

APPLICATION NO: 23/00178/FUL **CASE OFFICER:** Mark Quinn

WARD: Cherryfield **PARISH:**

LOCATION: Southdene Community Centre , 4 Broad Lane, Southdene

PROPOSAL: ERECTION OF A SINGLE STOREY REAR EXTENSION AND ASSOCIATED WORKS TOGETHER WITH THE ERECTION OF 6M HIGH FENCING TO MUGA PITCH, EXTENSION TO CAR PARK AND RE LOCATION OF STORAGE CONTAINERS FROM CAR PARK TO SOUTH OF SITE (ADJACENT TO MUGA).

Site Description

This application relates to a community centre located on Broad Lane, Southdene, Kirkby.

The site comprises a single storey building, car park and two Multi Use Games Areas (MUGA).

The site is bounded by a children's day nursery and RAFA club to the south, existing residential to the west and North and a park to the east.

Proposal

It is proposed to erect a single storey extension to the rear of the community centre, to erect 6m high ball stop fencing to the existing MUGA pitch, extend the existing car park and to relocate the storage containers from within the car park to the south of the site.

Consultations

Highway Authority - No objections subject to planning conditions.

Environmental Health - No objections in principle.

Representations

This application has been publicised by letters sent to 161 neighbours. No representations have been received.

Planning History

APP. NO: 07/00264/KMBC1

PROPOSAL: ERECTION OF 2.4 METRE HIGH FENCING TO THE SIDE, FRONT AND REAR ELEVATION OF THE BUILDING WITHIN THE CURTILAGE OF THE SITE.

DECISION: PER

DECISION DATE: 11 May 2007

APP. NO: 07/00554/KMBC1

PROPOSAL: ERECTION OF 2NO. 10 METRE HIGH, POLE MOUNTED CCTV CAMERAS.
DECISION: PER
DECISION DATE: 19 July 2007

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

ENV2 - Noise and Vibration
H5 – Primarily Residential Area

National Planning Policy Framework

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Design

The proposed extension would cover approximately 40% of the rear elevation, extending into what is currently one of the MUGA'S. The extension would provide 120 sqm of floorspace providing a multi-use hall.

The proposed extension would have a contemporary design incorporating a pitched roof behind a deep parapet feature. A covered area would be included to the front of the extension. The facing materials would comprise a combination of brickwork and timber cladding. The windows and doors would be finished in black. The materials are acceptable in principle subject to the details being secured by planning condition.

The fence details are likely to comprise a combination of string netting, wire mesh and solid panels. The height of the fence would be a maximum of 6m although the precise height has not yet been determined. The final details can be secured by planning condition.

The design is acceptable and would be in keeping with the character of the existing building.

The proposal would be in compliance with Local Plan policy CS19.

Highways

From a site visit, it was noted that the car park had several free parking spaces and that a parking layby was available on Gaywood Avenue. Although a handful of vehicles were parked on Gaywood Avenue, these were not believed to be associated with the community centre and neither were they causing obstructions.

The car park is proposed to be extended and reconfigured to allow for an additional 8 parking spaces (this includes moving storage containers on site which are currently occupying several parking spaces).

The highways team have no objection providing cycle storage is provided which can be secured by planning condition.

In conclusion the proposal would be in accordance with Local Plan policy CS7 & CS19.

Residential Amenity

The closest residential dwellings are located on the opposite side of Broad Lane approximately 32m from the community centre. The immediate neighbours to the site include a children's day nursery and the RAFA club.

To protect the amenity of neighbouring residents a construction management plan is considered necessary which can be secured by way of a pre commencement planning condition.

Noise from balls impacting the MUGA fencing can be a significant source of MUGA noise emissions, mitigation is required to eliminate the rattle noise when a ball is struck on the fence. This noise mitigation can be secured by planning condition.

With these conditions in place and the proximity to neighbouring occupiers it is not anticipated that the development would have an adverse impact on the amenities of nearby

residents.

The proposal would be in compliance with Local Plan policy CS19 and saved UDP policy H5.

Conclusion

The proposal is acceptable in terms of design, appearance, highway safety and residential amenity.

The development would be in accordance with the relevant Local Plan and Saved UDP policies listed above.

Recommendation

That Planning Permission be granted subject to the following conditions: -

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

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The development shall not be brought into use until the areas indicated on Site Plan Drawing No. 23005 PL 001 be set aside for parking, servicing, vehicular manoeuvring has been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 4) The development shall not be brought into use until a scheme for the provision of cycle parking (minimum 3 spaces) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

- 5) If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local

Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) No part of the development hereby permitted shall be commenced until a Construction / Demolition Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:-
- Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - Methods for dust control and suppression.
 - Details of wheel washing facilities including location and type.
 - The areas for the storage of plant and materials.
 - Location of site compound.
 - Details of relevant pest control measures to be taken during both the construction and demolition phases.
 - Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 8) Prior to the erection of the ball stop fencing a scheme for mitigation measures to reduce noise impact from the use of the MUGA (ball strikes on the fence) shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented prior to the first use of the MUGA following the erection of the ball stop fence.

Reason : To minimise noise emissions (rattle noise) when balls strike the fence in the interests of local amenity and to ensure compliance with saved policy ENV2 in the Knowsley Replacement Unitary Development Plan , adopted June 2006.

- 9) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the extension have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 10) Prior to the erection of the ball stop fencing full details of the design, height and colour of the fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected in full accordance with the approved details.

Reason : For the avoidance of doubt and in the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
27/03/2023	23005 PL 100	-	P FLOOR PLAN
27/03/2023	23005 PL 110	-	P ROOF PLAN
24/04/2023	23005 PL 200 B-P	-	P ELEVATIONS
24/04/2023	23005 PL 001 B-P	-	P SITE LAYOUT
24/03/2023	23005 PL 100	-	P FLOOR PLAN
24/03/2023	23005 PL 110	-	P ROOF PLAN
24/03/2023	-	-	DESIGN & ACCESS STATEMENT
24/04/2023	SL23005 PL201 B-P	-	FENCE ELEVATIONS

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**

K Foster

Date:

5 May 2023

Informatives

1. Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Appendix 1 – Site Photographs





