

Development Control Committee
Meeting to be held on 19 October 2022

Electoral Division affected:
Morecambe South

Lancaster City: application number LCC/2022/0036

Proposed multi-use games area located on secondary field

Morecambe Road School, Morecambe Road, Morecambe

Contact for further information:
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Brief Summary

Application – Proposed multi-use games area located on secondary field.

Morecambe Road School, Morecambe Road, Morecambe

Recommendation – Summary

That subject to the Secretary of State confirming that the application will not be called in for his own determination, that planning permission be **granted** subject to conditions controlling materials, surface water drainage, floodlighting and tree protection.

Applicant's Proposal

This application is for the provision of a multi-use games area (MUGA). The proposed multi-use games area would measure 36 metres by 23 metres and would be surrounded by 3m high duo composite wire fencing coloured dark green. The pedestrian access gate and goal areas incorporated into the fencing would be coloured yellow. The multi-use games area would be surfaced in artificial grass. Access to the multi-use games area would be from the existing secondary pupil playground to the west. Basketball nets would be provided along all sides of the multi-use games area. It is proposed that any excavated soil will be relocated to an area of the school grounds adjacent to the north-eastern boundary of the school ground where the land level dips. The land level will not be raised above the existing field.

Description and Location of Site

The proposed development is located within the boundary of Morecambe Road Primary School which is located in a residential area approximately 2km to the east of



Morecambe. Two main roads, A589 Morecambe Road and A683 Bay Gateway lie to the north-east and south-east respectively. The proposed development would be located to the east of existing school buildings on the existing school field adjacent to the secondary pupil playground.

The nearest residential properties are flats on Stanhope Court to the north. The proposed multi-use games area would be approximately 31m from the closest part of the flats. The proposed multi-use games area would be separated from these properties by the school entrance and car park. The school has a further playground area to the north-west and further amenity green space around the north-west and south of the existing school buildings. A mature conifer hedge screens the north-eastern boundary of the school grounds from the adjacent McDonalds Restaurant and the A589 beyond.

History

The application site is within an established education facility. The following permissions have been granted for development at the school:

LCC/2021/0048 – New timber clad self-contained building incorporating additional teaching accommodation
Approved December 2021

LCC/2018/0006 – Formation of two timber garden classrooms
Approved May 2018

LCC/2019/0017 - Single Storey extension
Approved May 2019

LCC/2015/0006 – Formation of internal road to form one way system within school and creation of new parking area
Approved February 2015

01/13/0107 - Single storey extension to provide two new classrooms, new access ramp with steps, soft play area, cycle path and cycle shelter
Approved April 2013

01/13/0077 - Retrospective application for the retention of 74 solar panels on the roof of the school building
Approved February 2013

01/10/0571 Single storey classroom extension, new disabled access ramp, new play area and canopy to main entrance
Approved July 2010

Planning Policy

National Planning Policy Framework (NPPF): Paragraphs 11 - 14, 95, 98 - 103 and 126 - 136 are relevant in terms of the presumption in favour of sustainable development, the requirement for educational development, protecting open spaces and the need for high standards of design.



Lancaster District Local Plan Part One: Strategic Policies and Land Allocations Development Plan Document

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SC3 – Open Space, Recreation and Leisure

Lancaster District Local Plan Part Two: Development Management Development Plan Document

Policy DM27 – Open Space, Sports and Recreational Facilities
Policy DM29 – Key Design Principles
Policy DM43 – Green Infrastructure
Policy DM45 – Protection of Trees, Hedgerows and Woodland

Consultations

Lancaster Council: No objection. It is recommended that a condition is attached requiring a tree constraints plan and a tree protection plan to be submitted and agreed prior to commencement of development.

Morecambe Town Council: No comments received.

Lancashire County Council Highways Development Control: No comments received.

United Utilities: The proposals are acceptable but request that a condition is added to require the drainage scheme to be completed in accordance with the submitted details.

Sport England: Sport England object to the proposals as they are not considered to accord with any of the exceptions to Sport England's Playing Fields Policy, or Paragraph 99 of the National Planning Policy Framework (NPPF). They request that the applicant provides additional information in relation to the following matters:

- Information should be provided on whether attempts have been made to improve the drainage and playing surface.
- The need for the facility should be identified in a local sport and recreation strategy, governing body facility strategy or similar document (such as a school development plan).
- Sport England would normally expect community use on any sports facility as part of the benefits.
- The applicant should provide justification for the proposed layout and surface type in line with Sport England design guidance. Cross sectional drawings should be provided.

County Councillor Edwards: Confirms support of the application.



Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations have been received.

Advice

Morecambe Road School is a community special school for children aged 3-16 years old. There are 192 children on roll. The school caters for pupils who have special educational needs including physical difficulties, autism, hearing and visual impairments, speech, language and communication needs and social, emotional and mental health difficulties.

The proposal is for the creation of a multi-use games area measuring 36 metres by 26 metres. The multi-use games area would be surfaced with artificial grass and enclosed by a 2 metre high wire fence.

The applicant has provided the following information in support of the application:

- The field where the proposed multi-use games area is to be located cannot be used all year round. It floods easily during rainy periods and develops cracks in dry periods. The only other all year-round sports area is the school hall (measuring just 126 square metres in area) and this is also used as the dining area so cannot be accessed for sports at break and lunchtimes.
- The school has recently expanded its intake. The children enjoy a personalised curriculum with as much physical activity as possible. The proposal would provide a safe, contained area.
- The remaining playing field will be of a sufficient size to allow the running track to remain and continue to be used for athletics and rounders. It would only take up approximately 27% of the existing playing field. It will also provide a facility to play cricket, which is not possible at present.
- The use of the proposed multi-use games area would allow the school to double the amount of timetabled PE slots across primary and secondary phases. It would help to facilitate sessions with external providers.
- The facility would be available for use by extended services including after school clubs, Saturday and holiday clubs. Other primary schools in the area who have minimal or no outdoor space would be welcome to use the facility.
- The proposal will enable the school to evidence the impact of our Sports Premium Grant by making additional and substantial improvements to the quality of physical education, school sport and physical activity that is offered that will also benefit pupils in future years, as well as existing pupils.
- There are a number of other facilities offering community use in the area, such as Lancaster and Morecambe College and Salt Ayre Sports Centre.

Loss of playing field

The main issue relates to the objection from Sport England in relation to the loss of the playing field.



The Lancaster Local Plan Part One identifies the application site as land within the settlement boundary, and as an existing open space facility. Policy SC3 states that these sites will be protected from inappropriate development. There will be a general approach of resisting development that would result in the loss of playing pitches, including school playing fields. The Local Plan Part Two (policy DM27) goes on to state that proposals that seek to protect and enhance existing designated open spaces, sports and recreational facilities will be supported by the Council and that the loss of designated open space will not be permitted unless it can be demonstrated that it is either surplus to requirements, has no community value, the loss would be replaced by equivalent or better quality provision or the development is for alternative open space, sports and recreation provision, the benefits of which clearly outweigh the loss.

Paragraph 99 of the National Planning Policy Framework (NPPF) states that existing open space, sports and recreational grounds should not be built on unless an assessment has identified that the open space is surplus to requirements, the loss would be replaced, or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Sport England have a statutory remit to protect playing fields. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless it meets a number of exceptions. Sport England have indicated that they consider policy exception E5 to be the most pertinent to this proposal:

'E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'.

However, Sport England do not consider that the applicant has presented sufficient information to demonstrate that this exemption applies and therefore object to the application.

A site investigation was carried out in respect of planning application LCC/2021/0048 (a timber clad self-contained building in the grounds of the school). This relates to a different part of the school grounds; however the applicant considers that it is indicative of the ground conditions of the school site. It shows that the soil is heavy clay, with peat fibres. The applicant explains that United Utilities would not permit the surface water drainage to be connected into the existing combined drainage system, so in normal circumstances a soakaway would be considered, but due to the poor ground conditions identified in the Site Investigation the drainage consultant did not even consider undertaking a porosity test and determined that the only option was to pump the surface water to the dyke at the rear of the school site, at considerable cost to the school.



The proposed development would result in the loss of part of the grass playing field. However, a substantial area would remain available for use for outdoor sporting activities. No footpath is proposed between the proposed multi-use games area and the adjacent playground (a distance of 10m) so that the school can retain this area as grass and potentially be used in the future to provide facilities such as a running track. It is considered that the site investigation report submitted by the applicant demonstrates the poor ground condition of the existing field, and its unsuitability for year-round sporting use. Detailed cross sections of the proposed surface materials could be secured by condition.

It is considered that, on balance, the particular circumstances of this application, and in particular the increased opportunities for outdoor sport and recreation that this proposal will provide for the pupils of this particular school and their special needs are considered to comply with the aims of the National Planning Policy Framework (NPPF) and Policy DM27 of the Lancaster Local Plan. Furthermore, the proposal would accord with wider aims of inclusivity, health and wellbeing, and increasing opportunities for outdoor sport and recreation for all, which outweigh the loss of a small part of the existing grass playing field.

As Sport England have maintained their objection to the proposals the application must be referred to the Secretary of State, should members resolve to approve the application.

Impact on Neighbour Amenity

The National Planning Policy Framework (NPPF) states that developments should provide a high standard of amenity for existing and future users. Policy DM29 of the Lancaster Local Plan states that new development will be expected to ensure that there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution. Impacts on noise and light pollution should also be minimised.

The proposed multi-use games area would be located approximately 31 metres from the nearest residential property to the north on Stanhope Court. A number of residential flats here overlook the existing school field where the multi-use games area would be located. The properties have been notified directly of the application, and a site notice has been posted. No comments have been received from any neighbouring residents.

No external lighting is proposed, nor is it anticipated that the facility will be used for any wider community uses. It will not be hired out and will only be used during usual school hours. It is however intended that the facility will be used by the school and made available for use by external providers for lunchtime activities, after school clubs, and for holiday care provision. The hours of use can be controlled through planning conditions.



It is considered that the proposed development is unlikely to give rise to any significant increase in vehicle movements to and from the application site that would cause any undue increase in the level of noise and disturbance experienced by neighbouring residents, beyond that which is already experienced from this and the adjacent McDonald's restaurant which is open from 5am until 12 midnight seven days a week which is also in close proximity to the adjacent residential properties.

The proposal is considered likely to result in a more intensive use of this part of the playing field by pupils of the school than is presently the case. However, it is important to note that the playing field can already be used by the school at any time.

The size, scale and appearance of the proposed multi-use games area is considered to be in keeping with the existing use of the site as a school. There are a number of mature deciduous trees along the north-west boundary of the school playing field, between the school and the adjacent flats to the north. The proposed multi-use games area would be positioned approximately 10m from these trees in order to avoid disturbing them. These provide some element of screening. The site is well screened to the east by a mature coniferous hedge along the north-east boundary of the field. The proposal would be viewed in the context of the existing school building and grounds and is sufficiently far from the adjacent residential properties so as not to form an unduly overbearing or obtrusive feature. There would be very limited views of the proposed facility from the street scene, and it would not appear as an incongruous feature.

The proposed development is therefore acceptable in terms of visual and residential amenity in accordance with the Framework and Policy DM29 of the Local Plan.

Highway Safety

The vehicular entrance to the school is off Morecambe Road, a busy 'A' road, to the east. There is an existing staff car park located in the north-east corner of the site and an internal access road runs along the inside of the northern boundary of the school grounds forming a one-way circulatory system within the school grounds. The access onto Morecambe Road has recently been improved as a result of planning permission LCC/2015/0006.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. As no objections have been raised by Lancashire County Council Highways it is considered that a refusal on highway safety grounds could not be sustained.

Conclusion

Subject to the imposition of appropriate conditions the proposal would not give rise to any undue loss of amenity for neighbouring residents and would enhance the quality



and availability of open space at the school. The proposal would also have benefits for sport and recreation at this school which would outweigh any loss of grass playing field. The proposal is accordingly recommended for approval. However, as Sport England have maintained their objections to the proposals the application must be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2021 so that the Secretary of State may consider using the power to call in the application.

In view of the size, scale and nature of the proposals 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 confirming that the application will not be called in for his own determination, that planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 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 in accordance with the following documents:

- a) The Planning Application and supporting statement received by the County Planning Authority on 30 June 2022
- b) Submitted Plans and documents:

Ref. MRS / MUGA22 / JH / 1 Rev A Location Plan
Ref. MRS / MUGA22 / JH / 2 Plan of Proposed Multi-use Games
Ref. MRS / MUGA22 / JH / 3 Elevations of Proposed Multi-use Games Area

Note dated 12 August 2022 Morecambe Road School – Proposed Multi-use Games Area Technical Information

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies DM27 and DM29 of the Lancaster Local Plan

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

Reason: To minimise the impact on local amenity and to comply with Policy DM29 of the Lancaster Local Plan.



4. The multi-use games area shall only be used between the hours of 08.00 -19.00 hours Mondays to Fridays

Reason: In the interests of local amenity and to conform with Policy DM29 of the Lancaster Local Plan.

Safeguarding of Watercourses and Drainage

5. The drainage for the development hereby approved, shall be carried out in accordance with the details shown on plan ref MRS / MUGA22 / JH / 2, dated June 2022. No surface water from the site shall be permitted to drain directly or indirectly into the public sewer.

The drainage schemes shall be maintained thereafter for the lifetime of the development.

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 to conform with Policy DM29 of the Lancaster Local Plan.

Landscaping

6. All hedges and trees forming part of the site boundaries or to be retained within the site as shown on Drawing MRS / MUGA22 / JH / 1 Rev A shall be protected from any damage and maintained throughout the development in accordance with the measures set out in the email dated 15 August 2022 from Mr Jeff Heskine.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM45 of the Lancaster Local Plan.

Building Materials

7. Notwithstanding the details indicated on the approved plans and supporting documents no development shall commence until details (including cross sections) of all surfacing materials used in the development have first been submitted to and approved in writing by the County Planning Authority. Thereafter only those materials approved shall be used in the development.

Reason: To ensure that appropriate materials for sporting activities are used and to conform with policies DM27 and DM29 of the Lancaster Local Plan

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2022/0036	Oct 2022	H Ashworth Planning and Environment (01772) 530084



Reason for Inclusion in Part II, if appropriate
N/A

