PLANNING COMMITTEE REPORT

TO:	Planning Committee North
BY:	Head of Development and Building Control
DATE:	7th January 2025
DEVELOPMENT:	Installation of stop netting on two football pitches. Erection of new dugouts and relocation of existing dugouts (part retrospective)
SITE:	Roffey Football Club, Bartholomew Way Horsham West Sussex RH12 5JL
WARD:	Holbrook East
APPLICATION:	DC/24/1410
APPLICANT:	**Name:** Mr P Gibbs **Address:** Roffey Football Club Bartholomew Way Horsham West Sussex RH12 5JL

REASON FOR INCLUSION ON THE AGENDA: The application site is located on land owned by Horsham District Council.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This planning application seeks to regularise works for the replacement of the first team pitch dugouts and the relocation of the existing dugouts to the reserve team pitch. These elements of the proposal are in place. The proposal also includes permission for stop netting behind the goals on both pitches.

DESCRIPTION OF THE SITE

1.3 The application site is situated on Bartholomew Way within the built-up area of Horsham, directly south of the A264. The site comprises a clubhouse, a timber-clad building with a half-hipped roof, positioned to the north of the site. Either side of the clubhouse, to its east and west, lie two football pitches, with a car park located to the south of the clubhouse, nestled between the pitches. The pitches are bordered by extensive mature landscaping. The site includes an existing spectator stand to the north, which was approved under planning reference DC/16/0592. Additionally, planning permission for a second spectator stand was granted under reference DC/22/1474. A subsequent application (DC/23/1409) sought approval to revise the location of the canopy initially permitted under DC/22/1474.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework December 2024:

Horsham District Planning Framework (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Neighbourhood Plan:
North Horsham has not been designated a Neighbourhood Plan area.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/22/1474	Erection of canopy for standing spectators.	Application Permitted on 23.02.2023
DC/23/1409	Variation of condition 1 of previously approved application reference DC/22/1474 (Erection of canopy for standing spectators) seeking a revised location of canopy.	Application Permitted on 07.03.2024
DC/24/0120	Erection of observation tower (retrospective)	Application Permitted on 02.04.2024

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

3.2 Updated Comments (received 12.12.2024): On reflection we (Leisure and Culture and Property and Parks and Countryside) are not opposed per se to dug outs being located on the reserve pitch and it would enhance the ability of the club to offer activities. It would remove a portion of open access land, albeit small, however the benefits would outweigh the loss/negative. As per previous comments this application sits in a wider context of some community tension which we feel still needs to be recognised and considered albeit it is not necessarily from a planning perspective.

HDC Property, Parks and Countryside: (initial comments) Objection - Roffey FC, as tenant, failed to seek the landlord's formal permission for these alterations, as required under their lease. No contact has been made with the Property, Parks, or Sports Development teams.

The lease reserves the right by the landlord to use the land as Public Open Space for recreational use by the public for the purposes of recreation with the only caveat being if the land is being used for matches, training or if closure is required in the interests of health and safety in respect to its repair obligations. There are also third-party rights on the land which refer to all or any public rights of way affecting or relating to the property as public open space.

Specifically, Parks and Countryside are objecting to the relocation of existing dugouts to the reserve team pitch. There is no objection to stop netting on the reserve team pitch. Both the 1st and the reserve pitch remain as open space and there is already ongoing conflict between residents and the club over the use of the site for dog walking and other amenity activities. Development of the reserve pitch, however small-scale, will further exacerbate the situation. The justification that “the proposed development sits comfortably within the character and appearance of football club and the surrounding area” ignores the fact that the site remains as public open space. An upgrade of the secondary pitch may start a precedent where this area is closed off and use by the public is restricted.

3.3 **HDC Environmental Health:** No Objection.
This department have no adverse comments to make regarding this application.

OUTSIDE AGENCIES

3.4 **Sport England:** No Objection [Summary].
In light of the support from the Football Foundation and Sussex FA, Sport England has no objection to the proposal. The development is not disproportionate to the scale of the playing field and its use and supports and does not adversely impact on the use of the playing pitch. Given the above, Sport England raises no objection to the application because it is considered to accord with exception 2 of our Playing Fields Policy and paragraph 103 of the NPPF.

PUBLIC CONSULTATIONS

3.5 Representations:
5 letters of Objection have been received from 5 addresses, objecting to the application on the following grounds:

- Design concerns, loss of general amenity, overdevelopment, and impact on trees and landscaping are key reasons for objection.
- Public Open Space: The area is designated as public open space, and new developments such as dugouts and netting would undermine its shared community use. Concerns about unsightly netting, especially during winter, and potential tree removal for installation.
- Visual and Environmental Impact: Past developments by the club have negatively impacted the area's aesthetics and public access. Extending developments to the second pitch could set a precedent for further changes, potentially worsening the situation.
- Community Priority: The proposal's benefits to the local community are questioned, with the emphasis on public enjoyment over club interests.
- Planning Process Concerns: The application is seen as a retrospective move, with dugouts already replaced without planning approval, showing a disregard for regulations. Highlighted double standards: private individuals would face enforcement action for similar unapproved work.
- Need for Nets on the Second Pitch: Nets are deemed unnecessary as trees already act as natural ball stoppers. Spare players can retrieve balls, making nets a convenience rather than a necessity.
- Use of Land: The club has already placed hardcore along the second pitch edge without planning approval.
- Impact on Wildlife and Community: The second pitch serves as a habitat for wildlife like deer, which could be disturbed by nets and potentially run into them. Dugouts could attract inappropriate activities and increase disturbance near play areas.
- Public Access and Concerns: Emphasis on maintaining one field for public use, including dog walkers and relaxation.
- The club's activities are seen as taking over public green spaces, which should be shared by the community.
- Littering Issues: The club's events leave behind significant amounts of rubbish, raising concerns among residents.
- General Amenity and Overdevelopment: The netting would disrupt the natural recreational atmosphere and restrict public access. The development is viewed as an overdevelopment that could alter the character of the recreation space.
- Tree and Landscaping Concerns: Installation would involve tree removal, which is particularly problematic given recent ash dieback issues. Preserving the local environment is deemed crucial for community well-being.

3.6 4 letters for Support have been received from 4 addresses, supporting the application on the following grounds:

- Community Contribution: The respondent appreciates Roffey FC's positive impact on the community, including maintaining the football fields, clubhouse, and surrounding

woodlands. The club has created and maintained pathways, enhancing access for local walkers and their dogs.

- Need for Ball-Stop Netting and Dugouts: Ball-stopping nets and dugouts are standard at senior football clubs in the Horsham District to prevent damage to nature from stray footballs. The proposed netting is designed to be safe for wildlife, ensuring no harm to birds or four-legged animals due to its height and material.
- Support for the Installation: The respondent sees the netting and dugouts as necessary improvements for the facility and supports their installation. They view the application as long overdue, noting it would protect trees and prevent damage from people accessing the area via the hedgerow.
- Concerns About Drug Activity: The respondent dismisses concerns about the site attracting drug-related activity as unfounded, highlighting the area's affluence and asserting that policing would address any such issues.
- Positive Role of the Club: The club engages youth in constructive activities through sports, contributing positively to the community. The respondent supports the club's development efforts, which benefit players at all levels, from youth to veterans.
- Comparable Examples: Dutchells Copse, with a similar setup including pitches, a clubhouse, and stop netting, has not experienced any adverse effects, reinforcing the appropriateness of the development.
- Overall Support: The respondent believes the club deserves support to continue its beneficial work in the community.

3.7 Parish Comments:
North Horsham Parish Council: No Objection

3.8 Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Background

6.1 This planning application seeks to regularise works for the replacement of the first team pitch dugouts and the existing dugouts to be relocated to the reserve team pitch and stop netting behind goals on both pitches. The site includes an existing spectator stand to the north, which was approved under planning reference DC/16/0592. Additionally, planning permission for a second spectator stand was granted under reference DC/22/1474. A

subsequent application (DC/23/1409) sought approval to revise the location of the canopy initially permitted under DC/22/1474.

6.2 This part retrospective application seeks to regularise changes to the layout and request permission for netting equipment of this planning permission.

Design and Appearance:

6.3 Policies 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

6.4 The dugouts for the first team pitch aim to replace the existing, smaller structures with modern, larger dugouts constructed from clear materials and featuring enhanced seating. The roof from the current dugouts would be relocated to the reserve team pitch to provide cover for the existing benches. These new dugouts are considered a fitting improvement for the football club and are not anticipated to negatively impact the surrounding area. Consequently, the proposal aligns with HDPF Policies 32 and 33 and the objectives outlined in the NPPF.

6.5 Additionally, the proposed stop netting would be installed behind each goal, measuring approximately 4 meters in height and 5 meters in width, supported by three metal poles. The netting is intended to prevent balls from reaching the trees situated behind the goals. Despite being larger structures, their unobtrusive materials and design would minimize their visual impact on the site.

6.6 Whilst initial concerns were raised by Parks and Countryside subsequent comments have been received as reflected in paragraph 3.2. The main concern from the initial consultation relates to the relocation of dugouts to the reserve team pitch, although no objection was raised regarding the proposed stop netting. The council understands that both pitches are part of the public open space and acknowledges the ongoing conflicts between residents and the club over shared use of the area for dog walking and other recreational activities. However, it is important to note that the proposed relocation of the dugouts is designed with minimal impact in mind. Given the relatively modest size of the dugouts and their purpose of providing cover for existing benches, it is considered that the relocation would not obstruct public access to the open space or create significant barriers to its use. The dugouts are intended to enhance the facilities without restricting movement or encroaching upon areas that the public currently uses for recreation.

6.7 In terms of policy alignment, the relocation of the dugouts must be evaluated in relation to HDPF Policies 32 and 33, which emphasize maintaining and enhancing the quality of public spaces while considering the visual impact and functionality of developments. The size, materials, and positioning of the dugouts are designed to integrate seamlessly with the site's existing layout, preserving the open and accessible nature of the space. The council is satisfied that this relocation would not result in a loss of public access or materially harm the character of the open space. This approach aligns with the NPPF's commitment to promoting sustainable development and the well-being of communities.

6.8 The council is committed to balancing the operational needs of the football club with the public's right to use and enjoy the open space. The relocation of the dugouts, given their purpose and scale, will not impede public access or the overall amenity of the area. The proposal respects the site's designation and does not create a precedent for restrictions on public use. Therefore, it is considered that the proposal is consistent with the policies outlined and meets the objectives of the HDPF and NPPF.

6.9 As such, the proposal is consistent with HDPF Policies 32 and 33 and would not significantly affect the surrounding environment. The proposal is of a design, form and scale which is considered appropriate to the character and appearance of the site, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Residential Amenity:

6.10 Policy 33 of the HDPF emphasizes that developments should be designed to avoid any unacceptable harm to the amenity of nearby properties and land. This includes considerations such as overlooking, noise, and other impacts that could affect the occupiers or users of adjacent properties, while also recognizing the sensitivities of surrounding developments.

6.11 The proposed dugouts and stop netting are positioned within the football club's complex and are minor additions to the existing facilities. The first team pitch's dugouts would replace the existing smaller structures and are located at a significant distance from the nearest residential properties to the south. The netting would be installed behind the goals, a location that is also distant from residential dwellings. As such, the positioning of these structures ensures that they would not be visible from nearby properties, thus preserving the visual amenity of the area.

6.12 The council has taken into account the objections raised by neighbouring residents during the public consultation. These include concerns about design, general amenity, and the potential overdevelopment of the area, as well as environmental impacts related to tree removal and wildlife disturbance. Specific points of concern are as follows:

- Public Open Space and Shared Use: Residents have raised that the area should be maintained as public open space, which provides recreational opportunities such as dog walking and relaxation. While the council acknowledges the importance of shared community use, it considers that the proposed dugouts and netting, given their minimal scale and placement within the existing club grounds, do not significantly limit access or diminish the amenity of the public space. The club's recent enhancements, such as improved pathways, have shown a commitment to facilitating access for local residents, balancing the club's needs with public enjoyment.

- Visual and Environmental Impact: The council understands the concern that the proposed additions could set a precedent for further development and impact the aesthetics of the area. However, it is assessed that the dugouts and netting, constructed with unobtrusive materials and positioned to minimize visibility, would not disrupt the character of the public space or detract from its visual appeal. Moreover, the council has ensured that no substantial tree removal is necessary for the installation of the dugouts and netting, thereby protecting the existing greenery and maintaining the area's environmental integrity.

- Wildlife and Community Concerns: Some objections were raised regarding potential disturbances to local wildlife, such as deer, and the attraction of inappropriate activities. The council acknowledges the importance of preserving wildlife habitats and mitigating potential disturbances. The proposed netting design, which includes features that avoid entanglement risks for animals, aims to safeguard both wildlife and community interests.

- Public Access and Littering: The council has noted concerns regarding the impact of the club's activities on public access and littering. The club has a responsibility to ensure that its events are managed to minimize disruption and maintain public spaces. The proposed development is considered proportionate and not expected to lead to an increase in litter or other nuisances.

6.13 In considering the proposed development against the backdrop of the objections, the council finds that the relocation of the dugouts and the installation of netting are minor alterations that are not anticipated to adversely affect the amenity of the neighbouring dwellings or the public's use of the open space. The development is designed in a manner that upholds the objectives of HDPF Policy 33 and aligns with the NPPF's emphasis on preserving the character of the area while accommodating necessary improvements for community and club use. The council concludes that the proposal, subject to conditions ensuring proper management and monitoring, can proceed without significant detriment to the surrounding amenity.

Climate Change

6.14 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity, and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development is minor in nature though does make some positive contribution through dedicated refuse and recycling storage capacity.

Conclusion:

6.15 In evaluating the planning application DC/24/1410 for the replacement of dugouts and the installation of stop netting at the Roffey FC site, the council has considered all consultations, objections, and supporting representations in detail.

6.16 The proposal aligns with the Horsham District Planning Framework (HDPF) Policies 32 and 33, ensuring that development maintains the character and visual amenity of the area while enhancing public access and recreational facilities. Although concerns from HDC Property, Parks, and Countryside regarding leaseholder permissions were noted, the council finds that the minimal scale and positioning of the dugouts and netting would not impede public use or set an adverse precedent. The structures are designed to integrate seamlessly with the existing site and respect the open space's shared use.

6.17 Objections from residents, focused on visual impacts, tree and wildlife preservation, and potential restrictions on public access, have been carefully considered. The council is satisfied that the proposal will not significantly disrupt the character or use of the area. The netting design and dugout relocation have been planned with environmental sensitivity, and no substantial tree removal is required, maintaining the ecological integrity of the site.

6.18 Public access and community use concerns have also been addressed. The improvements to the site, such as better pathways, demonstrate the club's commitment to maintaining open access while balancing the needs of both the club and local residents.

6.19 With appropriate monitoring to mitigate potential impacts, the council concludes that the application supports the overall objectives of sustainable development as outlined in the NPPF. The proposal will enhance the club's facilities without compromising the public's enjoyment of the space or significantly affecting the local environment. Therefore, the application is recommended for approval.

7. RECOMMENDATIONS

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: