

PLANNING APPLICATION ----- ANALYSIS CHECK LIST
(REQUIRES COMPLETION FOR ALL DELEGATED APPLICATIONS UNLESS
SUPPLEMENTED BY A WRITTEN REPORT IN ACOLAID

Application: DC/086979	Case Officer: Jeni Regan	Date: 24th July 2023
-------------------------------	---------------------------------	-----------------------------

UDP POLICY CONSIDERATIONS

Site location zoning on Proposals Map [ie, Residential, Green Belt etc]	Predominantly Residential Area Local Open Space Part of Site – Green Chain
Other Special Controls [Conservation Area, Listed Building etc,]	None on Site Peel Moat within Heaton Moor Golf Course to the west of the application site – National Monument
Relevant CS/SAVED UDP Review/SPG/SPD Policies [ie, SIE-1, Extensions & Alterations to Dwellings SPD]	<p><u>Saved UDP Policies</u></p> <ul style="list-style-type: none"> • NE3.1 Protection and Enhancement of Green Chains • EP1.7 Development and Flood Risk • UOS1.3 Protection of Local Open Space • L1.1 Land for Active Recreation <p><u>Core Strategy DPD</u></p> <ul style="list-style-type: none"> • CS5 Access to Services • SIE-1 Quality Places • SIE-3 Protecting, Safeguarding and Enhancing the Environment <p><u>National Planning Policy Framework</u></p> <p>Chapter 8. Promoting healthy and safe communities Paragraph: 99</p>

RELEVANT PLANNING HISTORY/APPEAL DECISIONS

Application Number(s)	Issues Raised

Reference: DC/048691, Type: OUT, Address: Land At Buckingham Road, Heaton Moor, Stockport, Decision: FDO, Decision Date: 16-SEP-14, Proposal: Outline planning application for residential development comprising up to a maximum of 210 dwellings, (all matters appearance, landscaping, layout and scale except access to be reserved for subsequent approval) including demolition of existing buildings on the site.

Reference: DC/049352, Type: SCR, Address: Stockport College, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, Decision: EAN, Decision Date: 13-MAR-12, Proposal: Screening Opinion in relation to the proposed redevelopment of Stockport College North Area Campus to provide a maximum of 210 houses and apartments, pedestrian routes, open space, play areas and landscaping.

Reference: DC/050169, Type: SCR, Address: Stockport College Heaton Moor Campus, Buckingham Road, Heaton Moor, Stockport, SK4 4RA, Decision: EAN, Decision Date: 10-JUL-12, Proposal: Screening opinion for the demolition of existing buildings

Reference: DC/050412, Type: PRAP, Address: Stockport College Heaton Moor Campus, Buckingham Road, Heaton Moor, Stockport, SK4 4RA, Decision: GTD, Decision Date: 31-JUL-12, Proposal: Application for prior notification of proposed demolition

Reference: DC/050747, Type: SCR, Address: Stockport College, Buckingham Road, Heaton Moor, Stockport, Decision: EAN, Decision Date: 11-SEP-12, Proposal: Screening opinion in relation to the proposed redevelopment of Stockport College North Area Campus to provide a maximum of 127 dwellings.

Reference: DC/050793, Type: FUL, Address: Stockport College Heaton Moor Campus, Buckingham Road, Heaton Moor, Stockport, SK4 4RA, , Decision: GTD, Decision Date: 26-APR-13, Proposal: Demolition of existing college buildings; Residential development comprising 129 dwellings with associated open space including three local areas for play and site entrance from Buckingham Road

Reference: DC/053588, Type: NMC, Address: Stockport College, Heaton Moor Campus, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, Decision: GTD, Decision Date: 29-OCT-13, Proposal: Non Material Amendment to Substitution of house types on 23 No.plots. Previously approved under planning permission DCC050793.

Reference: DC/057203, Type: PRAP, Address: Peel Moat Recreation Centre, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, Decision: FDO, Decision Date: 18-FEB-15, Proposal: Demolition of Peel Moat Recreation Centre.

Reference: DC/057334, Type: FUL, Address: Peel Moat Recreation Centre, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, Decision: GTD, Decision Date: 02-APR-15, Proposal: Construction of new Key Stage 2 school accommodation and outdoor works including external hard-surfaced play areas, grass pitches, public rights of way improvements and car parking, for St Thomas' CE Primary School.

Reference: DC/060860, Type: NMA, Address: St. Thomas C Of E Primary School, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, , Decision: GTD, Decision Date: 04-MAR-16, Proposal: Non-material amendment to planning permission DC057334, comprising introduction of louvered vents; a reduction in the extent of curtain walling and re-positioning of rainwater goods.

Reference: DC/062627, Type: FUL, Address: St. Thomas C Of E Primary School, Buckingham Road, Heaton Moor, Stockport, Stockport, SK4 4QY, , Decision: FDO, Decision Date: 07-FEB-18, Proposal: Minor Material Amendment - Variation of Condition 1 from DC057334 to allow for revised position of a sprinkler tank (retrospective).

Reference: DC/062791, Type: VC, Address: St. Thomas C Of E Primary School, Buckingham Road, Heaton Moor, Stockport, SK4 4QY, , Decision: GTD, Decision Date: 18-NOV-16, Proposal: Variation of conditions 15 and 17 of planning permission DC057334.

OBSERVATIONS RECEIVED

Neighbour Consultation	Issues Raised
Letter of <u>objection</u>	1 I am concerned to learn that the existing pitch will not be removed prior to the 're-greening' of this site. Burying the degrading astroturf carpet and the rubber crumb (which I believe is essentially vehicle tyres) will undoubtedly have a detrimental effect on the environment, with microplastics and toxic chemicals leaching into the soil and water table on site.

	<p>Not removing it feels like industrial dumping by the council on it's own land - irresponsible greenwashing to give the impression to Heaton residents of environmental improvements whilst actually creating environmental problems</p>
<p>Letter of <u>support</u> =</p>	<p>1</p> <p>Having read the soil survey for the site, I wish to withdraw my objection. However, I would ask the Council consider minor adjustments to their plan which involve an extension to the ditch toward the existing swale to assist surface water control. Additionally I would ask that relocation onsite of rubber crumb, soil and spoil conforms to a planting plan developed by the Friends of Peel Moat Open Space. This will be shared after final consultations with St Thomas School, Heaton Manor Residents Association, Heaton Moor Golf Course, Groundwork, Cheshire Wild life Trust and Manchester City Trees.</p>
<p><u>Other</u> Observations =</p>	<p>1 = Neutral</p> <p>So sorry to see a facility that was well used in the past fall into disrepair and become unusable by the community due to poor maintenance and the lack of a sinking fund to refurbish. It's disappointing to see that yet another multisport facility close, and eventually be replaced with only a grass football pitch and with no plans to invest in an existing similar facility or build another weather multisport pitch. In its day the all-weather pitch at Peel Moat was in full use by numerous local hockey clubs as well as football. Since its closure the number of local clubs has dwindled and people now have to travel elsewhere to access facilities</p> <p>1 = Representation</p> <p><u>Heaton Manor Residents Association</u></p> <p>Currently the site is a rubbish and glass strewn eyesore which has been a magnet for anti-social behaviour and water routinely runs from the pitch resulting in waterlogging of the adjacent grassed play area and the golf course. Whilst the Council plan for Phase 2 is welcome it fails to address a number of issues, nor does it fully capitalise on the potential of the site as a community greenspace and an outdoor education area.</p> <p>We are equally concerned that, after years of discussion, detailed decisions about Phase 2 of the project have been taken by the Council without proper public consultation and the opportunity for the local community to propose additions and amendments to the Council plan. A very limited number of Heaton Manor residents have received a letter giving details of the Council plans, but with a limited time to lodge objections.</p> <p>We would therefore request that the Heaton Manor Residents' Association proposed amendments, which are now incorporated in the FMPOS proposal, are fully and properly considered in your discussion with the FPMOS. We would be disappointed should the final phase proposed by the Council not make the most of the potential of the site</p>

	<p>or worse turn out to be a waste of public funds.</p> <p>1 = Representation</p> <p><u>Friends of Peel Moat Open Space – Response to Sport England Objection</u></p> <p>The SE objection does not reflect the status and potential use of the site. Their emphasis purely on team sports and hockey in particular as the basis for an objection appears at odds with their Mission Statement and Vision12, does not align with their statistics on the most popular forms of recreational and physical activity (See Annex 6), and ignores the broad-based benefits the SMBC/FPMOS proposal offers all sectors of the community on a 24/7 free to use basis. Equally we believe it is inappropriate to block a proposal which is aligned with current environment priorities, in particular, Stockport Rewilding, SMBC CAN, other SMBC plans such as One Stockport and SE Sustainability Policy. The SE objection is in its premise and detail narrow in focus, inappropriate environmentally and negative in its impact on the local community. It is considered unreasonable to block the SMBC/FPMOS plan for the site, effectively holding the site to ransom and thereby denying the community use of valuable refurbished community asset. This has been the case for over a decade and would be unacceptable if this situation is intentionally perpetuated.</p> <p>We therefore request when SMBC consider the Peel Moat Open Space Planning Application our points are taken into account and the SE objection is either set aside or withdrawn as part of a compromise solution.</p>
<p>Statutory/Internal Consultation Response [ie, Highway Engineer, NRA etc.]</p>	<p><u>Environmental Health (Noise)</u></p> <p>This service has no objection.</p> <p>The above proposal, has been assessed in relation to impact upon the environmental quality of life to:</p> <ul style="list-style-type: none"> • Existing sensitive receptors, in proximity to the proposed development <p>Construction Hours - Informative An informative relating to acceptable construction hours is recommended, for the protection of noise sensitive receptors in the vicinity of the site.</p> <p><u>Contaminated Land</u></p> <p>I have reviewed the Earth Environmental Letter Reports. Whilst the report concludes that there are no elevated levels of contamination at the site, the proposal is to install a 300mm cover system; this would further reduce any potential risk from a human health perspective. It should also be noted that the consultants used a more conservative residential criteria to assess the shallow soil results, this is far more stringent than the public open space criteria providing further confidence from a human health perspective too.</p> <p>Concerning controlled waters, The Environment Agency (EA) and the</p>

Waste and Resources Action Programme (WRAP) issued a quality protocol for using tyre-derived materials. The 2009 guidance states that good practice is to ensure that a rubber pitch is not situated within 10m of a main river due to leaching potential; there is no main river within close proximity to the Peel Moat Site. The guidance also states that pitches should not be installed in areas of high (>8) or low (<5) pH soils, as there is a greater potential for metal /organic mobilisation. The soils at the Peel Moat Site range from 5.7- 7.6 pH; as such, they do not exceed the recommended upper or low pH limits. In addition to this, the site is not situated on a principal aquifer.

Furthermore, there were no elevated contaminants typically associated with rubber, such as zinc, cadmium or poly-aromatic hydrocarbons (PAHs) in any of the shallow soil samples surrounding the pitch; this suggests there is likely to be a low risk from mobile contamination and leaching.

Importation of the cover system and depth will need to be evidenced. As such, I recommend the CTM 4 and CTM 5 conditions.

LLFA

Having reviewed the documentation for this application. The LLFA would like to raise the following comments:

- The proposals are acceptable in principle.
- We would query the nature and design of the “soakaway”. We feel that this would not act nor function as a soakaway due to ground conditions and suggest this may be a rip rap area of stone to protect and support the end of the ditch.

Highways

There is no means of access for the site from the public highway and I question why an access plan is not included within the submission, which presumably would involve passage across third party land. Whilst I would not be uncomfortable with this access arrangement, assurance that this is feasible and practical is sought.

No indication is given on the likely size and number of tipper vehicles that would be involved in material removal and soil import. Whilst this could be covered under conditional control some early indication would be appreciated so I can consider whether there would be any consequent adverse highway impact.

Condition:

No earthworks or remediation shall commence on any part of the site until a method statement dealing with how the works will take place has submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details, which shall include, but not be limited to, the following information:

- *details of the routing of earth carrying vehicles to and from the site and access and egress arrangements within the site including details of signage, monitoring and enforcement;*
- *details of the site preparation, earthworks and remediation*

stages of the works and the likely number and type of vehicle movements involved;

- *details of provisions for any recycling of materials, the provision on site of a storage/delivery area for all vehicles, plant, site huts, site facilities and materials;*
- *details showing how all vehicles associated with the earthworks and remediation are to be properly washed and cleaned to prevent the passage to mud and dirt onto the highway;*
- *the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from the earthworks and remediation;*
- *a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;*
- *noise mitigation measures for all plant and processors;*
- *details of contractors compound and car parking arrangements;*
- *screening and hoarding details;*
- *delivery and collection times for vehicles associated with earthworks and remediation;*
- *details of a community liaison contact for the duration of all works including a complaints procedures and complaint response procedures;*
- *prior notice and agreement procedures for works outside agreed limits and hours;*
- *details of contractors membership of the Considerate Contractors Scheme and*
- *Provision of an emergency contact number*

Reason: To ensure the earthworks and remediation are managed in a safe manner and do not adversely affect highway operation and safety or prejudice the amenities of the occupiers of the adjoining residential properties, in accordance with Policies Development Management T-3 Safety and Capacity on the Highway Network, SIE-1 Quality Places and SIE-3 Protecting, Safeguarding and enhancing the Environment. The methodology for undertaking earthworks and remediation needs to be approved in advance of any works taking place.

Sport England

Thank you for consulting Sport England on the above application.

Summary: Sport England objects to this application which would lead to the loss of playing field in an area where there is a deficiency in the provision of playing fields. The proposed development is not considered to accord with any of the exceptions in Sport England's playing fields policy or any of the specified justifications in Paragraph 99 of the NPPF which both seek to protect playing fields from development.

Sport England –Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular paragraph 99 and the presumption that playing fields should not be developed) and against its own playing fields policy, which is presented within its 'Playing Fields Policy and Guidance Document:' www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of all/part of a playing field. Exceptions to this policy are contained in the Playing Fields Policy Document.

The Stockport Metropolitan Borough Council's Playing Pitch Strategy Needs Assessment (December 2019) (PPS) provides the evidence base as required by paragraphs 98 and 99 of the NPPF.

The Proposal and Impact on Playing Field

The proposal would involve the loss of an existing all weather surface pitch which would be overlain with 300mm of topsoil to form a mound as indicated on Drw No: D_9003_3000_004 (Typical Section). The mound would be seeded with grass to form amenity grassland. Ditches would be dug out to a depth of 500mm around the pitch.

The NPPF defines a playing field as:

"the whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015."

As shown in the google aerial imagery below (2021) the proposal would result in the loss of a playing field as defined in the NPPF and the 2015 Order.

England Hockey:

Prior to preparing this response Sport England has sought the views of England Hockey (EH) on this planning application. The EH act as Sport England's technical advisor in relation to hockey and its facilities. Their comments are summarised as:

- This site was formally a vibrant home of the Stockport Hockey League with at least 7 clubs with multiple teams based on the site.
- From 2003/4 season the pitch became disused due to the Council/Recreation Centre that was on site refusing to repair the pitch, ultimately leading to it being unsafe. This moved all play to other sites in Greater Manchester. Numerous clubs eventually merged to create Stockport Bramhall HC that play at Bramhall High School. Those that did not merge moved to play at sites in neighbouring local authority areas and remain there with no intention of moving back.
- Bramhall High School is the main hub for Hockey activity in Stockport. The club has a tripartite agreement in place with Stockport Council and their third party provider. The club manages the finances for the site very well but the site needs some modernisation. As such EH would expect to see the below as a contribution to the only existing Hockey facility in the area. (costs must be firmed up with full quoted amounts, estimates are being used but will fluctuate as has been seen across all aspects of construction over the last 12-18 months, EH can

support where required):

- £90k to replace the existing Fencing.
- Minimum of £140k to top up the sinking fund.
- £80k to modernise the existing lighting, whilst it is LED lighting on site it falls below the required standard for hockey match play and limits the amount of playable slots on site. New columns are required to ensure they can meet the wind loading of the more modern LED lighting systems and does not allow for amenity lighting of the footpath.
- £20k to improve the access and booking system through remote access. SMBC have previously been involved in looking at this. Currently a barrier to having later bookings on the facility.
- £20k for improved secure storage on site.
- Total of £350k (expected to be costed officially before any agreement is signed).

Whilst the above may seem a large amount it is far lower than replacing the pitch with a new build (C. £720k+), this money would then see a more modernised site for Hockey to thrive even further for people across Stockport.

- From the information that EH has at its disposal and other local intelligence it must be noted that this site was laid for the benefit of Hockey and limited football was played on the site until Hockey had to move for safety reasons. All parties should treat this as the loss of a Hockey AGP first and foremost.

Football Foundation

Prior to preparing this response Sport England has sought the views of the Football Foundation (FF) on this planning application. The FF act as Sport England's technical advisor in relation to football and its facilities. Their comments are summarised as:

- FF has no intelligence of when the facility was last used or where play went to when this facility ceased to be used. Aerial imagery suggests that the pitch fell into disrepair sometime between 2013 and 2016.
- Though the Stockport PPS identifies Peel Moat Recreation Ground as a lapsed site, reference is only made to the grass playing field. The AGP appears to be an oversight and is not included in either document. FF does not consider the whole playing field site to be lapsed, as there is an active playground (built 2020) within the parcel of land referred to in the PPS.
- The Stockport PPS identified a shortfall of six full size 3G pitches across the Borough, increasing to eight to meet anticipated future demand. Stockport Council is currently tendering the production of a new PPS which will provide an up-to-date analysis of playing pitch provision. We expect that this will show a sustained and potentially increased shortfall of provision. The AGP at the application site should be protected until the findings of the PPS are known.
- Given the shortfall of 3G pitch provision in the Borough for football, and the potential for the existing asset to be brought back into use to reduce this shortfall, we expect that the pitch should be provided elsewhere in mitigation should it be lost.

Assessment against Sport England Policy/NPPF/Development Plan Policy

The proposal would lead to the loss of playing field through the importation of topsoil covering the all-weather surface pitch to create a grassed mound for use as public amenity space. The playing pitch has previously been used for hockey and football. The loss of this playing field therefore needs to be considered against the exceptions in Sport England's policy which accord with the specified justifications included in paragraph 99 of the NPPF.

Of Sport England's playing field policy's five exceptions – two could potentially cover the proposed development:

Exception 1:
Exception 1 allows the loss of playing field where 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 would remain the case should the development be permitted.

The Stockport PPS (December 2019) provides the evidence base as required by paragraphs 98 and 99 of the NPPF. The PPS confirms that there is a deficit in hockey provision given the existing level of supply and demand in the area. The PPS also confirms that there is little spare capacity for existing and the growth of football in the area and that there is an identified shortfall of six full size 3G pitches across the Borough, increasing to eight to meet anticipated future demand. As such, the PPS does not show a surplus of playing field provision in the area to meet exception E1 of Sport England's policy exceptions or paragraph 99 a) of the NPPF.

Exception 4:
Exception 4 of the Sport England's Playing Fields Policy states:

'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.'

It is therefore necessary to assess the existing and proposed playing fields against the above policy to determine whether the proposal would meet Exception 4. To meet E4, replacement must represent a genuine replacement i.e. creation of a new playing field. Improvements to existing playing field do not represent a genuine replacement because the quantity element of the exception has not been addressed only the quality element. The quantity element can be addressed by bringing into use areas of an existing playing field that are currently incapable of supporting a pitch or pitches without significant works, or creating new playing field on land that is not currently playing field. These areas must be assessed by a suitably qualified sports turf specialist/agronomist to provide the evidence required to show these areas will represent a genuine replacement of playing field.

	<p>From the information submitted with the planning application there is no reference to the playing field land being replaced. As such, the proposal would be contrary to exception 4 of the Sport England's Playing Fields Policy and to Paragraph 99 b) of the NPPF.</p> <p><u>Conclusion</u> Given the above assessment, Sport England objects to this application which would lead to the loss of playing field in an area where there is a deficiency in the provision of playing fields. The proposed development is not considered to accord with any of the exceptions in Sport England's playing fields policy or any of the specified justifications in Paragraph 99 of the NPPF which both seek to protect playing fields from development.</p> <p>Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State via the Planning Casework Unit.</p> <p>If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.</p> <p>In providing any further information, Sport England would ask that the applicant submits this to the local planning authority and not to Sport England directly. That way it forms part of the planning application submission and its associated audit trail. The local planning authority can then consult Sport England on receipt of this information.</p>
--	---

ASSESSMENT OF DEVELOPMENT

Compliance with CS/SAVED UDP Review/SPG/SPD Policies	See report below
Impact on adjoining properties and character of area	See report below
Any other comments to note	

DELEGATION PROCEDURE CHECKLIST

(REQUIRES COMPLETION FOR ALL DELEGATED APPLICATIONS)

Application No. DC/086979	Case Officer: Jeni Regan	Date: 24th July 2023
---------------------------	--------------------------	----------------------

DEADLINE EXPIRY DATES - the following answers must be YES or Not Applicable

Has the Committee Call Up Period lapsed?	Y	
Has the Consultation Period lapsed?	Y	
Where applicable has the Site Notice Period lapsed?	Y	24.02.2023
Where applicable has the Press Notice Period lapsed?	Y	08.02.2023

For applications recommended for APPROVAL following answers must be NO

Has the application been 'called up' by a Committee Member?	N	
Are there 4 or more letters, or a petition objecting to the application?	N	
Does the Decision-maker have a management interest in the application/site?	N	
Has the application been submitted by a Councillor or Officer employed by the Council?	N	

- **following answers must be YES or N/A**

Where relevant, has a Commuted Sum or Section 106 been paid/signed under Policy <u>S1E2</u>	n/a
---	-----

and NO to (1) below or YES to (1) and (2)

below

1. Is the proposed development contrary to CS/ SAVED UDP Review/SPD/SPG Policy ?	No
2. If the proposal is contrary to CS/SAVED UDP/SPG/ SPD policy, are there any special circumstances to be taken into account? <i>Details of any special circumstances to be taken into account should be clearly outlined on the Application Analysis Check List or in the Supplementary Report</i>	

ANALYSIS :-

The application site is a former all weather sports pitch contained within the Peel Moat public open space located to the south of Harrow Drive and west of Kingston Grove. The pitch has not been used since 2009 and has no fencing or flood lighting. The site is land locked and surrounded by existing residential properties to the north and west, and St Thomas's School and its grounds to the east and south. The pitch is now in a very poor state of repair and is unusable for any purpose.

The application site is allocated within the Proposals Map DPD as lying within a Predominantly Residential Area, with the land defined as being Local Open Space and in part a Green Chain. A public right of way runs along the southern site boundary and is designated as a Strategic Recreation Route.

Planning permission is being sought by Stockport MBC to remediate this former sand dressed pitch by removing the existing surface matting and covering the site in a 300mm layer of topsoil. The site would then be seeded with amenity sports turf mix seed to create a useable space for the community. It is also proposed to introduce a smooth sided ditch around the edge of the site along with a soakaway in the south western corner. The submitted site works plan also shows two proposed locations on the northern and western boundaries for pedestrian access points to be opened up to improve the access to the site.

It should be noted that planning permission is only necessary due to the volume of topsoil being imported to the site, otherwise the works would have been classed as permitted development under the Council's statutory undertaker provisions.

Loss of Pitch and Sport England objection

Due to the former use of the application site as a playing pitch, and the proposals are to remove the surface matting and replace with seeded topsoil, Sport England have been consulted on the application. The full comments of Sport England can be found in the consultations section above.

The objection from Sport England in relation to the loss of the pitch is noted. However, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184) and also in Sport England's Playing Fields Policy and Guidance (March 2018) document:

"In line with the requirements of the 2015 Order, if such land was used as a playing field at any time in the five years before the making of a relevant planning application, then Sport England should be consulted as a statutory consultee. If its use as a playing field was over five years ago, Sport England would still expect to be consulted, albeit as a non-statutory consultee."

In this case, the applicant has provided substantial evidence that the pitch has not been used for over the five year period outlined above. As such, the site is not considered to form part of, or constitute, a playing field for consultation purposes, ie as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184) and therefore, the LPA is treating the consultation response from Sport England as a non-statutory consultation.

The contents of the objection from Sport England are acknowledged, however due to the amount of time that has passed since the pitch was last in active use, it is not considered that the loss of the surface matting can be given significant weight in this case. The sand dressed pitch at Peel Moat Open Space (formerly Peel Moat Leisure Centre) has been 'lapsed' for over 13 years. It was not suitable for sports use prior whilst it was part of the Leisure Centre and has been a redundant area of Peel Moat Open Space since 2012. Disused sites are defined as not being used at all by any users and are not available for community hire either. Once these sites are disused for five or more years they will then be categorised as 'lapsed sites'.

The information provided by applicant confirms that it is committed to addressing the deficits in sports provision in the Borough as outlined by the Sport England objection, and this is evidenced by the details submitted to accompany the application in relation to recent funding and improvements to the pitches in Stockport for hockey and football.

The Stockport Playing Pitch Strategy (Dec 2019) does not recognise the Peel Moat sand dressed pitch as a current hockey facility in the supply of provision for the sport and this is a consideration in terms of any overall loss. In its current state, the pitch cannot be used nor could reasonably be expected to be used as a hockey pitch (or for any other formal sports provision). As such, the submitted evidence alongside the fact it is not considered to form part of the existing supply, it can be concluded that the loss of the pitch would not have any material impact on hockey pitch provision in Stockport. This position should therefore be given weight when considering the proposal against Para 99 of the NPPF. This says:

99. Existing open space, sports and recreational buildings and land, 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.*

In the case of a), whilst the PPS clearly identifies a need for such pitches, it is also clear that this pitch does form part of the supply. Therefore, whether it is surplus to requirements or not, is not relevant.

In relation to b), notwithstanding the supply position, clearly the proposal does not propose to replace the pitch with equivalent or better provision.

Finally, under c), the land is to be retained for informal recreation provision, with the land being improved with the removal of the existing surface and its replacement with a grassed area which compliments the wider area of open space in which it is located, and which is better suited to that informal use. The benefits which accrue from the improvements to the land would outweigh the loss of the poor quality and unsafe surface that is currently on-site.

As para 99 requires only one of the three requirements to be met, it is considered that the proposal is not in conflict with para 99. As such, and whilst acknowledging the slight current and potential future shortfall, it is difficult to support an argument that the applicant should be required to pay a sum to compensate for the loss of a long disused pitch that is not part of the current supply.

In terms of advertising the application as a departure from any development plan policies relating to open space (primarily L1.1, UOS1.3 and CS8), the last two policies are not explicit about loss of pitches, and relate to the loss of allocated OS. In this case, there is no loss of open space, just the way in which the land is to be used. In terms of L1.1 'Land for Active Recreation' this says:

The Council will seek to achieve an overall minimum standard for the Borough of 2.4 hectares per thousand population for active recreation.

Proposals which involve the loss of public or private sports grounds or other land currently or last used for active recreation will not be permitted except where the proposed development would provide facilities of sufficient benefit to sport and recreation to outweigh the loss.

Development of land currently or last used as playing fields will not be permitted unless:

- (i) The proposed development is ancillary to the use of the site as a playing field (e.g. new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;*
- (ii) The proposed development only affects land which is incapable of forming a playing pitch (or part of one) and results in the retention and enhancement of pitches;*
- (iii) The playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity, quality, usefulness and attractiveness in a location at least as accessible to current and potential users;*
- (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.*

On the basis of the assessment above, the Local Planning Authority have not assessed the land as being a playing pitch, so whilst it was arguably 'last used' for that purpose, it does not form part of the current supply. Under part ii) above, the council as the applicant is making the case that the land is not in any state to be capable of forming a playing pitch and has not been for a considerable time.

To conclude, the sports pitch provision at Peel Moat Open Space has been unusable for formal sport for over 13 years, is in a very poor state of repair and is not able to be used by the community for any form of outdoor amenity space / open space. The works proposed by this planning application seeks to provide a community greenspace that is usable by the public, and can form the starting base for the Friends of Peel Moat Open Space to turn this area into a really valuable asset within the local area. The proposals shown on the submitted plans are in line with current Council financial resources, and will be a real benefit for the community.

On the basis of all the matters discussed above, the proposals are considered to be in accordance with Development Plan policies L1.1, UOS1.3 and CS8 and the NPPF policy in paragraph 99.

Land Contamination

Concerns were raised initially by both the local community and the Contaminated Land officer in relation to the retention of the substructure of the former pitch below the surface matting. However, two site investigations covering several areas of the site have been completed in July 2022 and March 2023 to assess the potential contaminated levels of the ground in order to alleviate these concerns about pollution. The first report from 2022 tested sample locations around the outside of the former pitch and within the public open space to the south west of the pitch. The second report from March 2023 tested sample locations on the pitch itself beneath the surface matting.

The first report by Earth Environmental & Geotechnical Ltd dated 11th August 2022, advises that the work took place on the 11th July 2022 and consisted of a total of 6 no. window sampling boreholes drilled to between 2-3m, to examine ground conditions on the site and take samples for chemical testing. The report confirms that none of the samples tested contained concentrations of contaminants in exceedance of the screening criteria relevant to a conservative residential end use. Therefore, it concludes that the soil sampling proved an absence of any contaminants of concern. This also shows due to the locations of the sampling, that contamination is not leaching from the former pitch to the surrounding land.

As outlined in the second report by Earth Environmental & Geotechnical Ltd dated 31st March 2023, a site visit was conducted on the 15th March 2023 in order to take samples of the existing rubber sub-base below the turf of the all-weather pitch, for laboratory chemical testing, for the purpose of off-site disposal. Sample locations for the stockpile samples were in 2 locations, one in the central area of the pitch and one on the south western corner. The conclusions found that there was an absence of potential contaminants of concern for when compared to a Public Open Space Park assessment criteria. However, both samples were classified as Hazardous for the purpose of off-site disposal in accordance with the Environment Agency guidance WM3.1, due to elevated zinc (T1) and TPH (T2). Therefore, this confirms that it is safer for the material to remain in situ rather than being removed and deposited off site.

As can be seen within the Contaminated Land officers comments provided above, on the basis of the two reports completed by Earth Environmental & Geotechnical Ltd, there are no objections to the proposals subject to the inclusion of two conditions. The proposal is to install a 300mm cover system would reduce any potential risk from a human health perspective. It should also be noted that the consultants used a more conservative residential criteria to assess the shallow soil results, this is far more stringent than the public open space criteria providing further confidence from a human health perspective too.

Therefore, on this basis, the proposals are considered to be in accordance with Core Strategy DPD policy SIE-3.

Drainage

As with the matter of contamination outlined above, initial concerns were raised in relation to the potential impacts of the development on the drainage of the site and surrounding lands / properties. The site has generally poor drainage and this is highlighted by the need / presence of an existing swale to the west of the former pitch within the public open space.

Following detailed dialogue with the LLFA, there are now no objections to the proposals from a drainage perspective, with the smooth sided ditches and additional soakaway proposed to assist with the drainage issues at the site.

As such the proposed development is considered acceptable and complies with Saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

RECOMMENDATION

Grant subject to Conditions

RECOMMENDATION & RELEVANT CONDITIONS/REASONS/INFORMATIVES

Grant - Refuse	Grant
Reasons for Decision	See full assessment above
Human Rights Act Considerations.	Account has been taken of the Act's provisions.

CHECKED AND SIGNED OFF BY:-

DATE:-