

Development Control Committee

Meeting to be held on 21 July 2021

Electoral Division affected: Skelmersdale West

West Lancashire Borough: application number LCC/2021/0022

Formation of a multi-use games area - West Lancashire Community High School, School Lane, Chapel House, Skelmersdale

Contact for further information:

Pauline Kelly, 01772 01772 531929

DevCon@lancashire.gov.uk

Executive Summary

Application - Formation of a multi-use games area.

West Lancashire Community High School, School Lane, Chapel House, Skelmersdale.

Recommendation – Summary

That subject to the Secretary of State not calling in the application for his own determination, planning permission be **granted** subject to conditions controlling time limits, working programme, building materials and drainage

Applicant's Proposal

The proposal is to erect a 20m by 30m multi-use games area (MUGA) adjacent to the school on the shared access playing fields to serve all the schools on the campus. The multi-use games area would be constructed using tarmac with a non-slip surface marked out for various sports. It would be enclosed by 2.4m closed mesh fencing and a single 2.4m high gate with a new tarmac path leading up to the gate. The gate would include a lock to prevent unauthorised access with access to the public available through a booking system. There are no flood lighting facilities proposed as part of this development

Description and Location of Site

West Lancashire Community High School is located off School Lane, approximately 2.3km north west of Skelmersdale town centre. The school is located in a primary residential area, with Neverstitch Road and Stanley Industrial Estate located to the north and residential housing located to the east, south and west. The proposed multi-use games area (MUGA) would be situated on part of the playing field to the south of the school buildings. The nearest residential properties are 75m away on Tintagel and 93m away on School Lane.

Background

History

The site is an established educational facility.

Planning permission was granted in July 2019 for improvements to the school access and creation of a cycle track (LCC/2019/0019).

Planning permission was granted in July 2017 for a single storey extension and entrance modifications. (LCC/2018/0021).

Retrospective planning permission was granted in December 2017 for the erection of two sections of fencing and gate. (LCC/2017/0078).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 - 14, 96 - 101 and 124 - 132 are relevant in terms of the presumption in favour of sustainable development, open space and recreation and achieving well designed places.

West Lancashire Local Plan

Policy SC4 - Educational Facilities

Policy GN3 - Sustainable Development

Policy EN3 - Green Infrastructure / Open Recreational Space

Consultations

West Lancashire Borough Council: No objection.

Coal Authority: No objection. However, it is confirmed that the site falls within the defined Development High Risk Area. The Coal Authority records indicate that the application site lies in an area of probable shallow coal mining. However, the Coal Authority recommends that, should planning permission be granted, an informative note should be attached drawing attention to the possibility of old mine workings.

Lancashire County Council (LCC) Highways Development Control: The development is within the school playing fields and the proposal does not include any new or altered access to the public highway, and the Highway Authority have no objections to the principle of development on the site. The size and nature of the proposals at this location should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. Given that the development is within the school premises, Lancashire County Council (LCC) Highways do not envisage any obstruction or effects to the public highway during construction.

Lead Local Flood Authority: No comments.

Sport England: Sport England object to the proposals as they consider that the proposal conflicts with their Playing Fields policy. Sport England state that where development would result in the loss of grass sports fields, it is essential that there are sufficient benefits from the proposal to the development of sport so as to outweigh the detriment resulting from the loss of the grass field.

The Design and Access Statement states that the school has limited playground space. Yet aerial images, including historic aerial images, of the school shows that it has an existing multi-use games area (MUGA) that appears to have been used for car parking since 2013. As the existing MUGA is not being used for sport, Sport England would question why there is a need for a second MUGA when the school has an existing MUGA.

United Utilities: In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The proposals are unacceptable in principle. This is because the proposal is to connect surface water to the existing private surface water drainage, but it is unclear where this ultimately discharges to. United Utilities request drawings confirming the ultimate point of discharge - please note that if this does not ultimately discharge to the watercourse, United Utilities would expect surface water from the proposals to discharge directly to the nearby watercourse.

United Utilities request conditions relating to a surface water drainage scheme and foul and surface water drainage.

Representations

The application has been advertised by site notice and by letter to adjacent residents. Four representations objecting to the application have been received raising the following issues:-

- The multi-use games area (MUGA) is close to the back of properties.
- Noise the facility will generate.
- That it is for community use.
- Traffic and vehicle numbers using the facility.
- Parking.
- Opening hours.
- Concerns about flood lighting and the effect on properties.
- Concerns that not enough residents were notified of the planning application.

One letter of support has been received commenting on the value of the field during the lockdown periods and that the development would be welcomed as part of a family area.

Advice

West Lancashire Community High School opened on 1 September 2006. The School is a designated Secondary Special School for students aged 11-19 years for students with generic learning difficulties and includes those with complex needs and autism specific conditions. Prior to 2006 the school was known as Black Moss School, a

moderate learning difficulties school for children aged 4 to 18. The school playing fields are shared with Kingsbury Special School (a primary special school) which is also co-located with Brookfield Park Primary school.

Between the three schools is a playing field that is currently maintained by all three schools through a shared grounds maintenance contract. It is open to public access. Given the nature of the students at all three schools (special needs and primary school age students) there are a number of issues with the playing fields:

- Entry/Exit routes on and off the School playing field for both the public and students.
- Open access from footpath at the rear of Kingsbury School and from School Lane entrances to all three schools.
- Dogs off their leads and dog faeces.
- Cyclists and motor bikers using it as a cut thorough to the housing estate at the rear of the school site.
- Drug paraphernalia and litter.
- Conditions of the ground - the playing field is extremely boggy in most areas and inaccessible/unsafe for sports of the year during considerable periods of the year.

The proposed multi-use games area (MUGA) is required to address a short fall of hard play area which limits the amount of outdoor physical education and sports/games that can take place. The playing fields cannot be used for most of the year as they are waterlogged and take a long time to dry out to a usable standard. The multi-use games area (MUGA) will provide additional hard play area and encourage pupils to participate in more outdoor activities.

Sport England have objected to the application as whilst the multi-use games area (MUGA) would provide a recreational facility, due to its fixed size it would not have the same flexibility of use as the current grassed pitch and Sport England consider that there is no evidence that the benefits of the multi-use games area (MUGA) to sport and recreation would outweigh the impacts on the existing pitch. Therefore, Sport England do not consider that the proposal meets the exceptions to their playing fields policy. Sport England note that there is already a multi-use games area at the school but that it is used for car parking.

West Lancashire Community High School and Kingsbury Special School are growing special schools as the demand for school places for children with additional needs has increased over the last 10 years. West Lancashire Community High Parents Association (PTA) in 2014 identified that there was a need for a multi-use games area for their children to access during the school day and also in the evening, weekends and holidays. Parents wanted a facility that would be accessible to the neighbouring schools as well as the local community to breakdown social stigmas, improve physical health and community spirit. Through fundraising events and donations from local business, over £25,000 has been raised to support the proposed multi-use games area (MUGA). Other alternative locations for the proposed multi-use games area (MUGA) site were looked at but the current position was chosen because it maintains pedestrian access to the school, and it provides good access for key stage 3 pupils.

West Lancashire Community High was established in 2006 and included a fenced play area. As the number of staff and students increased significantly there was a need for additional car parking. The school has approximately 113 students, some of whom need 1 to 1 support which increases the number of staff. Additional car parking requirements also arise from the number of visitors during the school day include therapists, school nurse, parents, and external agencies which increases the parking requirements to over 60 spaces for most of the school day. The existing multi-use games area (MUGA) at the front of the school is at present being used as a car park as this is the only area within the confines of the school, which is suitable to accommodate the car parking requirements.

Local residential streets could not accommodate these vehicles, especially with the limited number of car parking spaces at the adjacent Kingsbury/Brookfield schools, staff from which already use residential streets for parking. Most of the students arrive and leave school using school transport minibuses and taxi's (specifically provided for students with special educational needs (SEN)). As the school has grown, the number of school transport vehicles coming onto site has also increased and during 2016-2018 there were several near misses where students could have been hit by moving vehicles. If this parking and access requirement were to be accommodated on a site other than the existing games area, it would have to be elsewhere within the school site which would affect other areas of playing field.

The school states that the existing grass field is regularly unusable due to drainage issues and the provision of an area with an artificial surface would be of benefit in allowing year-round use of the facility. Whilst, the playing fields are large enough to accommodate grass pitch areas suitable for a variety of sports, the school fields have not in the lifetime of West Lancashire Community Highschool had any marked out playing pitches. The new multi-use games area (MUGA) would ensure that all three schools on the complex are able to increase their present level of PE and sport and will also enable segregation of ball sports from general play which would improve safety. The existing playing field is available for use by the public and the proposed multi-use games area (MUGA) would be available to use by the community via a booking system. Taking these factors into account, it is considered that the multi-use games area (MUGA) would have benefits to sport and recreation for the school and local community which would outweigh the impacts resulting from the loss of part of the existing grass pitch. The proposed multi-use games area (MUGA) is therefore considered acceptable in relation to paragraph 97 of the National Planning Policy Framework. However, as Sport England have objected, it will be necessary to consult the Secretary of State to give him an opportunity to consider whether to exercise his call in powers under section 77 of the Town and Country Planning Act 1990 .

United Utilities have raised comments in relation to the disposal of surface water and these can be dealt with by condition.

The whole school site is designated as Green Infrastructure and Open Recreational Space by Policy EN3 of the West Lancashire Local Plan. The policy states that development on open space and recreational facilities will not be permitted where the development would affect the open character of the area. Due to the nature and

design of the development, it is considered that the development would not conflict with the aims of Policy EN3.

The nearest properties to the proposed multi-use games area (MUGA) back on to the playing field are situated on Tintagel and are approximately 75m away. Residents have raised representations regarding increase of noise, hours of use, floodlighting, restricting use of the existing multi-use games area (MUGA), the application consultation process and parking. Residents that back on to the playing field and those facing the school were informed of the proposed development by letter and a site notice was placed on the school fence.

In relation to amenity impacts, the school field is already open for community use and therefore some impacts on local amenity at surrounding properties may already exist. The new multi-use games area (MUGA) would be available for use outside of school hours and managed through a booking system. There may be some potential for additional noise impacts due to sounds from balls hitting the perimeter fencing although due to the distance to properties, noise impacts are not considered to be unacceptable. The multi-use games area (MUGA) would not have flood lighting therefore limiting the times of usage and the possibility of noise disturbance during the night-time period. It is considered that conditions should be imposed to restrict hours of use and to prevent installation of flood lighting.

The issues raised by United Utilities in relation to drainage can be addressed through a suitable planning condition.

In conclusion, the additional all - weather play space is required to serve all three schools on this site to address the deficiencies in the current grass pitch provision. Although the school do have an existing multi-use games area (MUGA), this is needed to serve the parking requirements at the school and to prevent the parking issues on surrounding residential streets that would otherwise occur as a result of the school's increased need for parking. The proposed development would be an asset to the school and would encourage community participation in sport. The development would have minimal visual amenity impacts and there is also sufficient distance from the site to the nearest properties to result in negligible effects on residential amenity. Overall, the development complies with the policies of the National Policy Planning Framework (NPPF) and West Lancashire Local Plan.

In view of the nature, location and purpose of the development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That subject to the Secretary of State not calling in the application for his own determination, planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than three years 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, (except where modified by the conditions to this permission), in accordance with the following documents:

- a) Submitted Plans and documents:

PLAN RWM/11073.01 Location Plan
Plan RWB/11073.02 Site Plan and Details

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies SC4, GN3 and EN3 of the West Lancashire Borough Local Plan.

3. a) No construction development, delivery or removal of materials shall take place outside the hours of:

07.30 to 17.30 hours Monday to Friday (except Public Holidays)
8.00 to 13.00 hours on Saturday

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policies SC4, GN3 and EN3 of the West Lancashire Borough Local Plan.

4. The multi-use games area shall only be available for use outside of school hours between the hours of:

16.30 to 20.00 hours, Mondays to Fridays within school terms
09.30 - 20.00 Mondays to Fridays outside of school terms
09.00 to 17.00 hours on Saturdays

The multi-use games area shall not be used at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users, and to conform with Policies SC4, GN3 and EN3 of the West Lancashire Borough Local Plan.

Surface Water

5. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:
 - a) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water.
 - b) Details of the measures to be installed to ensure a restricted rate of discharge of surface water in the event that infiltration is discounted by the investigations. The details shall include the proposed rates of discharge and proposed water disposal routes.

The submitted scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Thereafter the development shall be constructed in accordance with the approved drainage scheme and the drainage system shall be maintained in working order at all times.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy GN3 of the West Lancashire Local Plan.

Design

6. The ball stop fencing shall be coloured black to match the existing fencing and thereafter maintained in that colour.

Reason: In the interests of the visual amenities of the area and to conform with Policy GN3 of the West Lancashire Local Plan.

7. No external lighting associated with the development shall be installed without the prior approval in writing from the County Planning Authority.

Reason: In the interests of local amenity and to conform with Policy GN3 of the West Lancashire Local Plan.

Notes

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.

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

Paper	Date	Contact/Directorate/Ext
LCC/2021/0022	July 2021	Pauline Kelly Planning and Environment 01772 531929

Reason for Inclusion in Part II, if appropriate

N/A.