

## **PLANNING APPLICATION NUMBER:P13/0433**

Type of approval sought	Full Planning Permission
Ward	Gornal
Applicant	Mr M. Hodgetts, Baggeridge Social Welfare Centre
Location:	<b>BAGGERIDGE SOCIAL WELFARE CENTRE, THE STRAITS, DUDLEY, DY3 3AA</b>
Proposal	<b>LANDSCAPING OF THE EXISTING HARDSTANDING TENNIS COURTS AT THE REAR OF THE CLUB WITH A LAYER OF TOPSOIL. THE AREA WOULD BE LEVELLED AND TURFED AND USED FOR 2 NO. CHILDRENS MINI FOOTBALL PITCHES</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### **SITE AND SURROUNDINGS**

1. The application site comprises the Baggeridge Social Welfare Club and the surrounding grounds. The site is accessed from The Straits and there is a 38 no space formal parking area and a large gravelled parking area at the front of the site.
2. To the rear of the gravelled area and directly to the south of the club building is a bowling green. To the west of the club building and bowling green is a former tennis court area and former putting green. The tennis court area is overgrown and clearly not in use and the former putting green is now a grassed area.
3. There is a change in levels between the club building and the tennis court/grassed area. There are stairs that lead down from the club to the tennis court/grassed area and the tennis court/grassed area is sited at a lower level than the club building and bowling green.

4. The land to the north of the disused tennis courts slowly rises up to the rear residential boundaries of properties in St Andrew's Close and The Straits respectively. Otherwise the tennis court/grassed area is a relatively level space.
5. The application site is within the Green Belt.

## PROPOSAL

6. The proposed development would landscape the former tennis court area and grassed area with a layer of topsoil 30cm deep that would measure 61m by 49m. The area would be seeded and levelled and once the new grass seed is established 2 No mini soccer children's pitches would be incorporated in the grassed area. There would be 1 No under 7s and 8s mini soccer pitch measuring 28m by 27m and 1 No under 9s and 10s mini soccer pitch measuring 47m by 28m. A netting area measuring 7m by 7m is also proposed behind the goal area at the southern end of the site.
7. The application is accompanied by a Design and Access Statement which states the following:

*'The proposed alteration will involve putting a layer of topsoil and grass seed to the depth of 30cm over the existing derelict tennis courts.*

*This will be levelled and tended to produce a grassed recreational area for use as a children's football pitch.*

*The facility will not be open to the general public and use of the facility will be strictly organised and managed by the club.*

*No existing trees or bushes will be removed as part of this project and the flat grassed finish will enhance the look of the site for neighbouring properties.*

*Work to drop and level the soil will be undertaken over 1 or 2 days'.*

8. In support of the application the applicant has submitted the following additional information:

- Access to the site for delivery of the soil will be gained through the car park on the North side of the club. Ramps will be used and if necessary the small wall will be demolished to allow access. The soil will be dragged and levelled using a JCB / digger.
- There are no uncapped mines on the site.
- The site is private land and the football pitches will not be open to the public. A member of staff is generally on site 24 hours a day and the club is open from 7.00pm every evening. The pitches will only be used for organised children's football pitches and in order to maintain security and the quality of the playing surfaces staff will prevent any children or adults from using the facility at all other times without permission.
- Netting is planned behind the goal area closest to the houses at the South of the site. The specifications of this will be as follows:

120 x 120 x 2/2 mm Ball Catch Netting Black / Green Colour  
7000mm wide 7000mm high.

- The natural bank of the land at the north of the area means that nets should not be required at that end.

## HISTORY

9.

<b>APPLICATION No.</b>	<b>PROPOSAL</b>	<b>DECISION</b>	<b>DATE</b>
90/50975	Erection of floodlights for the bowling green	Granted	27/09/90
P07/2352	Erection of a detached smoking shelter	Granted	10/03/08

## PUBLIC CONSULTATION

10. The application was advertised by way of site notice and neighbour notification and 28 letters were sent to neighbouring properties. Public consultation time expires 7 May 2013. Four objections from neighbouring properties have been received raising the following issues:

- Increase in noise and disturbance from children and adults watching the football.
- Increase in foul language.
- The area is very quiet and the sports pitches would change the character of the area due to the increase usage of the site and associated noise and disturbance.
- Concerns on how the site would be secured and managed.
- Sports pitch area adjoins and close to residential properties.
- Noise and dust pollution due to lorries and machinery delivering the topsoil.
- Loss of privacy and security risks.
- Mineshafts on the site.
- There are already a number existing facilities for junior football pitches within a 1 mile radius of the application site.

## OTHER CONSULTATION

11. Group Engineer (Development) – no objections

12. Head of Environmental Health and Trading Standards – no adverse comments in terms of noise

## RELEVANT PLANNING POLICY

13. National Planning Policy Framework (2012)

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

14. Black Country Core Strategy (2011)

- ENV1 Nature Conservation

15. Dudley Unitary Development Plan (2005)

- **DD1 Urban Design**
- **DD4 Development in Residential Areas**
- EP7 Noise Pollution
- SO1 Green Belt

16. Supplementary Planning Documents / Guidance

- Nature Conservation
- Parking Standards
- Planning Obligations

## ASSESSMENT

17. The key issues for consideration in this application are as follows:

- Impact upon the Green Belt
- Residential Amenity
- Planning Obligations

### Impact upon the Green Belt

18. The Baggeridge Social Club Building and its surrounding grounds are located within the Green Belt. In regards to the impact upon the Green Belt the Council must consider whether the development is inappropriate and harmful to the Green Belt and should not be approved except in very special circumstances. In this case a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however exceptions to this include the provision of appropriate facilities for outdoor sport, outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The proposed mini football pitches would replace an existing disused tennis court area and a grassed area formerly used for putting. The proposed netting is necessary to the operation of the outdoor sports and due to its mesh design and location by the southern boundary would not visually impact upon the openness of the Green Belt. The two mini football pitches are appropriate outdoor sport replacement facilities and would preserve the openness of the Green Belt.

19. In regards to the engineering operation that comprises the new layer of 30cm topsoil it is considered that in accordance with paragraph 90 of the NPPF the engineering operation is appropriate development which would preserve the openness of the existing Green Belt and the engineering operation would not conflict with the purposes of including land within the Green Belt. The proposed

works are therefore considered appropriate development within the Green Belt, and in compliance with the NPPF and Saved Policy SO1 of the adopted UDP (2005).

### Residential Amenity

20. At present the overgrown tennis court area and adjoining grassed area are underused and the tennis courts in particular have visually deteriorated over the years. The actual engineering operation to import the topsoil and provide a 30cm layer of topsoil on the existing tennis court area and adjoining grassed area would not adversely impact upon visual amenity. In fact a well tended area instead of the disused tennis courts would improve the visual appearance of the rear part of this site.
21. With regards to the proposed 2No mini soccer pitches, these pitches would replace an existing ancillary leisure/sports area and with no change of use arising it is only the mesh fencing that can be assessed against residential amenity.
22. The proposed catch netting would be set away from the southern boundary and would measure 7m wide by 7m high. The two nearest residential properties would be no's 20 and 22 Ladbrook Grove which are both sited side on to the boundary with the application site. There is tree screening on the boundary that would obscure the netting from Ladbrook Grove and the mesh design of the netting would itself reduce the visual impact of the netting and not appear over innocuous at this location. It is therefore considered that the proposed scheme would not adversely impact upon residential amenity in accordance with Saved Policy DD4 of the adopted UDP (2005).

## CONCLUSION

23. The proposed engineering operation and the catch netting would preserve the openness of the Green Belt, would not conflict with purposes of including land within the Green Belt and the development is therefore considered to be appropriate within the Green Belt and furthermore would not unduly impact upon residential amenity. The development is therefore in accordance with Saved policies DD4 and S01 of the Dudley UDP (2005).

## RECOMMENDATION

It is recommended that the application be approved.

### **REASON FOR APPROVAL**

The proposed engineering operation and the catch netting would preserve the openness of the Green Belt, would not conflict with purposes of including land within the Green Belt and the development is therefore considered to be appropriate within the Green Belt and furthermore would not unduly impact upon residential amenity. The development is therefore in accordance with Saved policies DD4 and S01 of the Dudley UDP (2005).

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan (2005), the Black Country Core Strategy (2011) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the application report.

### **APPROVAL STATEMENT INFORMATIVE**

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

#### Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: The elevation plan showing the 30cm depth of the topsoil, the 'new grassed area' plan showing the 2 No mini soccer pitches, the fencing plan and the 1:1250 Site Location Plan.
3. The hours of operation of the pitches shall be between 10.00 hours to 20.00 hours Monday to Saturday and between 10.00 hours and 18.00 hours on Sundays.
4. The approved 'ball catch netting' shall be implemented on site prior to first use of the mini soccer pitches and thereafter maintained in that form for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.



Indicative Plan

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Bar  
We

Proposed under  
9's and 10's  
Mini Soccer Pitch

**Tennis Court**

Proposed under  
7's and 8's  
Mini Soccer Pitch

Bo

22

20

43

45

41

LADBI

