

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

4th July 2018

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT**

18/1179/FUL

Land East Of The Forge Community Resource Centre, Clive Crescent, Norton

Construction of new Multi Use Games area

Expiry Date 17 July 2018

SUMMARY

This application seeks planning permission for the erection and installation of a Multi-Use Games Area (MUGA) on a parcel of grassed area within the open space adjacent to The Forge Community Resource Centre, Norton. The scheme comprises an area of approximately 25m x 18m with a steel and mesh enclosure to the MUGA to provide basketball hoops, football goals and cricket wickets.

Under the Council's Scheme of Delegation, the application is put forward for determination by the Planning Committee as the scheme does not constitute minor development.

The proposed MUGA will be located away from residential properties that bound the site and the closest residential property is situated approximately 50 metres from the proposed location.

The proposed development is considered to be of an appropriate scale, design and layout for its setting, achieves satisfactory spacing from surrounding properties and is not considered that it will result in any unacceptable impacts on residential amenity.

The proposed scheme is considered to satisfy the National Planning Policy Framework and the Adopted Stockton on Tees Core Strategy Policies CS3, CS6 and as such is recommended for approval.

RECOMMENDATION

That planning application 18/1179/FUL be approved subject to the following conditions and informatives detailed below;

01 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
SBC0001	22 May 2018
SBC0002	22 May 2018
SBC0003	22 May 2018
A10576_01 REV A	22 May 2018

Reason: To define the consent.

- 02. No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.**

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

- 03. Prior to the commencement of the development hereby approved, the finishing materials/colour scheme and layout of the Multi Use Games Area shall first be submitted to and agreed in writing by the Local Planning Authority.**

Reason: In the interests of the visual amenity of the surrounding area and for the avoidance of doubt.

- 04. Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures (other than as approved by this permission) erected without the written approval of the Local Planning Authority.**

Reason: In order that the Local Planning Authority can exercise further control in this locality in the interests of the visual amenities of the area.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Lighting

The application does not include the provision of a lighting scheme. Should at any stage it be decided to incorporate lighting into the scheme this will require the benefit of planning permission. This application should include detailed plans including the specification of the proposed lighting, how the lighting will be managed and be supported by a light spillage report.

Informative: Knotweed

Japanese Knotweed has previously been found on part of the site. If any evidence is found during the construction of the development this shall be treated and managed in compliance with government guidelines set out by the Environment agency (Knotweed code of practice).

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

BACKGROUND

1. **15/0603/FUL** Proposed residential development to provide 16.no dwelling houses, 18.no apartments, 12.no bungalows and installation of Multi-Use Games Area (MUGA) and adjacent landscaping. Approved 5 June 2015.

2. **15/0603/NMA** Non-material amendment for minor alterations to boundary treatment, repositioning of plots 4 & 5 and alterations to footpaths of planning approval 15/0603/FUL - Proposed residential development to provide 16.no dwelling houses, 18.no apartments, 12.no bungalows and installation of Multi-Use Games Area (MUGA) and adjacent landscaping. Approved 20 October 2015.

SITE AND SURROUNDINGS

3. The Site is currently grassed open space, bounded by roads to three sides. Raleigh Road runs along the north of the site. Wolfe Road borders the east of the site, with Somerset Road bordering the site from the south and west. To the south of the site lies a small patch of vacant land.
4. Clive Crescent runs through the Site and will be used to access the MUGA. The site is located close to Norton Grange Community Centre. The Site also neighbours a small convenience store.
5. The topography of the site is relatively flat with contours typically declining from north east to south west.

PROPOSAL

6. Planning permission is being sought for the erection Multi Use Games Area (MUGA). The proposed development is not proposing any lighting.
7. Planning permission was previously granted for a similar MUGA on the Site in June 2015, as part of a wider development. Whilst the development is the same as that previously approved the applicant for this application is Stockton Borough Council and under the Councils Scheme of Delegation due to the proposed scale does not constitute minor development and is therefore required to be determined by Planning Committee.
8. The MUGA will be built on to a new porous Tarmac Pad measuring approximately 25m X 18m. The MUGA itself is manufactured out of steel and mesh. In addition there will be;
- Two goal ends stepping down from a height of 3m at the middle to 1.2m at the corners
 - Two 1,2m high mesh fencing running along both sides to the goals
 - Two centre chicanes, allowing easy ingress and egress
 - White Ground graphics for Football and Basket Ball

CONSULTATIONS

9. The following Consultations were notified and any comments received are set out below:-

Councillors

At the time of writing no written representations had been received.

Highways Transport & Design Manager

General Summary

The Highways, Transport and Design Manager has no objection to this application.

Highways Comments

This proposal does not affect the highway no objections are raised.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed installation of a MUGA on the site.

SBC Flood Risk

At the time of writing no written representations had been received.

Environmental Health Unit

I have no objection in principle to the development, subject to the imposition of the following advisory conditions/ Informatives:

Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

Noise disturbance from access and egress to the premises

The opening hours should be limited to ensure that adjacent premises are not adversely affected by either customers using the premises or from vehicles servicing the premises at unsocial hours. However, as there is to be no artificial lighting I assess that the use of this Multi Use games area will be naturally limited to daylight hours. This will need to be reassessed should lighting be installed in the future.

Light Intrusion

I understand that there is to be no lighting to be included with this application and would request that if this is to happen in the future that Planning Consent is obtained before the commencement of any lighting is installed.

Sport England

At the time of writing no written representations had been received.

Northumberland Water

At the time of writing no written representations had been received.

Northern Gas

At the time of writing no written representations had been received.

PUBLICITY

10. Neighbours were notified and comments received are set out below:-

Mr Ian Brown - 17 Stanhope Road Stockton-on-Tees

Onsite Building Trust operate the Norton Grange Community Centre adjacent to the proposed develop and would fully support provision of MUGA.

PLANNING POLICY

11. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plans for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.
12. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

National Planning Policy Framework

Paragraph 14:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Local Planning Policy

13. The following planning policies are considered to be relevant to the consideration of this application.

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.

Further guidance will be set out in a new Supplementary Planning Document.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. Additionally, in designing new development, proposals will:

- Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Core Strategy Policy 6 (CS6) Community Facilities

1. Priority will be given to the provisions of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as Extended Schools Programme.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

3. The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

- River Tees Valley from Surtees Bridge, Stockton to Yarm;
- Leven Valley between Yarm and Ingleby Barwick;
- Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- Stainsby Beck Valley, Thornaby;
- Billingham Beck Valley;
- Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

9. New development will be directed towards areas of low flood risk that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

Saved Policy REC1 of the adopted Stockton on Tees Local Plan

Development which would result in the permanent loss of playing space will not be permitted unless:

- (i) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or
- (ii) Alternative provision of equivalent community benefit is made available, or
- (iii) The land is not required to satisfy known local needs.

MATERIAL PLANNING CONSIDERATIONS

14. The main considerations of this application are whether it satisfies the requirements of National and Local Plan Policies, the impact of the proposed development on the locality in terms of residential amenity, character and appearance and other material considerations.

Principle

15. Paragraph 70 of the National Planning Policy Framework states that, amongst others, Local Planning Authorities should seek to deliver;

social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*

- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Para 73. goes on to state;

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

16. Policy CS6.3 supports development on Urban Open Space where the recreational value of the site will be enhanced. It is considered that the proposal will provide a multi-use games area which will significantly enhance the recreational value of the Site.
17. MUGAs are very popular with people of all ages, and a cost-effective way to encourage participation in sports such as football and basketball. This project will help to address themes central to Stockton as a whole.
18. The applicants are aware of the lack of facilities for ball sports in central Stockton and consider that the project will help to tackle the following issues;
 - Anti – Social Behaviour. Often young people are seen as a nuisance purely because they have nowhere to go. The development of the sports facility will meet the demands of young people who cite the lack of existing facilities as a reason why there is conflict with residents.
 - Health and Well - Being. There is overwhelming evidence on the positive effects of sport and physical activity as part of a healthy lifestyle, particularly in the prevention of several chronic diseases. Physical activity contributes to developing healthy bones, efficient heart and lung function as well as improved motor skills and cognitive function.
 - Community Cohesion – People who would otherwise have to deal with law enforcement for ‘hanging out’ will not be treated as criminals and will be more connected with their community.
19. The principle of the development in this location is considered to comply with Local and National Planning Policy.

Character and Appearance

20. The application site is an area of urban open space, the proposal will provide a multi-use games area which will result in a significant increase in the quality of the open space provision and the recreational value of the site.
21. As stated above, a MUGA of similar scale and appearance has previously been granted planning permission on the site. It is however recommended that a pre commencement condition is attached to an approval requiring the exact details of the construction of the MUGA are first submitted to and agreed in writing by the Local Planning Authority. This is to ensure a satisfactory appearance of the development.
22. The scale of the proposed MUGA is considered to be of an appropriate size and scale in relation to the wider site. The Head of Technical Services has stated there are no landscape and visual issues associated with this development.

Neighbour Amenity

23. The MUGA will be managed and maintained by Care For Your Area. Environmental Health have been consulted and has raised no objection to the proposed development. To ensure that the neighbour properties are not adversely affected they initially proposed that the opening hours should be limited, however they have concluded that given the MUGA will not be

illuminated, the use will be self-regulating. It is therefore not considered necessary to condition the hours of operation. However, an informative has been attached alerting the applicant to the requirement for planning permission to erect any lighting at the Site. Consideration would then be given to the hours the lights could be in operation to ensure the amenity of the adjacent properties was not adversely affected.

24. In view of the separation distances to residential properties, the modest design and scale of the proposal and the fact that the MUGA will be sited within an area of defined urban open space, it is considered that the proposed scheme will not result in an unacceptable impact upon the amenity of neighbouring land users.
25. It is not considered that the built form of the development would result in any loss of privacy, loss of light or result in an overbearing impact which would have an adverse impact on the amenity of the occupiers of the neighbouring properties. This is taking into account separation distances, boundary treatments and the orientation to neighbouring properties. The development is therefore considered acceptable in this regard.

Drainage

26. The application Site is in Flood Zone 1, it is however in an area of medium/ low risk of surface water flooding. However, the use is classed as 'water compatible' development by the Environment Agency. The drainage of the proposed development is proposed to be disposed of via the existing water course. The consultation response from Northumberland Water is still awaited.
27. The construction of the MUGA will be Permeable Bitmac Surface. The submitted plans state that the details of the exact treatment will first be submitted to and agreed in writing by the Local Planning Authority, prior to ordering. It is therefore considered reasonable to apply a condition to a decision requiring the submission of the details prior to the commencement on Site to ensure not only the permeability of the surface but also the appearance.
28. The SBC Flood Risk was consulted but at the time of writing no comments had been received.

Highways

29. The Site is well served by public transport with bus stops, offering access to several services, conveniently located on Norton Avenue which is within a 5 minute walk of the proposed development.
30. The Highways, Transport and Environment Manager has considered the proposal and raise no objection on highway grounds.

CONCLUSION

31. The impacts of the proposal have been considered against National and Local Planning Policy and are considered to be in line with general planning policies. The development is acceptable in terms of highway safety, would not adversely impact on the neighbouring properties or drainage. Overall the nature and scale of the proposed development, subject to the recommended conditions, is considered to be acceptable.
32. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Helen Boston Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward	Norton North
Ward Councillors	Councillor S I Nelson LLB(Hons) BA (Hons)
Ward Councillors	Councillor Mrs Kathryn Nelson

IMPLICATIONS

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010

Supplementary Planning Documents

SPD2 – Open Space, Recreation and Landscaping