

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Proposed extension to main football stands and dugouts with new keyclamp fence.</b>	
<b>Location:</b>	<b>War Memorial Playing Field Lynn Road Downham Market Norfolk PE38 9QE</b>	
<b>Applicant:</b>	<b>Downham Town FC</b>	
<b>Case No:</b>	<b>24/00229/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 22 April 2024</b>

**Reason for Referral to Planning Committee** – The views of the Town Council are contrary to the Officer recommendation.

**Neighbourhood Plan:** No

**Case Summary**

The site is located almost centrally on the War Memorial Playing Fields on the north-western side of Lynn Road, Downham Market approx. 850m to the north of the town centre. There are residential properties to the north on Mill Lane, playing fields to the rear/west and front/east and a Memorial Garden to the south with further residential properties on Stowfields beyond.

This application seeks full permission for extensions to the existing spectator main stand and 2 no. team dugouts that exist on the north-western side of the football pitch. The works involve extending the mono-pitched roofs on all three structures to create increased covered seating for spectators and players respectively.

The existing front brick wall of the main stand is to be removed to accommodate two additional rows of seating and contained by a new 'keyclamp' barrier (tubular metal framework) with banner advertisements.

The changes are sought to meet Football Association standards relative to the league in which Downham Town FC are currently playing.

**Key Issues**

- Principle of development
- Design and appearance
- Impact on Neighbour Amenity
- Other matters requiring consideration prior to the determination of this application

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The site is located almost centrally on the War Memorial Playing Fields on the north-western side of Lynn Road, Downham Market approx. 850m to the north of the town centre. There are residential properties to the north on Mill Lane, playing fields to the rear/west and front/east and a Memorial Garden to the south with further residential properties on Stowfields beyond.

This application seeks full permission for extensions to the existing spectator main stand and 2 no. team dugouts that exist on the north-western side of the football pitch. The works involve extending the mono-pitched roofs on all three structures to create increased covered seating for spectators and players respectively.

The main stand involves the projection of the existing mono-pitched roof forward by 1.8m and using new anthracite grey standing seamed profiled sheet metal cladding increasing the overall height above ground level by approx. 25cm; two rows of seats added in front of those existing on the stand, bounded by a new 'keyclamp' barrier set approx. 1.6m in front of the current concrete base. The plans indicate that an additional 50 spectators could be accommodated. The existing brick wall is to be removed due to health and safety concerns (player collisions).

Two dugouts exist for the home and away sides respectively. They are situated either side of the main stand and are simple buildings constructed from sheet metal and Perspex panels. These are to be extended at the sides by a further panel, 0.64m forwards towards the pitch and roof extended accordingly (approx. 10cm) to create a further row of covered seating for players/staff.

The changes are sought to meet Football Association standards relative to the league in which Downham Town FC are currently playing (i.e., Thurlow Nunn League Premier Division).

## **SUPPORTING CASE**

The applicants have submitted the following statement in support of the proposed development:

"Downham Town Football Club has been in existence since 1881 and we currently have facilities at the memorial playing fields where we have 3 pitches of varying sizes set out to meet the different requirements of different age groups.

The club is run as a not-for-profit organisation with all excess funds reinvested back into the club either to buy new equipment or to improve the facilities and last year we invested around £12,000 in portable floodlights, new goals and upgrades to the facilities, all of which is done by the club as we cannot access grants due to the position with the lease for the memorial ground.

The club runs age groups starting with 5-year-olds and takes it right through to adults with the assumption that we can find a route from childhood to adulthood for people who want to continue to play football; in total we have around 230 members of the club. Already for next season we are looking at up to 4 additional teams and creating the pathway from youth football into adult football and then into veterans' football; the work the club does within the community is invaluable as we provide opportunities for all.

We envisage a time in the next 5-10 years as Downham Market continues to grow where we will have 25-30 teams in total and over 400 members, but all of this will only be possible with investment into the current facilities as well as additional facilities such as 3G pitches which the Town is sadly lacking.

The First team is the pinnacle of the club and plays at step 5 of the football pyramid, having gained promotion last year from step 6, this meant for the first time in the club's history we were allowed to play in the FA cup, we also participate in the FA Vase but to be able to continue to play in these competitions and maintain our status at step 5, we need to meet set criteria laid out by the FA for ground standards; part of these standards is that the ground must have seating for 100 people as well as covered terrace for 100.

At present we can comply with the 100 standing covered area but our stand only has 50 seats, the planning application is to allow the club to meet this standard as failure to meet the standard will result in the 1st team not being allowed to use this ground for its home matches, which will mean that the club may fold as it cannot afford to pay another club to hire facilities.

The club is extremely well supported by the local community and by local businesses as the club has developed and progressed, so has the links between the businesses in Downham Market that sponsor the club. SCL are the main sponsors and also one of the major employers in the town. Plus: Evolution, Fraser Dawbarns Solicitors, Charmed Interiors, Morris Armitage, Downham Tandoori, Moore Interiors, Smiles Dental, SL Buildings Services, Vets One Group, Prosperity Wealth, Paradise Garage, SN Wright, Travis Perkins and Barker Bros.”

## **PLANNING HISTORY**

2/99/0877/F: Application Permitted: 07/09/99 - Construction of covered stands for football ground – (Committee decision).

## **RESPONSE TO CONSULTATION**

**Town Council: OBJECT** – The Council believes that approval would result in:

- Overshadowing / loss of outlook for residents.
- Highways issues through an increase in spectator numbers and therefore traffic generation. Council believes that there are issues with vehicular access off Mill Lane and this will cause highway safety issues with traffic backing up onto Lynn Road.
- Noise disturbance from increased crowds which would affect the residents on Mill Lane.
- A negative impact on physical infrastructure as there are known drainage on the site and this application could lead to increase the issues. It is not clear from the application if measures are to be taken to combat the problem.
- Adverse impact on biodiversity.
- A negative impact on the area due to the visual appearance. Council believes that any building, if approved, should be green / grey to be in keeping with the land around. Council do not support the proposed red colour.
- It is noted that there are no measurements on the plans submitted and no information on how increased footfall would be managed.

**Local Highway Authority (NCC): NO OBJECTION** - Having examined the submitted information we are of the view that the public highway would not be significantly impacted as a direct result of the scale of improvement proposed and therefore we would not seek to restrict the grant of permission.

**Projects and Property: COMMENTS** - It has become apparent that there is strong local feeling about this proposal (both positive and negative) and the Borough Council as landowner has yet to make a decision on whether, or not, to permit this development to take place on its property (under Section 123 of the Local Government Act 1972). The Council will continue the dialogue with the various interested parties.

**Environmental Health & Housing – CSNN: NO OBJECTION** – no objections or conditions relating to this development as it will not cause an adverse impact.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** – subject to informative note relating to potential for asbestos-containing materials.

**Norfolk Constabulary ALO: NO OBJECTION** – advice offered relating to pursuit of Secured by Design accreditation.

## REPRESENTATIONS

**ONE NEUTRAL** item of correspondence raising the following summarised concerns:

- Queries regarding plans/proposal.
- Confirmation of commencement and length of works.
- Seeks confirmation on use of existing gate by stand / Park Lodge back on Match days / outside Match days; plans for existing fence to Park Lodge; plans for septic tank by Park Lodge.
- Will stands be protected from public access outside of Match days? Previous stands have been a 'teenage refuge' in the summer.
- It would make sense to build a secure area / container for the goals and football pitch equipment used on the other pitches on the memorial field (these back on to Park Lodge) which are used more than the main 1st team pitch. Also, an area for spectators and teams to keep out of the rain!
- The old stands were difficult to walk through to get to 2nd stand or get behind goal furthest from tennis courts. Does new stand allow a wider walking path through the stands? Is this wide enough for a wheelchair to go through to behind far goals?

At the time of writing, **FIFTY-ONE** items of correspondence received **SUPPORTING** the proposals on the following summarised grounds:

- The success of the football club is bringing many travelling fans to the town, who would not otherwise have visited - it's great to see the atmosphere there on a Matchday.
- This builds the town's reputation as well as bringing additional tourism and income.
- As the team progresses through the league system, there are requirements that must be met. This solution appears to be a simple, cost-effective change that will improve the general amenity for all who use the memorial playing field and provide additional facilities for the growing club.
- Support for all ages of players/teams.
- Concerns raised over Town Council's objection to the proposal - the Borough councillor read a statement in favour of the application at a different stage of the meeting but this was ignored and the councillor was not called for questions.

- Over time, if Downham are promoted, then car parking may be an issue (although only max. 25 days a year). However there is no current problem in Mill Lane or with general access to the Memorial Playing fields despite statements by councillors to the contrary.
- An objection to the stands being 'red' seemed superfluous as the stands are already red. And red is the Downham Town colour!
- Fears that the pitch 'would grow' and take land from cricket ground seem illogical as the pitch remains the pitch. Also the football team waits for the cricket season to end before playing any home matches.
- Dog walkers already walk over the pitch when Downham are not playing.
- Food vans are not a problem or in the way or take parking spaces when outside clubhouse (cf. parking taken by food van in town).
- The stands do not appear a different size from previous stands.
- At the start, the same number of cars and spectators will occur each home game as the size of the seating does not affect the support for such a club (this is not an all-seater stadium!).
- Recommend that the Town Council hold a meeting with the architects and football club to resolve questions which can be easily answered and would remove some of the doubts and misunderstandings from the Town Council.

## **LDF CORE STRATEGY POLICIES**

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS11** – Transport

**CS13** - Community and Culture

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
 Planning Practice Guidance (PPG)  
 National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations in determining this application are as follows:

- Principle of development
- Design and appearance
- Impact on Neighbour Amenity
- Any other matters requiring consideration prior to determination of the application

### **Principle of development:**

As stated above, the application site lies within the defined area of the town.

Policy CS04 of the Core Strategy applies which states inter alia:

*“Downham Market: The role of Downham Market will continue as a main town providing and supporting employment and essential services for the southern part of the borough...  
...Seek to respect and enhance the built, historic and natural environment in the town...  
...In addition opportunities will be investigated to develop a leisure and tourism attraction...”*

Policy CS08 also applies which states inter alia:

*“Sustainable Development: All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to:  
...enrich the attraction of the borough as an exceptional place to live, work and visit...  
...respond to the context and character....”*

Policy CS13 also applies which states inter alia:

*“Community and Culture: Promoting healthy and active lifestyles is a priority. To ensure that people have the opportunity to exercise and improve their health the Borough Council will:*

- support proposals that protect, retain or enhance sports, leisure and recreation facilities including children’s playgrounds or create new facilities in accessible locations where an existing need can be justified and without compromising the environmental quality of the area...”*

Policy DM2 of the SADMPP applies and states:

*“Development Boundaries: Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan...”*

The proposal accords with Policies CS04, CS08, CS13 and Policy DM2 of the Development Plan and the principle of the development is therefore acceptable.

### **Design and appearance:**

With regards to design and appearance Policy CS08 above plus Policy DM15 of the SADMPP apply, the latter of which states inter alia:

*“Policy DM15 - Environment, Design and Amenity:  
Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development...”*

*The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

*Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused...*

As stated above, the proposed works are as follows:

Main stand – projection of existing mono-pitched roof forward by 1.8m and using new anthracite grey standing seamed profiled sheet metal cladding increasing the overall height above ground level by approx. 25cm and framework painted red to correspond with the existing colour scheme/club livery; two rows of seats added in front of those existing on the stand, bounded by a new 'keyclamp' barrier set approx. 1.6m in front of the current concrete base. The plans indicate that an additional 50 spectators could be accommodated. The existing brick wall is to be removed due to health and safety concerns (player collisions).

Dugouts – two dugouts exist for the home and away sides respectively. They are situated either side of the main stand and are simple buildings constructed from sheet metal and Perspex panels. These are to be extended at the sides by a further panel, 0.64m forwards towards the pitch and roof extended accordingly (approx. 10cm) to create a further row of covered seating for players/staff.

In visual impact terms the extensions to the buildings are relatively low-key when taken in the wider context of the use, and would not have a significant impact upon the immediate or peripheral views of the football ground and its playing field setting.

Contrary to the concerns raised by the Town Council, there would be no adverse overshadowing implications presented by these modifications to the existing structures upon adjoining properties.

The proposal therefore accords with Policies CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2015).

#### **Impact on Neighbour Amenity:**

The proposal involves the extension of existing buildings which would create additional covered seating for supporters and players. The inter-relationships with existing neighbouring dwellings would not be materially affected given separation distances and orientation of the stand and dugouts. The nearest dwelling on Mill Lane (No.1A) lies approx. 50m away and has a mixture of fencing and mature landscaping on the common boundaries to the playing fields.

This conclusion is shared by CSNN colleagues who raise no objection to the proposals, and indeed the nearest neighbour has written in support of the application.

The proposed development therefore accords with Policy DM15 of the SADMPP.

#### **Other matters requiring consideration prior to the determination of this application:**

The surface water is presently disposed of as run-off directly from the existing canopies. This will remain the case for the slightly extended rooflines.

There are no adverse effects upon trees in the vicinity as the proposed works are on the pitch side of the existing buildings away from the trees which lie to the rear of the stands. There are no known implications for ecology presented by these changes.

Environmental Quality indicate that there is a possibility of asbestos-containing material in the stand. This is however covered by separate legislation (Control of Asbestos Regulations 2012), so it is recommended that an informative note is to be attached to any permission.

There is an existing car park in the NE corner of the overall playing field site. The Local Highway Authority considers that the public highway would not be significantly impacted as a direct result of the scale of improvement proposed and they would not seek to restrict the grant of permission. The proposal accords with Policy CS11 of the Core Strategy and Policy DM17 of the SADMPP.

Crime and disorder: Norfolk Constabulary ALO has offered advice on Secure by Design accreditation however 'the development' under consideration is only the extensions to the structures. These lie within a public area and are indicated to be retained as such.

Town Council comments: Most of the concerns raised by the Town Council have been addressed in the main body of this report. The colour scheme proposed corresponds to the team's colours and is consistent with that of the existing stand/structure. The plans are not specifically dimensioned but are to a recognised scale from which measurements can be taken.

Third party comments:

- Third party comments received appear to have misinterpreted the plans, believing that the stands and dugouts are to be replaced not extended.
- The works are expected to be implemented as a matter of urgency to meet the deadline set by the FA.
- There are no alterations to gates or accessibility to the ground/buildings.
- The 'development' is clearly defined above and that is solely for consideration as part of this application/proposal.
- The stand/ground may need to meet Disability Discrimination Act (1995) requirements, but this is controlled by Building Regulations.

Public Sector Equality Duty: In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered and may be balanced against other relevant factors. It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.



Human Rights: In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as this Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicants). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Planning Balance: Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Land ownership: The comments of the Assistant Director of Property and Projects are noted however the appropriate Certificates with regards to ownership have been served in submitting this application. The ownership issue is not a material planning consideration in this instance and the leasing is covered by separate legislation (i.e., Section 123 of the Local Government Act 1972).

## **CONCLUSION**

The proposal seeks to improve the existing facilities at this sporting venue to comply with the Football Association standards by slightly extending the main stand and dugouts towards the pitch. This is considered to be a relatively minor physical change to the community facility, which is endorsed by Policy CS13 of the Core Strategy, but it would engender a more substantive change and greater offer to the wider community as demonstrated by the correspondence in support.

In visual impact terms the extensions to the buildings are relatively low-key and would not have a significant impact upon the immediate or peripheral views of the football ground and its playing field setting. The inter-relationships with existing neighbouring dwellings would not be materially affected given separation distances and orientation of the stand and dugouts.

Whilst the concerns of the Town Council are noted, for the reasons stated in this report the proposed development accords with Policies CS04, CS08, CS11 & CS13 of the Core Strategy and Policies DM2, DM15 & DM17 of the SADMPP and is duly recommended for approval subject to certain conditions stated below.

It must however be clearly stated that the recommendation is based purely on planning matters considered as part of the planning function of the Local Authority. The matter of ownership has been appropriately addressed by the service of Certificates as part of this application.

**RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 1296.04 Revision A, 1296.05 Revision A & 1296.06 Revision A.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.