

Item 4d **12/00742/FUL**

Case Officer **Adele Hayes**

Ward **Euxton South**

Proposal **Minor material amendment to planning permission
10/00136/FUL comprising a re-configuration skate park
equipment**

Location **Land 75M South East Of Highfield Southport Road Euxton
Lancashire**

Applicant **Euxton Parish Council**

Consultation expiry: **21 August 2012**

Application expiry: **18 September 2012**

Proposal

1. This is an application for minor material changes to an extant planning permission submitted under the provisions of Section 73 of the Town and Country Planning Act 1990.
2. The proposed minor material amendments to the previously approved application 10/00136/FUL involve a reconfiguration of the skate park equipment following the tender process and finalisation of the design. The general position of the skatepark remains unchanged although its maximum dimensions have been reduced.
3. The application site is located at the entrance to Yarrow Valley Park adjacent to an existing car park and it currently comprises a grassed area with picnic benches.
4. The acceptability of the principle of the creation of a public outdoor leisure skate park facility was established with the grant of planning permission in April 2010.
5. The application has again been submitted by Euxton Parish Council. In July 2008 the Parish Council contacted Chorley Council with a view to providing the facility and several sites were considered. Potential sites included the field adjacent to Southport Road, land adjacent to the railway station and James Moorcroft Play Area. All of the sites were ruled out due to restrictions such as land ownership, the size of the land available and access problems.
6. This site is considered to be the most appropriate as it has good access arrangements and it is sited away from neighbouring properties. The site is owned by Chorley Council. and is considered to be the only site available for this facility.

Recommendation

7. It is recommended that this application is granted conditional full planning approval.

Main Issues

8. The main issues for consideration in respect of this planning application are whether the proposed changes can be regarded as a minor material amendment to the originally approved scheme and whether the proposal would be acceptable under the provisions of the National Planning Policy Framework, published earlier this year, and Central Lancashire Core Strategy which was adopted in July 2012.

Representations

9. 3 letters of objection have been received citing the following grounds of objection:
- The proposed development is not necessary
 - The proposed development is inappropriate in the green belt and will detrimentally affect existing leisure facilities
 - The development should not be allowed to impinge upon the openness of the Green Belt
 - The amended scheme will be more prominent

Concern has also been expressed that the application has been submitted at the start of school holidays when local residents may be on holiday and it has been requested that the consultation period be extended.

Consultations

10. **Lancashire County Council Highways** – no objection
11. **People & Places – Noise and Emissions** - no objection
12. **The Council's Parks and Open Spaces Officer (Development)** has confirmed that he is in support of this development and believes it will provide a significant boost to the current wheeled-sports provision in the borough. Its location should ensure that there is very little disturbance to residents and that access – with a bus route, cycle route and car park is available to young people and adult users alike. It is envisaged that the site will be extremely popular and the design will cater for users of all abilities and provide suitable levels of risk and challenge. It is suggested that suitable, robust, signage is in place to highlight the risks of site use without wearing protective equipment.

Assessment

Principle of development

13. The Government guidance note "Greater Flexibility on Planning Applications" offers some guidance on the procedure for dealing with minor-material amendments to planning applications. As per this guidance, the application should be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and in making decisions the Local Planning Authority should focus attention on national, local or other material considerations since the grant of permission.
14. The National Planning Policy Framework (NPPF) states that inappropriate development in the Green Belt should only be permitted in very special circumstances and that the construction of new buildings is generally considered to be inappropriate and by definition harmful. The NPPF states that the construction of new buildings will only be permitted where, amongst other things, they relate to the provision of appropriate facilities for outdoor sport or outdoor recreation. New buildings should preserve the openness of the Green Belt and should not conflict with the purposes of including land within it.
15. The proposed development incorporates the creation of a public outdoor sports facility which is considered to be appropriate development within the Green Belt and acceptable within the context of the NPPF. The proposal therefore remains acceptable in principle.

Impact on the Valley Park

16. The design of the facility incorporates a mixture of elements set below the existing soil line and above. Sunken elements will still be created and the material dug out to create the sunken elements will be utilised to create the higher elements which will create the ramps. The site will be surrounded with grass bund/ mounds to cover the concrete edges of the facility. All of the existing trees and hedges will be preserved on site.

17. It is considered that the proposed facility will provide a new and unique recreation facility, which will ensure that the amenity value of the Park for recreation is enhanced and alternative recreation facilities within the Borough are provided. As such the proposals are considered to be acceptable in respect of Policy 18 of the Central Lancashire Core Strategy.

Design and appearance

18. Whilst there is no statutory definition of "minor material amendment", central governments definition is 'A minor material amendment is one whose scale and nature results in development which is not substantially different from one which has been approved. To this end, the proposed amendments to the skate park will result in a slightly smaller structure (44m x 11.8m rather than 44.5m x 17.7m) although its maximum height above ground level will remain at 1.5m. The proposed changes involve a re-configuration of the internal design and position of structures. The alterations are of a minor nature and are not considered to compromise the design and appearance of the original scheme.

Highway safety

19. The access arrangements are unaffected by the proposed minor material amendment and the County Council's Highway Engineer has not raised any objections to the proposal.

Conclusion

20. Taking the above matters into consideration, the proposed minor material amendments to the previously approved scheme are considered to be acceptable and comply with local and national planning policy.

Planning Policies

National Planning Policies:

National Planning Policy Framework

North West Regional Spatial Strategy

Policies: Policy L1

Adopted Chorley Borough Local Plan Review

Policies: DC1, LT8, EP20

Central Lancashire Core Strategy

Policies: 16 and 18

Planning History

96/00047/CB3- Regulation 3 Application for extension of Yarrow Valley Park entailing provision of footpaths, car parks, picnic areas, fencing, signs, interpretation/way-marking signs, landscaping, steps and bridges. Approved April 1996.

10/00136/FUL - Creation of a public outdoor leisure skate park facility at Yarrow Valley Park. 7 April 2010.

12/00423/DIS - Application to discharge conditions 4 and 5 attached to planning approval 10/00136/FUL. Conditions discharged 10 May 2012.

Recommendation: Permit Minor Material Amendments Conditions

- 1. The proposed development must be begun not later than three years from the date of this permission.
*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.***

2. The approved plans are:

Plan Ref.

Received On:

Title:

EUX 101 DESIGN 3 REV 1 GA

24 July 2012

Euxton Skatepark

Reason: To define the permission and in the interests of the proper development of the site.

3. Prior to the commencement of the development full details of the litter bins and management regime for litter collection shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and specification of the litter bins. The development thereafter shall be carried out in accordance with the approved details and management regime.

Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 and DC1 of the Adopted Chorley Borough Local Plan Review

4. Prior to the commencement of the development full details of the proposed works to the existing hedgerows surrounding the site shall be submitted to and approved in writing to the Local Planning Authority. The details shall include full details of the proposed pruning works, any proposed removal works, details of replacement/enhanced planting, a timetable for the works and a management regime for the future maintenance of these hedgerows. The development thereafter shall be carried out in accordance with the approved details and the management regime.

Reason: To ensure that the site benefits from natural surveillance whilst still providing a landscape buffer. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.