

Town and Country Planning Act 1990 (As amended).

4/20/2390/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Karen Hughes
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MILLOM
Cumbria LA18 5AT

**INSTALL A MULTI PURPOSE SPORTS TRACK AROUND THE PERIMETER OF MILLOM SCHOOL
PLAYING FIELD 1KM LENGTH X 2.5M WIDE PLUS EXTRA 4.82 X 130M SPRINT TRACK
(RESUBMISSION), DISABLED ACCESS AND EARTH BUND
PLAYING FIELD, MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM**

Karen Hughes

The above application dated 30/09/2020 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

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

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Location Plan, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020.
 - Site Layout Plan, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020.
 - Location Plan showing Pollution Bunds, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020.

- Location Plan showing Earth Bunds, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020.
- Site Plan, Scale 1:1250, Drawing no 1660, received by the Local Planning Authority on the 30th September 2020.
- Cross Section & Section, Scale 1:50, Pg 3/4, received by the Local Planning Authority on the 30th September 2020.
- Floor Plan, Scale 1:100, Pg 2/4, received by the Local Planning Authority on the 30th September 2020.
- Plan of Access Ramp, Pg 1/4, received by the Local Planning Authority on the 30th September 2020.
- Striders Running Club – Daily Mile, Scale 1:5, received by the Local Planning Authority on the 30th September 2020.
- Section Through Track Construction Details, Scale 1:25, received by the Local Planning Authority on the 30th September 2020.
- Suds-bond from Caloo Ltd, received by the Local Planning Authority on the 30th September 2020.
- Subs-bond Specification Sheet, received by the Local Planning Authority on the 30th September 2020.
- Design & Access Statement, received by the Local Planning Authority on the 30th September 2020.
- Design and Access Statement, received by the Local Planning Authority on the 30th September 2020.
- Flood Risk Assessment, received by the Local Planning Authority on the 30th September 2020.
- Email from Sales Manager Caloo Ltd, received by the Local Planning Authority on the 30th September 2020.
- Pollution Prevention Measures, received by the Local Planning Authority on the 30th September 2020.
- Pollution Prevention Policy, Design and Access Statement, received by the Local Planning Authority on the 30th September 2020.
- Ecological Report, prepared by Amphibian and Reptile Conservation on the 3rd July 2020, received by the Local Planning Authority on the 30th September 2020.
- Planning Support Study, Prepared by Sportslabconsult in November 2020, received by the Local Planning Authority on the 18th November 2020.
- Millom Community Track: Notes and Actions (AMENDED), received by the Local Planning Authority on the 8th December 2020
- Letter from Millom School, Dated 9th December 2020, received by the Local Planning Authority 9th December 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 development must be carried out in accordance with and implement all of the detail and mitigation measures set out within the Flood Risk Assessment, received by the Local Planning Authority on the 30th September 2020.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

4. The development must be carried out in accordance with and implement all of the detail and mitigation measures set out within the following approved documents:
 - Pollution Prevention Measures, received by the Local Planning Authority on the 30th September 2020.
 - Pollution Prevention Policy, Design and Access Statement, received by the Local Planning Authority on the 30th September 2020.
 - Ecological Report, prepared by Amphibian and Reptile Conservation on the 3rd July 2020, received by the Local Planning Authority on the 30th September 2020.

Once installed these measures shall be retained at all times thereafter.

Reason

To protect the ecological interests evident on the site.

5. The multi-purpose sports track hereby approved must be constructed in accordance with the details set out in the approved plan Planning Supporting Study, Prepared by Sportslabconsult in November 2020, received by the Local Planning Authority on the 18th November 2020, and shall be maintained as such at all times thereafter.

Reason

To protect the existing sport facilities within the site.

6. No use of the track shall be undertaken whilst ball sports are being played, unless a ball strike risk assessment has been undertaken, and if any mitigation is required the full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities have been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The approved mitigation must be installed in full before the track is used concurrently with ball sports on the playing field and thereafter be managed and maintained in accordance with the approved details.

Reason

To provide protection for track users from potential ball strike from the new playing field or sports facility and to accord with policy.

7. No development shall commence until full details of:
 1. the works/contractors' compound (including any buildings, moveable structures, works, plant, machinery, access and provision for the storage of vehicles, equipment and/or materials); and
 2. a scheme for the removal of the works/contractors' compound and the restoration of the land on which it is situated

are submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The works/contractors' compound must not be provided and used on the site other than in accordance with the approved details and must be removed and the land on which it is situated restored in accordance with the approved details before the first use of the development hereby approved.

Reason

To protect playing fields from damage, loss or availability of use and to accord with Development Plan Policy.

8. No development shall commence until a scheme that sets out how the construction of the track will be undertaken to ensure the continuity of the existing sports use on the playing fields shown edged red on the approved plan Location Plan, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020, has

been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The scheme must set out details of how the construction would be undertaken and how the existing sports uses on the playing field would continue during construction, together with arrangements for access. The scheme must include a timetable for the works and provision of replacement facilities (if appropriate). The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason

To protect playing fields from damage, loss or availability of use during the construction of the development and to accord with Development Plan Policy.

9. No development shall commence until a scheme that sets out how any soil/material arising from excavation works on site to create the void for construction of the track will be deposited to ensure protection of the wider playing field and continuity of the existing sports use on the playing fields shown edged red on the approved plan Location Plan, Scale 1:2500, received by the Local Planning Authority on the 30th September 2020, has been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England).. The scheme must set out details of timetable for the works, volume arising, precise areas for deposit, depth, grading and how the surface will be seeded/finished (including aftercare and maintenance as required). The approved scheme must be implemented and complied with in full throughout the carrying out of the development.

Reason

To protect playing fields from damage, loss or availability of use during and after the construction of the development and to accord with Development Plan Policy.

10. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to Millom School Track and Field and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development must not be used otherwise than in strict compliance with the approved agreement.

Reason

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

Informatives:

1. Public Footpath 415022 follows an alignment to the north side of the proposed development and must not be altered or obstructed before or after the development has been completed.

If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.

2. Salthouse Pool is a statutory main river which runs underneath the development site. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and EA advise them to consult with them at the earliest opportunity.

3. Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/>. For artificial grass pitches it is recommended that the applicant seeks guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read "N. S. Hayman". The signature is fluid and cursive, with a large, stylized initial "N" and a long, sweeping underline.

PP Pat Graham
Chief Executive

22nd December 2020

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.