

**APPLICATION NO** PA/2011/1199

**APPLICANT** Crowle & Ealand Playing Field Association

**DEVELOPMENT** Planning permission to install a skate park

**LOCATION** Site adjacent pavilion Sports Ground, Godnow Road, Crowle

**PARISH** CROWLE

**WARD** Axholme North

**CASE OFFICER** Mark Simmonds

**SUMMARY RECOMMENDATION** Grant permission subject to conditions

**REASONS FOR REFERENCE TO COMMITTEE** Third party request to address the committee

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) expects a high standard of design in all developments, which should not result in a loss of amenity and should protect open spaces and not cause pollution.

Policy DS11 (Polluting Activities) states that planning applications will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, do not create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Policy R3 (Built Sports Facilities) indicates that proposals for indoor or purpose-built sports facilities will be encouraged and that existing facilities should be retained or a replacement provided wherever possible.

Policy RD2 (Development in the Open Countryside).

**North Lincolnshire Core Strategy:** Policy CS3 (Development Limits) states that development outside of defined boundaries will be restricted to that which is essential to the functioning of the countryside.

Policy CS5 (Delivering Quality Design in North Lincolnshire) requires all new development to be well designed and appropriate for its context.

Policy CS23 (Sport, Recreation and Open Space) – proposals will be permitted provided that there is no adverse impact on nearby properties or habitats, by reason of noise, general disturbance, fumes or external lighting; and the development contributes to meet identified shortfalls in provisions or enhances the quality of existing provision.

## **CONSULTATIONS**

Sport England: Does not wish to raise an objection.

Environment Agency: No comments.

Environmental Protection: No objection with respect to noise nuisance when considering the peak noise levels associated with the impact of skateboards onto the equipment, but recommend a condition regarding noise insulation foam.

Highways: Do not wish to restrict the grant of permission.

Historic Environment Officer: Does not adversely affect any heritage assets.

## **TOWN COUNCIL**

Support the application.

## **PUBLICITY**

Surrounding residents have been notified and a site notice displayed. A number of letters of objection, and support, have been received raising the following issues:

### **Objections**

- proposed opening hours immaterial as the site is unsecured; opening hours will be as chosen by users of the park
- safety issue due to overspill of parking as the current car park is not fit for purpose; will exacerbate the nuisance of illegally parked vehicles; children are accessing/egressing onto a road which is consistently in use by HGV and commercial vehicles
- will increase the number of children going up and down Godnow Road
- the road is not suitable for heavy traffic
- objector disputes the claimed number of signatories in favour of the skate park as quoted in the newspaper
- the skate park will impact on residents' rights under the Human Rights Act; local residents will suffer from noise and nuisance
- children will be unsupervised
- antisocial behaviour, abuse from drivers
- football pavilion committee do not keep residents updated
- football training involves use of floodlights
- reference to a report to the Institute of Architects in 2008 which stated that skate parks should be 200 metres from residents because of noise and that there would be

problems for anyone within 100 metres; reference to PPG24, BS4142, CIEH and WHO guidelines

- if approved, the skate park will constitute a statutory nuisance and will compound existing problem with football field
- the open aspect of this location and minimal attention to noise mitigation will result in excessive noise nuisance
- no path to the pavilion
- the children will be tempted to use the car park for skating thereby bringing the noise closer to residents
- litter and food waste to the site and surrounding area
- skate park would have to co-exist with cars using the car park as a sprint track and handbrake turn facility
- there are better sites
- lack of consultation
- objector is disappointed that officers feel the skate park will not cause a noise nuisance and have submitted a report from Hillingdon Council for comments
- objectors are concerned that no-one will be responsible for opening and closing the site which will continue to be unsecured

### **Support**

- Crowle would greatly benefit from a skate park although the layout and design does not flow very well
- must provide services for youth and skate park is long overdue, consider how well Crowle and Ealand parks are now running and focus on the many children who responsibly use our facilities
- a good location and something people are looking for
- support application which is needed to give the children of Crowle a proper skate board facility instead of impoverished facility in the Market Place which is ruining the granite seats there
- great idea, should be straight rails not curved rails
- great escape from boredom for the youth population in the area
- hope this much needed facility is approved

## ASSESSMENT

This proposal involves the provision of a new skate park on waste land adjacent to the car park at the sports ground on Godnow Road, Crowle. The proposals include various pieces of equipment, all specifically designed for skaters.

**The main issues in determining this application are whether the proposal will have an adverse impact on the living conditions of nearby residents due to noise pollution from the skaters using the equipment, and whether the location is acceptable in highway terms.**

The site comprises a pavilion, football pitches and a car park. The skate park would be on scrubland adjacent the pavilion and car park. A livestock feed shop and equine centre are opposite. The road serves a number of dwellings and businesses. Neighbours on Godnow Road have raised concerns about the impact of the skate park, the main issues being noise generated by the use and the potential conflict between traffic and young people on Godnow Road and the increase in traffic and its effect upon residents. Objectors state that the existing car park is not large enough and there is already an overspill. Issues of antisocial behaviour on the site have also been raised.

As referred to above, the site is already an established playing area, therefore it is considered that the location of the new facility, in relation to surrounding dwellings, is acceptable in principle, as this area is currently available for sporting use. Following the receipt of strong objections from residents about the potential for noise problems, the agent has been required to do a significant amount of work to address the issue and officers at other authorities have been contacted to draw upon their experience of such facilities. Following advice from Environmental Protection the agent was asked to provide a site-specific noise report to allow a full assessment of the issue. The agent has produced the report through Dragonfly Acoustics. Following clarification of one point, the Environmental Protection Officer has concluded that they have no grounds on which to object to the proposals and recommend a condition requiring noise insulation foam to be installed and maintained. It is, therefore, not considered that there would be any material additional disturbance to neighbours over and above the existing use of the site.

Concerns regarding antisocial use of the site are a management issue beyond the scope of any planning control. The design of the equipment is not considered to be out of keeping with the character of the area as the use of the site is a sports ground and the site has a good degree of natural surveillance.

The skate park will not be secured as the applicants have explained that they do not have the resources to visit the site daily to open and close the facility. The site will therefore be self-policing and controlled by daylight hours. This is considered acceptable and the noise issue has been resolved. This will therefore not result in noise disturbance to neighbours materially over and above the existing use of the playing fields.

The concerns raised relating to highway matters, including the adequacy of the car park and the conflict between young people and traffic, have been considered. However, as the site is already a sports ground where young people congregate, and as Highways do not object, the refusal of the application on these grounds could not be substantiated.

All material matters taken into account, the planning balance weighs in favour of the development and permission should be approved.

**RECOMMENDATION Grant permission subject to the following conditions:**

1.

The development must be begun 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.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2011/1199/01, PA/2011/1199/02, PA/2011/1199/03 and PA/2011/1199/04.

Reason

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

3.

Unless otherwise agreed in writing by the local planning authority, before the skate park is first brought into use, all the equipment shall have spray insulation foam applied as detailed in the document submitted with the application headed 'Sound proofing'. The equipment shall be checked and maintained at intervals of not more than six months and any foam which is missing shall be replaced within one month of the inspection.

Reason

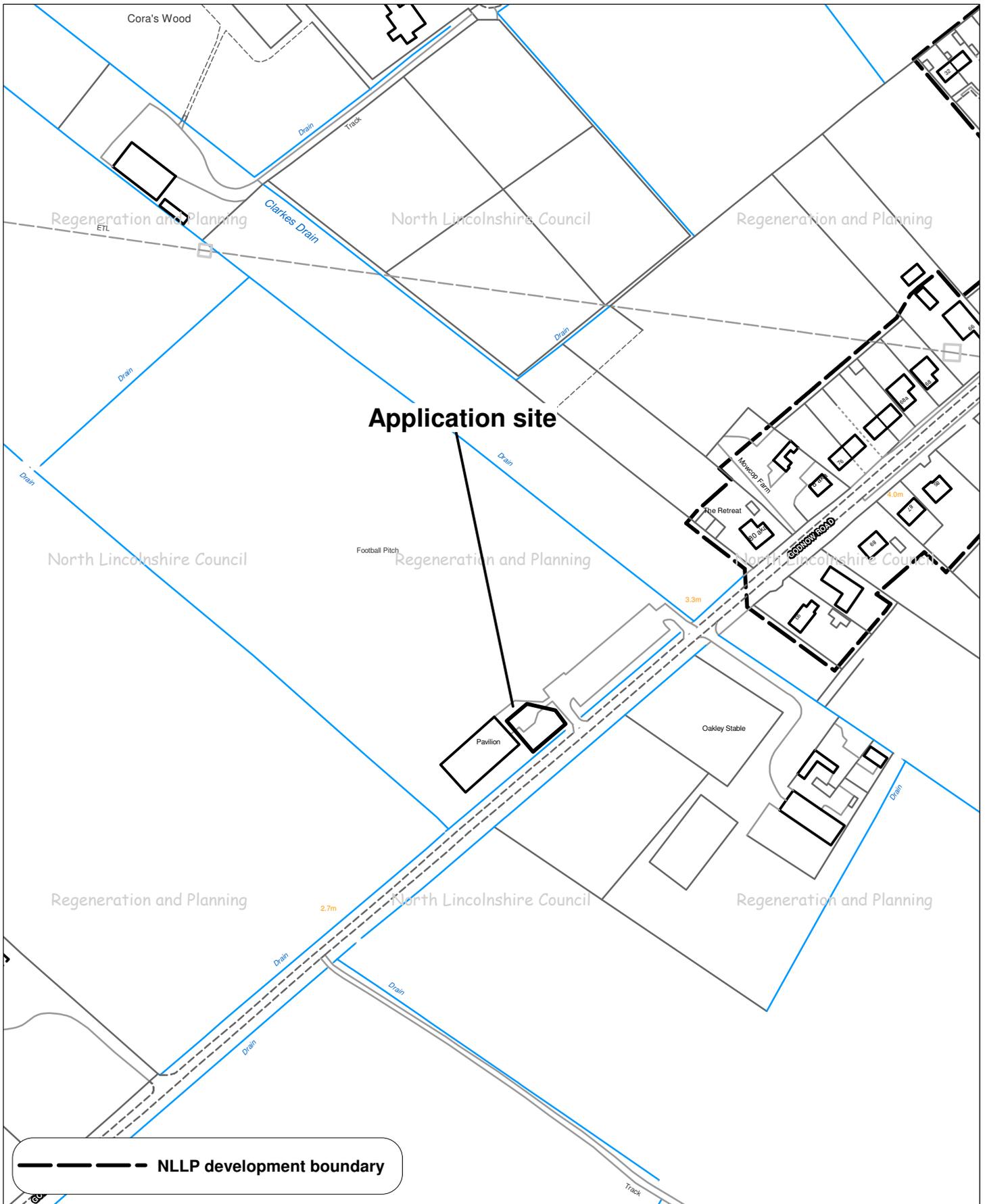
To minimise any noise generated by the skate park to protect the amenity of nearby residents and to comply with policies DS1 and DS11 of the North Lincolnshire Local Plan and policy CS23 of the North Lincolnshire Core Strategy.

**Reasons for approval**

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out in the committee report and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision.

North Lincolnshire Local Plan: DS1, DS11, R3, RD2

North Lincolnshire Core Strategy: CS3, CS5, CS23



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**Regeneration and Planning**

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