

<b>Agenda Item</b>	A7
<b>Application Number</b>	25/00588/FUL
<b>Proposal</b>	Change of use of two bowling greens to multi-use games areas with surrounding fencing and floodlights
<b>Application site</b>	Former Bowling Greens Townson Way Heysham Lancashire
<b>Applicant</b>	Mossgate Community Centre
<b>Agent</b>	Mr Andrew Kirkham
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval subject to conditions

**(i) Procedural Matters**

This form of application would normally be dealt with under delegated powers. However, that land is currently in the ownership of Lancaster City Council and as such the application must be dealt with by the Planning Committee.

**1.0 Application Site and Setting**

- 1.1 The land that forms the subject of this application covers approximately 0.4 hectares currently laid out as two bowling greens located in a predominantly residential area of Heysham. The site forms part of Heysham Mossgate Community Sports and Community Centre and is accessed from Townson Way.
- 1.2 The existing bowling greens are in a poor state, un-used and not maintained have been unavailable for public or club use since 2016. Heysham Youth and Community Centre lies to the west of the site. Heysham Mossgate Community and Sports Centre and associated car park is located to the immediate east of the site and an associated full sized 3G football pitch further east beyond that. Residential properties and associated gardens on Douglas Drive border the north of the site and the residential properties on Laureston Avenue and Heysham Free Methodist Church to the south are separated from the application site by Townson Way.
- 1.3 Due to the decreasing gradient along Townson Way (from west to east), the site is set down from the boundary of Heysham Youth and Community Centre. The site is open from Townson Way and the western site boundary is formed by railings associated with Heysham Youth and Community Centre as well as shrub planting within the site. The northern boundary is formed by timber fencing and planting associated with the residential properties on Douglas Drive. Shrub planting forms the eastern boundary between the site and adjacent car park. Vehicle access along Townson Way terminates just beyond the car park access.

- 1.4 The site is allocated within the Local Plan as Amenity Greenspace and Open Space, Recreation and Leisure. The site also lies within a Nature Improvement Area, Regeneration Priority Area (Strategic Growth) and is within the Morecambe Bay Duddon Special Protection Area Buffer zone.

## 2.0 Proposal

- 2.1 Full planning permission is sought for the change of use of land from the two bowling greens to accommodate two multi-use games areas (MUGAs). The proposal includes the erection of associated boundary fencing and floodlighting. The MUGAs will comprise an artificial playing surface (3G (Third Generation)) designed for multiple sports and all-weather use.
- 2.2 Each MUGA will comprise a playing pitch with dimensions of 18.5 metres by 37 metres surrounded by a 2 metre wide runoff area which will be bound by a 3 metre high steel mesh fencing in green. Each MUGA will be served by four 10 metre high lighting columns. The submitted plans indicate wildflower grassland around the pitches and tree planting is proposed to the south, west and north of the MUGAs.

## 3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
23/00416/PRENG2	Pre-application advice for the change of use from bowling greens to multi use games area with surrounding fencing and floodlights	Advice issued
10/00008/VCN	Variation of condition no. 11 on application 09/00776/FUL to permit the removal of existing bowling greens prior to the provision of new bowling greens.	Permitted
09/00776/FUL	Relocation of two bowling greens with associated landscaping	Permitted

## 4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Environmental Health	<b>No objection</b> , subject to conditions relation to the submitted Noise and Lighting Assessments
County Highways	<b>No objection</b> , suggests a condition for the requirement of a Construction Management Plan (CMP) or Construction Method Statement (CMS)
Property Services	<b>No objections</b>
Engineers	<b>No objection</b> , a drainage condition will be required
Sport England	<b>Objection</b> . As the playing field appears not to have been used for at least five years, the consultation with Sport England is non-statutory. The lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs. Sport England Exception 5 has the potential to apply; the proposed development is for a sport facility.
Natural England	<b>No objection</b>
Public Realm	<b>No objection</b>

- 4.2 Five items of comment have been received from members of the public  
Three items of objection raise the following concerns:

- Detrimental effect on local residents and the properties that are adjacent to the proposed site through property damage.
- Increased risk of injury to the general public.
- Increased litter (insufficient bins) and noise.
- Fence Height - The perimeter fence is proposed to be 3 metres high and despite this meeting 'Sports England' regulations, this will simply not be high enough to stop footballs from leaving the planned playing area therefore increasing the risk of injury to the public and an increased risk of damage to cars and residential properties.
- Parking and traffic concerns.
- Impact of noise / light and privacy on nearby properties.
- There is already one games / football area and the noise / light / obscene language is almost unbearable.

Comments have also been received from the following councillors:

**Graeme Austin County Councillor** has raised and agrees with the issues raised concerning noise and light pollution and states that the current parking facilities are totally inadequate with vehicles often parking on the footpath or the nearby NHS Heysham Primary Health Centre Car Park. Although Mr Austin commends the proposal to increase sports facilities to enable people to lead a more active and healthier lifestyle, it should not be a source of nuisance local residents. Careful and sensitive management needs to be carried out.

Two items of support make the following points:

- There is a lack of local public tennis courts and the area could be used for general recreation open to all such as basketball ball and ball games without charge.
- Netball, Basket Ball and Quick Cricket facilities would be good.
- There is a lack of open space suitable for impromptu ball games.
- There are two areas around the Sports Club which are allowed to grow wild each year which poses a fire risk and risk of snakes. The Council should make the owners mow these areas would provide more much needed usable open space.

**Colin Hartley City Councillor** supports this application and highlights that the bowling greens are in a poor state and have not been used for a number of years, with no pressure from the bowling community to bring them back into use. There continues to be a lack of sporting/exercise provision in the Heysham area and the proposal is an opportunity for the land to be brought back into use for sporting/exercise activities. The existing football pitches at Moss gate and its gym are well used and demonstrate the need for more provision for activities such as 5 a side football, basketball, etc.

## 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle
- Design and appearance
- Residential amenity
- Highways and parking
- Drainage
- Trees, ecology and BNG

5.2 **Principle** NPPF Section 2: Achieving Sustainable Development, Section 4: Decision-making, Section 8: Promoting healthy and safe communities; Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SG13: Heysham Gateway, South Heysham, EC5: Regeneration Priority Areas; Development Management DPD (DM DPD) policies DM27: Open Space, Sports and Recreational Facilities DM29: Key Design Principles and DM57: Health and Well-being.

5.2.1 The bowling greens subject of this proposal were approved under application 09/00776/FUL which permitted the relocation of 2 bowling greens from Douglas Park on Middleton Way. The site is

allocated as Outdoor Sports Facilities under policy SC3 of the Strategic Policies and Land Allocations DPD and as such is protected from inappropriate development.

5.2.2 The Lancaster Playing Pitch and Outdoor Sport Strategy (2018) identifies the site as comprising two disused bowling greens, which are not available for community use. It notes that the greens were last used in 2016 and recommends that alternative uses be considered to meet demand from other sports. It is notable that within the latest Lancaster Playing Pitch and Outdoor Sport Strategy and Action Plan (2024) (PPOSS) the bowling greens at this site are not referred to at all and Mossgate is only mentioned in respect of the existing 3G football pitch. With regard to bowling greens, the 2024 PPOSS recommends that all existing greens that are in use are protected. However, it is accepted that the bowling greens at this site have not been used since 2016. The 2024 PPOSS identifies a significant shortfall of 3G pitches in the District to meet current and future demand. Such a surface is able to support a range of activities including football, rounders, basketball and general recreation and the applicant has confirmed that this is the intention at this site. While the dimensions of the MUGAs fall below those required for a standard football pitch, they would be suitable for younger players and small-sided games and would contribute to youth provision for external sport facilities.

5.2.3 Policy DM27 of the Development Management DPD offers protection to designated Open Spaces, Sports and Recreational Facilities. This policy sets out that the Council will not permit the loss of designated open space, sports and recreational facilities unless:

- I. An assessment has been undertaken to demonstrate that it is surplus to requirements;
- II. An assessment has been undertaken to demonstrate that it no longer has an economic, environmental or community value, which shall include consultation with key stakeholders and the local community;
- III. The loss resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;
- IV. The development is for alternative open space, sports and recreation provision, the benefits of which clearly outweigh the loss.

5.2.4 With regard to policy DM27 it is considered that criteria III and IV have been met given the type of provision proposed. The development is for an alternative open space, sports and recreation provision and given the bowling greens are currently not fit for purpose and have been in a poor condition for a considerable period of time, it is considered that the benefits of the proposal clearly outweigh the loss. In addition, the submission includes a Bowling Green Needs Assessment which has been prepared in accordance with Sport's England's Assessing Needs and Opportunities Guidance (ANOG) which sets out the approach to determine the need for existing sports provision.

5.2.5 The 2024 PPOSS sets out that there are 29 bowling greens in the Lancaster District located across 24 sites, of which, five sites are accommodating more than one green and, in general, future demand expressed can be accommodated on existing greens. The submitted Bowling Green Needs Assessment highlights the availability of other bowling greens within the Heysham area and beyond with the nearest being an 8 minute drive away from the site.

5.2.6 Paragraph 103 of the NPPF acknowledges the importance of access to a network of high-quality open spaces and opportunities for sport and physical activity for the health and well-being of communities. Paragraph 104 goes on to state that existing open space, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- 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 loss of the current or former use.

5.2.7 The Definition of "playing field" and "playing pitch" are defined in the Town and Country Planning (General Development Procedure) (Amendment) Order as follows:

- (i) “playing field” means the whole of a site which encompasses at least one playing pitch;
- (ii) “playing pitch” means a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.

As such it is considered that the site in question does not fall within the remit of Sport England. Notwithstanding this, even where wider sports facilities fall outside the definition of a playing field, they are afforded protection under the provisions of paragraph 104 of the NPPF as set out in paragraph 5.2.6 above.

5.2.8 Despite the site not falling within the definition of a “playing field” and “playing pitch”, Sport England have assessed the proposal in light of the National Planning Policy Framework (NPPF), in particular paragraph 104 and Sport England’s Playing Fields Policy. Sport England advise that a lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. It is Sport England’s policy to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions which are as follows:

Exception 1:

A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2:

The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3:

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- 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;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

Exception 4:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5:

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

- 5.2.9 Sport England advise that having assessed the proposals against Exception 5, and advice obtained from the Football Foundation, that there is insufficient demonstration of need for the facility in this location. However, this is solely in respect of the need for 3G pitches for football in this sub-area of the District and it is acknowledged that the submission seeks planning permission for a multi-use games area rather than a football pitch. Sport England also sought the views of the British Crown Green Bowling Association but to date a response from them has not been provided.
- 5.2.10 Although as set out above, it is considered that the existing site does not fall within the definition of a “playing field” and “playing pitch” which would fall within the remit of Sport England, the Local Planning Authority considers that the proposal would meet Exception 5 if it were to apply. The proposal would deliver a new outdoor facility for sport, which is to be fully located on the site of the former bowling greens and is judged to be sufficiently beneficial to the development of sport and recreation in the local area as to outweigh the detriment caused by the loss of the bowling greens, particularly given the fact that they have not been used since 2016. Furthermore, in light of the longstanding disuse of the bowling greens the 2024 PPOSS does not make reference to them at all. As such it is considered that the proposal accords with Local Plan policies SC3 and DM27 and paragraph 104 of the NPPF.
- 5.3 **Design and appearance** NPPF Section 12: Achieving Well-Designed Places; Strategic Policies and Land Allocations (SPLA) DPD policies, SP8: Protecting the Natural Environment; Development Management DPD (DM DPD) policies DM29: Key Design Principles
- 5.3.1 The site is within a built up urban setting and sits between the Heysham Youth and Community Centre to the west with its associated outdoor space and Heysham Mossgate Community Sports and Community Centre and associated football pitch to the east. This pitch is enclosed by green mesh fencing (approximately 3 metres high) and is served by six floodlights (approximately 10 metres high). The existing bowling greens are in an open setting boarded by paving.
- 5.3.2 The proposed MUGAs will be set slightly further into the site with each pitch enclosed by 3 metre high steel mesh fencing in green. Due to the relatively transparent nature of the fencing visibility of the site will not be impeded. The scheme includes the provision of four floodlighting columns around each MUGA and at 10 metres high these will be of a similar scale to those seen around the existing football pitch to the east. The site will be enhanced with hedgerow planting along the southern boundary as well as trees and wildflower grass planting. As such it is considered that in terms of design and appearance the proposal will not be out of context within this setting.
- 5.4 **Residential amenity** NPPF Section 12: Achieving well-designed places; Development Management DPD (DM DPD) policies DM29: Key Design Principles and DM57: Health and Wellbeing
- 5.4.1 The edge of existing southernmost bowling green is set approximately 4.5 metres from the highway along Townson Way and the northern green is set approximately 7 metres from the rear boundary of the residential property to the north. The fence boundaries of the new MUGAs will be approximately 17 metres from the highway and 22 metres from the rear boundary of the northern properties and 30 metres to the rear elevation of the nearest house. To the south the distance is 28 metres to the rear boundaries on Laureston Avenue and 46 metres to the rear elevations. Due to the separation distances from neighbouring dwellings it is considered that the proposed fencing and light columns would not result in overbearing impacts to residential amenity and would not result in acceptable visual impacts.
- 5.4.2 Recognising the MUGAs are located close to existing dwellings a Noise Assessment has been submitted to support the application. The submitted Noise Assessment sets out that the proposed MUGA’s will operate during the same hours as the wider community centre complex, these being 09:00-21:00 Monday to Friday and 09:00-18:00 Saturday and Sunday and that sounds to be experienced from the MUGA are therefore in line with current activities on the wider site. The Noise Assessment sets out that based on the Sport England guidance, the noise levels to the south would be 49.0dB(A) at the boundary, 44.7dB(A) at the façade and internally 29.7dB(A). In addition, a close boarded 1.8m high fence is located along the rear boundary of the properties on Laureston Avenue providing a further level of attenuation of +5dB to the ground floor. Sound levels to be experienced

by properties to the south along Laureston Avenue as a result of the proposal are therefore below the guideline levels within BS8233:2014, World Health Organisation and the Sport England values.

- 5.4.3 Based on the Sport England guidance the average sound level to be experienced within the nearest garden to the north would be 51.2dB(A) with a level of at the façade of 48.5dB(A). Given a 15dB reduction for an open window this would result in 33.5 dB(A) integrally, below the recommended 35dB(A). While sound levels at the façade of the nearest properties and therefore further afield would be below the guidance criterion of 50dB(A), with internal sound levels below the 35dB(A) criterion, the sound level at the boundary is slightly above the recommended level. As such the Noise Assessment recommends further mitigation measures to be implemented in the form of a 2.2m high close boarded fence be erected along the northern boundary of the site between the residential properties and the site. In addition, the Noise Assessment recommends that in order to ensure the at the perimeter fencing around the MUGAs do not contribute to any potential sound emissions it should be erected with anti-vibration mounts and fixings. The Noise Assessment has been considered by the Council's Environmental Protection Team and is found to be acceptable subject to conditions regarding the proposed hours and recommended mitigation.
- 5.4.4 This application is also accompanied Lighting Assessment given the proposed use of flood lights close to residential property. The Environmental Protection Team recommends that the proposed lighting scheme set out within Lighting Assessment and submitted plans should be installed and maintained as per the details submitted in the Assessment which states that all the floodlights are to be fitted with integral louvres to reduce spill and glare. Details of the installation angle of the lights will also be conditioned.
- 5.4.5 Overall, it is considered that the proposal, with mitigation, would not lead to unacceptable adverse impacts on the amenity of neighbouring residential property. In this regard the proposal is considered compliant with policy DM29 of the DM DPD and the NPPF.
- 5.5 **Highways and parking NPPF Section 9: Promoting Sustainable Transport; Review of the Development Management DPD (DM DPD) policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling and DM62: Vehicle Parking Provision**
- 5.5.1 The development will be served by the existing car park associated with the Heysham Mossgate Community Sports and Community Centre which provides 24 vehicle spaces and four disable spaces in addition to cycle parking provision. Despite concerns to the contrary, County Highways as the statutory consultee for highway matters, considers that the change of use of the site from its historic use as two bowling greens to two MUGAs would not have a significant impact on the surrounding highway network. The site is located in a highly sustainable part of the district with good active travel connections between the neighbouring residential estates and the community centre. The area is also well served by public transport. During construction, however, County Highways recommend a Construction Management Plan by condition. Although the proposal is relatively small scale it is considered that this request is reasonable given the limited width of Townson Way, which does not allow vehicle access beyond the Heysham Mossgate Community Sports and Community Centre car park, and the risk of pedestrian and cycle conflicts while the neighbouring community uses are in operation.
- 5.6 **Drainage NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD (DM DPD) policies DM33: Development and Flood Risk and DM34: Surface Water Run-off and Sustainable Drainage**
- 5.6.1 The site is located within Flood Zone 1 with low risk of flooding from other sources including ground water and surface water flooding. The application is accompanied by a submitted Drainage Strategy which states that the existing bowling greens are drained by enabling surface water to percolate through the construction matrix into drainage placed within it and a discharge is made via infiltration and / or off site. The strategy goes on to state that when the multi-use games areas are constructed it is intended for the surface water drainage regime to remain as existing and that the games area will comprise Type 3 sub-base (suitable for infiltration). The Council's Engineer recommends that a condition is required to secure the final details of the drainage design, as well as its future management and maintenance. The imposition of a drainage condition to secure an appropriate

drainage scheme and maintenance regime should ensure the development does not increase flood risk elsewhere, in accordance with local and national planning policy.

5.7 **Trees, ecology and BNG** NPPF Section 15: Conserving and enhancing the natural environment; Strategic Policies and Land Allocations (SPLA) DPD policy SP8: Protecting the Natural Environment; Development Management DPD (DM DPD) policies DM29: Key Design Principles, DM44: The Protection and Enhancement of Biodiversity, DM45: Protection of Trees, Hedgerows and Woodland.

5.7.1 The submitted Preliminary Ecological Appraisal (PEA) sets out that the development would not result in impact to any designated sites due to their distance from the site. Furthermore, there would be no impacts to notable habitats, and the site has negligible value for protected species. The PEA recommends the protection of a hedgerow (H1) within the raised area along the western site boundary and also recommends the introduction of two bird boxes on the northern elevation of the adjacent community centre to provide ecological enhancements. The submitted plans indicate the introduction of new tree and hedge planting within the site with the precise details of the landscaping scheme and associated management to be conditioned.

5.7.2 A Biodiversity Net Gain (BNG) baseline report has also been submitted. This sets out that it is anticipated the mandatory BNG requirements can be achieved on site. The details of such would be provided as part of the BNG plan (a mandatory condition) if permission is granted.

## 6.0 **Conclusion and Planning Balance**

6.1 The site has remained in a state of disrepair and has been unsuitable for its intended use for almost ten years. While Sport England's position—that a lack of use of a playing field does not necessarily indicate an absence of need—is acknowledged, the evidence presented within the PPOSS (2024) broadly supports the proposed use of the site. Additionally, the PPOSS (2024) makes no reference to the bowling greens at this location and confirms that future demand for such facilities can be met by existing greens within the district. As such it is considered that the scheme accords with NPPF paragraph 104, Sport England Exception 5 and Local Plan policies SG3 and DM27.

6.2 The design is functional and appropriate for its intended purpose and would not be out of keeping with the area given the presence of the existing nearby playing pitch and community buildings, alongside the wider built-up character of the locality. The appearance of the development will be softened by proposed planting, which also supports the BNG obligations. It has also been concluded that subject to appropriate conditions, in relation to noise and light pollution, the proposal will not have a detrimental impact upon the residential amenity of the neighbouring properties, and traffic impacts once operational would not be significant. Fundamentally, and weighing significantly in favour of the development, the proposal will enhance the existing facilities at the Heysham Mossgate Community Sports and Community Centre. Accordingly, the proposal is considered to accord with the relevant local and national planning policies outlined above and is recommended for approval.

## **Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Timescale	Control
2	Approved plans	Control
3	Precise details of fencing	Prior to installation
4	Landscaping and maintenance details	Pre-commencement
5	Construction Management Plan	Pre-commencement
6	Drainage Strategy	Pre-commencement
7	Development in accordance with Noise Assessment and details of close boarded fence be erected along the northern boundary	Pre-commencement and control



8	Development in accordance with Lighting Assessment and details of the angle of the lights	Pre-commencement and control
9	Hours of use	Control

**Article 35. Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/Guidance.

**Background Papers**

None