

**DEVELOPMENT CONTROL AND REGULATION COMMITTEE**  
**9 June 2020**  
**A report by the Executive Director for Economy and Infrastructure**

---

**Application Reference No. [1/20/9003](#)**

Application Type: Full Planning Permission

Proposal: Extension of Hard Surfaced Playground

Location: Rockcliffe C of E Primary School, Rockcliffe, Carlisle, CA6 4AA,

Applicant: Cumbria County Council

Date Valid: 28 April 2020

Reason for Committee Level Decision: Application made by the Executive Director -  
Economy and Infrastructure

---

## **1.0 RECOMMENDATION**

1.1 That Planning Permission is granted subject to the conditions set out in Appendix 1 to this report.

## **2.0 THE PROPOSAL & KEY BACKGROUND**

2.1 Planning permission is sought to extend the existing hard surfaced play area within the rear grounds of Rockcliffe C of E Primary School. This development has come about as a result of the applicant's intention to provide a new modular classroom building on part of the existing hard surfaced playground for a minimum of five years in order to meet a rise in the amount of pupils attending the school who have Special Educational Needs and a residual increase in pupil numbers. Due to the proposed form, size and siting of the modular classroom building, the school can install the building by virtue of their permitted development rights. However permitted development rights for schools only allow the creation of a limited amount of new hard surfaced areas. This proposal exceeds this limit as it proposes to create a new hard surfaced area of 82m<sup>2</sup> (measuring 11.4m by 7.2m) on an existing area of grassed playingfield to the northern side of the existing tarmac surfaced playground. The extended playground area is proposed to comprise of a permeable asphalt surface underlaid by a 20cm deep granular drainage blanket with pin-kerb edging.

## **3.0 SITE DESCRIPTION**

3.1 Rockcliffe Primary School is located on the north-western edge of the small village of Rockcliffe which lies approximately 3 miles north-west of Carlisle's settlement boundary. The school's current site was built in the mid-1970s and currently benefits from a large - circa 0.345ha (3,450m<sup>2</sup>) grassed playingfield to its northern side. The school's tarmac play area is located to the rear (eastern) side of its building complex, while a soft play area lies to the south of the complex. It also benefits from a modern Multi-Use Games Area (MUGA) with an artificial surface of sand filled needle punch grass, security/rebound fencing and floodlights that was constructed approximately 5 years ago on part of the playingfield.

- 3.2 The rear (eastern) tarmac hard surfaced play area currently covers an approximately 560m<sup>2</sup> area. It is bounded as follows:
- to the north by a classroom building and playingfield;
  - to its' east by a grassed margin that terminates at a post-and-rail fence behind which is a treed hedgerow boundary line which backs onto the large rear gardens of a number of detached dwellings;
  - to its' south is a pathed amenity area; and
  - to its' west is the main school complex.

#### **4.0 PLANNING HISTORY**

- 4.1 Rockcliffe School's current site at the northern side of the village off the C1016 road was granted planning permission in 1975 (*Ref. [1/75/1248](#)*). Over the last 15 years there have been a number of incremental developments at the school site. These involved the provision of additional car parking spaces (*Ref. [1/07/9014](#)*); erection of an external canopy, tarmacking of paved areas and installation of a soft play area (*Ref. [1/08/9018](#)*); and erection of single classroom extension (with link corridor) and MUGA (*Ref. [1/14/9018](#)*).
- 4.2 There are a small number of recent planning permissions for the erection of residential dwellings in the vicinity of the school. Two of these permitted sites are adjacent to the school playingfield. One relates to a full planning permission (*Ref. [19/0039](#)*) for the erection of a bungalow in the rear garden of Croft Cottage. This permission provides for the retention and protection of boundary trees and hedgerow that adjoin the school playingfield. The other relates to an outline planning permission for residential development on agricultural land to the northern side of the school playingfield (*Ref. [16/1038](#)*) granted on the 14 February 2017 - as recently modified by a section 73 permission (*Ref. [19/0923](#)*) granted on 13 February 2020. Pursuant to these outline applications, a reserved matters application was lodged on 11 February 2020, proposing the erection of five large detached dwellings. This application proposes that the land adjacent to the school boundary would be open grassed amenity space and that the site access road should run alongside it. That is to say, none of the proposed residential dwellings would directly adjoin the school. The application was taken to Carlisle City Council's virtual Development Control and Regulation Committee meeting held on Friday 22 May with an officer recommendation that it be approved subject to conditions. Following the committee chairs' casting vote, the committee resolved to defer determination of the in order to facilitate a pre-recorded video site-visit to be undertaken so as to better inform members of the site and its highway context.

#### **5.0 NOTE IN RESPECT OF SCHOOL PUPIL NUMBERS**

- 5.1 In 2014 the school had 120 pupils on roll. The number on roll at Rockcliffe in the January 2020 pupil census was 127 (with an additional 6 nursery children). There are 13 places allocated for a reception place in September so the ages 4 to 11 total would become 124 for the next school year (Sept 2020-July 2021) if all other year groups stepping-up remain at their current number. The Published Admission Number (PAN), which is loosely equivalent to the capacity of a school, is currently 20 per year group (i.e. a total of 140 places for ages 4 to 11). The County Council's School Organisation Officer confirms that there are no plans to change the PAN at this school.

## 6.0 CONSULTATIONS AND REPRESENTATIONS

- 6.1 Carlisle City Council Planning Department: No objection.
- 6.2 Rockcliffe Parish Council: No objection or comments.
- 6.3 Sport England North West: No objection. Notes that the proposal prejudices the use, or leads to the loss of use, of land being used as a playingfield. Explain that they have therefore considered the application in light of the NPPF (and in particular Paragraph 97) and against their Playing Fields Policy (PFP). Highlight that their PFP opposes development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions. Note that the proposal would provide additional hard-surfaced playground to replace that lost to accommodate a temporary classroom and observes that the area of land where the hard playground is proposed to be extended is not large enough in itself to provide a playing pitch, and that the submitted application supporting documentation sets out that a 3m safety run-off at the edge of an area that could accommodate a natural turf mini-soccer pitch would be preserved. From the information available, Sport England consider that the hard surfaced playground extension only affects land incapable of forming a playing pitch and adequately protects the safety margins around a possible adjacent pitch. State that they are therefore satisfied that the proposal meets exception 3 of their PFF (i.e. that the proposal does not reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality).
- 6.4 Note that the planning statement advises that “the surrounding disturbed field will be re-turfed using the turf from the area of new hard play so will be fully established on completion of the project”. Consider that it is not clear from the plans how much of the playing field would be disturbed and advise the council to seek more clarity on this matter and impose a planning condition to ensure that the playing field, if affected, is reinstated to an appropriate quality promptly before the playground is brought into use. There is also a lack of information about whether site access is through the playing field or if a contractor’s compound is required on the playing field. The Council is strongly advised to ensure that these matters are clear, understood and agreed between the Council and the developer/contractor along with any reinstatement of the playing field to an appropriate standard were it to be impacted upon by construction of the development (permitted development or that requiring consent).
- 6.5 Cumbria County Council Highway & Lead Local Flood Authority: No objection. Consider that the proposal will not have a material effect on either the existing highway or drainage conditions.
- 6.6 Cumbria County Council Historic Environment Officer: No objection with no comments or observations.
- 6.7 The application site is within the County Council electoral division of Longtown. Mrs Val Tarbitt, the local member representing this division, has been notified of the application.
- 6.8 No representations had been received from any members of the public.

## 7.0 PLANNING POLICY

7.1 [Section 38\(6\)](#) of the [Planning & Compulsory Purchase Act 2004](#) provides that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process. The local development plan document relevant to this application is the [Carlisle District Local Plan 2015-2030](#) (CDLP) which was formally adopted on 8 November 2016. The key policies of this relevant to the determination of this planning application are considered to be:

- SP 6: Securing Good Design;
- SP 9: Healthy and Thriving Communities;
- CM 2: Educational Needs;
- CM 5: Environmental and Amenity Protection;
- CC 5: Surface Water Management and Sustainable Drainage Systems;
- GI 3: Biodiversity and Geodiversity
- GI 4: Open Space
- GI 6: Trees and Hedgerows;

7.2 [The National Planning Policy Framework](#) (NPPF) was published in a revised form in June 2019. The national online [Planning Practice Guidance](#) (PPG) suite was launched in March 2014 and is continually updated. Both are material considerations in the determination of planning applications. Paragraphs 91, 94, & 95 of Section 8 (Promoting healthy & safe communities) of the NPPF are considered to be relevant to the determination of this application/

## 8.0 PLANNING ASSESSMENT

8.1 The key planning issue relevant to this application is considered to be whether the proposed development of part of the playingfield would be acceptable in this instance. Other planning issues of relevance are whether the proposed development would have an unacceptable impact on residential amenity, whether it has been acceptably designed to manage surface water and whether it avoids adverse impact upon biodiversity assets.

### **Would the proposal lead to an unacceptable loss of playing field?**

8.2 The NPPF sets out at Paragraph 97 that playing fields should not be built on unless the development meets at least one of three criteria. The criteria of greatest relevance in this instance is the criteria that a proposal is “*for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*” [exception criteria 3]. Policy GI 4 of the CDLP echoes this stance, setting out that “*within areas of Open Space, proposals that relate to and complement the existing leisure use, or would be ancillary to it..., and are appropriate in character and scale to the surroundings, will generally be acceptable. Development that would result in a 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 (be it visual amenity, noise attenuation, or other community use), will not be permitted*”. This development proposal seeks to ensure the maintenance of an appropriate and undiminished contiguous amount of hard-surfaced playground area at the school that can be used throughout the year for active outdoor play and socialisation at break-times and that also readily accommodates supervision by school staff. Whilst the loss

of any area of existing green playingfield is regrettable, the area that would be lost is a small proportion (approximately 2%) of the existing playingfield and has no utility for playing pitch use. Sport England are satisfied that the proposal is acceptable as it only affects land incapable of forming part of a playing pitch and would not reduce the sporting capacity of the playing field nor prejudice the use of the remaining playingfield. I am satisfied that the proposal would help maintain functional recreational provision in terms of both hard and soft surfaced outdoor spaces. I also note that the playingfield size continues to greatly exceed the recommended minimum external area standards for schools set out in [Building Bulletin 103 – Area Guidelines for Mainstream Schools \(June 2014\)](#). I therefore judge that the proposals benefits outweigh the loss of the small component of grassed playingfield affected.

**Would the proposal adversely affect residential amenity?**

- 8.3 The edge of the extended hard surfaced playground area measures at least 6.5m from the school curtilage at its closest point and the existing mature boundary hedgerow prevents inter-visibility between the school and residential gardens. In light of this, and its position adjacent to the existing hard play area, I am satisfied that the proposal would not result in any appreciable or adverse change in the level of residential amenity available at the neighbouring residential properties and therefore complies with CDLP policy CM5.

**Would the proposal adversely affect surface water flood risk?**

- 8.4 The hard surfaced play area has been specified as a permeable tarmac surface with drainage blanket so as to ensure the proposal would not promote any displacement of surface water onto neighbouring land during a storm event. This provision of compensatory attenuation is judged to comply with the thrust of policy CC 5 of the CDLP.

**Would the proposal adversely affect surface water flood risk?**

- 8.5 The proposed hard standing area would only affect a small grassed area of low biodiversity value. The extended hard surfacing would be sufficiently distant from trees and hedgerows within the school site so as to not impact-upon them.

**Would the construction phase adversely affect the playing field?**

- 8.6 In respect of Sport England's request for reassurance that the construction phase will not adversely affect the remaining playingfield; the applicant's agent has set out that for any vehicle movements across the playingfield the appointed contractor will use ground protection (timber or plastic) adequate to take the weight but not to disturb the underlying grass field. They set-out that any temporary construction compound that may be required would be formed on the existing hard playground area. They continue that in forming the extended hard play area minimal damage should occur, with only a 300mm strip beyond the edge of this (needed for the laying of kerbs) required to be reinstated. It is also noted that the time span to carry-out the work is to be very limited and therefore impact on the grass will be very minimal. The applicant expands that any damage to the turf will be repaired to football field standards and all areas that have been covered will be well watered following removal and completion of the contract. Whilst not relevant to the determination of this application, it is noted that the proposed modular classroom building, the bulk of the classroom will be craned into position with the crane located in the front

carpark and that groundworks and other smaller elements associated with the classroom are to be carried out with the aid of mini plant which will access the area down the hard surfaced path between the MUGA and the School building. A condition is proposed to require the construction and restoration of the playing field to be carried out in accordance with the above measures so as to ensure no adverse impact on the playingfield.

## **9.0 CONCLUSION**

- 9.1 This proposal maintains an amenable space for all-year round outdoor activity for pupils. Whilst the loss of any grassed playingfield area is regrettable, the amount to be lost would be negligible, and would not affect sports pitch capacity at the school and would ultimately still be used for external play. As such it is considered that the proposal complies with planning policies concerning development of playingfields. The proposal is also found to be acceptable in all other respects. Consequently it is considered that the proposed development is in accordance with the development plan and that there are no material considerations that indicate the decision should be made otherwise and that the planning conditions proposed would reasonably mitigate any potential harm. It is therefore recommended that this application be granted subject to conditions.
- 9.2 **Human Rights:** Given the nature and purpose of the proposed development no Convention Rights as set out in the Human Rights Act 1998 would be affected.

**Angela Jones**  
**Executive Director for Economy and Infrastructure**

**Contact:** Mr Edward Page

**Electoral Division Identification:** Longtown

Development Control and Regulation Committee – 9 June 2020

**Appendix 1 - PROPOSED PLANNING CONDITIONS**

**Time Limit for Implementation of Permission**

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

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

**Approved Scheme**

2. The development hereby permitted shall be carried out in accordance with the following:
  - a. The submitted Application Form – dated 21 April 2020;
  - b. Planning Statement;
  - c. Drawing No. 003 – Rev. P1 – Modular Building and Playground Layouts
  - d. Email of 20 May 2020 13:10 from the Agent (Day Cummins) re Construction Phase and Playingfield Restoration;
  - e. Email of 21 May 2020 09:24 from the Agent (Day Cummins) re Construction Compound Scenarios;

*Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.*

**Construction Phase**

3. Construction works shall be undertaken in accordance with the methodology specified in the Email of 20 May 2020 13:10 from the Agent unless otherwise agreed in writing with the local planning authority. After the completion of construction works, any disturbed elements of the playing field shall be reinstated in line with the details set out within the Planning Statement and the Emails of 20 May 2020 13:10 and 21 May 2020 09:24 from the Agent.

*Reason: To ensure the undertaking of the development does not adversely impact the condition of the undeveloped playingfield.*

Appendix 2 - PLAN OF SITE LOCATION/EXTENT

