

## SCHEDULE A: Applications with Recommendation

21/0468

Item No: 12

Date of Committee: 23/07/2021

**Appn Ref No:**  
21/0468

**Applicant:**  
Wetheral Parish Council

**Parish:**  
Wetheral

**Agent:**  
NWAD

**Ward:**  
Wetheral & Corby

**Location:** Wetheral Playing Fields, Wetheral, Carlisle, CA4 8HE

**Proposal:** Formation Of MUGA (Multi Use Games Area) Within Sports Field

**Date of Receipt:**  
21/05/2021

**Statutory Expiry Date**  
16/07/2021

**26 Week Determination**

---

### REPORT

**Case Officer:** Suzanne Osborne

#### 1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

#### 2. Main Issues

- 2.1 The principle of development;
- 2.2 Whether the scale and design is acceptable;
- 2.3 The impact on the living conditions of the occupiers of neighbouring properties;
- 2.4 Impact of the proposal on biodiversity and trees;
- 2.5 Highway impacts;
- 2.6 Crime;
- 2.7 Drainage; and
- 2.8 Other matters.

#### 3. Application Details

##### The Site

- 3.1 This application relates to Wetheral Playing Fields which is located on the southern periphery of the village on the eastern side of the B6263 as you approach Wetheral from Cumwhinton. The Playing Fields, which is

approximately 2.3 hectares in area, is accessed via the B6263 and is served by a single storey rendered club house located parallel to the road as well as a tarmaced parking area immediately beyond the site access. At present there are a number of football pitches and a cricket square (grass wicket) on the field.

- 3.2 Wetheral Community Centre is located to the north of the site with fields located to the east and beyond the roads to the south and west. The site boundaries consist of hedgerows except the boundary with Wetheral Community Centre which consists of close boarded timber fencing.
- 3.3 There are no specific site constraints and the land does not have any designation in the proposal maps which accompany the Carlisle District Local Plan 2015-2030.

## **The Proposal**

- 3.4 The application seeks Full Planning Permission for a Multi Use Games Area (MUGA) located to the east of the existing car park serving Wetheral Playing Fields. The MUGA will measure 27.4 metres in length, 15 metres in width and will be surfaced in polymeric sport surfacing (coloured green) with line markings for football, netball and basketball. The perimeters of the MUGA will be surrounded by 3 metre high green powder coated weld mesh fencing.

## **4. Summary of Representations**

- 4.1 This application has been advertised by the display of a site notice and by means of a notification letter sent to one neighbouring property. During the consultation period 7 letters of objections and 6 letters of support have been received.
- 4.2 The objections cover a number of matters and are summarised as follows:
  - 1. Tenant of playing field will need to move a youth football club to play on another field;
  - 2. Tenant has used Wetheral Playing Fields for over 15 years and has had more than 1000 children enjoying the beautiful well kept outdoor space;
  - 3. Concern that MUGA will attract anti-social behaviour, litter and gangs of children;
  - 4. MUGA only likely to be used by older children to play football as not big enough to house any particular sport;
  - 5. No lighting plans for MUGA so will not be available on winter nights and will be open all the time;
  - 6. Will take up place where young children play football every week;

7. Plenty of outdoor space for everyone to be accommodated without the use of a steel concrete eyesore;
8. Impact upon landscape and house prices.
9. Impact upon existing users of the Playing Fields
10. Loss of open space and visual amenity as per Policy GI4 of the Local Plan;
11. No up to date needs assessment has been completed;
12. An astro pitch would be of more benefit;
13. Scotby MUGA is rarely used; and
14. Access to the defibrillator as fence has been heightened and gate taken away.

4.3 The letter of support cover a number of matters and are summarised as follows:

1. Fantastic to hear a MUGA being planned and built on the playing field;
2. MUGA will allow people in the local area to enjoy sport all year round;
3. MUGA will become a focal point for young people to participate in sport, improve fitness, social skills and confidence;
4. Already an issue with litter so perhaps having a more formal area for sport and recreation will lead to more care being taken and issue reduced;
5. Field is large enough to incorporate a MUGA just like Scotby and will limit travel to another village;
6. Will allow everyone to enjoy the space not just footballers and cricketers;
7. Village currently lacking a safe enjoyable space for all ages to use;
8. MUGA at Scotby rarely attracts antisocial behaviour and is an example how a park, football pitch and cricket club can work in harmony;
9. If approved it is hoped the Parish can support the Crusaders football club with a reorganisation of pitches and providing better drainage;
10. Suggest parking restrictions are lifted at the hall to accommodate families driving to the MUGA when facilities are being used by the cricket or football club.

11. Much needed facility in the village;
12. Field was gifted to the people of Wetheral for everyone to enjoy; and
13. Already children who access and enjoy the field outside of organised events and frequent litter picks completed by the people of the village to help keep the playing field safe and tidy for everyone to enjoy.

## **5. Summary of Consultation Responses**

**Wetheral Parish Council:** - no response received;

**Cumbria Constabulary - North Area Community Safety Unit (formerly Crime Prevention):** - advice received regarding crime prevention;

**Planning - Access Officer:** - no objections;

**Local Environment - Environmental Protection (former Comm Env Services- Env Quality):** - no comment;

**United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters:** - no objection, subject to the imposition of conditions requesting details of surface water drainage and ensuring foul and surface water drainage are on separate systems. Standing advice also received regarding United Utility assets.

## **6. Officer's Report**

### **Assessment**

- 6.1 Section 70 (2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), together with Policies SP6, SP9, EC9, CM5, GI3, GI4 and GI6 of the Carlisle District Local Plan 2015-2030. The Council's Supplementary Planning Documents (SPD) "Trees and Development" and "Designing Out Crime" are also material planning considerations.
- 6.3 The proposal raises the following planning issues:
  - 1. The Principle Of Development**
- 6.4 One of the main aims of the NPPF is to promote healthy and safe communities and build a strong, competitive economy. Paragraph 8 confirms that significant weight should be placed on the need to support economic

growth and productivity, taking into account local business needs and wider opportunities for development. Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction; are safe and accessible; and, enable/support healthy lifestyles. Paragraph 92 goes on to state that to provide the social, recreational and cultural facilities and services the community needs planning decisions should a) plan positively for the provision of community facilities and other local services to enhance the sustainability of communities and residential environments; b) take into account the support and delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services particularly where this would reduce the communities ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community, and, e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

- 6.5 Paragraphs 96 and 97 of the NPPF explains that access to network of high quality open space and opportunities for sport and physical activity is important for the health and well being of communities. Existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken showing a) the open space is surplus to requirements, 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 current or former use.
- 6.6 Policy SP9 (Health and Thriving Communities) enforces the objectives of the NPPF confirming that the Council will aim to ensure that all development contributes to enhanced health and wellbeing outcomes through a number of measures including high quality and inclusive environments, and, good design. Furthermore, Policy EC9 (Arts, Culture, Tourism and Leisure Development) of the CDLP states that proposals will be supported where they contribute towards the development and/or protection of the arts, cultural, tourism and leisure offer of the District and support the economy of the area. Any such planning proposals should have a scale and design compatible with character of the surrounding area; adequate access by a choice of means of transport; and, where relevant the value and significance of the attraction should not be compromised.
- 6.7 Policy GI4 (Open Space) of the CDLP states that within areas of open space, proposals that relate to and complement the existing leisure use, or would be ancillary to it (such as changing rooms for sports pitches) and are appropriate in character and scale to the surroundings, will generally be acceptable. Development that results in partial or total loss of an area of open space to non-sport or recreation uses, or would otherwise detract from the role and function an open space is valued for will not be permitted unless 1) an up-to-date needs assessment has been completed and shows a surplus of open space; 2) it can be demonstrated that there is alternative provision

nearby; 3) development of a small area of the open space would enable investment to improve the quality of the rest of the site; 4) there is a strong justifiable social or economic needs for the development and the open space is otherwise of low quality and has little community value; and, 5) statutory obligations have been fulfilled if it is proposed to dispose of statutory open space.

- 6.8 The application seeks approval for the installation of a Multi Use Games Area (MUGA) to Wetheral Playing Field. The sports field currently has a cricket square (grass wicket) and 11v11, 7v7, 5v5 and 9v9 football pitches. The applicant has confirmed that the proposed MUGA will not change the number of football pitches on the field as the pitches will be moved into different positions on the playing field. The MUGA will also be located outside of the cricket boundary. The applicant has also confirmed that the proposal for the MUGA has arisen due to Wetheral Playing Field becoming less accessible for village residents to use on a casual basis and a request from village residents for a facility for teenagers and young people to enable them to be active and take place in games and sports such as basketball, tennis, climbing etc. The village has provision for young people at Turnmire Common play area but no current recreational space for older ones.
- 6.9 The development will improve the offer of an existing community leisure facility within Wetheral and will thus help to promote healthy lifestyles of the residents within the village and wider parish. The development will not result in the loss of an area of recreational space as the football and cricket pitches will remain (albeit some of the football pitches will be relocated) with the proposal offering an accessible additional facility for recreation. The development will be ancillary to existing uses on the site and the principle of the proposal is therefore acceptable.

## **2. Whether The Scale And Design Is Acceptable**

- 6.10 The NPPF attaches great importance to the design of the built environment recognising that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also indicates that planning decisions should not attempt to impose architectural styles or particular tastes. It is however proper to promote or reinforce local distinctiveness.
- 6.11 The relevant design policies of the CDLP seek to ensure that proposals respond to the local context in terms of height, scale and massing and by using appropriate materials and detailing. Local landscape character should be respected, and development should be fully integrated into its surroundings.
- 6.12 The scale of the development is commensurate to the size of the playing field in which the proposal is located and the design is acceptable. The proposed

materials are appropriate to the context of the site. The proposed MUGA will be located immediately adjacent to existing car park serving the play field and will be viewed in this context, the impact upon the visual amenity of the area is therefore deemed to be acceptable.

### **3. The Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties**

- 6.13 There are no neighbouring properties immediately adjacent to the application site. The closest dwellings are located approximately 81 metres to the north with Wetheral Community Centre located in between. In such circumstances the proposal will not have an adverse impact upon the living conditions of the occupiers of any residential dwellings through loss of light, overlooking or over dominance.
- 6.14 In terms of noise and disturbance the proposal is for a community leisure use which is compatible to the existing use of the site for community leisure purposes. In such circumstances the proposal is unlikely to have an adverse impact upon the living conditions of neighbouring properties over and above what takes place as existing to warrant refusal of permission on this basis.

### **4. Impact Of The Proposal On Biodiversity And Trees**

- 6.15 The proposed development will be situated over an existing grassed area which is regularly cut therefore the proposal should not have adverse impact upon any protected species or their habitat. There is a buffer of trees delineating part of the northern boundary of the site and subject to a relevant condition imposed within the decision notice ensuring tree protection barriers are erected during construction works there should be no adverse impact upon the existing trees or biodiversity.

### **5. Highway Impacts**

- 6.16 Wetheral Playing Fields is served by an existing car park. There are also a number of formalised parking spaces within the roadside. As the construction of the MUGA is to improve the existing facilities on the site it is not considered that the proposal would generate any additional traffic in excess of that already using the site particularly as the proposal is to meet a demand expressed by local residents who are likely to walk or cycle from the village to the site.

### **6. Crime**

- 6.17 The Crime Prevention Officer for Cumbria Constabulary has confirmed that as the facility is to be located adjacent to the community centre and club house some casual supervision will occur whilst these buildings are occupied. Otherwise, limited surveillance may occur from passing traffic on the B6263. The applicant has confirmed that the MUGA would also have CCTV coverage from the club house and neighbouring village hall. In such circumstances it is considered that the MUGA has been sited in the best possible location on the playing fields to ensure appropriate surveillance for crime prevention.

## **7. Drainage**

- 6.18 Policies IP6 and CC5 of the local plan seek to ensure that development proposals have adequate provision for the disposal of foul and surface water.
- 6.19 The submitted application form indicates that surface water drainage from the development is to be disposed of via a soakaway. The principle of this drainage method is acceptable however full details of the drainage scheme is required. In such circumstances relevant conditions have been imposed within the decision notice requesting further details.

## **8. Other Matters**

- 6.20 An objector has raised concerns that the development will impact upon house prices in the area. This is not a material planning consideration.
- 6.21 Concerns have been expressed by a number of third parties regarding the impact upon an established football team who currently use the playing fields. As stated above the number of football pitches on the site will remain although some will be relocated as a result of the development.
- 6.22 The human rights of the occupiers of the neighbouring properties have been properly considered and taken into account as part of the determination of the application. Several provisions of the Human Rights Act 1998 can have implications in relation to the consideration of planning proposals, the most notable being:

**Article 6** bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

**Article 7** provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularize any breach of planning control;

**Article 8** recognises the "Right To Respect for Private and Family Life".

- 6.23 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need.
- 6.24 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

## **Conclusion**

- 6.25 On balance the principle of a MUGA on Wetheral Playing Fields is acceptable as it will improve the offer of an existing community leisure facility within



Wetheral and will thus help to promote healthy lifestyles of the residents within the village and wider parish. The development will not result in the loss of an area of recreational space as the number of football and cricket pitches will remain (albeit some of the football pitches will be relocated) with the proposal offering an accessible additional facility for recreation. The scale and design is appropriate to the site and the proposal will not have a detrimental impact upon the character/appearance of the surrounding area, the living conditions of the occupiers of any residential properties, highway safety or biodiversity. Subject to the imposition of relevant planning conditions there will be no adverse impact upon existing drainage conditions or trees. Overall, the proposal is compliant with the objectives of the relevant Development Plan Policies and approval is recommended.

## **7. Planning History**

- 7.1 The most recent and relevant planning history is as follows:
- 7.2 In 2014 a variation of condition application was granted for the variation of condition 6 (vehicular access) to allow access and egress via the B6263 of previously approved application 13/0343 (reference 14/0808);
- 7.3 In 2013 full planning permission was granted for erection of sports pavilion (reference 13/0343);
- 7.4 In 2012 full planning permission was granted for erection of sports pavilion (reference 12/0706); and
- 7.5 In 2010 full planning permission was granted for the siting of 4no. steel storage containers used as the playing fields office, changing room and stores (retrospective application, reference 10/0872).

## **8. Recommendation: Grant Permission**

- 1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.  
  
**Reason:** In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
  - 1. the submitted planning application form received 11th May 2021;
  - 2. the site location plan received 11th May 2021 (Drawing No.21-217-01A);
  - 3. the proposed block plan received 11th May 2021 (Drawing

No.21-217-02A);

4. the proposed layout plan of the Multi Use Games Area received 11th May 2021;
5. the proposed elevations received 21st May 2021 (Drawing Sheets 1 of 19);
6. the supporting information received 17th June 2021;
7. the Notice of Decision;
8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To define the permission.

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority.

The development shall be completed, maintained and managed in accordance with the approved details.

**Reason:** To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF, NPPG together with Policy CC5 of the Carlisle District Local Plan 2015-2030.

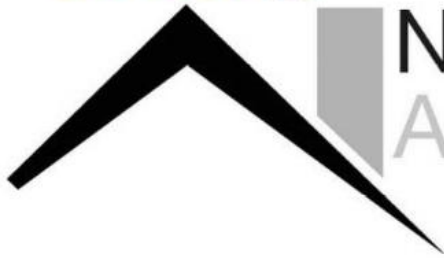
4. Foul and surface water shall be drained on separate systems.

**Reason:** To secure proper drainage and to manage the risk of flooding and pollution.

5. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

**Reason:** In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

---



# Neil Withington Architectural Design

SITE LOCATION PLAN - AREA 4 HA  
SCALE 1:1250 on A4  
CENTRE COORDINATES: 346541, 553974  
**Wetheral Sports Field MUGA**



Supplied by Streetwise Maps Ltd [www.streetwise.net](http://www.streetwise.net)  
Licence No: 100047474

**Drawing NO. 21-217-01A**

All information remains the property of the designer and may not be used for any purpose whatsoever, or reproduced through any medium without the written permission of the designer. No responsibility is accepted for unauthorised use. Do not scale off drawings, work from figured dimensions only and verify on site.



61.2m

+

Community Centre

Wetherall Parish Council Office


MUGA

Location of new MUGA

The Club House

B 6263

Queen Elizabeth II  
Diamond Jubilee Fields

Revisions	Block Plan	Proposed New MUGA at Wetherall Sports Field for Wetherall Parish Council	May 2021 Scale: 1:500 @ A3 21-217-02A	 <b>NWAD</b> Neil Withington Architectural Design
Rev A - 10/05/2021 Revised Boundary				<small>T: 01225 207881 M: 07792 400000 E: neil@withingtonmad.co.uk Cedar Barn, Bampton, CA8 9TY</small>





KEY	
	Polymeric Spent Surfacing
	PCC Edging
	3m Championship Fencing
	Football Line Markings
	Basketball Line Markings
	Netsball Line Markings

**Multi Use Games Area**  
Wetheral Parish Council  
Scale : 1:100 @ A1 v0

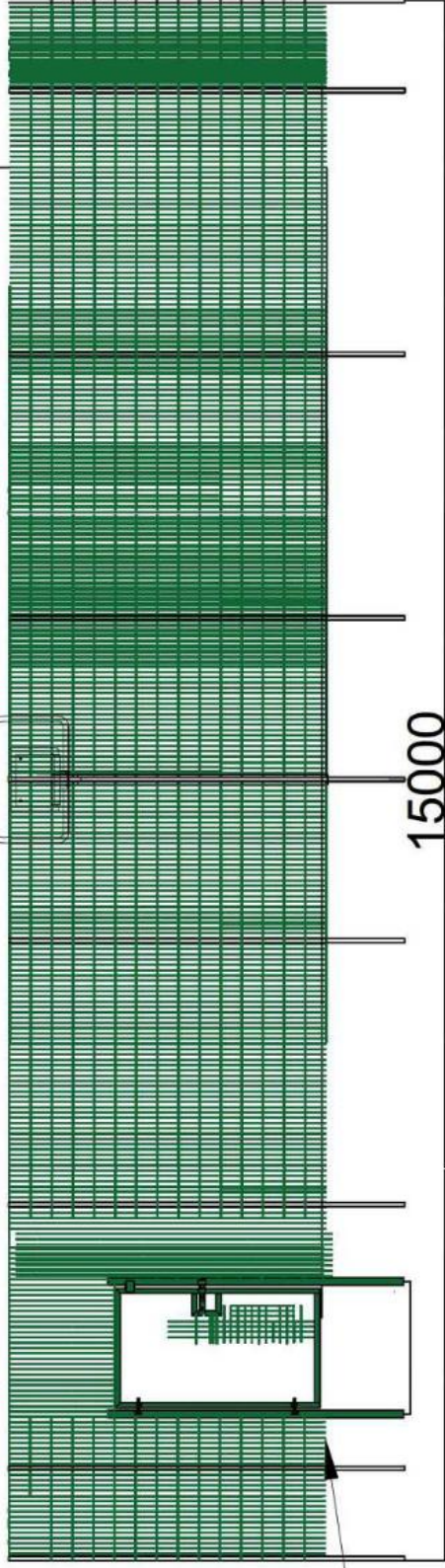
VISIT: [www.safeandsoundplaygrounds.co.uk](http://www.safeandsoundplaygrounds.co.uk)  
SPEAK TO US: 01296 614448







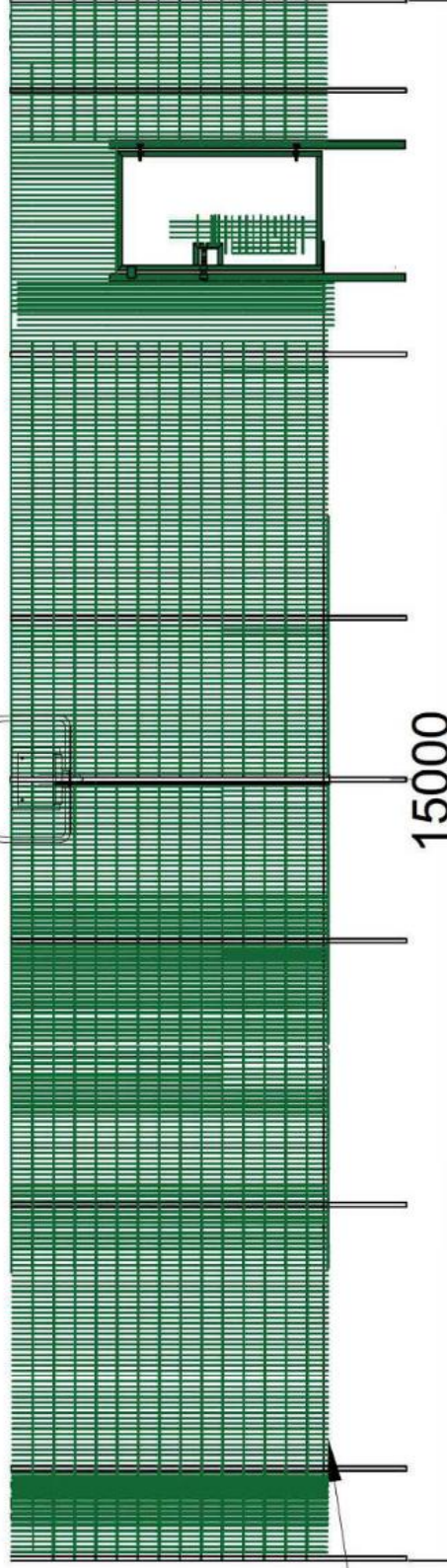
A



GROUND LEVEL

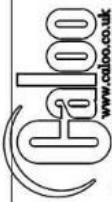
15000

B



GROUND LEVEL

15000



www.galoo.co.uk

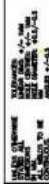
01203 255551

01203 255552

01203 255553

01203 255554

01203 255555



1:50

1:50

1:50

1:50

1:50

1:50

1:50

1:50

1:50

TITLE: WETHERAL PARISH COUNCIL

Drawn By: N. SHAN

Date Drawn: 21 MAY 21

Approved By: N. SHAN

Date Approved: 21 MAY 21

DRAWING NO:

CUSTOMER:

SCALE: 1:50

REVISION NO:

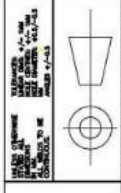
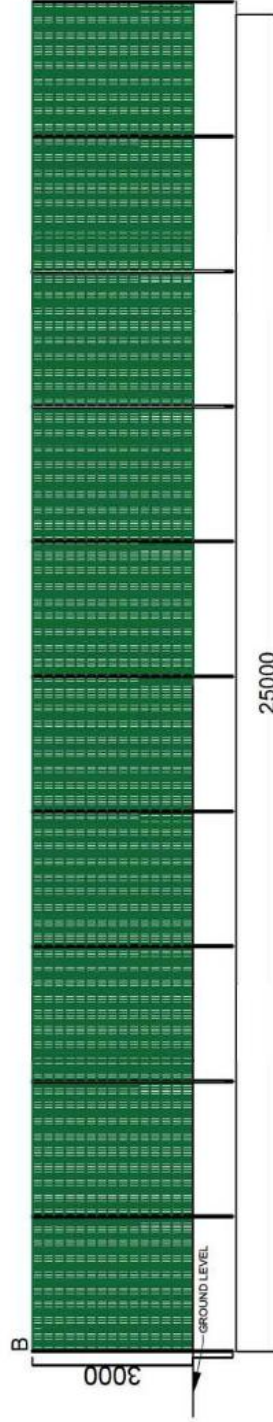
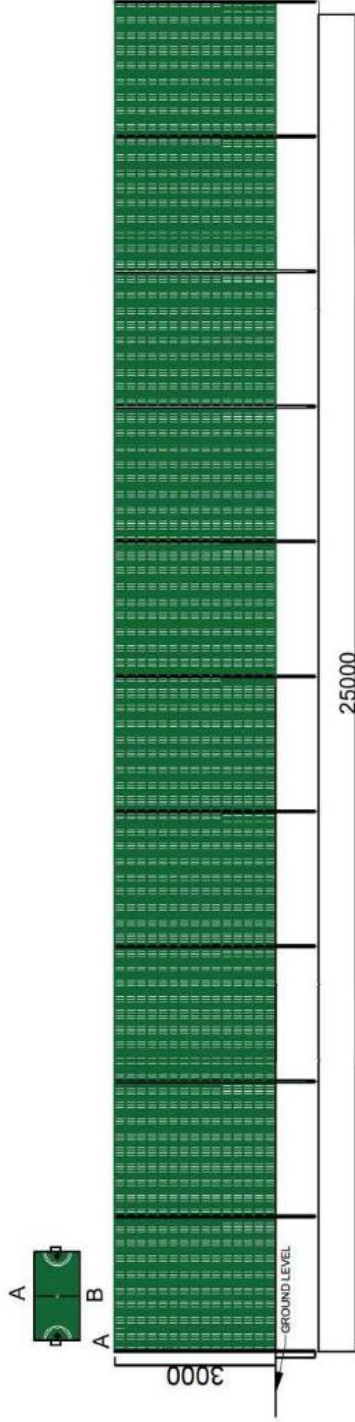
SHEET # OF SHEETS:

1 19

MATERIAL:

ISSUE HISTORY:

COPYRIGHT NOTICE: THIS DRAWING IS COPYRIGHT AND PROPERTY OF GALOO LTD. IT MAY NOT BE COPIED OR USED WITHOUT PRIOR WRITTEN CONSENT OF THE COMPANY. ANY COPIES OF THIS DRAWING MUST INCLUDE THIS COPYRIGHT NOTICE.



1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale  
1:1000 Scale

TITLE		WETHERAL PARISH COUNCIL		SCALE 1:100		REVISION NO. SHEET # OF SHEETS	
Drawn By:	N. SHAN	Date Drawn:	21 MAY 21	DRAWING NO:		1	19
Approved By:		Date Approved:		CUSTOMER:			

MATERIAL	

ISSUE HISTORY:	

Copyright Notice: This drawing is the property of Galoo Ltd. It may not be copied or used without prior written consent of the company. Any copies of this drawing must include this copyright notice.





## Proposed MUGA Installation

### Wetheral Playing Field

June 2021