

APPLICATION NO	PA/2014/0221
APPLICANT	North Lincolnshire Council
DEVELOPMENT	Planning permission to construct a concrete skate park and footpath, and erect fencing, lighting and CCTV
LOCATION	Part of playing field at South Axholme Academy, Burnham Road, Epworth
PARISH	EPWORTH
WARD	Axholme Central
CASE OFFICER	Nicholas Lawrence
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Redfern)

POLICIES

North Lincolnshire Local Plan: Policy R1 (Protecting Playing Fields) states that planning permission will not be granted for any development that would lead to the loss, or prejudice the use, of a playing field, subject to a number of criteria.

Policy R3 (Built Sports Facilities) – this is a permissive policy whereby the council encourages proposals that would increase the provision of purpose-built sports facilities or achieve an increase in the use of existing facilities.

Policy DS1 (General Requirements) seeks to secure good design in all developments subject to a number of criteria, including amenity.

North Lincolnshire Core Strategy: Policy CS23 (Sport, Recreation and Open Space) aims to ensure North Lincolnshire's leisure and recreational facilities are sustained and improved so that they continue to make an important contribution to the quality of life for local people.

National Planning Policy Framework: Section 8 – Promoting Healthy Communities

National Planning Practice Guidance

CONSULTATIONS

Highways: Does not wish to restrict grant of permission.

Environmental Health: No objection subject to a condition relating to hours of use.

Historic Environment Record: No objection.

TOWN COUNCIL

No objection but make the following comments:

- no seating provided
- no provision for litter
- concern over limited parking facilities for additional amenity
- concern over CCTV monitoring when leisure staff not available.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Eight responses have been received raising the following issues:

- noise from the skate park
- rubbish from activity
- distress to animals
- reduction in school sports area
- inconsistency in the height of the perimeter fence
- lack of fencing
- poor consultation by the applicant
- would be better sited in Belton.

ASSESSMENT

The application site is a rectangular-shaped parcel of land on a north-south axis measuring some 38 metres by 41 metres to the immediate west of the swimming pool at the Epworth Leisure Centre. The site currently forms part of the playing/recreational area of the South Axholme Academy, off Burnham Road, Epworth.

In terms of the relationship of the application site to the surrounding area, the subject land is abutted to the east by the leisure centre, to the north and west by the academy and to the south by open space and agricultural land.

The nearest residential properties to the east of the application site are serviced off Waterhall and are some 170 metres away. There are properties some 150 metres to the east of the application site, however these dwellings are 90 metres from the leisure centre and the gardens to these properties back onto the car parking area for the leisure centre.

Planning permission is sought for the creation of a skate park that adopts a V-shape within the application site. The facility would be constructed from concrete and would incorporate a variety of elements to cater for a range of skills of the potential users. Access to the skate board park would be via a gated pathway running along the northern boundary of the

swimming pool and the application site would be fenced off from the surrounding playing fields of the academy.

Aside from the skate park, the proposed development incorporates, following consultation with the applicant, seating areas and provision for the collection of any litter that may accrue from the proposed use. The scheme also incorporates fencing.

The skate board park would operate from 4pm to 8pm during school term time and from 8.30am to 8pm on all other days. The scheme also provides lighting via six poles: three on each of the western and eastern boundaries with an overall height of 8 metres.

The main issues to consider are, firstly, whether the development is acceptable in principle, and secondly, if acceptable in principle, whether the development in its detailed form demonstrably harms the character or amenity of the surrounding area. Both issues have regard to the provisions of the development plan and other material considerations.

The development plan under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 72(1) of the Town and Country Planning Act 1990 comprises the North Lincolnshire Local Plan dating from 2003 and the North Lincolnshire LDF Core Strategy that was issued in June 2011. Materiality is set, albeit not exclusively, by the National Planning Policy Framework (NPPF) and the online national Planning Practice Guidance (PPG).

In terms of recreational use, local plan policy R1 has at its heart the need to protect the loss of school playing fields; whereas policy R2 of the local plan actively promotes the provision of additional sports/recreational facilities, which is not dependent upon the existing land use of the application site. The core strategy, as an overarching policy document under spatial objective 8 (Promoting Community Health and Well Being), seeks:

to promote an improvement in the health and wellbeing of North Lincolnshire's people by maintaining and providing quality open spaces, play and sports facilities, better access to the countryside and improved health facilities.

This spatial objective does not discriminate between age groups or the range of facilities that can be provided within its province.

Policy CS23 of the core strategy addresses the matter of sport, recreation and open space and recognises the requirement to maintain and improve the recreational facilities within North Lincolnshire.

At national level the NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities, which is particularly recognised at paragraph 73, which is also carried over into the PPG. The need to retain open space, sport and recreational facilities is set out under paragraph 74 of the NPPF.

The proposed creation of a skate board park accords with the aims of North Lincolnshire Council under the scope of the local plan and core strategy and the aspiration of the Coalition Government to place physical exercise across all sectors of society within the lens of promoting healthy communities. In this respect the proposed use will allow a cohort to engage in a form of physical activity which is not present in Epworth.

With regard to the applicability of local plan policy R2 in the balancing exercise, the proposed use will not result in the loss of playing fields. Indeed, the proposed use will not only maintain an area in recreational use but will allow access to an area which is not accessible outside school hours and term time.

It is therefore considered that the principle of the proposed development accords with the relevant policies of the development plan and national guidance set within the NPPF and the PPG.

In terms of characterisation, the proposed development would accord with the immediate surrounding land uses (ie leisure and recreational areas associated with an educational facility) and as such the use is not incompatible. With regard to physical presence, the skate park, allowing for the profile of the development and attendant structures, would not appear as an incongruous element within the immediate and wider setting of the application site.

With regard to amenity, it is accepted that residential amenity is a material consideration in determining planning applications and occupiers of properties within the vicinity of a proposed development should feel at ease within and outside their properties. In this instance, the proposed development is in the order of 170 metres from the properties off Waterhall. It is also a consideration that these properties back directly onto the recreational fields of a school and, allowing for the distance, the development would not harm residential amenity. The properties that front onto Burnham Road back on to the car park to the leisure centre and it is considered that the proposed development would not affect the amenity of the occupiers of these properties.

The proposed development accords with the adopted policies of the development plan and national guidance, and the character and amenity of the area would not be adversely affected.

There is no evidence that activities associated with skate board parks cause distress to animals.

With regard to parking facilities, again, there is no evidence that skate board parks affect parking. It must be recognised that the users of the facility would, in all probability, be below the legal age to drive.

In terms of location, the facility is to service Epworth. It would therefore be inappropriate to locate the development in Belton.

On the matter of the consultation event, the council does have an adopted approach to deal with consultations and whilst the applicant has undertaken such an event, it has to be said that the subsequent response is not the most robust document. Notwithstanding these comments, it is accepted that a need has been demonstrated for a skate board park in Epworth.

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: LL(9)01 Rev E - Block Plan; LL(9)02 Rev 1; Epworth Skatepark Bendcrete drawing received 28 February 2014; and Drawing PA/2014/0222 - 01.

Reason

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

3.

Notwithstanding the approved drawings, the use hereby permitted shall not be brought into use until drawings of the height of the light poles in relation to the existing ground level, proposed fencing and swimming pool building have been submitted to and approved in writing by the local planning authority.

Reason

To comply with policy DS1 of the North Lincolnshire Local Plan and guidance set within the National Planning Policy Framework.

4.

Notwithstanding the approved drawings, no development shall commence until details of the proposed fencing (including form, colour and materials) have been submitted to and approved in writing by the local planning authority.

Reason

To comply with policy DS1 of the North Lincolnshire Local Plan and guidance set within the National Planning Policy Framework.

5.

Notwithstanding the approved drawings, the use hereby permitted shall not commence until the bin (Buffalo 40 litre Hemispherical Base 40 1100 x 400 diameter) and the Ollerton Buffalo bench (L 1960 mm, W 474 mm) have been installed.

Reason

To comply with policy DS1 of the North Lincolnshire Local Plan and guidance set within the National Planning Policy Framework.

6.

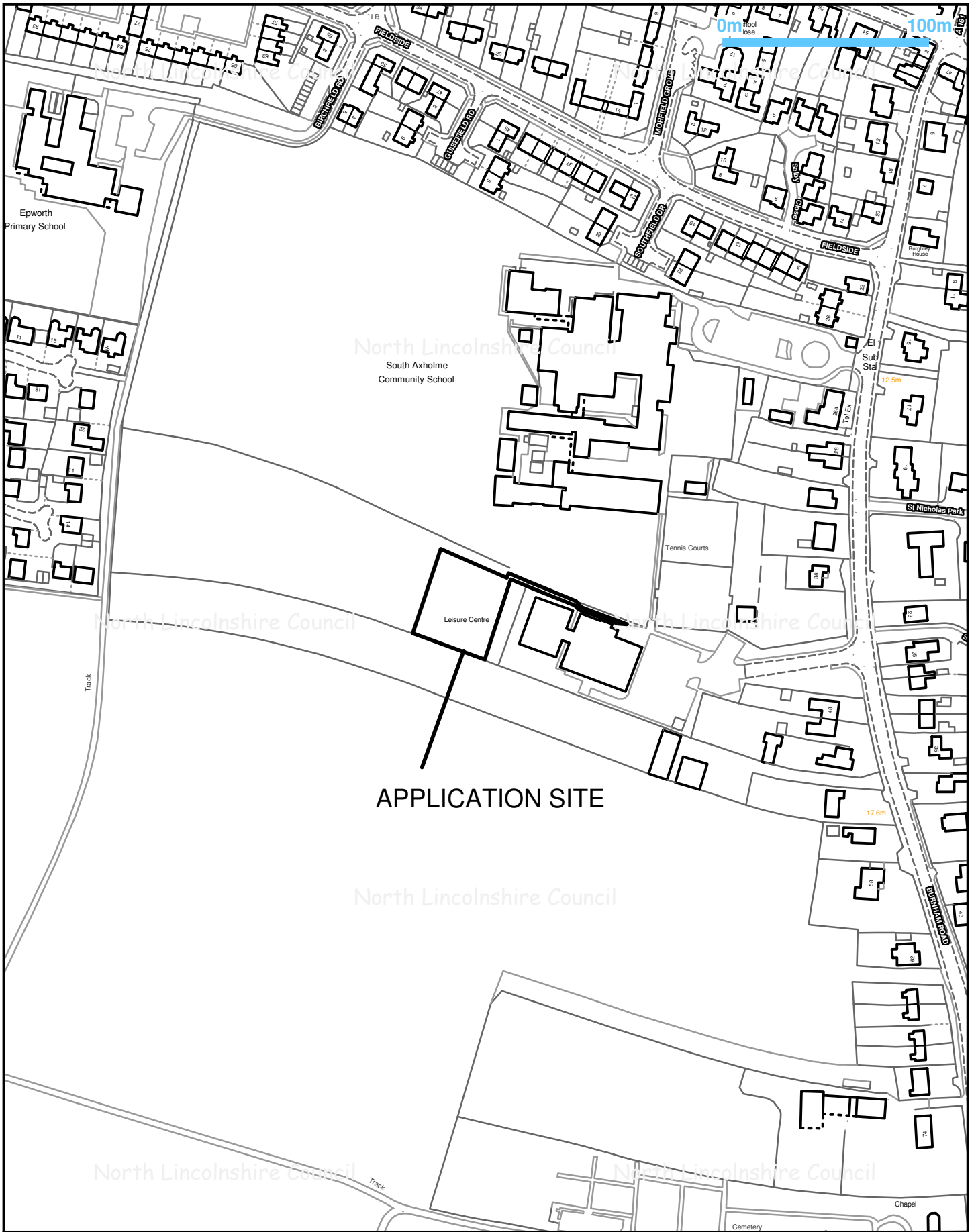
The proposed use hereby permitted shall only be used between 4pm and 8pm during the term time of the South Axholme Academy and between 8.30am and 8pm on all other days. The floodlighting shall only operate between these times.

Reason

In the interests of the amenity of the area.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



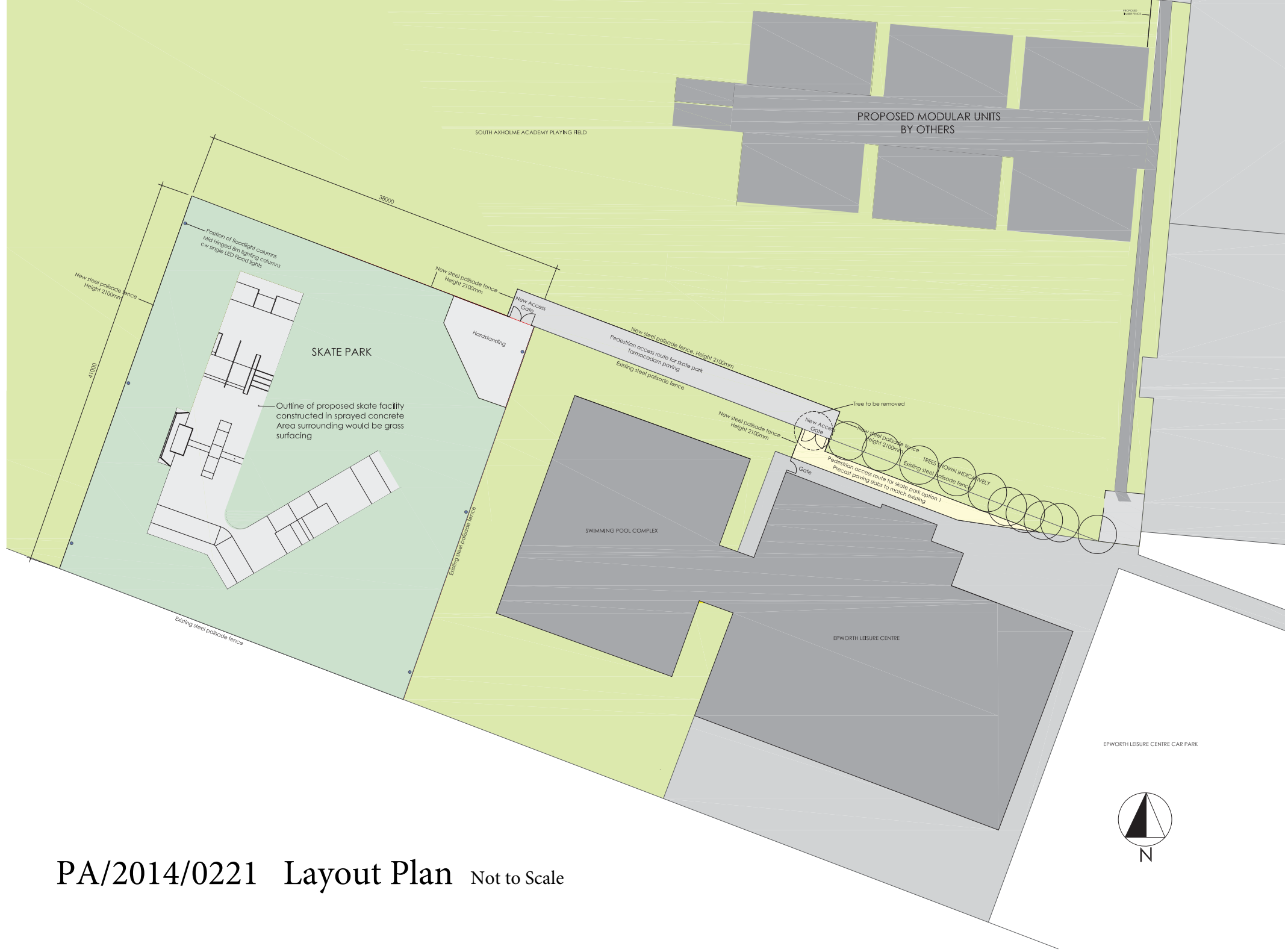
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PA/2014/0221 Layout Plan Not to Scale

