

Development Control Committee
Meeting to be held on 9 July 2014

Electoral Division affected:
Chorley South

Chorley Borough: application number. LCC/2014/0063
Variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area to 08.30 to 20.00hrs Monday to Fridays (during British summertime April to October) and 08.30 to 18.00 Saturdays and Sundays at Shaftesbury High School, Weldbank Lane, Chorley

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Executive Summary

Application - Variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area to 08.30 to 20.00hrs Monday to Fridays (during British summertime April to October) and 08.30 to 18.00 Saturdays and Sundays, Shaftesbury High School, Weldbank Lane, Chorley.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling, working programme and hours of use.

Applicant's Proposal

Planning permission is sought for the variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area (MUGA) to 08:30 – 20:00 Monday to Fridays (during British Summertime April – October) and 08:30 – 18:00 Saturdays and Sundays.

Condition 3 of permission 09/13/0185 currently prevents the use of the MUGA outside the hours of 08:30 – 18:00 Monday to Fridays, and not to be used at any time on Saturdays or Sundays.

Description and Location of Site

The site is located approximately 1km south of Chorley town centre, adjacent to Chorley fire station and within the grounds of the former Bankside Training Centre (now Shaftesbury House). Hawthorns Day Care Centre and Mayfield Special Needs School are located to the north east, with residential properties located to the south east on Ash Grove and to the south west on Weldbank Lane. The nearest residential

property is number 11 Ash Grove, approximately 15m from the MUGA to the property's rear garden boundary, separated by a strip of open grass and line of trees.

The MUGA is surrounded by olive green (RAL 6003) fencing 3m high incorporating two access gates and has an artificial turf surface with pitch markings and white powder coated steel goalposts measuring 3m in height.

Background

Planning permission for the construction of the all weather multi-use games area was granted in April 2013 (ref. 09/13/0185).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 69 and 73 are relevant with regard to the requirements for promoting healthy communities, social interaction, and access to high quality open spaces and opportunities for sport and recreation.

Central Lancashire Core Strategy

Policy 24 Sport and Recreation

Policy 25 Community Facilities

Chorley Borough Local Plan

GN5 Development Design

EP20 Noise

LT16 Dual use of Education Facilities

Consultations

Chorley Borough Council – No observations received.

Representations – The application has been advertised by site notice, and neighbouring residents informed by individual letter. Six letters of representation have been received objecting to the proposal for the following summarised reasons:

- Issues of bad behaviour and language which would be made worse by the proposal.
- Noise pollution – the proposal would generate more noise, including foul language and anti-social behaviour. Noise pollution also occurring from the sound of football making contact with the metal fencing of the MUGA.
- Anti-social behaviour such as littering, sitting on resident's cars, and smoking substances would be exaggerated by the proposal.
- Trespassing on residential properties may occur as a result of the proposal.

County Councillor B Murray – local residents have raised concerns associated with anti-social behaviour from youths using the MUGA, such as trespassing on residential property and bad language.

Rt Hon Lindsay Hoyle MP – Residents have raised concerns about the increased usage of the proposal and the problems that may arise, such as noise pollution and anti-social behaviour. The Committee should consider all representations relating to this application.

Advice

Planning permission is sought for the variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area to 08:30 – 20:00 Monday to Fridays (during British Summertime April – October) and 08:30 – 18:00 Saturdays and Sundays. The MUGA is a valuable facility that the school wish to utilise for sports competitions with other schools, which would take place on Saturday mornings. Furthermore, interest has been shown by other boys clubs in the local area that wish to use the MUGA for football training and games outside of the current hours of use.

The National Planning Policy Framework (NPPF) (paragraphs 69 and 73) strongly encourages fostering healthy and inclusive communities. This can be achieved by providing high quality open spaces and opportunities for sport and recreation, making an important contribution to the health and well-being of the community. Furthermore, Policy 24 and Policy 25 of the Central Lancashire Core Strategy seek to ensure that everybody has access to sport and recreation facilities, encouraging provision at accessible locations within the community. In terms of the proposal for extending the hours of the MUGA, this can be seen to be in conformity with the aims of the NPPF and the Central Lancashire Core Strategy in providing increased opportunities for sport and recreation, increasing the health and well-being of the local community.

Policy LT16 of the Chorley Borough Local Plan seeks to encourage the dual use of school recreational facilities. In support of this policy, Sport England North West advocates the provision of improved opportunities for sport and recreation for all. It is proposed that this can be achieved through sports facilities at schools, such as the community use of schools sporting facilities, for example outdoor sports facilities such as grass pitches, hard courts and all-weather pitches providing opportunities for dual use between the school and the local community. Therefore, in light of Policy LT16 of the Chorley Borough Local Plan, and the NPPF's preference for fostering healthy and inclusive communities, the proposal to extend the hours of usage for the MUGA at Shaftesbury High School is supported in principle.

Although the proposal could be supported in principle, it is acknowledged that there could be an impact on local residential amenity. Policy EP20 of the Chorley Borough Local Plan seeks to resist development which is likely to be noise-generating. The supporting information advises that a buffer zone such as landscaping can be implemented in order to ensure that an area is not affected by noise. The proposed extension to the MUGA's hours of usage can be seen to be noise-generating in that noise would be generated beyond the current hours of use. The position of the

existing MUGA is surrounded by high trees and bushes on its south and easterly sides – the sides which form the boundary with the residential properties on Ash Grove. Although it is accepted that there would be some noise associated with the sporting activities and that there may be some disturbance, the MUGA is relatively small and would not include floodlighting. Furthermore, formal authorised use and therefore self policing of the site over a longer day could reduce the incidence of unauthorised use of the site and the associated anti-social behaviour.

Local residents have raised concerns regarding unacceptable noise and nuisance associated with the MUGA. Some of the concerns expressed by residents relating to the use of the MUGA are not matters that can be addressed as part of this application. These issues include the anti-social behaviour and trespassing that has arisen from youths using the area and it is considered that these issues would not be further exacerbated by the proposal to extend the hours of use of the MUGA.

Nevertheless, it is accepted that if the hours of use were to be extended as proposed there could be an adverse impact on local residents. Therefore, a compromise is recommended whereby the benefits of the sport provision would be supported further whilst not fully accommodating the proposed extended use. It is therefore proposed that planning permission be granted but subject to a condition that restricts the use of the multi use games area to between 08:30 – 20:00 Monday to Fridays 1 April – 31 October and 10:00 – 16:00 Saturdays and Sundays and Public Holidays. Hours would remain as previously approved during the winter months. The applicant is agreeable to the proposed restriction on hours.

In view of the scale and nature of the proposal it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Working Programme

1. The development shall be carried out in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 16 04 2014
 - b) Submitted Plans and documents:

Drawing A-44 Rev D entitled 'Proposed Site Plan'
Drawing A-43 Rev D entitled 'Site Location Plan - Proposed'

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies EP20 and LT 16 of the Chorley Borough Local Plan

Hours of use

2. The multi use games area shall only be available for use between the hours of:

0830 to 2000 hours, Mondays to Fridays between 1 April and 31 October (excluding Public Holidays).

0830 to 1800 hours, Mondays to Fridays between 1 November and 31 March (excluding public holidays)

10:00 to 16:00 hours on Saturdays, Sundays and Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to conform with Policy EP20 of the Chorley Borough Local Plan.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2014/0063 09/13/0185	05.06.2014	Guy Munden/Environment/33214.

Reason for Inclusion in Part II, if appropriate

N/A.