

Application Number:	2014/0281	Application Type:	Full
Proposal:	Re-surfacing of kick-about area & erection of fencing to two sides varying in height between 1.5m-4m, installation of piece of junior play equipment and pruning of protected trees	Location:	Western Park, Western Road, Stacksteads
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	7 October 2014
Applicant:	Stacksteads Countryside Park Group	Determination Expiry Date:	22 September 2014
Agent:	Proffitts CIC		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Council-owned land

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Permission be granted subject to the conditions set out in Section 10.

2. SITE

This application relates to Council-owned recreation area of approximately 0.6 hectares in area. It is bounded to the north by Western Road, to the south by Newchurch Road/Heath Hill Drive and to the west and east by residential properties.

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The site slopes/steps down from north to south, the play equipment in its western half and the all-weather pitch in its eastern half well below the level of Western Road (and the houses on the opposite side of the road) and hidden from Newchurch Road/Heath Hill Drive by a belt of trees. Not only is this belt of trees protected by a Tree Preservation Order, but also the belt of trees to the east side of the all-weather pitch and other trees towards the western boundary of the site and near to the frontage to Western Road.

The site lies within the Urban Boundary.

3. RELEVANT PLANNING HISTORY

None

4. PROPOSAL

The Agent advises that a partnership between Stacksteads Countryside Park Group, Rossendale Borough Council and Proffitts wish to seek funding from Biffa, Lancashire Environmental Action Fund and The Together Foundation for a scheme of improvement for this recreation area.

The scheme was agreed upon following a series of community consultation events and distribution of 400 questionnaires to local residents, which highlighted :

- the need to replace the existing pitch (which suffer from poor drainage and overhanging trees)
- the need for a fence to stop balls from getting on to Newchurch Road/Heath Hill Drive
- the wish for additional pieces of junior play equipment

It is proposed to undertake the following works :

- Install appropriate drainage beneath the pitch area, linked to a new soakaway.
- Lay a new sand-filled carpet kick-about surface, to be green and marked out with white line markings.
- Provide a new 1.5m wide path to the pitch, with a stone-to-dust surface, running from Western Road through the wooded area to the east.
- Move the existing 1.2m high steel fence from the south of the pitch to the west, thereby separating the kick-about area from the play area.
- Install a new weldmesh style fence on two sides of the pitch to prevent the ball rolling onto Heath Hill Drive/Newchurch Road; to be galvanised and powder-coated in green, 4m high on the south side, tapering to 1.5m in height as the ground rises to the east side.
- Crown-lift some trees away from the temporary access track required by the contractors.
- If the budget permits, a new piece of junior play equipment will be installed, made from galvanised and painted steel and no higher than 4m.
- Use of arisings in mound creation on site – these will be sown with wildflower seed in the spring which will help reduce maintenance costs.

5. POLICY CONTEXT

National

National Planning Policy Framework (2012)

Section 8 Promoting Healthy Communities

Section 10 Meeting the Challenges of Climate Change, Flooding, etc

Section 11 Conserving and Enhancing the Natural Environment

Development Plan

Rossendale Core Strategy DPD (2011)

AVP2	Area Vision for Bacup, Stacksteads, Britannia & Weir
Policy 1	General Development Locations and Principles
Policy 17	Rossendale's Green Infrastructure
Policy 18	Biodiversity and Landscape Conservation
Policy 24	Planning Application Requirements

Other

Borough of Rossendale (Heath Hill Drive, Stacksteads) Tree Preservation Order 1992

6. CONSULTATION RESPONSES

RBC Communities Team

Support the proposed works. The existing pitch surface is in a state of disrepair and the project will create a safer and more useable facility for local residents. The layout and design has been carefully considered to prevent some of the present maintenance issues. The tree work to allow safe access for contractors will not be detrimental to the trees and landscape of that area.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order site notices were posted on 8/9/14 and letters were sent to neighbours on 30/7/14.

No comments have been received.

8. ASSESSMENT

The main considerations of the application are:

- 1) Principle; 2) Neighbour Amenity; & 3) Visual Amenity.

Principle

The proposed works are intended to enhance the facilities available at this existing recreation area, not to change the use of the site. Accordingly, the proposal is acceptable in principle.

Neighbour Amenity

I am satisfied that the proposal will not unduly impact upon the amenities of any neighbours. Most particularly :

- the proposed pitch is slightly smaller than the existing one and will have perimeter fencing making it less likely footballs escape from the site.
- the proposed piece of junior play equipment is to be located well away from the site boundary.

Visual Amenity

The proposed pitch, its perimeter fencing and the piece of junior play equipment will not significantly change the appearance of the site as viewed from beyond its boundaries.

Neither the new path to be formed through the wood to the east side of the pitch, nor the contractors temporary access track, will result in unacceptable loss or harm to any trees of importance.

9. SUMMARY REASON FOR APPROVAL

The proposed works are appropriate in principle and, subject to the conditions, will not detract to an unacceptable extent from visual and neighbour amenity, biodiversity or highway safety. The proposal has been considered with particular regard to the National Planning Policy Framework

(2012), Policies AVP2 / 1 / 17 / 18 / 24 of the Council's adopted Core Strategy DPD (2011) and the Borough of Rossendale (Heath Hill Drive, Stacksteads) Tree Preservation Order 1992.

10. **RECOMMENDATION**

That the application be approved subject to the conditions set out below.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. Notwithstanding the details shown on the submitted drawings, prior to the commencement of development full details shall be submitted to and approved in writing by the Local Planning Authority in respect of :

- a) The form/capacity of the proposed soakaway and drainage to the south side of the pitch connecting to it, together with the method of construction; &
- b) The location/form of the contractors temporary access track in the vicinity of Trees T1, T2/77/T2 & T2/77/A1.

The development shall be undertaken in accordance with the agreed details.

Reason : In the interests of mitigating flood risk and harm to trees of visual amenity & wildlife value, in accordance with Policies 1 / 17 / 18 / 24 of the Council's adopted Core Strategy.