

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

11 November 2024

Application No:	HPK/2024/0289	
Location	Buxton Football Club, Silverlands, Buxton	
Proposal	Erection of replacement stand	
Applicant	Mr D Hopkins	
Agent	Mr John Scott, JRS Planning	
Parish/ward	Buxton Central	Date registered 8 th July 2024
If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Delegated authority to Approve with Conditions

1. REASON FOR COMMITTEE DETERMINATION

1.1 This application has been brought before the Development Control Committee owing to the application amounting to Major Development, and considerable public interest in the application.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application relates to a small area of land within the confines of Silverlands, occupied by Buxton Football Club; a semi-professional club with attendances ranging between approximately 400 and 2,000 depending on the opposition, and which currently play in the National League North (the 6th Tier in the English football pyramid). The existing maximum capacity of the ground is stated as being 4000.

2.2 Due to the competitive nature of this league and that Buxton are one of the smaller teams within it, with regards to attendances and budgets, the club are seeking opportunities to secure alternative revenue streams and ultimately the medium to long term sustainability of the club.

2.3 The long term ambition for the club is to reach the National League (5th Tier in English Football). The step up to this level will bring with it the need to conform to Football Association (FA) regulations with regards to spectator facilities. As such, the Club are looking to plan for the future now, rather than need to address this issue as and when they are promoted to the higher league.

- 2.4 The Silverlands stadium is made up of a recently installed 4G pitch, rented out to community groups and members of the public on non match days, spectator stands on all four sides of the playing surface, floodlights, and a range of ancillary buildings and portacabins that function as hospitality amenities for fans and associates of the club, and educational facilities, as approved under HPK/2017/0260.
- 2.5 The area of land subject to this application within the wider confines of the Silverlands Stadium is the Main Stand and adjacent ancillary buildings and Portacabins (Directors Box, Sponsors Box, Shop and Kitchen), are contained within a high boundary wall constructed from a split faced stone, interspersed by occasional metal sheeting near to the players entrance and directors entrance. This wall runs parallel to the public highway, with the Police Station and associated car park opposite.
- 2.6 The existing Main Stand has the capacity for 500, with all other capacity in the ground being standing and is characterised by metal cladding at each side that supports a mono-pitched roof that reaches a maximum height of approximately 8 metres from ground floor level.
- 2.7 The boundary wall that encloses the northern boundary of the ground reaches a height of some 6.2m, which reduces to approximately 3.6m and ends at the point at which the entrance turnstiles to the ground are located in the north-western corner of the ground.
- 2.8 Members will recall a recent planning application HPK/2022/0250 which was approved in line with Officer recommendation for the following development:
- “Extension to form sponsors and supporters lounges and extend the size of the shop and canteen following demolition of portable cabins, canteen and part directors lounge.”*
- 2.9 The above application approved development which would be situated adjacent to the Main Stand and Silverlands, with the approved extensions reaching a similar height to that of the existing Stand.
- 2.10 Residential properties are located a short distance north-west of the existing Main Stand beyond the railway bridge, and on the other side of the southern end of the ground, in the form of a row of two storey terraces at Mill Cliff, whose principal elevations face towards the ground, and other more modern two storey properties associated with the cul-de-sac known as Woodside, with rear elevations facing towards the football ground.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application seeks full planning permission to replace the Main Stand, adjacent ancillary structures and boundary wall with a new modern purpose built spectator stand.
- 3.2 It is important to note that should this application be approved by the Council, it is the club's intention to implement this consent rather than HPK/2022/0250.
- 3.3 As shown on the Proposed Plans, the stand would have an increased width that spans the majority of the playing pitch (as opposed to the existing Stand which has a much smaller width either side of the half way line), aligned to the pitch, rather than the road.
- 3.4 The stand will be able to accommodate a maximum capacity of approximately 1000 spectators, which compared to the capacity of the existing Main Stand, would double the maximum capacity on this side of the ground.
- 3.5 The Plans show that internally the stand would have two storeys. The ground floor would comprise a Kitchen and associated storage, Changing Rooms for both teams and officials, a Class Room, and Reception Area with a staircase allowing access to a first floor.
- 3.6 At First Floor level, the stand would incorporate a large Function Room and Bar area, a Directors Lounge, a Private Box, and Toilet Facilities.
- 3.7 The spectator seats would be laid out in 7 rows, which would be accessed via a small walkway to the front of the stand separating the stand from advertising hoardings and the pitch.
- 3.8 Externally, the area of land immediately between the public highway and newly erected stand is shown to include a small area of soft landscaping, and provision for off-street parking for the Away Team Coach (players and staff), and 4no. additional off-street parking spaces, two of which are contained within the curtilage of the ground.
- 3.9 The new stand would be constructed of functional materials with the northern elevation fronting Silverlands finished in an artificial stone, with all other elevations finished in a grey cladding typically seen in this type of structure.
- 3.10 The application, the details attached to it including the plans, comments made by residents and the responses of the consultees can be found on the Council's website at

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=267540>

4. RELEVANT PLANNING HISTORY

4.1 The site has been subject to the following planning history:

HPK/2017/0620	Provision of new accommodation for educational facilities and replacement of pitch and floodlights (Approved 03/05/2018)
DOC/2018/0073	Discharge of Condition: 7 in regards of HPK/2017/0620 (Approved 05/07/2018)
HPK/2018/0496	Variation of condition 6 (floodlight use) of HPK/2017/0620 (Approved 16/12/2018)
HPK/2022/0250	Extension to form sponsors and supporters lounges and extend the size of shop and canteen following demolition of portable cabins, canteen and part directors lounge (Approved 04/10/2022)
HPK/2022/0557	Extension of existing clubhouse at first floor level and part ground floor to form a gym and changing room facilities (Approved 7 th March 2023)
HPK/2023/0367	Electronic scoreboard to display information on match days and at other times when football ground in use for other activities and to include other advertising (Refused 23 rd January 2024)
HPK/2024/0192	Electronic scoreboard to display information on match days and at other times when football ground in use for other activities and to include other advertising-Resubmission of HPK/2023/0367 (Approved 22 nd July 2024)

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ6 Design and Place Making
- EQ10 Pollution Control and Unstable Land
- CF4 Open Space, Sports and Recreational Facilities
- CF5 Provision and Retention of Local Community Services and Facilities
- CF6 Accessibility and Transport

National Planning Policy Framework 2023

- | | |
|---------------------------------------|-----------|
| Achieving Sustainable Development | Chapter 2 |
| Building a Strong Competitive Economy | Chapter 6 |

Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 15 th August 2024
Neighbour letters	Expiry date for comments: 1 st August 2024
Press Notice	Expiry date for comments: 15 th August 2024

Public Consultation

- 6.1 Following initial pre-application advice sought from the Authority, the applicant has engaged in voluntary consultation with the local community, as recommended by Officers.
- 6.2 As stated within the supporting Planning Statement, the club held an event on 6th July at the ground, whereby 60 people, which included immediate neighbours and other local residents attended.
- 6.3 The proposed plans were shown and discussed with representatives of the club. It is stated that no objections were expressed at the event and that the proposal was welcomed by those who attended.
- 6.4 It is also contended that one member of the public who could not attend the meeting and expressed concerns met separately with a representative of the club, and that following discussions, this local resident was content with the proposals.
- 6.5 It is acknowledged by the applicant that ongoing concerns regarding an increase in vehicle movement and parking is an issue, and as stated within the Statement, it was agreed at the meeting that the club and residents should work together to address this issue, but that this was a separate issue to the proposal for a replacement stand.

Neighbour and Public Comments

- 6.6 9no. representations have been received which raise objections to the application. A summary of the grounds of objection that are material to the determination of the application are summarised as follows:
 - Issues with parking on match days
 - Reaction from visiting spectators when asked to respect private residents parking
 - Increase in capacity will inevitably need to move vehicle movements and exacerbate parking issues
 - Absence of a Travel Plan to encourage use of public transport
 - Increase in noise and disturbance
 - Inadequate consultation

- Waste disposal requires attention – increase in litter and rubbish
- Club has outgrown the size of this site – more suitable location required
- Visual impacts from neighbouring properties
- Larger ground not appropriate for residential area

Sport England

No Objections

Severn Trent Water

No Comments – Informative

DCC Planning Policy

No comments received at time of writing

DCC Flood Risk

No comments received at time of writing

HPBC Economic Development

No comments received at time of writing

HPBC Planning Policy

No comments received at time of writing

HPBC Env Health

No objections subject to condition:

1. Prior to any exterior lighting or floodlighting associated with the development hereby approved being brought into use, a report shall be submitted to and approved in writing by the LPA, that demonstrates compliance with BS EN 12193:2018 Light and Lighting – Sports Lighting, in the interests of limiting light pollution. All measures put in place to comply with this standard shall remain for the lifetime of the development.

DCC Highways Authority

Initial Response:

Further information required..

- What is the current capacity?
- How will an increase in capacity not lead to an increase in attendance?

- Is it an increase in capacity or relocation of supporters?
- Clarification on whether a Travel Plan was submitted with previous application for hospitality suite under HPK/2022/0250

Further Response:

In light of further information submitted by the applicant (dated 10/09/2024), the following updated comments have been received:

..the previous consultation response dated 23rd July 2024 raised a number of issues in connection with a lack of a Travel Plan (TP) for previous applications on this site and local parking issues which has culminated in the recently submitted confirmation that the applicant is prepared to submit a TP.

The Highways Authority requires that all developments that will generate significant amounts of movement should be required to provide a TP so that likely impacts of the proposal can be assessed (NPPF Para 117). All TP's should be prepared in accordance with NPPG. It is therefore recommended that the form of the assessment is scoped and agreed with DCC before any assessment is prepared. Consideration must be given to the opportunity to access the site sustainably, the availability and capacity of public car parks, existing parking restrictions, the number of linked trips and the implementation of an approved TP or welcome pack. Provision for servicing and deliveries must always be made within the site, unless there is a strong fallback position which would remove this requirement.

Where some parking/delivery spaces are provided it must be made clear who the intended users are to be. TP's are typically a package of practical measures to encourage residents, employees and visitors to consider their travel options or reduce the need to travel. Typical examples of measures include:

- Personalised travel plans and welcome packs for commercial use
- Provision of showers, lockers, and changing facilities
- Car sharing schemes
- Flexible working schemes etc

TP's should be bespoke to the development and applicants should not replicate generic targets, so can be a valuable tool in mitigating traffic impact and can look at the wider environment rather than just traditional traffic compensation measures.

It is also noted that alterations to the public highway (extended dropped kerb) are proposed so from a highways aspect the application is now considered acceptable in principle although it should be noted that in order to implement the scheme a separate construction approval process within the Highway Authority will need to be progressed – this scrutinises the extended access construction details and will be necessary in order for the Highways Authority to enter into the Section 184A Agreement for any works.

The construction of the works will inevitably lead to considerable disruption in the area which will affect the highway user, so a Construction Management Plan (CMP) will therefore be an essential element, to be secured by condition.

Based on the analysis information submitted and a review of Local and National Policy the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion, so no justifiable grounds on which an objection could be maintained.

Therefore, the principle of development is acceptable from a highway aspect and, as highlighted above, notwithstanding the information already submitted further minor modifications could well be required as part of the subsequent construction approval processes with the Highways Authority and on this basis would recommend the following conditions are appended to any consent granted:

1. The development hereby approved shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on the approved drawings.
2. Prior to commencement of the development hereby permitted details of a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered throughout the demolition/construction period. The plan shall include, but not be limited to, the following:
 - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Advisory routes for construction traffic;
 - Any temporary access to the site;
 - Locations for loading/unloading and storage of plant, waste and construction materials
 - Method of preventing mud and dust from being carried onto the highway
 - arrangements to receive abnormal loads or unusually large vehicles;
 - Highway Condition Survey
 - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
3. The development hereby approved shall not be brought into use until sheltered, secure and accessible cycle parking has been provided in

accordance with details which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the cycle store shall be maintained for this purpose thereafter for the lifetime of the development.

4. The development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan (TP) in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

7. POLICY AND PLANNING BALANCE

Planning Policies

- 7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained at paragraph 11 of the NPPF.

Principle of Development

- 7.5 Local Plan (LP) Policy CF4 seeks to protect, maintain and where possible enhance sport and recreational buildings and facilities within the Borough to ensure their continued contribution to the health and well being of local communities, whilst LP Policy CF5 seeks to retain and enhance local community services and facilities.
- 7.6 Chapter 6 of the NPPF contains relevant national planning policies aimed at creating a strong competitive economy. Paragraph 81 makes clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.7 Buxton Football Club have now established themselves in the 6th Tier of English Football (National League North) and with season on season improvement, have ambitions of achieving promotion to the National League (5th Tier). With promotion to a higher level comes with it regulatory demands from the Football Association (FA) with regards to the quality of spectator facilities and segregation of home and away fans.
- 7.8 Promotion to a full time professional league would also result in increased operating costs (including higher wages for full time players of the standard required to compete at that level), and the need to generate income through sponsorship and other means, to allow the club to be financially sustainable in the medium-long term.
- 7.9 The club have recently gained national exposure being the subject of BBC1 coverage of their 2nd round FA Cup game against Morecambe in December 2021. This, together with the large away following associated with more established teams at this level and the level above, means that match attendance figures are likely to increase in the medium-longer term, irrespective of whether the facilities improve.
- 7.10 The proposed development would see the maximum capacity of the football ground increase from approximately 4,000 today to 5,000, with much enhanced facilities for club staff, spectators and sponsors, and would make a significant and positive contribution to the medium-long term financial security of the club, creating additional employment.
- 7.11 As such, the application is considered to fully support the aims and objectives of Local Plan Policies CF4 and CF5 and relevant policies contained under Chapter 6 of the NPPF, and is thus fully supported as a matter of principle subject to a detailed assessment of all relevant planning considerations.

Design, Character and Appearance

- 7.12 LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.
- 7.13 LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.
- 7.14 Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.
- 7.15 The northern part of the Silverlands ground comprises the Main Stand, which is assumed to date from the mid 20th Century, which externally has a tired and weathered appearance, and other portacabin and single storey structures.
- 7.16 Externally, the boundary is characterised by a stone wall adjacent to the exterior of the Main Stand, with a small area of off-street parking east of the stand.
- 7.17 Given its urban setting, the nature of the existing use, and the materials present in the existing structural development, the visual sensitivity of this boundary is considered to be relatively low, despite its prominence from the public highway.
- 7.18 The introduction of a replacement stand is considered to represent a visual enhancement of the site, replacing an old tired stand and ad-hoc ancillary structures with facilities that are fit for purpose in the 21st Century
- 7.19 The stand would be constructed in a combination of artificial stone (fronting the highway) and metal clad sheeting, which is typical of this type of structure.
- 7.20 Such materials are considered to strike an appropriate balance between the purpose of the building, its functionality, and the requirement to respect the character and appearance of the wider street scene and the wider town more generally.
- 7.21 As such, the application is considered to uphold the aims and objectives of LP Policies S1 and EQ6, and relevant paragraphs under Chapter 12 of the NPPF.

Public and Residential Amenity

- 7.22 LP Policy EQ6 also requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.
- 7.23 LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.
- 7.24 The site accommodates a full time professional football club which is used by various individuals and community groups throughout the week, with crowds typically between 400 and 1200 watching the first team mostly on Saturday afternoons and Tuesday/Wednesday evenings.
- 7.25 On Saturdays, the site tends to be active between the hours of 13:00 and 18:00, whilst for mid-week matches, the hours of operation tend to be from 18:00 – 23:00.
- 7.26 Outside of match days, the pitch is rented out on a bookings basis, with the use ceasing at 22:00 on any given day.
- 7.27 Objections have been received with regards to the potential increase in noise and disturbance arising from the increase in attendances, facilitated by a larger Main Stand.
- 7.28 Whilst the proposed replacement stand and associated internal ancillary facilities would increase the overall capacity of the ground, it is not anticipated that the overall attendance at matches at this level in the football pyramid would materially increase, albeit if the club are promoted then an increase in attendance becomes more likely.
- 7.29 However, the introduction of a new larger Main Stand will not result in any change to the nature of the land use (professional sports team and community facility) or indeed its hours of operation.
- 7.30 As such it is not considered that the proposed development would give rise to any harm with regards noise and disturbance
- 7.31 Moreover, having regard to comments made and recommended conditions proposed by Environmental Health, it is considered that subject to conditions being applied relating to external lighting that include those that are consistent with those applied to the previously approved application under HPK/2022/0557, which limit the hours of

occupation, and restrict hours of any external lighting, there would not be any harm to public or residential amenity arising from the proposed development, in accordance with LP Policies EQ6, EQ10 and relevant paragraphs under Chapter 15 of the NPPF.

Parking Provision and Highway Safety

- 7.32 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.
- 7.33 Paragraph 114 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.
- 7.34 Paragraph 115 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.35 Multiple objections have been received from local residents with regards to the potential impacts on parking and highway safety that would come as a result of increase capacity, referring to unsatisfactory existing issues with lack of, and illegal parking by attending fans in surrounding streets and that this proposal would exacerbate the situation.
- 7.36 Comments also point to the absence of a Travel Plan that encourages the use of public transport.
- 7.37 It is true that the proposed replacement stand would increase the overall capacity of the ground from approximately 4,000 to 5,000. However, Members are advised that the average attendance figures for matches tend to typically range between 400-1000. As such, the increase in capacity is not likely (at least in the short term) to result in any material increase in attendance figures.
- 7.38 Having fully considered comments from local residents and initial comments made by the Highways Authority, the applicant has committed to producing a Travel Plan. Subsequently, the updated comments from the Highways Authority clear state that:

“Based on the analysis information submitted and a review of Local and National Policy the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion, so no justifiable grounds on which an objection could be maintained.”

7.39 In light of the above, it is judged that subject to compliance with recommended pre-commencement conditions requesting a detailed Travel Plan and comprehensive Construction Management Plan, there would not be any unacceptable highway safety impacts arising from the proposed development, in accordance with LP Policy CF6 and paragraph 114 of the NPPF.

Ecology and Nutrient Neutrality

7.40 LP Policy EQ5 requires the Council to assess the application with regards to any potential impacts or adverse effects to protected species and habitat, and ensure that suitable mitigation and enhancement where appropriate is secured.

Biodiversity Net Gain

7.41 The Environment Act 2021 came into force in the early part of 2024, and puts a legal requirement on applicants to deliver a 10% Biodiversity Net Gain (BNG) on all sites, unless one of a few small number of exemptions are met.

7.42 In this case, the application is considered to meet one such exemption, due to the fact that the area subject to redevelopment is a sealed surfaced with no habitat value. As such, the application is exempt from having to provide BNG.

Nutrient Neutrality

7.43 The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out “likely significant effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

7.44 The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays and, given the development would be built on existing hard surfacing, there would be no increase in surface water run-off from the site. Therefore it will not risk having a significant negative effect on the SAC either on its own or in combination with

other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

Other Matters

- 7.45 Comments have been made that refer to unacceptable behaviour and abuse aimed at local residents by attending fans when confronted about illegal parking. Whilst the Authority are wholly sympathetic to residents concerns, it is a matter which would need to be dealt with by other agencies and under other legislation rather than the Planning Acts.
- 7.46 Comments are made with regards to inadequate consultation. Firstly, the Council have written to all properties that adjoin the site and have erected a Site Notice, in accordance with its duties under the Town and Country Planning (General Development Management Procedure) (England) Order 2015 as amended. Secondly, the club have, voluntarily, engaged in a community consultation exercise, which is not a legal obligation. As such, the Council are satisfied that the correct level of consultation has been carried out.
- 7.47 Lastly, comments have been made that assert that the club has outgrown its current home and needs to find a more suitable location. Notwithstanding the fact that a site (presumably on the edge of a settlement) is likely to be challenging due to the landscape and visual sensitivities of the High Peak, this is also likely to be financially unviable for a club of this size. In any event, the application must be determined on its own individual merits.

Planning Balance & Conclusion

- 7.48 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).
- 7.49 Paragraph 11 of the NPPF sets out 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; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.50 The application seeks full planning permission to replace an existing football stand and other single storey ancillary structures, with a new modern, purpose built spectator stand with other internal facilities, to serve the full time professional football club (Buxton FC) at their home ground Silverlands.
- 7.51 The application follows a previously approved application for a purpose built hospitality suite and other facilities under HPK/2022/0557.
- 7.52 The principle of development is fully supported by LP Policies CF4 and CF5 and relevant policies contained under Chapter 6 of the NPPF and is therefore acceptable.
- 7.53 A detailed analysis, taking into account statutory consultee comments and concerns raised by members of the public and neighbouring properties has found that the proposed development would be of a high quality and appropriate design for its proposed function and respects the character and appearance of the wider street scene. Further, subject to strict compliance and pre-commencement conditions, it has been found that the proposed development would not adversely impact public and residential amenity, or highway safety.
- 7.54 As such, the application is found to comply with all relevant Local Development Plan policies and other material considerations which includes the NPPF, and constitutes a sustainable form of development.
- 7.56 Give the proximity to the adjacent railway line comments were awaited from Network Rail at the time of report production. 7.55 Therefore in line with LP Policy S1a and paragraph 11 of the NPPF, it is recommended that delegated authority be granted to the Head of Development Services in consultation with the Chairman to approve the application subject to no objection from Network Rail and appropriate conditions.

8. RECOMMENDATIONS

A. Delegated authority to APPROVE subject to no objection from Network Rail and conditions as follows;

1. *Approved Plans*
2. *Time Restriction of operations of scoreboard in line with floodlights and other external lighting within the football club*
- 3-7 *Highways Conditions*
- 8 *Time Restriction on external lighting*
- 9 *Time Restriction on hours of occupation*

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of

Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

