



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2288/OF1	
2.	Proposed Development:	SOLAR LIGHTING TO THE MULTI PURPOSE SPORTS TRACK (11 IN TOTAL)	
3.	Location:	PLAYING FIELD, MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:	<p>Site and Location</p> <p>This application relates to the existing playing fields located to the north of Millom School. The site is located off Salthouse Road, and is located within flood zones 2 & 3.</p> <p>Relevant Planning History</p> <p>4/20/2287/OF1 – Install a multi-purpose sports track around the perimeter of the school playing field – Withdrawn</p> <p>4/20/2390/OF1 - Install a multi-purpose sports track around the perimeter of the school playing field 1k length x 2.5m wide plus extra 4.82m x 130m sprint track (Resubmission) – Approved</p>	

Proposal

In December 2020, planning permission (ref: 4/20/2390/0F1) was granted for the installation of a multi-purpose sports track around the perimeter of the school and a sprint track. This current application seeks permission for the installation of solar lighting around this previously approved track to allow all year round use of the facility.

It is proposed that eleven solar lights will be installed around the perimeter of the track. Six of the lights will be positioned adjacent to the six-lane sprint track near the school building, and the other five lights will be installed along the north and north east corner of the track which are the darkest areas of the track. The solar panel LED lights are positioned on 6 metre high galvanised mild steel columns. It is proposed that the lights will be set to an automatic ambient status of 30% at dusk for a maximum of 6 hours. The lights will detect movement and rise to 100% output. After 6 hours, and not beyond 10pm, the lights will turn off.

Initial Consultation Responses

Millom Town Council

No objections in principle to this application.

Environment Agency

No comments received.

Copeland Borough Council – Scientific Officer

No comments received.

Copeland Borough Council – Flood and Coastal Defence Engineer

No comments to make on the application.

Sports England

Having assessed the application Sport England is satisfied that the proposed development is for ancillary facilities supporting the use of the site as a playing field, it doesn't affect the quantity, quality, or adversely affect the use of playing pitches and therefore meets Exception 2 of our Playing Fields Policy. It is also considered that the development broadly accords with Chapter 8 (promoting healthy and safe communities) of the National Planning Policy Framework in that the development would encourage active and continual use of a community sport facility designed to support active, healthy lifestyles. This being the case, Sport England does not wish to raise an objection to this application.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to sixteen properties. One letter has been received with a neutral response. The response asked if the

lights will go off at 10pm during winter months. If the lights are to be left on all night the neighbour has stated that they will object to the proposal.

Consultation of Amended Plans

Following discussions with the applicant an amended site plan and site location plan were submitted to support this application.

Millom Town Council

No objections in principle to this application.

Environment Agency

No objections to the proposed development as submitted. The applicant will be aware of the potential risk and frequency at this location and should be satisfied that the impact of any flood will not adversely affect their proposal.

Copeland Borough Council – Environmental Health

Environmental Health have no objections subject to the condition that the solar lights are not operational past 10pm/22.00 hours.

Copeland Borough Council – Flood and Coastal Defence Engineer

No comments to make on the application.

Sports England

No objections.

Public Representation

As part of the reconsultation process letters were issued to the previously consulted 16 properties and the person who previously commented on this application. No comments have been received in relation to the statutory notification procedure.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER7 – Principle Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions

Policy ER9 – The Key Service Centres, Local Centres and other small centres

Policy SS4 – Community and Cultural Facilities

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

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2021)

Wildlife and Countryside Act 1981.

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 November 2020. 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

Principle of Development

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 services 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.

In December 2020, planning permission (ref: 4/20/2390/0F1) was granted for the installation of a multi-purpose sports track around the perimeter of the school and a sprint track. This running track has improved the existing facilities at this site used by the school and local groups, and has provided an accessible facility for all members of the community. The current application seeks permission for the installation of solar lighting around the running track to allow all year round use of the facility. This will further enhance the facility and will make it more accessible to all members of the community, increasing health and well-being in the South of the Borough.

Sports England have confirmed that the proposed ancillary facilities supporting the use of the site as a playing field does not affect the quantity, quality, or adversely affect the use of playing pitches and therefore meets Exception 2 of our Playing Fields Policy. Sports England have also confirmed that the development broadly accords with Chapter 8 of the NPPF in that the development would encourage active and continual use of the community sport facility designed to support active, healthy lifestyles and therefore offers no objections to the development.

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.

Impact of Development

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 running track has been constructed around the perimeter of the school playing field. It is proposed to install eleven solar lights; five adjacent to the six-lane sprint track near the school building, and the other five lights will be installed along the north and north east corner of the track which are the darkest areas of the track. As the proposed lights are to be located near residential properties it is proposed that they will be set to an automatic ambient status of 30% at dusk for a maximum of 6 hours with the lights turning to 100% once they detect movement. After 6 hours, and not beyond 10pm, the lights will turn off. One letter of concern was received that the lights will be on after the stated 10pm impact on the nearby residential properties, however the timescale for using the lights will be restricted through an appropriately worded planning condition in order to protect residential amenity. The Council's Environmental Health team have confirmed that they have no objections to this application subject to this form of condition.

On this basis, the proposed works are considered to comply with Policies ST1 and DM10 of the Local Plan and section 12 of the NPPF.

Ecology

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

The application site is located within an area identified as a potential area for Natterjack Toads. Any

	<p>potential ecological issues have been addressed as part of the previous planning approval (ref: 4/20/2390/0F1) for the construction of the running track. A desk based study was submitted with this previous application which concluded that the site itself does not offer suitable habitat for the natterjack toad.</p> <p>On this basis, the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan.</p> <p><u>Flood Risk</u></p> <p>Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.</p> <p>The majority of the application site is located within flood zones 2 & 3, therefore a Flood Risk Assessment has been submitted to support this application. This assessment refers to the previous running track proposal, identifies issues with the site, and the nearby flood defences. The installation of the solar lights is not considered to increase the flood risk at this site or within the surrounding area. The Councils' Flood and Coastal Defence Engineer has confirmed that he has no comments to make on this application. The Environment Agency have also confirmed that they have no objections to the proposed development as the applicant will be aware of the potential risk and frequency at this location and should be satisfied that the impact of any flood will not adversely affect their proposal.</p> <p>On this basis, the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall this is a welcome proposal which will enhance this new facility within Millom by making it accessible all year round for all users. The restriction of the hours that the lights can be operational will ensure that any impact on the amenity of local residents is mitigated.</p> <p>The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 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:-
- Site Location Plan (Amended), Scale 1:2500, received by the Local Planning Authority on the 3rd August 2021.
 - Site Plan (Amended), Scale 1:1000, received by the Local Planning Authority on the 12th July 2021.
 - Lighting Design Booklet, prepared by Proelectric Services Ltd, received by the Local Planning Authority on the 18th June 2021.
 - 6 Metre Tubular Post Top Column, Scale 1:40, Drg No 28347-1, Sheet 1 or 1, received by the Local Planning Authority on the 18th June 2021.
 - Flood Risk Assessment, received by the Local Planning Authority on the 18th June 2021.
 - Design, Access and Method Statement, received by the Local Planning Authority on the 18th June 2021.

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.

Other Conditions:

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 18th June 2021.

Reason

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

4. The solar lights hereby approved must not be in operation after 10:00pm on any day.

Reason

To protect the amenity of nearby residential properties.

Informative:

The lights hereby approved should be in line with the Guidance Notes for the Reduction of Obtrusive Light produced by the Institute of Lighting Professionals.

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: C. Burns

Date : 01.09.2021

Authorising Officer: N.J. Hayhurst

Date : 01/09/2021

Dedicated responses to:- N/A