

14 JANUARY 2025 PLANNING COMMITTEE

6A PLAN/2024/0111

WARD: Hoe Valley

LOCATION: Woking Football Club, Kingfield Sports Ground, Kingfield Road, Kingfield, Woking, Surrey, GU22 9AA

PROPOSAL: Retention of container 6 to provide food concession, relocation of container 7 to position 7b to provide food concession, relocation of w.c. (container 5b), demolition of existing garage and provision of container in location 8b, provision of container in location 9b (w.c.), existing container 3 (food concession) to be relocated and container 1b to be stacked on container 3 with external staircase (part retrospective) (Amended description and amended plan received)

APPLICANT: Emanuele Paladini

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE:

This is an application for planning permission, where the recommendation is for approval, and the referral to Planning Committee is at the discretion of the Strategic Director – Place as the application raises matters in the public interest.

PLANNING STATUS

- Urban Area
- Surface Water Flood Risk Area – Medium and High Risk (parts of site only)
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions

SITE DESCRIPTION

The application site comprises part of Woking Football Club which is located within the urban area. Residential properties surround the site to the north and east along Kingfield Road and to the west along Westfield Avenue. Although part of the western boundary is a vacant site where planning permission has recently been granted for 9 dwellings (see planning history section below for full details). To the south is a tennis and health club. The wider football club site comprises a pitch, stands and associated ancillary buildings. Adjacent to the football ground is a snooker club and gymnastics club.

The main vehicular access to the football club is off Kingfield Road.

RELEVANT PLANNING HISTORY

There is an extensive planning history for the site relating to the existing use of the site as Woking Football Club and also the application for the wholesale redevelopment of the site with the applications detailed below being most recent (excluding advertisement applications):

Woking Football Club site and wider area:

PLAN/2019/1176 - Redevelopment of site following demolition of all existing buildings and structures to provide replacement stadium with ancillary facilities including flexible retail, hospitality and community spaces, independent retail floorspace (Classes A1/A2/A3) and

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medical centre (Class D1) and vehicle parking plus residential accommodation comprising of 1,048 dwellings (Class C3) within 5 buildings of varying heights of between 3 and 11 storeys (plus lower ground floor and partial basement levels) on the south and west sides of the site together with hard and soft landscaping, highway works, vehicle parking, bin storage, cycle storage, plant and other ancillary works including ancillary structures and fencing/gates and provision of detached residential concierge building (Environmental Statement submitted). Refused 02.07.2020. Appeal Dismissed

[Officer Note: There was also an associated application relating to a site in Egley Road, Mayford under PLAN/2019/1177]

Within Woking Football club site:

PLAN/2009/0521 - Erection of a two storey building comprising of club shop and bar on ground level and a conference and banqueting facility with associated kitchen and bar at first floor for purposes ancillary to the current use of the land by Woking Football Club. Granted 09.09.2009 (not implemented)

PLAN/2009/0076 - Alterations to existing Gosden Stand to create hospitality suite. Granted 26.03.2009

Adjacent site (on Westfield Avenue):

PLAN/2023/0980 - Erection of 9no. part-two, part-three storey dwellings with 2no. detached car port buildings, parking courts, cycle stores and new vehicular accesses. Granted subject to S106 Legal agreement 04.07.2024

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks planning permission for the retention of container 6 to provide food concession, relocation of container 7 to position 7b to provide food concession, relocation of w.c. (container 5b), demolition of existing garage and provision of container in location 8b, provision of container in location 9b (w.c.), existing container 3 (food concession) to be relocated and container 1b to be stacked on container 3 with external staircase (part retrospective).

The application originally proposed a new footpath across the car park (adjacent to the boundary fence with the neighbour), a new ticket office in proximity to the neighbour and also the relocation of a food container (7) to a position to the northern side of the existing food container (6). These proposals have all been omitted from this application. Some other changes to the location of the containers elsewhere in the site have also been made as a result of the amended plans.

The containers proposed as part of this application are:

- Container 5b – w.c. – measures approximately 2.7m(d) x 3.6m(w) x 2.5m(h)
- Container 1b and 3 – 1b (storage and/or office use) and 3 (food concession). 1b is proposed to be stacked on top of 3. The stacked containers would measure approximately 3m(d) x 9.7m(w) x 5.5m(h) (2.7m each)
- Container 6 – food concession - measures approximately 2.7m(d) x 9m(w) x 2.85m(h). there is a small addition to part of the rear of this container which measures 2.3m(d) x 2.3m (w) x 2.3m (h) and is stated as used for storage. There is also an advertisement sign to the front part of the roof of this container.

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- Container 7b – food concession – measures approximately 2.7m(d) x 6m(w) x 2.85m(h). There is also an advertisement sign to the front part of the roof of this container.
- Container 8b – (storage use) - measures approximately 2.4m(d) x 6m(w) x 2.4m(h)
- Container 9b – w.c. – measures approximately 2.7m(d) x 4.9m(w) x 2.4m(h)
- The existing and proposed fence between the car park and the secure area measures 2.5m and comprises palisade fencing.

CONSULTATIONS

County Highway Authority [in respect of originally submitted application]: Has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

WBC Environmental Health [in respect of originally submitted application]: This includes a change to the route by which fans access the football grounds by forming a new pathway P1 which runs along the boundary with the house and gardens at Rosewood. It would inevitably lead to increased noise disturbance to residents on match days as people arrive and queue for tickets and again when exiting the grounds. Other social events held at the Club, which is licensed to 01.00hrs 7 days a week, would also attract footfall. The likelihood of noise and disturbance is compounded by moving the ticket office and a food stall closer to the boundary with Rosewood, which will lead to fans spending more time in the area closest to residential use. Any noise arising could not be controlled under statutory nuisance provisions, if approved. Lighting of these external areas would also have to be carefully planned so as not to be intrusive to the residential property.

Crowd control safety of the proposed access should satisfy any safety certification which applies to the football ground, as enforced by the Fire Authority, and information is required to demonstrate the safe separation and movement of vehicles and pedestrians in the car park area.

If minded to approve, please add a condition relating to external lighting and an informative relating to Food Safety Act.

WBC Environmental Health [in respect of amended application]: EH records show that 4 complaints have been received about Woking Football Club since 2019. These concerned noise from late night events, noise outside of the permitted times and loud music.

Having considered details of plan REV/RB/WF/PL11B dated October 2024, whilst the re-positioning of container 7 to 7b means it would be closer to the boundary, it will provide further screening of this busy area and prevent fans using what is currently described on plan as a smoking area in that location.

If minded to approve, however, it is considered that use of the food containers and the hours of operation should be controlled by condition, for example, the food outlets to be used in associated with the Club matches only, to control the frequency of use and to avoid late night noise and disturbance.

Consideration should also be given to the containers' ventilation/extraction arrangements, which should be positioned so as not to discharge towards residential.

WBC Asset Management: No comments received.

REPRESENTATIONS

7 letters of objection have been received in respect of the original application. A summary of the main comments made is given below:

General

- Application should be considered in light of the fact that fencing and permanent food units have been placed on the site without any application for planning permission. [*Officer note: all applications are considered on their merits irrespective of whether they are retrospective or not*]
- Application does not provide sufficient information about: new ticket office/turnstiles and access arrangements with the new footpath, safety analysis for fans filtering down new footpath, construction of new pathway adjacent to fence to neighbouring residential units in terms of flooding, reason for changing the established access arrangements for fans, assessment of the impact of the footpath on trees, removal of car parking spaces to accommodate new access and application should show detailed pedestrian analysis of benefits to the community from changing the access arrangements. [*Officer note: see proposed development section above as these aspects have all been deleted from the proposal*]
- Application does not provide sufficient information about: food and alcohol provision, no provision of street views to assess impact of 2.5m high fencing, the club uses existing fencing for advertising but there are no details of how much of the new fencing would be used for advertisements, hoarding and lighting needs to be assessed, plans show new food and alcohol provision but application only shows food provision, no details of opening hours for food and alcohol sales and no details show how commercial waste and recycling will be managed. [*Officer note: see assessment below in respect of visual impact of proposals, opening hours and waste/recycling and separate advertisement consent would be required for any relevant advertisements – see informative 2*]

Proposed new footpath

- Object to the new pedestrian footpath 1m from Rosewood which would result in a significant loss of privacy and amenity from up to 2000 fans transiting the perimeter of the football club. This proposal would also adversely affect highway safety as it would result in fans queuing up impacting Kingfield Road. The current access provides access onto the road leading to the Snooker club which reduces risk to highways on match days. The change of access increases risk to fans, residents and highway safety for no material benefit.
- Moving the access way increases the noise and potential for anti-social behaviour and disturbance.
- Lighting of the new footpath access would result in a loss of privacy and amenity to neighbouring flats.
- There is already a litter problem post-match and the new footpath would put the supporters directly next to our fence.
[*Officer note: the proposed footpath alteration has been deleted from the amended plans*]

Neighbour impact from food and drink containers

- The new food and alcohol provision adversely affects amenity through external food storage, litter, rubbish and smells. Food and alcohol is available through the Cardinals Club and if additional food and drink provision is required it should be provided through the existing site [*buildings*] rather than containers in the car park.

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- The impact of additional alcohol sales on match days should be assessed on the local area and effects on local policing. [*Officer note: alcohol sale falls under the licencing regime*]
- Object to the establishment of an external outside food, alcohol and social venue (as advertised on their website) and the application is effectively for an outside social and drinking venue of unspecified size without any clear definition of usage, opening hours and quantity of people. This will disturb local residents in terms of noise, amenity and potential for anti-social behaviour.
- Approving the application will have negative consequences for the local community and environment.
- Plenty of events and matches that occur next door that we are more than happy to live near and come as part of living next door to a football ground but the changes proposed do not fall into this comfort zone.
[*Officer note: see paragraphs 13-28 below in respect of neighbour impact assessment*]

Car park fence and parking

- At the start of the season in August 2022, the boundary fence was moved in the car park to accommodate two new catering units without planning permission and resulted in the loss of about 6 car parking spaces including disabled parking. The current application which proposes to move the fence even further will result in the loss of another 9 parking spaces including disabled parking. A season ticket holder of 25 years has been told he cannot have a disabled space for next season due to this planning application. There is plenty of room within the boundary fence to accommodate a new ticket office without losing parking spaces. The spaces on Westfield Avenue will also be lost due to the Council selling that land. [*Officer note: the existing fencing across the car park is no longer proposed to be moved further from its existing position as part of the amended application*]

4 letters of objection have been received in respect of the amended application. A summary of the main comments made is given below:

General

- Confused by what is being applied for. If they are applying for retrospective planning for outside catering and drink facilities to operate up to 1am under their current licence then the document should indicate this. [*Officer note: see condition 6 relating to hours of use*]
- After waiting 3½ months for updated planning documents for the food outlets installed nearly two years ago object to the application.
- Mr Curtis states that they have withdrawn pedestrian access request however signage and opening currently clearly show pedestrian access. Have they already constructed the new access or been granted planning for it and purposely not applying for planning permission? It seems the club is changing the access without applying for permission for the right to change the access with the associated safeguard for fans, the public and residents. [*Officer note: the new pedestrian footpath has been withdrawn from the current application*]
- Application should be rejected and the football club should seek to engage with residents regarding permanent solutions to suit their needs as well as local residents. Approving this application with significant lack of detail rides roughshod over resident's rights to assess and comment on applications. [*Officer note: there is sufficient information in the application to assess the impacts of the proposals*]

Parking

- The food outlet and bin storage has removed disabled and normal parking spaces and there are no details of the number or types of spaces removed. The plan

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should show what has been removed and justify how the amended layout is still suitable for parking for normal and disabled visitors for the club. If this is not done it will place undue pressure on local roads. This is supported by resident correspondence. Planning Committee Members had serious concerns over the disposal of the land at Westfield Avenue and the food outlet position will exacerbate these stated concerns. Woking Football Club have not commented on the parking impact due to the removal of spaces. [*Officer note: see paragraphs 29-33*]

Neighbour impact from food and drink containers

- Object as the food and alcohol outlet has had impact on local residents in terms of the impact on their quality of life. Numerous complaints have been lodged with Environmental Health about lateness of music and lack of disbursement plan and there are no details of this in the application. [*Officer note: see comments from EHO in consultations section of the report*]
- Planning has been granted for numerous additional housing directly behind these food outlets and the impact of these residents needs to be assessed. [*Officer note: the impact of the proposals on these dwellings are considered in the assessment below*]
- Application states boundary treatment of 2.2-2.4m adjacent to Rosewood parking which is significantly higher than the existing and there are no details of what this is or what this is for. [*Officer note: see paragraph 8 below*]
- Block plan shows a building adjacent to container 6 with no description or uses indicated. It seems lodged up against the boundary and details of this are needed for residents to assess. [*Officer note: this part of the container already exists and is used for storage*]
- Positioning a smoking area within 1m of property boundary will adversely affect current and future residents ability to enjoy their gardens with risk to health. New and future guidelines on smoking areas should be considered and no mitigation measures are shown. Smoking area would move partygoers to within 1m of the boundary and close to neighbouring properties. There are far better places to site the smoking area that in theory can be used until 1am. [*Officer note: see paragraph 17*]
- No hours of use are specified so how can neighbours assess impact. Mr Curtis' representation states non-football related events would be within normal working hours and no football related demand after 10pm. It would go some way to alleviate local residents' concerns if these timings were stipulated if planning were granted to the outside area. For instance the burger van, alcohol sale, gatherings would close at latest 10pm match days and would not be used outside working hours 9-6pm for any other event. This provides a degree of control over the impact on neighbours. As the applicant states these are his requirements it would seem reasonable for planning, if granted, to be subject to these hours. [*Officer note: see paragraphs 13-28 below*]
- Plan does not show where commercial cooking waste would be stored. The only waste pick up point is in the car park no fixed or secure area. [*Officer note: see paragraph 34 below*]
- Football club has a large ground and other more suitable places that could be used for this food outlet that would provide less disturbance to neighbours whilst providing the club with relevant revenue it needs. [*Officer note: the application is required to be assessed as submitted*]
- If the concession stand that sells alcohol was allowed to operate late into the night it would increase noise pollution and increase the use of the smoking area near the property bounds, causing further nuisance. [*Officer note: see paragraphs 13-28 below*]

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- I have complained as referenced by [the Environmental Health Officer] at the level of volume from non-football events and would strongly urge that restricted hours of operation are implemented when giving any approval to plans for this area. [*Officer note: see condition 6*]
- The people who currently bear the brunt of the current situation area going to be the ones most impacted by the proposed changes. We should be considered when planning decisions are made as we will have to live with the outcome.
- The Environmental Health Officers' comments imply that the new plan is preventing fans from using a smoking area but as I read it the plan is to move the smoking area closer to the boundaries. I'm not sure I am interpreting the diagrams correctly but it does seem worth clarifying. [*Officer note: Container 7 is to be relocated to position 7b which is to be set 1m off the boundary. This area is currently in use as a fan zone area and is unrestricted in what it can be used for and includes a covered area - see paragraphs 15 -17 below*]
- The Environmental Health Officer recommends restriction of hours on the outlets and just wanted to ensure this includes the outside smoking areas as well which is what the officer seemed to imply. [*Officer note: Planning conditions cannot be used to restrict an activity that can currently take place as this would be unreasonable*]

Car Park fence and advertisements

- There is no justification for the size and scale of the fencing at the front entrance and I would assume planning would limit it to standard fencing height as the size of the fencing is not in keeping with other fencing and therefore creates an incongruous view from the main road. [*Officer note: see paragraphs 10 and 11 below*]
- No planning has been sought for the use of fencing for advertising hoarding. [*Officer note: separate advertisement consent would be required for any relevant advertisements – see informative 2*]

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF)

Woking Core Strategy (2012):

CS9 - Flooding and Water Management

CS17 - Open Space, Green infrastructure and sport and recreation

CS18 - Transport and accessibility

CS19 – Social and Community infrastructure

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM7 - Noise and Light Pollution

Site Allocations DPD 2021:

UA42 – Woking Football Club, Woking Gymnastics Club, Woking Snooker Club, Westfield Avenue, Woking

Supplementary Planning Documents:

Parking Standards SPD (2018)

Outlook, Amenity, Privacy and Daylight (2022)

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PLANNING ISSUES

1. The main issues for consideration for this application are the principle of development, the impact on visual amenity, impact on neighbouring amenity and impact on parking/transportation.

Principle of Development:

2. The site is located within the urban area where there is no objection in principle to development which supports existing uses of land, subject to detailed considerations set out. Indoor and outdoor recreation and sports facilities are also included in the definition of social and community infrastructure which Policy CS19 seeks to support.
3. The whole of the wider football club site along with the other adjacent leisure uses and also the adjacent site on Westfield Avenue is allocated for redevelopment for a mixed use comprising a football stadium and residential development under Policy UA42 of the SA DPD. The proposals the subject of this application are intended primarily as facilities in connection with the use of the existing football stadium. They are/would be located within the confines of the existing football stadium site and are directly related to the operation of the football stadium which Policy UA42 requires to be retained in any event. They would provide food and drink, w.c. and other ancillary facilities. The proposed facilities would be provided within containers which would be capable of being moved (they are classed as operational development as part of this application due to their size and degree of permanence) and would not in isolation or cumulatively be considered to prejudice the redevelopment of the site in accordance with Policy UA42 of the SA DPD should the site come forward for re-development. They would be part and parcel of the existing site if it came forward for redevelopment, in future
4. It is considered that the proposal is acceptable in principle subject to detailed considerations.

Impact on visual amenity:

5. The existing wider football stadium site comprises the pitch and surrounding spectator stands, some of which are very large in scale and there is a myriad of buildings to the north-western side of the pitch. To the north-western side of the site adjacent to the boundary is a detached garage (proposed to be demolished as part of this application), a single storey building used as a club shop and also a covered area which has picnic tables and chairs (fan zone) which provides a covered area for spectators. In this area are two of the food/drink containers which are proposed to be retained or relocated as part of this application. One is located close to the north-western boundary and the other is located perpendicular to the boundary a little further into the site. This latter container would be relocated as part of the proposals.
6. Container 6 (food/drink outlet) would be retained in its current, albeit unauthorised position. Container 7 (food/drink outlet) would be relocated to position 7b, 1m from the rear boundary and would replace part of the existing area known as the Fan zone. The Fan zone is a covered area with picnic benches under to provide shelter for spectators. This area exists and is currently located adjacent to the boundary fence. The majority of this area would be replaced by the proposed container in position 7b. The container has a solid appearance but is slightly higher than the existing Fan zone covered area. These two containers have a height of around 2.7m and would be viewable over the existing boundary fence. However they would be viewed in the context of the varied stadium site which has a variety of structures with some very significant spectator stands viewable. The proposed plan is annotated to show that the

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rear and side elevations of the containers would be painted dark green. This colour would provide consistency for these two containers, would improve their appearance and assist in reducing their visual impact on the edge of the site.

7. Container 8b would replace an existing single storey garage with a sloping roof and would be of a similar scale to the existing garage. Container 9b is to be used as a w.c. and would be sited partly on a hard surfaced area and partly on a slightly raised grassy bank. The bank currently has picnic benches on for use by spectators. Container 9b is annotated as being located at the lower/hard surfaced level rather than on top of the slightly raised grassy bank. The size and scale of this container is slightly smaller than some of the others. Containers 8b and 9b would also have their rear elevations painted dark green and these containers are either the same or smaller than some of the existing buildings along this north-western boundary. They would also be seen as a functional element and part and parcel of the whole site.
8. Containers 6, 7b, 8b and 9b would be located close to the site boundary which is currently formed by timber fencing of around 1.9m high adjacent to Rosewood and other fencing/gates/timber fencing where the other containers are proposed. In order to further minimise the visual impact of these containers, the plan proposes to erect boundary treatment to be 2.2-2.4m high along the sections of the boundary to the rear of the containers. No permission is required for any fencing up to 2m in height. However it should be noted that the approved site plan PLAN/2023/0980 for the dwellings on the Westfield Avenue site has the shared boundary annotated with a 2.2m high close boarded fence and this fence is required to be installed as part of this planning permission. It is not therefore reasonable or necessary to duplicate this fence by this permission. As this height of fence has already been considered visually acceptable for the Westfield Avenue development, continuing this fence for the rear boundary behind container 6 would be reasonable to provide a consistent boundary treatment and would further assist in reducing the visual impact of the variety of buildings on this part of the stadium site. To provide a little flexibility in terms of the height of the fence, it is considered the close boarded timber fence should be a minimum of 2.2m and a maximum of 2.4m. It should be noted that if permission under PLAN/2023/0980 was not implemented then the containers located adjacent to this site boundary would be viewed across the vacant site and it would not be reasonable to require the additional fencing in this regard (although fencing along the boundary with Rosewood would be required by condition on any permission granted for the container adjacent to this boundary). It is therefore considered that these containers in terms of their size, scale, positioning, painting of rear and side elevations and the timber boundary fencing would not be harmful to the character and appearance of the site and surrounding area.
9. The application also includes relocating a w.c. container to position 5b which would be located immediately adjacent to a spectator stand. Container 3 (food/drink outlet) would be located to within 1m of the boundary in the southern part of the site next to the David Lloyd building and container 1b would be stacked above with a rear staircase. These stacked containers would be no higher than the building on the adjacent site and any views of these from the access road to David Lloyd would be end on and seen in the context of the dominant stand to the south-western part of the site. These items are not considered to be visually harmful in their proposed positions give the character of the stadium site.
10. The fencing across the car park is proposed to be retained in its current position (having been previously moved). The fencing is 2.5m high palisade fencing. It is acknowledged that there was similar fencing across the car park area to provide a secure part of the site, albeit in a position set further back from Kingfield Road. The

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existing fencing proposed to be retained in its current position is located around 40m from the site boundary with Kingfield Road. Whilst the fencing has been brought forward on the site, it is around 2.5m in height and is palisade fencing and it is not unusual for non-residential uses to utilise such fencing to secure part of their site. It is acknowledged that the fencing would be seen above the timber fencing which forms the boundary between the football club and the neighbouring residential properties. However the fencing is positioned perpendicular to the timber fencing on the shared boundary and therefore the view would be either of the end of the fencing or a more oblique view of the fencing extending away from the shared boundary to within the site.

11. In this case given that the fencing is set back within the site by a significant distance and as it is seen in the context of the football club site with the variety of buildings and the significant spectator stands, it is not considered that this would be out of keeping with the character and appearance of the existing site.
12. Overall in the context of the character and appearance of the existing football club site, the proposal is considered to have an acceptable impact on the character of the area, subject to the conditions relating to the painting of specified elevations of the containers and the provision of timber fencing along the north-western boundary of the site for the extent of the containers (except where this would be provided along the boundary under PLAN/2023/0980, if that application is implemented).

Impact on neighbouring amenity:

13. The closest existing neighbouring residential properties to the proposal are those existing to the north-west of the site, the closest being Rosewood (which is a building in use as flats). It is also noted that 9 residential dwellings have been approved on the Westfield Avenue site (PLAN/2023/0980) and these dwellings would have their rear garden boundaries shared with the western boundary of the football club site.
14. Containers 6, 7b, 8b and 9b would be located close to the western boundary of the football club site. These units would have a maximum height of around 2.85 (excluding the advertisement signs). Container 6 would be located adjacent to the parking area for the properties identified as Rosewood on the location plan and would be positioned more than 24m from the rear elevation of these properties. Given the scale and height of this container, the structure itself is not considered to result in any overbearing impact to the amenities of these neighbouring occupiers.
15. Regarding the impact of the proposal on the 9 units approved under PLAN/2023/0980, container 7b would replace part of the existing fan zone structure which is located in close proximity to the existing boundary fence. From considering the approved layout for these dwellings, the container would overlap between an area of open space at the end of the parking area and part of the garden boundary of the end terrace dwelling. This garden would have a depth of 16m. The container would be positioned 1m from the shared boundary and as detailed in paragraph 8 above, a 2.2m high close boarded fence is required to be installed on the boundary by condition 19 of PLAN/2023/0980. Given the scale and height of this container, the structure itself is not considered to result in any overbearing impact to the amenities of the future neighbouring occupiers on the adjacent site.
16. The positioning of container 7b, close to the boundary would also provide a barrier between where spectators congregate and the boundary of the site. Currently spectators can congregate in the whole gap (under the covered area) between container 6 and the shop building and there is nothing to prevent spectators using this

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area up to the shared boundary. The provision of container 7b would restrict the movement of spectators in this area and also reduce the space close to the shared boundary. As this container would be repositioned, it would result in more spectator space within the site and away from the shared boundaries.

17. It is stated in a neighbour representation that the area around container 7b would be a new "smoking area" but this area is already a covered area with picnic benches for spectators to congregate and is unrestricted in terms of its use. It is not therefore reasonable or necessary to restrict the use of the area adjacent to container 7b as this area is already in use.
18. In terms of the use of containers 6 and 7b as food and drink outlets, these units have the potential to result in noise and disturbance and smells to adjacent existing and future neighbouring occupiers. However it is not unusual for a large sporting stadium such as this to have food and drink outlets for use by spectators. The existing use of the site as a sporting stadium is long established. Furthermore given the position of container 6 adjacent to the parking area of Rosewood and its overall relationship with the neighbouring residential properties it is considered that allowing the use of the container as a food and drink outlet in association with football matches with restrictions to enable sufficient respite between the use of the container, would not be significantly detrimental to the amenities of these residential occupiers by reason of noise, disturbance and smells. The same reasoning would also apply to container 7b as this container would overlap the general open space and part of the garden with plot 9 and given the existing use of the area (by spectators) where this container is proposed. It is also considered necessary to apply the same use restrictions to container 3 as whilst this container is not located adjacent to residential properties, if not restricted this container could result in use outside of any restricted hours of use which would result in noise and disturbance on any part of the site, including adjacent to residential properties where the use would be detrimental to the amenities of neighbouring occupiers.
19. In considering appropriate restrictions in relation to the use of the food and drink outlets and neighbouring amenity, the applicant has stated that on match days they would expect to have the outlets open for around 5 hours, slightly before gates open until just after the final whistle. It is stated that for evening games they would open a little before 5.30pm until around 10pm and that with friendlies, league and cup games they would anticipate around 30-35 games per year. It is therefore considered that if containers 6, 7b and 3 were restricted to 5 hours use and a closing time of 9.45pm or no later than 30 minutes after the final whistle for games, whichever is the earlier and for a maximum of 35 matches per calendar year (albeit that matches would be condensed to the general football season, apart from friendlies) that this would not result in any significant adverse impact to the amenities of the neighbouring residential occupiers, given this limited use and the respite between uses. It is also considered necessary to require that this use is in association with a football match to prevent use if there were less than 35 games in a calendar year and also to restrict the use to use in association with no more than 2 matches per week and for the use to be not on consecutive days to ensure there is sufficient respite between days in use and days not in use to prevent significant adverse impacts on neighbouring amenity.
20. The applicant has also advised that the concessions are also used for other events outside of football such as "*family days, weddings, birthdays, corporate hospitality etc. for similar periods of time per event of around 5 hours depending on the requirements*". It is stated that these events would take place on around another 20-25 occasions a year. The applicant has further stated that "*many of these events are carried out during normal working hours and provide the local and wider community*

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with a cheaper and sometimes free facility which would otherwise not be accessible and include charities and educational groups such as Halow, Linkable and Surrey County Work Experience where litter picking, cleaning, food preparation kitchen organisation and food hygiene skills are taught to young people with learning disabilities". However it is also understood that the site has a licence until 1am and therefore it is considered that unless the use of these food and drink outlets is restricted for all other events, that these events either in isolation or in combination with the football match events could result in significant adverse impacts to the amenities of neighbouring occupiers by reason of noise, disturbance and smells with the frequency and duration of events. It is also considered that events such as weddings and birthdays can extend into the evening period where if not restricted would also result in significant adverse impacts to the amenities of neighbouring residential occupiers.

21. In respect of the use of containers 3, 6 and 7b in association with non-football match events (i.e. all other events) it is considered that these should be limited to a maximum of 25 days per calendar year and between the hours of 9am-6pm only. It is also considered reasonable and necessary to restrict these events on a Saturday to a maximum of 5 (of the 25 permitted days) on the basis that the use of the containers in association with football matches will also most frequently occur on a Saturday. Otherwise it would be possible for the containers to be used every Saturday (in association with football and non-football events) which would not give any respite to neighbouring amenities on a Saturday, particularly during summer months when the football matches are likely to be less and there would be a greater expectation for the enjoyment of private amenity space for the neighbouring dwellings. It should be noted that the recommended conditions only relate to the use of the containers the subject of this application only and not the wider site as a whole which is an established football ground site. For example these conditions will not require people to leave the site or prevent them from using other facilities on the site e.g. the club building in accordance with existing permissions.
22. Regarding the extract and ventilation for the food outlet containers it is considered that providing any equipment does not extract/ventilate from the rear elevation of containers 6 and 7b then this would not, in conjunction with the restrictive conditions result in significant adverse impacts to the existing and future residential occupiers in terms of odour. No such concern exists in relation to food outlet container 3 given its position adjacent to a large non-residential building. Condition 8 relates to this matter.
23. Whilst some impacts would result from the containers when in use during the recommended days/times permitted, in light of the conditions recommended it is not considered that the use of containers 6, 7b and 3 would result in significant adverse impacts to the amenities of existing neighbouring occupiers and the future occupiers of the dwellings on the Westfield Avenue site, to the extent that an objection should be raised.
24. Containers 8b and 9b (located adjacent to the western boundary) would be positioned adjacent to the rear boundaries of plots 2 and 3 as approved under PLAN/2023/0980. Plot 3 has a garden depth of 12.7m and plot 2 has a depth of around 13m and would also have an L-shaped garden. Containers 8b and 9b would have a height of 2.4m. Container 8b would also replace an existing single storey garage building which generally has a flat roof. Given the height of these containers only the top part would be apparent over the 2.2m high close boarded fence required to be installed under condition 19 of PLAN/2023/0980. One container would be used as a w.c. and the other for storage. These containers are likely to be used on match days and at other times but their use would be restricted by condition 11 to their specified use, which is

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not considered to be harmful to neighbouring amenities. Mindful of these comments, it is not considered that these containers would be overbearing or would otherwise adversely affect the amenities of these neighbouring occupiers in terms of undue noise and disturbance.

25. It is considered that given the scale, and position of the proposed containers in relation to all other residential properties that the development would not result in any overbearing impact or any other adverse impact to the amenities of neighbouring properties with the conditions recommended.
26. Regarding containers 3 and 1b, these would be stacked and located adjacent to the boundary with the large building on the adjacent site at David Lloyd. These containers would be located between the large building on the David Lloyd site and the main seating stand immediately to the west. These stacked containers would not therefore result in any overbearing or adverse impact to neighbouring properties in terms of noise, disturbance, smells etc.
27. The existing fencing across the car park (proposed to be retained in its existing position) is 2.5m high and is positioned perpendicular to the timber fencing forming the boundary with Rosewood. The fencing has a slim profile and its end would be located adjacent to the parking area for Rosewood. On this basis the retention of the existing fencing across the car park would not be overbearing or detrimental to the amenities of the occupiers of these neighbouring properties.
28. Overall, subject to the planning conditions as set out, the proposal is considered to form an acceptable relationship with existing and future neighbouring occupiers and would not result in a significant adverse impact on neighbouring amenity.

Parking and Transportation Impact:

29. The proposed containers are located within the secure fenced area of the football stadium site. General vehicular access is restricted to in front of the fencing/gates to the Kingfield Road side of the site. The relocation of container 7 to position 7b would improve the circulation space for spectators and other users of the site, inside the secure fenced area.
30. The original application proposed the provision of a footpath on the north-western boundary of the site on the Kingfield Road side, which would have reduced/displaced parking, along with a new ticket office and the relocation of the palisade fencing further into the car park, all of which would have resulted in a further loss of parking provision to the existing car park area. However these proposals have all been removed from the application.
31. It is understood that at sometime in the recent past (one objector states around 2022), that the fencing which runs across the car park area to separate the parking area from the secure part of the stadium site was altered to provide more space within the secure area and such repositioning of the fencing/gates would have resulted in the loss of some parking provision within the site (the objector states around 6 spaces). The Parking Standards SPD 2018 states that for stadia the maximum parking requirement is 1 space per 15 seats or individual assessment.
32. Whilst it is acknowledged that there has been some loss of parking, likely to be around 6 or so spaces, for such land uses the parking standards are maximum. It is understood that the football club is also able to utilise the area of parking to the north-east of the stadium (in front of the gymnastics club) on match days. Even with the

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previously available 6 spaces, there was not enough space for officials, employees, guests and spectators. Nonetheless people will utilise public car parks, public transport and walk to access the site on match days. Furthermore the County Highway Authority has not raised any concerns regarding the loss of parking on the site. Therefore it is not considered that any objection to the previous loss of these parking spaces can be raised in planning policy terms.

33. The proposed location of the containers would not adversely impact the parking which is available outside the existing position of the fence/gates for the site (for everyday use or on match days). The proposal is not considered to be objectionable in this regard.

Other matters

34. The applicant has advised that all concession stands/food outlets have various general waste, food waste and recycling wheelie bins in an around them for the disposal of all created waste by staff and public. These are then decanted to numerous specific larger bins stored behind fencing in the front main car park and collected weekly through a commercial waste disposal contractor. Notwithstanding that the food concession/outlet containers are part retrospective, there would have been refuse collection arrangements in place to deal with any refuse/recycling/food waste from the existing facilities. Whilst the additional containers would add to the quantities of waste, there is sufficient space within the site for this to be stored prior to collection by the waste disposal contractor. It is not considered reasonable or necessary for a condition relating to waste disposal which is already established at the site.

Community Infrastructure Levy (CIL):

35. The proposal would not be CIL liable.

Biodiversity Net Gain:

36. Based on the information available and the nature of this application, it is considered that if permission is granted, it would be one which will not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions is considered to apply and as the application is part-retrospective. It is considered that the statutory exemption relating to de minimis would apply as the proposed development is below the de minimis threshold. An informative would be added to this effect.

CONCLUSION:

37. Overall the proposed development is considered to result in additions to the football stadium site which would support the use of the football stadium site by providing additional facilities for spectators and would not be visually harmful to the site and surrounding area or have an unacceptable impact on parking associated with the use of the site. Subject to the conditions set out the proposal is also considered to have an acceptable impact on the amenities of existing and future neighbouring occupiers.
38. The proposal is therefore considered to accord with the provisions of the Development Plan and the NPPF and is recommended for approval subject to the conditions as set out.

BACKGROUND PAPERS

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Planning file PLAN/2024/0111

RECOMMENDATION

Grant Planning Permission subject to the following condition(s):

01. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Site Location Plan (RB/WF/PL05 Rev B) received on 22.10.2024
Existing and Proposed Container 6 (RB/WF/PL06) received on 12.02.2024
Existing Container 3 (RB/WF/PL07) received on 12.02.2024
Proposed Container 5B (Container 4 to be removed from the site) (RB/WF/PL09) received on 12.02.2024
Existing Block Plan NW (RB/WF/PL01 Rev A) received on 19.02.2024
Existing Block Plan SE (RB/WF/PL02 Rev A) received on 19.02.2024
Proposed Block Plan (RB/WF/PL11B) received on 22.10.2024
Containers 3 and 1B (RB/WF/PL10) received on 22.10.2024
Containers 8 and 8b and 9 and 9b (RB/WF/PL16) received on 12.11.2024
Container 7/7b and proposed fence and gates elevation (RB/WF/PL08 Rev A) received on 19.02.2024

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Within 6 months from the date of this decision containers 6 and 7b shall be painted dark green on their north-western (rear) and side elevations including all elevations of the structure attached to the rear of container 6 and shall thereafter be retained in accordance with the requirements of this condition unless otherwise first approved in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the area.

04. Only containers 3, 6 and 7b as identified on the approved plans listed in condition 2 can be used for the provision (sale or otherwise) of food and drink, and for the avoidance of doubt none of the other containers approved by this planning permission shall be used for the sale/provision of food and drink whatsoever.

Reason: In the interests of the amenity of the existing and future neighbouring properties and occupiers.

05. The containers hereby approved shall only be used for purposes ancillary to the use of the football club site. No food/drink deliveries and/or collections from these containers to outside the site shall occur at any time.

Reason: In the interests of the amenity of the neighbouring properties and future occupiers.

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06. The use of containers 6, 7b and 3 (as identified on the approved plan listed in condition 2) must only be used in accordance with the following restrictions/details:

Containers 6, 7b and 3 (as identified on the approved plan listed in condition 2) must only be used for food and drink provision in association with and ancillary to a football match (which shall not include any training or any other such event) for up to a maximum of 35 days per calendar year and no days shall be consecutive. Containers 6, 7b and 3 shall only be used for a maximum of 5 hours per day when in use and their use shall cease no later than 30 minutes after the final whistle signifying the end of the match or 9.45pm (21:45 hours) whichever is the earlier. Containers 6, 7b and 3 shall not be used in association with a football match for more than 2 matches per week.

Outside of the use of containers 6, 7b and 3 in association with and ancillary to a football match, containers 6 7b and 3 (as identified on the approved plan listed in condition 2) must only be used for food and drink provision up to a maximum of 25 days per calendar year between the hours of 9am-6pm Monday to Friday only and at no other days/times whatsoever except up to 5 times of these permitted days per calendar year can be on a Saturday between the hours of 9am-6pm.

Outside of these restrictions containers 6, 7b and 3 must not be used.

Reason: In the interests of the amenity of the neighbouring properties and future occupiers.

07. Within 4 months from the date of this planning permission timber close boarded fencing to a minimum height of 2.2m and a maximum height of 2.4m shall be erected along the site boundary in the position shown on the approved plans by the green line to the rear and for the full length of container 6 (as identified on the approved plan listed in condition 2) and up to the perpendicular fencing within the car park, in accordance with details of the height, material and appearance of the fencing which shall have first been submitted to and approved in writing by the Local Planning Authority. Once installed the fence shall be retained in position and maintained in accordance with the approved details for the lifetime of the development approved.

Reason: To protect the visual amenities of the area.

08. Within 3 months from the date of this application, details of the extract and ventilation equipment for containers 6, 7b and 3 (as identified on the approved plan listed in condition 2) must be submitted to and approved in writing by the Local Planning Authority. For containers 6 and 7b any extract and ventilation equipment must not discharge and/or require any outlet on the north-western elevation of both of these containers (i.e. facing the shared rear boundary) and on the north-eastern elevation of container 6. Once approved the extract and ventilation equipment must be installed and thereafter be retained and maintained in accordance with the approved details prior to the first use of the containers in their approved locations. For container 6 within 4 months from the date of this planning permission any existing extract and ventilation equipment/outlet facing north-west (on the north-western elevation) must be removed and be replaced in accordance with the approved details and there must be no extract or ventilation on the north-western and north-eastern side of this container.

Reason: In the interests of the amenity of the neighbouring properties and future occupiers.

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09. Container 9b shall be installed in accordance with the details specified on the approved plan with the ground levelled to the lowest existing point for the container.

Reason: To protect the visual amenities of the area and in the interests of the amenity of the future neighbouring occupiers.

10. There shall be no container located in position 7 as shown on the approved plan as this is to be relocated to position 7b.

Reason: In the interests of the amenity of the neighbouring properties and future occupiers.

11. The other containers hereby approved must only be used for their use as specified within this application as follows (all container references are as identified on the approved plans listed in condition 2):

- Container 5b – w.c.
- Container 1b – storage and/or office
- Container 8b – storage
- Container 9b – w.c.

Reason: In the interests of the amenity of the neighbouring properties and future occupiers.

Informatives

1. The applicant is advised that the containers currently on site are unauthorised and it is expected that this permission is implemented to remedy the breaches of planning control as soon as possible and within 3-6 months from the date of this planning permission. If the breaches of planning control are not remedied in accordance with this planning permission within 6 months then the Council will have no other option but to seek to take formal enforcement action to remedy the breach of planning control.
2. The planning permission hereby granted does not include any of the advertisements at the site e.g. on top of the containers and the fencing to the car park. Separate advertisement consent may be required for these advertisements and you should seek further advice from the Local Planning Authority.
3. **Food Safety Act:** The food outlets will be required to comply with the Food Safety Act 1990 In this context details of the kitchen/food preparation areas including the number and position of sinks, wash hand basins and other fittings should be submitted to the Head of Environmental Health prior to the commencement of any work.
4. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2024).
5. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
6. Biodiversity Net Gain: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional

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arrangements is/are considered to apply. The statutory exemption which is considered to apply is that:

The permission which has been granted is for development which is exempt being:

Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).