



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2274/OF1
2.	Proposed Development:	INSTALLATION OF A CHILDRENS PLAY AREA ON PLAYING FIELD
3.	Location:	THWAITES VILLAGE HALL, THE GREEN, MILLOM
4.	Parish:	Millom Without
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to the playing field at the Thwaites Village Hall, which is situated within the centre of The Green village, approximately 3 miles north of Millom. The application site lies adjacent to the Village Hall and its car park which are immediately to the north of the site. It is flanked to the south by residential properties. The playing field is bound by the A5093 on its western side and by Black Beck river on its eastern side. PROPOSAL Planning Permission is sought for the installation of a children's play area on a portion of the playing field associated with Thwaites Village Hall. The proposed play area will be located on the northern edge of the playing field, adjacent to the existing boundary wall and car park. It will incorporate the	

following equipment:

- KOMPAN 2.5m Pine AW Swing
- KOMPAN Seesaw
- KOMPAN Waterlily 4-Way Springer
- KOMPAN Playhouse with Balcony
- KOMPAN Toddler Spica
- Fahr Tile Slide Frog Play Panel
- KOMPAN Two Towers with Overhead Ladder
- KOMPAN Spinner Bowl
- Fahr Daisy Head Play Panel

The area will be surfaced with 'grass mat safer surfacing' and the equipment will include equipment safety zones. The tallest equipment includes the KOMPAN Two Towers with Overhead Ladder with a maximum height of 3.8 metres, KOMPAN 2.5m Pine AW Swing with a maximum height of 2.71 metres and the KOMPAN Playhouse with Balcony with a maximum height of 2.21 metres. All the other equipment will have an overall height of less than one metre.

RELEVANT PLANNING APPLICATION HISTORY

Planning permission has previously been granted for the erection of a garage to be used as a store (ref: 4/11/2187/0F1) and a new access from hall to playing field, new toilet, alterations to existing building for storage space (ref: 4/97/0160/0).

CONSULTATION RESPONSES

Consultees

Millom Without Parish Council

No objection.

Cumbria County Council Highways

No objection.

Lead Local Flood Authority

No objection.

Sport England

Original comments:

The proposed play area would overlap onto the existing football pitch on the playing field, which is approximately the size of a mini soccer pitch and therefore the children's play area would prejudice any use of the football pitch preventing its use.

On this basis, Sport England's interim position on this proposal was to submit a holding objection until the submission of either:

1. A plan marking out pitch layouts to ensure that an appropriately sized football pitch can be retained on site with the children's play area; or
2. A plan that shows relocation of the children's play area to a position that would not overlap the existing football pitch or its safety margins, such as behind the building or in the narrow strip near the tennis courts where a football pitch would not be marked out.

Revised comments were submitted following discussions with the applicant following receipt of an amended plan which was submitted by the applicants to address the concerns originally raised. The revised comments stated:

Following on from Sport England's holding objection the applicant has provided a plan which shows that the pitch can be realigned to the south whereby the playing field can accommodate the play area and the football pitch. The football pitch would be no less in size than the existing, and if desired in the future, could be re-orientated approximately east-west to accommodate a larger pitch, although the applicant suggests this may require drainage to part of the playing field to achieve this.

The applicant has demonstrated that the size of the pitch would not be reduced, the development would allow pitch sports to continue with slight relocation of the goal posts and pitch markings, and the development would not prejudice future use of the playing field.

On this basis of the above, Sport England raised no objection to this application, subject to the Council ensuring that the goal posts are relocated prior to development starting, and that the 3m safety run off around the pitch is protected from the play area development; and ensure that the playing field (including pitch and safety run off) is not damaged during construction or by contractors access or storage on the site.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 1 no. properties.

No objections were received as part of this consultation process.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS4 – Community and Cultural Facilities and Services

Policy SS5 – Provision of Access to Open Space and Green Infrastructure

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 is currently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework

ASSESSMENT

The key issues raised by this proposed are the principle of development, the potential impact of the development on residential amenity, sport provision, highway safety and parking provision.

Principle of Development

Sections 6 and 8 of the NPPF seeks to promote healthy and safe communities through delivering social, recreational and cultural facilities for community needs. Policies ST1, ST2, SS4 and SS5 of the Copeland Local Plan and Section 6 and 8 of the NPPF seek to encourage the provision and retention of good quality serviced and facilities which meet the needs of local communities and are accessible by public transport, cycling or on foot. Policy SS4 of the Copeland Local Plan also allows for the expansion and or enhancement of existing community and cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

The Thwaites Village Hall is a well-established local facility, which offers access to a number of recreational and social facilities for residents of The Green and the wider area of Copeland. The play park will provide greater uses for the community, providing an additional function to the village hall and playing field. This is likely to encourage increased usage which will help the viability of the existing facility and ensure the retention of the facility long term. The Community Action Plan was submitted as a supporting document, which highlighted that this proposal is a key part of creating child friendly spaces within the community.

On this basis, the proposed works are considered to comply with Policies ST1, ST2, SS4 and SS5 of the Copeland Local Plan and Section 6 and 8 of the NPPF.

It is also important to consider that the applicant is the Millom Without Parish Council and under Schedule 2, part 12, class A of the GPDO, a local authority includes a parish council. On this basis, under current Permitted Development Rights, the Parish Council could erect equipment on land belonging to or maintained by it required for the purpose of any function exercised by the Parish Council, without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application.

As the proposal relates to land that the Thwaites Village Hall have leased to the Parish Council, the play park equipment are considered to be suitable and therefore the principle of the development is acceptable.

Impact of Development on Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

The proposed children's play area will be located to the northern edge of the playing field, adjacent to the existing car park on the site. The play area will be modest in scale and will be sited approximately 50 metres from the closest residential property. The proposal is therefore unlikely to have a significant detrimental impact on the surrounding area and complies with Policies ST1 and DM10 of the Local Plan and section 12 of the NPPF guidance.

Sport Provision

Concerns regarding the existing football pitch and sport provision were considered as part of this application. Sport England originally raised a holding objection as the play area would have been located on the edge of the existing football pitch and may have impacted on the use of this facility. Following a joint meeting with Sports England and the applicants Sport England indicated that the option to relocate the football pitch was an appropriate solution. The applicant provided additional justification for the proposed location and pitch size. Based on the current issue of wet ground conditions, the slight reduction in the size of the football pitch and its relocated within the site is considered to be acceptable. The use of an appropriately worded Grampian style condition can be used to secure the relocation of the pitch. This is considered reasonable in this case as the applicant has control over the land covered by the sports pitch and have supplied a blue lined plan to

	<p>demonstrate this. Sport England have indicated that they are satisfied with the proposed re-located five-a-side pitch and that the site could also accommodate a larger pitch in future, with appropriate drainage works, if required.</p> <p>On this basis, the proposal will retain sports provision on the site and is considered to directly support policies set out in the NPPF which seek to protect and enhance community facilities and also Policy SS4 in the Copeland Local Plan.</p> <p><u>Highway Safety and Parking</u></p> <p>Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The existing parking for the village hall will remain unchanged as part of this proposal and the Highway Authority consultation response confirmed that the application would not have any effect in the existing highway conditions. On this basis, the proposal is considered to meet Policy DM22.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal seeks to widen the community facilities within the village. This enhanced provision will benefit the wider community and add to the vitality of the village. It has been demonstrated that there is strong public support for the provision of facilities for the younger generation locally through the Community Plan. This ethos is supported by the policies within the Local Plan which seek to retain and develop community facilities and encourage their usage. This proposal is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: - <p>Revised Site Location Plan, scale 1:1000, figure 1, received 21st October 2020; Proposed Block Plan, scale 1:1000, figure 2, received 16th July 2020; Proposed Layout, scale 1:100; drawing no SC10754-02A, received 16th July 2020;</p>

Details of Play Equipment, scale 1:100; drawing no SC10754-02A, received 16th July 2020;
3D View of Play Area, figure 4, received 16th July 2020;
Aerial View of Play Area, received 16th July 2020;
The Community Action Plan- Issue 1 – May 2019, received 16th July 2020.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The play park shall not become operational until the football pitch and the 3 metre safety run off has been installed in accordance with the details shown on the Revised Site Location Plan, received by the Local Planning Authority on 21st October 2020. The football pitch shall be maintained in accordance with the approved details at all times thereafter.

Reason

To ensure that the current level of sports provision is retained on the site.

Informative

The playing field (including pitch and safety run off) should not be damaged during construction or by contractors access or storage on the site.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Chloe Unsworth

Date : 05/11/2020

Authorising Officer: N.J. Hayhurst

Date : 06/11/2020

Dedicated responses to:- N/A