026 seeks to protect community uses. In this instance the proposed development would support the ongoing operations of Chorley FC, which falls within the scope of policy HW6 and which this policy seeks to promote. The development complements the activities of the football club, supporting its viability and would not impact on the operation of the football club facility.
12. On the basis of the above the proposed development is considered to be acceptable in principle.

Impact on character and appearance of the locality

13. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

14. The application site is surrounded by development on all sides, other than to the south west, where there is a public park beyond. The development is within the north east corner of the ground and is well concealed from public views. As such it has no impact on the wider character of the area. The design of the fanzone is relatively functional, however, the use of timber fencing and timber cladding provides a slightly rustic aesthetic. The scale of the kiosk building and fencing is modest in the context of other structures within the football ground, which includes spectator stands, floodlights and other buildings. Overall the development is not considered harmful to the appearance of the site, or the character of the locality and does not, therefore, conflict with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Impact on neighbour amenity

15. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause an unacceptable degree of noise disturbance to surrounding land uses and that the development should not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
16. The proposed development consists of an outdoor seating area comprising tables and chairs covering a space measuring approximately 22m by 17m. Customers are served from a kiosk located to the north east side of the seating area consisting of a cabin measuring approximately 6m by 2.5m with a flat roof measuring approximately 2.7m in height. There is a timber fence either side of the kiosk that encloses the seating area on three sides, with the north west side enclosed by the clubhouse. The fence and kiosk are positioned approximately 1.6m from the rear garden boundaries to residential properties on Ashby Street. The fence is between approximately 2.3m and 2.6m high adjacent to the boundaries with the residential properties and along the southeast boundary of the fanzone before dropping down to a height of approximately 1m for a distance of approximately 8.6m and along the boundary adjacent to the football pitch.
17. The fence and kiosk are positioned nearest to the properties at 30 to 38 Ashby Street, which have rear gardens of approximately 10m in length. Several of these properties have outbuildings between the dwellings and the rear garden boundaries, which obscures visibility of the development to some degree. It is, however, noted that the fence and kiosk are visible from these dwellings. The structures themselves are up to 2.7m in height, which is relatively modest and similar in height to most domestic outbuildings. Given the 1.6m separation from the garden boundaries and modest height it is not considered that they would result in any undue loss of light to the dwellings and gardens at numbers 30 to 38 Ashby Street.
18. Although the structures are functional in their appearance, they are not considered to be unacceptably harmful to the outlook from these dwellings in the context of the site, which is a well established football ground that comprises a range of buildings and structures of functional appearance.
19. The development effectively screens the fanzone seating area and wider football ground from the dwellings at 30 to 38 Ashby Street through the introduction of the fencing and kiosk into an area that was previously more open. This has resulted in an improved level of privacy to residents, although it is noted that activity has been brought closer to those properties through attracting supporters / customers into this part of the site, where previously it was used for storage and parking. This has the potential to generate disturbance through noise if not managed effectively. It must be considered that the football ground attracts large numbers of supporters on match days, who are able to move around the ground and are able to consume food and drinks, which was the case prior to the development of the fanzone.
20. As set out above the football ground is well established and therefore activity generated by supporters has been ongoing for a significant period of time. The introduction of the fanzone would intensify activity on this part of the site, but not to the extent that it would lead to excessive disturbance over and above what may already occur on a match day. As such it is not considered that the development would lead to an unacceptable degree of noise disturbance to surrounding land uses so long as it's use is confined to match days only. As such it is recommended that a condition is attached to any grant of planning permission

restricting the use of the fanzone to match days in order to prevent a significantly greater impact on the amenity of residential occupiers than already occurs.

21. On the basis of the above the development is, therefore, considered to comply with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of the impact on residential neighbour amenity.

Highway safety and parking provision

22. Policy BNE1 of the Chorley Local Plan 2012-2026 states that developments must not cause severe residual cumulative highways impact or prejudice highway safety, pedestrian safety, the free flow of traffic, or reduce the number of on-site parking spaces.

23. No parking provision is specifically proposed as part of the application. Although it is noted that parking in and around the football ground is difficult on match days, the proposed development would support the match day experience rather than resulting in any increase in capacity, and would not reduce parking availability on match days. It is not therefore considered that the proposed development would result in any severe cumulative impact on highway safety.

Flood risk and drainage

24. The site of the development is not located in an area that is at risk of flooding from fluvial sources, according to Environment Agency mapping data, whilst only a part of the site falls within an area that is less susceptible to surface water flooding. It is noted that the site of the proposed development was previously hard surfaced and that this has not altered, therefore the surface water drainage characteristics of the site will not have altered in any material way. On this basis no drainage details are necessary in this instance.

Other matters

25. Inaccurate details submitted with the application: Initial plans were found to be inaccurate and have been superseded by revised accurate plans.

26. Permission not sought before works carried out: The application is retrospective and was invited as works were carried out without planning permission.

27. Lack of maintenance of land to rear of the fence and fanzone and general untidiness: The way in which the land is managed and maintained is not a planning matter that can be addressed in the assessment of this application.

CONCLUSION

28. The proposed development is acceptable in principle and would not have an unacceptable adverse impact on the character and appearance of the surrounding area. There would be no unacceptable harm to the amenity of neighbouring residents given the scale of development and subject to conditions limiting use. There would be no adverse impact on highway safety. It is, therefore, considered that the development accords with policies HW2 and BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved.

RELEVANT HISTORY OF THE SITE

Ref: 19/00875/FUL **Decision:** PERFPP **Decision Date:** 13 November 2019
Description: Installation of 4no. lighting masts at 20m high

Ref: 18/00094/FUL **Decision:** PERFPP **Decision Date:** 31 May 2018
Description: Use of land for siting of up to 2no. shipping containers to provide community workspace units

Ref: 17/00998/FUL **Decision:** PERFPP **Decision Date:** 6 December 2017
Description: Erection of covered seated spectator stand on the Ashby Street grass bank at Chorley FC.

Ref: 92/00652/FUL **Decision:** PERFPP **Decision Date:** 20 October 1992
Description: Erection of toilet block/kiosk

Ref: 91/00838/FUL **Decision:** PERFPP **Decision Date:** 20 January 1992
Description: New toilet accommodation and resiting of portacabin

Ref: 92/00325/FUL **Decision:** PERFPP **Decision Date:** 9 July 1992
Description: RE-siting of toilet accommodation

Ref: 88/00884/FUL **Decision:** PERFPP **Decision Date:** 10 January 1989
Description: Erection of sales office for Chorley Borough Rugby League Club

Ref: 88/00504/FUL **Decision:** PERFPP **Decision Date:** 2 August 1988
Description: Erection of promotions office for Chorley borough rugby league club and provision of car park

Ref: 88/00169/FUL **Decision:** PERFPP **Decision Date:** 15 March 1988
Description: Erection of Turnstiles emergency exit gates and construction of hardstanding and footpath

Ref: 83/00156/FUL **Decision:** SPLIT **Decision Date:** 12 April 1983
Description: Laying of cinder track on north side of pitch for youth training and Sunday market and use of east stand and social club forecourt for Sunday market

Ref: 76/00837/FUL **Decision:** PERFPP **Decision Date:** 16 November 1976
Description: Extensions to Social Club

Ref: 5/1/02102 **Decision:** PERFPP **Decision Date:** 5 August 1966
Description: Erection of refreshment bar to replace existing refreshment bar

Ref: 5/1/01494 **Decision:** PERFPP **Decision Date:** 4 October 1960
Description: Extensions to social club and rebuilding of turnstiles.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested conditions

To follow.