

APPLICATION NUMBER: 22/01476/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01476/FUL	Aimee Bovaird	18 January 2023

Address: Roach Dynamos JFC Sutherland Road Heywood Rochdale OL10 3PL

Proposal: Relocation of existing containers and provision of 1no container

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: LA

DATE: 27.02.23

SITE

This application relates to Roach Dynamos FC, on Sutherland Road. The site includes space for 4no football pitches and a car park. The football club is accessed off Sutherland Road. There are three existing containers and an existing pavilion.

The site covers an area of approximately 4ha and includes a car parking area at the northeast of the site. Access to the site is via an access route from Sutherland Road, which extends along the rears of properties on Kinross Ave and Kilmarnock Grove to the south. The playing fields typically include a soft vegetation buffer between the walkable areas and the abutting boundaries of adjacent residential dwellings which surround the site to the north, east and west. The East Lancashire Railway extends along the southern boundary of the site in a sunken siting relative to the playing fields, and further beyond, are the northernmost units comprising Heywood Distribution Park.

The site is located within the defined urban area as set out under saved policy G/D/1 of the UDP and is also designated as Recreational Open Space, as set out under saved UDP policy G/3.

PROPOSAL

The application seeks permission to permanently relocate the three existing containers from their original location granted permission 21/01351/FUL and add one additional container. The containers store sports equipment and the proposed container will store maintenance equipment.

The existing container C1 is proposed to be stored along the south boundary, C2 in the west corner of the site and C3 and C4 to the north of the site beside the existing pavilion to the north of the site. The containers will be 2.4m high and 6.1m long. The fourth container will be 2.4m high and 10m long and painted in green (RAL 6005).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

- C6 Improving health and wellbeing
- C8 Improving community, sport, leisure and cultural facilities
- P1 Improving image
- P3 Improving design of new development
- G6 Enhancing green infrastructure
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability
- T2 Improving accessibility
- DM1 General Development requirements

Unitary Development Plan (UDP):

- G/D/1 Defined Urban Area
- G/3 Protection of existing recreational open space
- EM/7 Development and flood risk
- EM/8 Protection of surface and ground water

RELEVANT SITE HISTORY

22/00971/DOC - Submission of details to comply with conditions 3 (CMP), 4 (drainage), 5 (materials) and 7 (bin store) on planning permission 21/01351/FUL – Accepted

21/01351/FUL – Sports pavilion building including changing facilities, social room and kitchen; access road, car parking and relocation of existing football pitches - Grant

CONSULTATION RESPONSES

Sport England

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- ☐ all or any part of a playing field, or
- ☐ land which has been used as a playing field and remains undeveloped, or
- ☐ land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

The development is proposed on Roach Dynamos Football Club which consist of a playing field that contains 2 x Mini and 2 x Junior pitches and ancillary building, existing 3 storage containers and car park.

The proposed siting of the two of the storage containers (re-location of one and siting of additional) adjacent to the Sports Pavilion will not result in any impact on the pitch provision. The re-location of a further two existing containers to the south and west boundaries, although not impacting on pitch provision following siting, their locations do present potential impacts in relation to their initial installation. However it is considered this can be overcome by the attachment of a planning condition to require details of how the two containers on the boundaries of the site will be installed.

A further concern is the accessibility of the two containers on the site boundaries and Sport England wish to offer advice in the form of the following link to their Active Design guidance so that further consideration can be given to this.

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

Having assessed the application, Sport England is satisfied that the proposed development meets Exception 2 of our playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

This being the case, Sport England **does not wish to raise an objection** to this application subject to the following conditions:

CONDITIONS:

1. *"No development shall commence until full details in the form of a Method Statement for:*

- (a) the re-location and siting of the containers, as shown on Drawing 205-073-1102 and;*
- (b) the restoration of any land disturbed during the course of the siting of the new container and re-location of existing containers;*

is submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details before the use of the development hereby approved.

Reason: To protect playing fields from damage, loss or availability of use and to accord with Local Plan Policy LT/9 and the NPPF."

2. *"Within 56 days of the date of this permission, full details in the form of a Method Statement for:*

- (a) the restoration of any land disturbed during the course of the siting of the containers C1 and C2 as shown on Drawings 205-073-1101 and 205-073-1102;*

shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details within 28 days of their approval.

Reason: To protect playing fields from damage, loss or availability of use and to accord with Local Plan Policy LT/9 and the NPPF."

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties, there was one letter of objection. This raised concerns over youths congregating on the site and the security of property. One letter of support has also been received.

ANALYSIS

Principle

Policy C6 of the Adopted Core Strategy seeks to improve people's health and well-being and reduce health inequalities through creating an environment which promotes and supports health lifestyles and maintaining and enhancing... sport and recreational areas. Policy C8 seeks to promote the provision of better community, sport and leisure facilities.

The site is located within the Defined Urban Area, policy G/D/1 of the UDP, which seeks to concentrate development in urban areas, is therefore relevant. Further to this, the proposed site is located in an area that is designated for recreational outdoor space and currently comprises an area of open space adjacent to the existing football playing pitched, under saved UDP policy G/3:

G/3 The development of public or private recreational open space for any other purpose will not be permitted unless one or more of the following exceptions applies:

- a) The development is for a non-commercial community use within a park or other outdoor recreation area, is ancillary to the recreational use of the area, would not lead to a deficiency in recreational open space in relation to present or future needs, and does not harm the recreational, townscape or nature conservation value of the remaining open space;*

...

Paragraph 99 of the NPPF also states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

In assessing this application, the proposed development is three shipping containers to be used to store sports and maintenance equipment. Sport England have been consulted as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. Sport England has no objections to the proposal subject to a condition.

Subject to an assessment of the impact of the proposed development on the character and appearance of the area, the proposed development is considered to be acceptable in principle and would accord with UDP, Core Strategy and NPPF.

Impact on Character and Appearance

Policy DM1 of the Council's Core Strategy requires all development proposals, including changes of use of land and buildings, extensions and alterations, to demonstrate that they are of a high quality design and take the opportunity to enhance the quality of the area. Policy P3 of the Core Strategy acknowledges that good design will improve the image and attractiveness of the borough as a place to live, work and visit, and can also improve health, safety and the environment and reduce long-term costs. Furthermore, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments are sympathetic to local character and visually attractive as a result of good architecture, layout and effective landscaping.

The three existing containers are 2.4m high and 6.1m long. The fourth container will be 2.4m high and 10m long. The containers will be set back from the highway and painted in green (RAL 6005) and are considered acceptable in terms of their design.

The containers are to be set back from the highway and would have a limited view from public vantage points. The containers by virtue of scale, siting and design would not be overbearing within the setting of the site. They would not result in loss of amenity for surrounding residents.

Overall the proposed relocation of the containers and additional container are considered acceptable in terms of their siting and design, and would therefore accord with policies P3 and DM1 of the Core Strategy.

RECOMMENDATION

GRANT subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:
Location Plan Rev A – 205-073-1100
Existing Container Site Plan – 205-073-1101
Proposed Site Plan – 205-073-1102
Proposed Containers Details – 205-073-1103

and the development shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. The storage containers hereby permitted shall not be used for any trade, business or industrial purpose.

Reason: In order to ensure no detrimental effects to the neighbouring amenities, the amenities of the area in general and to prevent nuisance arising in accordance with Policies DM1 and G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. No development shall commence until full details in the form of a Method Statement for:
 - (a) the re-location and siting of the containers, as shown on Drawing 205-073-1102 and;
 - (b) the restoration of any land disturbed during the course of the siting of the new container and re-location of existing containers;

is submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details before the use of the development hereby approved.

Reason: To protect playing fields from damage, loss or availability of use and to accord with Local Plan Policy LT/9 and the NPPF.

Reason for pre-commencement: To show how the two containers on the boundaries will be installed and to show how any land disturbed will be restored during the siting of the new container and re-location of existing container. This is to ensure the playing field are protected for future use.

5. Within 56 days of the date of this permission, full details in the form of a Method Statement for:
(a) the restoration of any land disturbed during the course of the siting of the containers C1 and C2 as shown on Drawings 205-073-1101 and 205-073-1102;

shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details within 28 days of their approval.

Reason: To protect playing fields from damage, loss or availability of use and to accord with Local Plan Policy LT/9 and the NPPF.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Report Author Aimee Bovaird