

## **Application for Determination**

<b>Parish</b>	Ditchingham
<b>Reference</b>	BA/2012/0060/COND <b>Target date</b> 10/04/2012
<b>Location</b>	Malting's Meadow Sports Ground, Pirnhov Street, Ditchingham, Bungay
<b>Proposal</b>	Variation of condition 1 of planning permission BA/2008/0236/COND to allow for the extension of late night opening hours
<b>Applicant</b>	Mr Jon Fuller
<b>Recommendation</b>	Approve
<b>Reason referred to Committee</b>	Objection received

### **1 Description of Site and Proposals**

- 1.1 The application site is in Ditchingham and comprises a sports facility, containing football and multi-use games area pitches, running track and other sports facilities. It also contains a sports club and function room facility which is used for commercial and community purposes. The site is accessed off a minor road, Pirnhov Street, from the north and surrounded by sports fields to the south east and west. Ditchingham Maltings, which is the subject of a current application for residential conversion and development comprising 105 units, sits to the north of the site (located approximately 100m away) and residential cottages sit to the north east (located approximately 170m away) and west (located approximately 240m away).
- 1.2 The sports club has been the subject of various applications and the proposal is for the variation of a condition to allow for extended opening hours on a more frequent basis. The original condition states:

*“Use of the development hereby permitted shall occur between 09.00 and 23.30 hours except on up to 15 days per calendar year, when the use of the development shall occur between 09:00 hours and 01:00 hours the following day, unless otherwise agreed in writing by the Local Planning Authority” pp BA/2008/0236/COND.”*

And the proposed condition states:

*“Use of the development hereby permitted shall occur between 09.00 and 23.30 hours except on up to 52 days per calendar year, when the use of the development shall occur between 09:00 hours and 01:00 hours the following day, unless otherwise agreed in writing by the Local Planning Authority”.*

The application sits alongside an application for an extension to the licensing hours which is to be determined by South Norfolk District Council.

## **2 Site History**

2001/1702 - Installation of floodlights to football pitch on 12m poles - Approved.

2003/1987 - Erection of new sports pavilion - Approved.

2003/0194 - Change of use from agricultural field to sports field - Approved.

2004/0999 - This application proposed an enclosed multi-use games area with floodlights - This permission is still active however to date has not been implemented (superseded by a subsequent permission 2006/2480) - Approved.

2006/1678 - This application proposed the change of use of building and land to mixed use for sporting and social events - Approved.

2006/2480 - This application proposed an outdoor multi-use games area and associated floodlighting- Approved.

BA/2007/0228/COND - This application proposed to extend the season and timing of the floodlights around the football pitch - Approved.

BA/2007/0548/FUL - This application proposed to remove the seasonal restriction of the floodlights around the multi-use games area - Approved.

BA/2009/0141/FUL- Installation of cycle track, flood lights and outdoor gym equipment - Approved.

BA/2009/0348/FUL - Erection of single storey extension to side of function room – Approved.

BA/2009/0294/FUL - Erection of cricket score box – Approved.

BA/2010/0244/CU - Change of use for agricultural land next to Sports Club to be turned it into sports pitches – Approved.

### **3 Consultation**

*Broads Society* - No objections.

*Parish Council* - Response awaited.

*District Member* - Response awaited.

*Highways Authority* - No objections.

*Environmental Health* - Having reviewed the Environmental Protection Team complaints database, there have been no noise nuisance complaints received regarding this premises. The Environmental Protection Team have lesser concerns relating to the number of events than during the pre-application stage. 52 events is still a significant number that could cause a future nuisance to local residents. However, having reviewed the noise management plan, it shows that the management have thought about noise controls and reducing the likelihood of complaints. South Norfolk Council Environmental Protection Team have no adverse comments to make in relation to this variation in condition.

### **4 Representation**

1x Neighbour objection with concerns over disturbances to residents from late night pedestrians (people leaving the facility). States that a number of properties are affected.

### **5 Policies**

#### **5.1 Core Strategy (Adopted 2007)**

[Core Strategy \(Adopted Sept 2007\).pdf](#)

Policy CS11- Tourism and Recreational Development

Policy CS25- Community Facilities

#### **5.2 Development Management Policies (Adopted 2011)**

[DMP DPD - Adoption version.pdf](#)

Policy DP14- General Location of Sustainable Tourism and Recreation Development

Policy DP 27- Visitor and Community Facilities and Services

Policy DP 28- Amenity

### **6 Assessment**

6.1 The main issues to consider in the determination of this application are the principle of the development, impact on neighbouring amenity and impact on highways.

- 6.2 In terms of the principle of the development, the proposal seeks to extend and therefore improve the services of an existing visitor facility. Currently the late night opening times are restricted to 15 days per year. The use of the function room is popular and has become an established means to gain funds for the management of the sports facility. The applicant advises that the increase in the use of the function room would aid the viability of the sports facility and the request illustrates a demand for such a facility. Policies support sustainable, small scale, growth of existing visitor and community facilities and the proposal is therefore considered in accordance with policy CS24 of the adopted Core Strategy and DP27 of the Development Management Policies DPD, and considered acceptable in principle.
- 6.3 The site is located within open grounds associated with the sports use. The nearest residential properties currently lie approximately 170m away from the function room. However, should approval be granted for the Ditchingham Malting's Site and were the scheme to be implemented, there will be a significant number of neighbours within close proximity. In terms of the impact on neighbouring amenity, it is acknowledged that the original permission only allowed for late night opening of the function room on New Year's Eve (2006/1678). The condition was then varied to allow for late night opening for up to 15 days per year (BA/2008/0236/COND). When considering the gradual increase in late night opening hours it is acknowledged that the current request to increase late night opening to 52 days per year is a significant difference from what was originally permitted.
- 6.4 It is acknowledged that noise does have the tendency to travel significant distances, especially within the open landscape of the Broads where there are few obstacles to create a buffer. The applicant has submitted a Noise Management Plan to mitigate possible noise pollution which is considered acceptable. The Environmental Health Department at South Norfolk Council has no objections to the proposal.
- 6.5 A public footpath runs from the site past neighbouring cottages and into the main village of Ditchingham and Bungay. It is acknowledged that additional late night opening would increase the level of late night movements into and out of the site both by pedestrian and vehicular traffic. However, it is not considered that the movements would constitute such a disturbance that would warrant a refusal of the application. It is, however, considered that the succession of late night opening hours should be restricted to no more than 2 nights per week in order to reduce the possible level of disturbances at any one time.
- 6.6 However, it is not considered that the increase in use would create such a disturbance to significantly impact on neighbouring amenity given the distance the function room is from the neighbouring properties.
- 6.7 In addition to the above the Broads Authority has not received complaints about the operation of the facility which, it is understood, serves mainly

local and community needs. It is also acknowledged that Environmental Health at South Norfolk District Council have not received complaints associated with the late night opening of the sports pavilion carried out under the existing permission.

- 6.8 It is therefore considered that there will be no significant adverse impact on neighbouring amenity which would warrant a refusal of the application.
- 6.9 In terms of the impact on highways, it is considered that there is sufficient parking at the facility to accommodate the small increase in use of the site (80 cars space, 2 disabled spaces, 4 motorcycle and 10 cycle places. The Highways Authority do not object to the application.

## **7 Conclusion**

- 7.1 It is considered that the proposal seeks to improve an existing community facility. It is considered that the impact on neighbouring amenity would be negligible and it is considered that there would be no adverse impacts on highway safety.

## **8 Recommendation**

Approve subject to the following conditions:

- Development to be in accordance with Noise Management Plan submitted.
- Use of the development hereby permitted shall occur between 09.00 and 23.30 hours except on up to 52 days per calendar year, when the use of the development shall occur between 09:00 hours and 01:00 hours the following day, unless otherwise agreed in writing by the Local Planning Authority.
- The club shall not open past 01:00 on any more than two days in any calendar week, unless otherwise first agreed in writing by the Local Planning Authority.
- The club shall maintain a register to show details of the use of the site between 09:00 hours and 01:00 hours the following day, which may be inspected at any reasonable time by an officer of the Local Planning Authority.
- The use of the fireworks shall be limited to one event on one day per year.

## **9 Reasons for Recommendation**

- 9.1 The variation of condition is considered in accordance with development plan policy and in particular polices DP14, DP27 and DP28 of the Broads Local Plan.

Background papers: BA/2012/0060/COND  
BA/2010/ 0244/CU  
BA/2009/0294/FUL  
BA/2009/0348/FUL  
BA/2009/0141/FUL  
BA/2008/0236/COND  
BA/2007/0548/FUL  
BA/2007/0228/COND  
2006/2480  
2006/1678  
2004/0999  
2003/0194  
2003/1987

Author: Kayleigh Wood  
Date of Report: 12 March 2012

List of Appendices: APPENDIX 1 – Site Location Plan

## APPENDIX 1

**BA/2012/0060/COND - Maltings Meadow Sports Ground, Pirnhov Street, Ditchingham**  
Amendment of condition one of PP BA/2008/0236/COND to read "Use or development hereby permitted shall occur between 09:00 and 23:30 hours except on up to 52 days per calendar year, when the use of the development shall occur between 09:00 hours and 01:00 hours the following day, unless otherwise agreed in writing by the Local Planning Authority".

