

Development Control Committee
Meeting to be held on 3rd March 2021

Electoral Division affected: Pendle Hill

Pendle Borough: application number. LCC/2020/0070
Construction of a multi-use games area with a 3m high perimeter fence. Reedley County Primary School, Reedley Road, Reedley, Burnley.

Contact for further information:
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Executive Summary

Application - Construction of a multi-use games area with a 3m high perimeter fence. Reedley Primary School Reedley County Primary School, Reedley Road, Reedley, Burnley.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme and surface water drainage.

Applicant's Proposal

The proposed development is to install an all-weather games area on the existing playing field. The proposed multi-use games area (MUGA) would measure 30m by 15m with a 3m high ball stop fence and gates to the perimeter. The MUGA would occupy approximately 450sqm of the school playing field and would have a permeable surface with a soakaway underneath and be marked out with playing pitches for a number of sports.

Description and Location of Site

Reedley Primary School is located on the south side of Reedley Road in a residential area approximately 1km to the south east of Brierfield town centre. The school and its grounds are bordered to the north by Reedley Road, to the east by residential properties on Reedfield, to the south by residential properties on Meadow Close and to the west by residential properties on Ravens Close. The nearest residential properties to the proposed MUGA are approximately 17m away on Ravens Close and 30m away on Meadow Close.

Background

History: The site is an established primary school where the following permissions have been granted:

Single storey infill extension to create a new infant classroom and resource facility was granted in February 2005 (ref 13/05/0002).

Single storey extension to provide additional teaching accommodation was granted in July 2004 (Ref: 13/04/0360).

Installation of a temporary classroom with covered walkway to the entrance was granted in October 2012 (Ref 13/12/0419).

Single storey extension creating four classrooms with ancillary toilet and cloakroom accommodation and the erection of a canopy was granted June 2013

Planning Policy

National Planning Policy Framework

Paragraphs 11 – 14, 91, 94, 97 and 124 - 132 are relevant with regard to the definition of sustainable development, protection of playing fields, the need for educational development, enabling and supporting a healthy lifestyle and the need for good design.

Pendle Local Plan Part 1 Core Strategy

Core Strategy Policy ENV2 - Achieving Quality in Design and Conservation
Core Strategy Policy SDP1 - Presumption in Favour of Sustainable Development
Core Strategy Policy SUP1 - Community Facilities
Core Strategy Policy SUP 2 - Improve Health and Wellbeing
Core Strategy Policy SUP3 - Education and Training

Consultations

Pendle Borough Council: - No objection

Reedley Hallows Parish Council : No comments received

LCC Highways Development Control: - No objection

Sport England: - The site is not considered to form part of a playing field as a fence has been constructed over the field reducing the functional area of the field. As the facility is only of local benefit, Sport England do not wish to comment on the proposals although the local authority should assess the proposal against the guidance in paragraphs 96 and 97 of the National Planning Policy Framework.

Lead Local Flood Authority: - No comments received

Coal Authority: - The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is

encountered during development, this should be reported immediately to the Coal Authority

United Utilities: - Following a review of the submitted Drainage Strategy, United Utilities confirm the proposals are acceptable in principle and request a condition is attached to any permission requiring submission of a surface water drainage scheme.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Two representations have been received raising the following concerns:

- Noise pollution. The children are very loud when outside playing when we are in our gardens and at the back of the house. Bringing them even nearer to us is going to cause even more noise and disruption.
- A 3M fence is not going to be secure enough, the children could potentially get over the fence and out of school which is a safeguarding issue.
- A 3M fence will not stop objects such as balls coming over into our properties potentially causing harm to residents or property such as greenhouses.
- However, any higher fence will impact on our views across the landscape. All we will see out of our gardens is an eye sore of a metal fence.
- A lot of wildlife uses the fields including foxes - taking away their greenspace will reduce the wildlife that use the playing fields.
- We will be overlooked with loss of privacy.
- Drainage. We have multiple issues with drainage in our gardens. Our gardens back right up onto the school field. If the MUGA is constructed we are concerned it will make drainage issues even worse.

Advice

Reedley Primary School is situated in a predominately residential area and is a well-established primary school for children aged from 4 to 11 years old. The school is situated off Reedley Road and over the years has been modified and extended.

The school are finding it increasingly difficult to allow football to be played at break times and numerous accidents occur between the footballers and the rest of the children. The school playing fields are an ideal place for football to be played. However due to the fields being waterlogged during the winter months or in spells of heavy rain this is not an option. The proposed MUGA would provide a hard-surfaced area that can be used for ball sports year round that is separate from the remainder of the playgrounds. It is proposed to site the MUGA on the south western area of the school playing field with a path leading from the hard playground to the MUGA.

The proposed MUGA would measure 30m by 15m with a 3m high ball stop fence and gates to the perimeter with a path leading from the playground to the MUGA. The MUGA would take up approximately 450sqm of the school playing field.

Paragraph 91 of the National Planning Policy Framework states that it is important to enable and support a healthy lifestyle. Paragraph 94 states there is a need to create, expand or alter schools through the preparation of plans and decisions on applications. Paragraph 97 relates to building on school playing fields and states that such areas should not be built upon unless it is surplus to requirements, the loss of provision can be replaced or the development is for alternative sports provision, the benefits of which clearly outweigh the loss of the current use. The playing field at this school has been divided by a fence and therefore the area that is available to be used as a single pitch area has been reduced below that which qualifies as a playfield in the relevant policy. Therefore, Sport England do not object to the application. In any event, the development is for an alternative sports and recreational provision, the benefits of which would outweigh the loss of the current playing field which is unusable for certain periods of the year. The development is therefore considered acceptable in relation to playing fields policy as well as meeting the objectives in the Pendle Core Strategy (Policies SUP 2 and 3) for the provision of new or improved facilities for health, leisure and social care and provision of improved primary education facilities where a need exists.

Two representations have been received raising concerns about noise, height of the fencing, damage to property, loss of view, drainage, safeguarding, and impact on wildlife. The proposed MUGA is primarily being proposed as extra hard playground space on the playing field. It would be at the same ground level as the existing playground and would have a permeable surface with a soakaway underneath to allow water to drain away. Therefore, it is not expected that drainage issues would be caused. United Utilities have requested a condition be placed on any permission for the development to ensure the development is carried out as per the submitted plans showing the proposed soak away.

Although the MUGA would be nearer to resident's gardens than the existing playground, it is unlikely that noise impacts on residents would be raised unduly. The 3m high ball stop fencing would help to prevent balls from leaving the MUGA. As the rear garden boundary of the nearest house would be around 9 metres from the fencing, it is considered unlikely that any balls would enter neighbouring properties.

The installation of the 3m high ball stop fencing is not to stop children leaving the school but is to stop balls leaving the MUGA. The children are supervised at all times whilst outside at play so there are no safeguarding issues. The 3m high ball stop fence is a mesh construction and whilst there would be some impact on views from adjacent houses, the MUGA is relatively small therefore limiting the impact on views. Wildlife will still be able to access the school field as they do now and the proposed development would therefore not impact on the area's wildlife.

The proposed development is modest in scale and given the location of the proposed development within the school site, the development would not have any unacceptable visual impact or loss of amenities to the surrounding area or properties. The proposal

is therefore acceptable in terms of the policies of the National Planning Policy Framework and the Pendle Local Plan Core Strategy.

In view of the scale, location 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:

Time Limits

1. The development shall commence not later than 3years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out in accordance with the following documents:

a) The Planning Application and supporting documents received by the County Planning Authority on 8 December 2021 as modified by the email from Design and Construction dated 03 February 2021.

b) Submitted Plans and documents:

Plan B02 Rev D3 Specification and Drainage Plan

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies SUP 2 and SUP 3 of the Pendle Borough Council Local Plan.

Safeguarding of Watercourses and Drainage

3. The drainage for the development shall be installed in accordance with the Foul & Surface Water Drainage Design Drawing 11089-B02, Revision D3, dated 3rd February 2021. No surface water shall be permitted to drain directly or indirectly into the public sewer.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding and conform with Policies ENV2 2 and SDP1 of the Pendle Borough Council Local Plan.

4. The fencing shall be coloured RAL colour code 6005 and retained in that colour thereafter.

Reason: In the interests of the visual amenities of the area and to conform with Policy ENV2 of the Pendle Borough Core Strategy.

5. No floodlighting shall be erected to illuminate the multi-use games area.

Reason: In the interests of local amenity and to conform with Policy ENV 2 of the Pendle Core Strategy.

Notes

The applicant's attention is drawn to the observations of the United Utilities in their letter of 05 February 2021.

The applicant's attention is drawn to the observations of the Coal Authority.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Inclusion in Part II, if appropriate:

N/A