



Proof of Evidence

# Vol 8 - Loss of Amenity

Produced by Jon Parr  
Rule 6 Party  
Peel Hall - APP/ M0655/W/17/3178530

# Contents

Section 1 – Introduction .....	3
Rule 6 Member .....	3
Proof of Evidence Scope.....	4
Section 2 – Site Location and Description .....	5
Site Location.....	5
Section 3 – Recreational Amenity .....	6
Section 4 – IR Comments .....	13
Section 5 – WBC Local Plan Core Strategy Adopted July 2014 .....	15
Section 5 – Conclusion .....	16
Appendices .....	17

## Section 1 – Introduction

### Rule 6 Member

My name is Jon Parr, I am a local resident that has lived in Orford, Cinnamon Brow & Fearnhead for the majority of my forty-three years. I have played on Ballater playing fields from a young child, I continue to play there with my children and our family often walk here as part of the daily routine with our dogs – just like many other local families and residents do.

Within this proof of evidence, it is my intention to set out the Rule 6 and local residents combined concerns with respect to the appellants proposal to steal this valuable amenity from under the residents feet in an attempt to gain access to this landlocked and unsustainable piece of land.

We do not use the word ‘steal’ lightly, and we will set out our case within this document to justify the use of this word and our strong feelings against this land grab.

Likewise, the same can be said about the Radley Common Playing Fields. This too is a valuable community asset that offers open and safe informal leisure. The appellant also intends to use this facility at the detriment of local residents and for the betterment of a community that does not yet exist.

These are two of a series of issues the community expect to make their quality of life worse.

## Proof of Evidence Scope

Our main area of concern quite simply is that the appellant proposes to utilise Ballater Playing fields to provide houses and more importantly, to provide a through road to serve the site. Radley Common will be utilised to part relocate Ballater Playing Fields to justify taking possession of this section of land and thus displacing a valuable community asset into a completely different ward/community.

In doing so, the local residents and users of Ballater playing fields stand to lose a valuable amenity whilst gaining nothing in return. Local residents of Radley Common playing fields can expect to see a change of use from informal to formal sports. In both cases, this constitutes a significant net loss of amenity to the existing community to benefit a new community in years to come.

As a local resident, I am staggered to believe that anyone could seriously entertain taking these facilities away from local residents that have been enjoyed for over 35 years.

Clearly there are also issues with provision of healthcare allowance as waiting times for doctors surgeries are continually rising. We expect these to be robustly challenged by Warrington Borough Council.



## Section 2 – Site Location and Description

### Site Location

2.1 Ballater Playing Fields are located to the east of the proposed development and lies between Mill Lane, Ballater Drive and Radley Lane – see Appendix 1. The 3.2 hectare site is used for formal sports use and more importantly for informal uses including, but not limited to;

- i. Football
- ii. Kite Flying
- iii. Picnics
- iv. Dog Walking
- v. Family Walks
- vi. Bat and Ball Sports
- vii. Other informal leisurely activities

2.2 Radley Common Playing Fields are located to the south of the proposed development and is bounded by Radley Plantation to the north, Windermere Avenue to the west and Grasmere Estate to the south and east – see Appendix 2. The 2.97 hectare site is used for occasional formal sports use and more importantly for informal uses including, but not limited to;

- i. Football
- ii. Kite Flying
- iii. Picnics
- iv. Dog Walking
- v. Family Walks
- vi. Bat and Ball Sports
- vii. Other informal leisurely activities

## Section 3 – Recreational Amenity

- 3.1 Appletons Addendum 2 to Environmental Statement Volume 8 item 13.97 asserts the proposed 1200 dwellings amounts to a population increase of 2,753 new residents.
- 3.2 The 2,753 residents also allows for 60 residents living in the proposed 100 person care home facility. We assume this is based on a percentage of residents being immobile.
- 3.3 This reduction of 60 care home residents therefore equals equates to 2693 residents at an average of 2.24 people per household.
- 3.4 The current UK average household lies at 2.4 people per household. This figure being taken from the Office of National Statistics - Families and households in the UK: 2017
- 3.5 This would equate to an increase in local population of 2,880 residents & 60 care home residents, providing a total of 2,940 residents.
- 3.6 We would therefore query these occupation figures, given that they no doubt plug in to transport and journeys which in turn have a direct correlation with noise and air quality.
- 3.7 We note from footnote 27 (bottom of page 212) that;  
*<sup>27</sup> These 60 residents have been excluded from the requirement calculations in the Table for equipped play, informal play and outdoor sports.*
- 3.8 The appellant would appear to be asserting that care home residents do not have any recreational requirements or desire to access the outdoors for leisurely walks with family and friends – this is unacceptable.

3.9 Notwithstanding 3.8, we have undertaken some calculations to review Table 13.15: Adopted Open Space Provision Standards and On-Site Provision within the Proposed Development.

Both the appellants figures and Rule 6 parties are presented separately and then together as a summary.

### APPELLANTS FIGURES

Typology	General Standard	Standard per person	Peel Hall Development Requirement	Peel Hall Proposed Site Figures	
Equipped Play	0.25 ha per 1,000 population	2.5m <sup>2</sup> per person	0.67 ha per 2,693 residents	Play Space Provisions	The equipped and informal play space provision to be met by individual housing plots
Informal Play	0.55 ha per 1,000 population	5.5m <sup>2</sup> per person	1.48 ha per 2,693 residents		
Outdoor Sports	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.31 per 2,693 residents	Formal Sport Ground	See Table 13.16
Parks & Gardens	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.40 per 2,753 residents	Natural/ Semi Natural Areas (this includes all areas set aside as ecological/ motorway buffer zones, retained vegetation areas and attenuation pond areas):	10.1 ha (Open space shown on the proposed Parameters Plan meets this requirement)
Natural/Semi Natural Greenspace	2 ha per 1,000 population	20m <sup>2</sup> per person	5.51 per 2,753 residents		
Allotments	0.07 ha per 1,000 population	0.7m <sup>2</sup> per person	0.19 ha per 2,753 residents		

## RULE 6 PARTY FIGURES

Typology	General Standard	Standard per person	Rule 6 Calculation Figures
Equipped Play	0.25 ha per 1,000 population	2.5m <sup>2</sup> per person	0.72 ha per 2,880 residents
Informal Play	0.55 ha per 1,000 population	5.5m <sup>2</sup> per person	1.58 ha per 2,880 residents
Outdoor Sports	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.61 per 2,880 residents
Parks & Gardens	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.61 per 2,880 residents
Natural/Semi Natural Greenspace	2 ha per 1,000 population	20m <sup>2</sup> per person	5.76 per 2,880 residents
Allotments	0.07 ha per 1,000 population	0.7m <sup>2</sup> per person	0.2 ha per 2,880 residents

## COMBINED FIGURES

Typology	General Standard	Standard per person	Peel Hall Development Requirement	Rule 6 Calculation Figures	Residual Deficit
Equipped Play	0.25 ha per 1,000 population	2.5m <sup>2</sup> per person	0.67 ha per 2,693 residents	0.72 ha per 2,880 residents	0.05 ha or 500 sq m
Informal Play	0.55 ha per 1,000 population	5.5m <sup>2</sup> per person	1.48 ha per 2,693 residents	1.58 ha per 2,880 residents	0.1 ha or 100 sq m
Outdoor Sports	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.31 ha per 2,693 residents	4.61 per 2,880 residents	0.3 ha or 3,000 sq m
Parks & Gardens	1.6 ha per 1,000 population	16m <sup>2</sup> per person	4.40 per 2,753 residents	4.61 per 2,880 residents	0.21 ha or 2,100 sq m
Natural/Semi Natural Greenspace	2 ha per 1,000 population	20m <sup>2</sup> per person	5.51 per 2,753 residents	5.76 per 2,880 residents	0.25 ha or 2,500 sq m
Allotments	0.07 ha per 1,000 population	0.7m <sup>2</sup> per person	0.19 ha per 2,753 residents	0.2 ha per 2,880 residents	0.01 ha or 100 sq m

3.10 Based on national average of 2.4 persons per household, the Rule 6 party argue that the current provision recommended by the appellants is inadequate on the basis that local amenities are effectively being taken away from existing communities to service a new development – this demonstrates a net loss in amenity to existing communities and this is wholly unacceptable.

3.11 We will justify the above statement for individual items as follows;

**a. Equipped Play**

The appellant asserts that *'the equipped and informal play space provision to be met by individual housing plots'*.

- i. By providing equipped playing facilities within each housing development for informal play, the Rule 6 party would assert that the appellant therefore also agrees that these spaces are solely intended for that small community.
- ii. What isn't clarified in the appellants plan is the intention to utilise the existing playground as a means of overspill parking for the woefully inadequate proposed parking facilities. This therefore constitutes a complete loss of playground facilities for the children of the Grasmere Estate – see Appendix 5.

**b. Informal Play**

The appellant advises that *'the equipped and informal play space provision to be met by individual housing plots'*.

- i. The Rule 6 party argues that this drastically alters the character and feel of the rest of the area by segregating individual housing plots into micro communities.
- ii. By providing segregated sections of land within each housing development for informal play, the Rule 6 party would assert that the appellant therefore also agrees that these spaces are solely intended for that small community.
- iii. The idea of informal playing spaces is to bring communities together, much like a village green.
- iv. Finally, there has been a total disregard towards the existing local community using the informal play area on Ballater Playing Fields. The appellants plan proposes to take this valuable amenity and use it for new dwellings and access road and with it, completely takes away thousands of residents access to a field that has serviced the community for over 35 years.

**c. Outdoor Sports (Formal Play)**

The appellants Addendum 2 to Environmental Statement Volume 8 Table 13.16 Proposed Outdoor Sports Provision states;

- i. The proposed on-site facilities shall comprise of 2 No. 11x11 Grass Pitches and 1 7vs7 Grass Pitch.
- ii. The appellants plan ref 1820\_28 Revision J suggests there will be 3x 11v11 Grass Pitches, 1x 9v9 Grass Pitch and 1x 7v7 Grass Pitch.
- iii. Could we please request some clarity over which proposal is being suggested?
- iv. The calculation in table 13.15 suggests a sporting provision of 4.31 ha to accommodate 2,693 residents which is to be provided by a combination of the appellants land and that of Radley Common playing fields.
- v. The combined area of both existing facilities is 6.17 ha made up of Ballater Playing Fields 3.2 ha and Radley Common Playing Fields 2.97 ha.
- vi. Given this land already facilitates the existing community, the appellant is therefore only offering an additional 2.98 ha. Based on the appellants figures, this equates to a net gain of 11.07 m<sup>2</sup> per person against the standard prescribed 16m<sup>2</sup> per person.
- vii. We therefore fail to see why Warrington Borough Council and the appellant would agree to a net provision of 4.4 ha (Item 13.100) when this is less than the existing provision prior to adding almost 3,000 additional residents – quite simply, this is not acceptable.
- viii. Furthermore, these calculations make no allowance for the complete loss of amenity on Ballater Playing Fields that would be lost entirely to the community.
- ix. On the basis of 3.2 ha being divided up at 16m<sup>2</sup> per person – that would suggest Ballater Playing Fields is capable of servicing 2,000 residents, arguably, this figure is already quite low for the area of community it serves.
- x. Given this fact and that item vi. clearly demonstrates insufficient allowance for the proposed development, it absolutely goes without saying that the impact of losing Ballater Playing Fields would be high, there would be a demonstrable net loss of amenity and as such, should not be taken away from the local community.
- xi. Appendix 6 & 7 demonstrate additional walking and driving distances required for residents losing Ballater Playing Fields to travel to the proposed site.

- xii. Irrespective of the promise of new quality pitches which may seem appealing to the council and Sports England, the simple fact is that the numbers do not add up. The existing community will lose a significant amenity, it will only benefit those of the new development and the provision of a road and houses through this playing field would irreversibly destroy the character of the area – the final slap in the face to existing local residents.

**d. Parks & Gardens, Natural, Semi Natural Green Spaces & Allotments**

The following topologies have been bundled together in line with the appellants table 13.15.

The appellant advises that *'Natural/ Semi Natural Areas (this includes all areas set aside as ecological/motorway buffer zones, retained vegetation areas and attenuation pond areas):*

- i. The Rule 6 party in the first instance would like to request what realm of fantasy and planning does motorway buffer zones and attenuation ponds constitute parks and green spaces?
  - ii. The motorway buffer zone is directly along the path of an air quality management area where air pollution is at its worst. This buffer zone will also be subject to noise – both of which make this plot of land completely unappealing and of very low recreational value.
  - iii. Attenuation ponds are typically deep and dangerous. Their secluded location referred to in the appellants Parameters Plan gives rise to concern with respect to younger members of the public falling into serious risk through youthful misadventure.
  - iv. Attenuation ponds would require to be securely fenced off to prevent such use, in doing so, detracting from the green ecological haven the appellant believes can be created.
  - v. Appendix 8 highlights the areas of green space and park that the appellant believes amounts to 10.1 ha of space. We would appreciate a detailed breakdown of where this space is and which parcels of land contribute what area.
  - vi. To the best of our abilities, we can account for 7.58 ha of land – the majority of which is along the motorway buffer zone. This proposal is woeful in both terms of quality (refer to PoE's for Noise and Air Quality) and quantity.
- 3.12 The appellants proposal for playing fields on the Radley Common and proposed site appears to suggest that all the pitches would be protected by barriers/fencing. This is in keeping with a typical Sports England playing surface specification.

- 3.13 On this basis, the sole intended purpose of the playing facilities will be formal, access will not be available to the public to turn up and play – in real terms therefore the net loss of amenity to the existing general public amounts to 6.17 ha made up of Ballater Playing Fields 3.2 ha and Radley Common Playing Fields 2.97 ha.
- 3.14 Finally, we wish to draw attention to the existing facilities within the general vicinity of the proposed development. The majority of which provide both formal and informal sports/recreational provision.
- 3.15 The appellant claims in Addendum 2 Vol 8 item 13.100 that the existing pitches are of poor quality and that the current playing fields are not utilised.
- 3.16 This is wholly inaccurate, the Ballater Playing fields are being utilised by Winwick JFC as well as a number of adult social groups both during the week and at weekends.
- 3.17 The pitches are in good shape and are being regularly maintained by Warrington Borough Council.
- 3.18 Appendix 9 – sets out plans for the coming season on Ballater Playing Fields.
- 3.19 Appendix 10 – sets out potential future use for the existing facilities at Radley Common.
- 3.20 Appendix 11 – provides context of availability of playing facilities across north Warrington.
- 3.21 Based on the information provided above and within the appendices, we are therefore extremely concerned that the local community are about to lose their access to large sections of informal amenity on the basis that new facilities will be provided in their place – when ultimately it takes away from the public and does not give back.
- 3.22 Instead of re-inventing the wheel, all that is required, is a little investment in existing facilities.



## Section 4 – IR Comments

4.1 Finally, we wish to address comments from the previous inquiry and inspectors report that were not refuted;

4.2 *IR5.19 Paragraph 97 is clear that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless, among other things, 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.*

The Rule 6 party has demonstrated within this proof of evidence that the quantity is insufficient and the location only benefits those of the proposed development and Grasmere. Existing residents and community of Cinnamon Brow and Houghton Green lose out immeasurably – this can not be deemed acceptable.

4.3 *IR10.51 The appeal proposal would result in the loss of Mill Lane playing field and its relocation to Radley Playing Fields. Local residents will not venture to the relocated fields because of local school affinities. This will deprive residents of an easily accessible facility that has stood for over 30 years.*

School affinities and looking after ‘their patch’ really exists and students do not typically stray from the their own for this very reason. No desktop study will take account of this, it’s local knowledge, it’s being a child in the very same predicament running home to avoid conflict.

**This is still a very valid consideration that cannot and should not be neglected from consideration.**

4.4 *IR14.10 The proposed sports hub would be of greater benefit, albeit that it would be provided chiefly as mitigation for the loss of the Mill Lane playing fields and to meet the demands arising from the new development. It would be a qualitative improvement over what is currently provided in this area of Warrington. It is also common ground between the main parties that it would be a quantitative improvement, although the rationale behind this agreement is not readily apparent from the evidence.*

4.5 *IR14.11 Even so, I am mindful of the views expressed by residents living near, and using, the Mill Lane playing fields. They noted, formally and in questions to witnesses, that the appeal proposal would result in the loss of this area of green space, which is used recreationally by many residents for more than just formal sport (e.g. dog walking; informal kickabouts; etc) [10.51; 10.82; 11.1]. This would be detrimental as residents would have to travel further to access such space, with no facility in as close proximity as there is at present.*

4.5 Nothing in regard of items 4.4 & 4.5 has changed. New changing facilities is little compensation to the residents and local community that use Ballater Playing Fields. As previously communicated – Ballater Playing Fields provides significant informal recreational opportunity, none of which will ever benefit from a set of changing facilities some 1km away.

## Section 5 – WBC Local Plan Core Strategy Adopted July 2014

4.1 The following excerpts define where the proposed development and intended decommission of Ballater Playing Fields are in direct opposition to the Core Strategy.

4.2 Policy QE3 – Green Infrastructure

### Policy QE 3

#### Green Infrastructure

The Council will work with partners to develop and adopt an integrated approach to the provision, care and management of the borough's Green Infrastructure. Joint working and the assessment of applications will be focussed on:

- protecting existing provision and the functions this performs;
- increasing the functionality of existing and planned provision especially where this helps to mitigate the causes of and addresses the impacts of climate change;
- improving the quality of existing provision, including local networks and corridors, specifically to increase its attractiveness as a sport, leisure and recreation opportunity and its value as a habitat for biodiversity;
- protecting and improving access to and connectivity between existing and planned provision to develop a continuous right of way and greenway network and integrated ecological system;
- securing new provision in order to cater for anticipated increases in demand arising from development particularly in areas where there are existing deficiencies assessed against standards set by the Council.

Item 1 – The appellant clearly fails to meet this criteria

Item 2 - The appellant clearly fails to meet this criteria

Item 3 - The appellant clearly fails to meet this criteria

Item 4 - The appellant clearly fails to meet this criteria

Item 5 – The appellant is providing a plot of land that is insufficiently sized to meet the requirements of the proposed development capacity and instead aims to utilise existing land that is already utilised to service Grasmere and surrounding area – we assert therefore that the appellant clearly fails to meet this criteria.

**Each item of QE3 has not been met.**

## Section 5 – Conclusion

- 5.1 The very thought of this valuable amenity being taken away from local residents angers me.

In essence, we have a developer who speculatively purchased land, sold for the simple reason that development was simply too problematical and disadvantageous to the surrounding area. That was the opinion of planning officers over 30 years ago long before the use of cars had grown exponentially.

To make this wholly unsustainable proposal stand the slightest chance of becoming a reality, the appellant is effectively land grabbing and stealing from the local community. Stealing would normally be deemed a little excessive, but in this case it perfectly describes the scenario.

Residents stand to have a valuable amenity taken from them with nothing offered in return. This can not be allowed to be the case – it is the responsibility of our representatives within council and government to ensure that this gross lack of regard for our community is not allowed to continue.

## Appendices

Appendix 1 - Ballater - Location Plan

Appendix 2 - Radley Common - Location Plan

Appendix 3 - Aerial View & Community Served - Ballater

Appendix 4 - Aerial View & Community Served - Radley Common

Appendix 5 - Proposed Sports and Recreation Provision

Appendix 6 - Walking distance from Ballater Playing Fields to Proposed Playing Fields

Appendix 7 - Driving distance from Ballater Playing Fields to Proposed Playing Fields

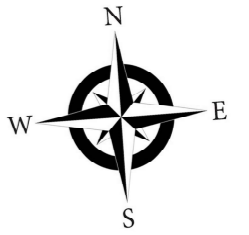
Appendix 8 - Area of Parks and Green Areas

Appendix 9 - Future Proposal for Ballater Playing Fields

Appendix 10 - Future Proposal for Radley Common Playing Fields

Appendix 11 - Existing Playing Facilities in the area

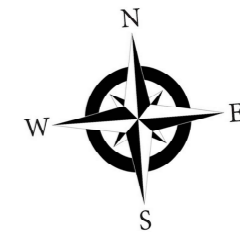
## **Appendix 1 - Ballater - Location Plan**



**SAVE PEEL HALL**  
Appendix 1  
Ballater Playing Fields  
Location Map  
Scale - NTS

## **Appendix 2 - Radley Common - Location Plan**





**SAVE PEEL HALL**

**Appendix 2**

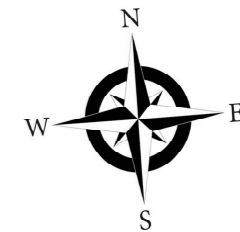
**Radley Common Playing Fields**

**Location Plan**

Scale - NTS

**Appendix 3 - Aerial View & Community Served - Ballater**





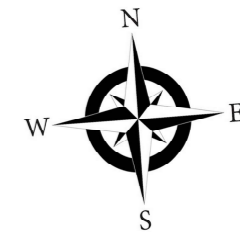
→  
Welsby Close

**SAVE PEEL HALL**  
Appendix 3  
Ballater Playing Fields  
Aerial View & Community Served  
Scale - NTS



## **Appendix 4 - Aerial View & Community Served - Radley Common**





**SAVE PEEL HALL**  
Appendix 4  
Radley Common  
Playing Fields  
Aerial View &  
Community Served  
Scale - NTS



**Appendix 5 - Proposed Sports and Recreation Provision**





**KEYS**

	Site Boundary		Proposed Tree Planting
	Proposed Footpath/ Re-surfacing existing		Existing Trees

# PEEL HALL, WARRINGTON

## Indicative Sports and Recreation Provision

**FIGURE APP 16**

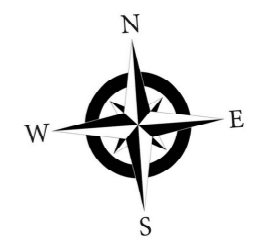


Project <b>PEEL HALL, WARRINGTON</b>		
Title Indicative Sports and Recreation Provision		
Client Satnam Millennium Ltd		
Date 28.06.16	Scale 1:1,250@A1	
Drawn SW/ DS	Drawing No. 1820_28	
Checked DA/ DS	Revision J	
		<small>© Appletons 17 Chorley Old Road, Bolton BL1 3AD. Tel: 01204 393006. Fax: 01204 388792 Web: www.appletons.uk.com Email: info@appletons.uk.com</small>



## **Appendix 6 - Walking distance from Ballater Playing Fields to Proposed Playing Fields**





The following route has been based on a child who lives at the top end of Dundee/Shetland Close making their way to the new playing facility.

The route constitutes an increase of 1.2km to get to the centre of the proposed playing fields.

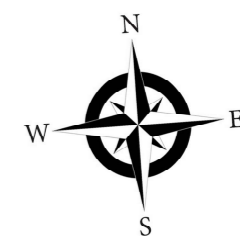
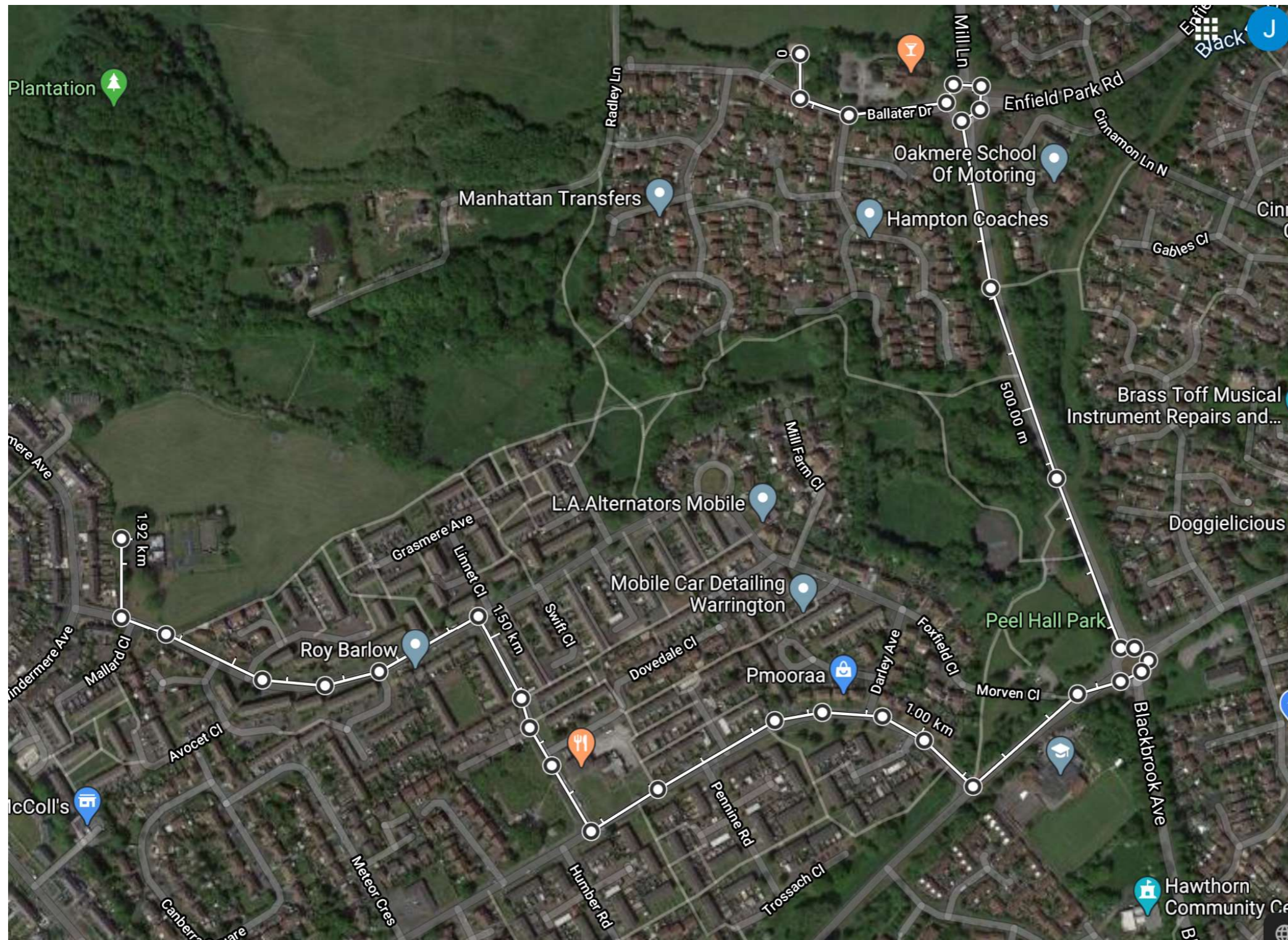
This is an excessive distance to expect a child to travel and places them some distance away from the safety of their home.

No parent would be comfortable with their child making this journey through the Park.

**SAVE PEEL HALL**  
 Appendix 6  
 Walking distance from Ballater Playing Fields to Proposed Playing Fields  
 Scale - NTS

## **Appendix 7 - Driving distance from Ballater Playing Fields to Proposed Playing Fields**





The following route has been based on the need to drive to the current facility for what could be a number of reasons, eg;

1. Football coach with need to carry equipment.
2. Parent taking child c/w smaller children in tow.
3. No desire to walk in poor weather conditions.

Anyone who has children that play football know the above situations all too well.

The route constitutes an increase of 1.92km car travel (not a sustainable solution).

**SAVE PEEL HALL**

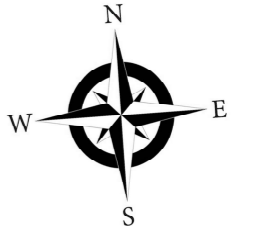
**Appendix 7**

**Driving distance from Ballater Playing Fields to Proposed Playing Fields**

Scale - NTS

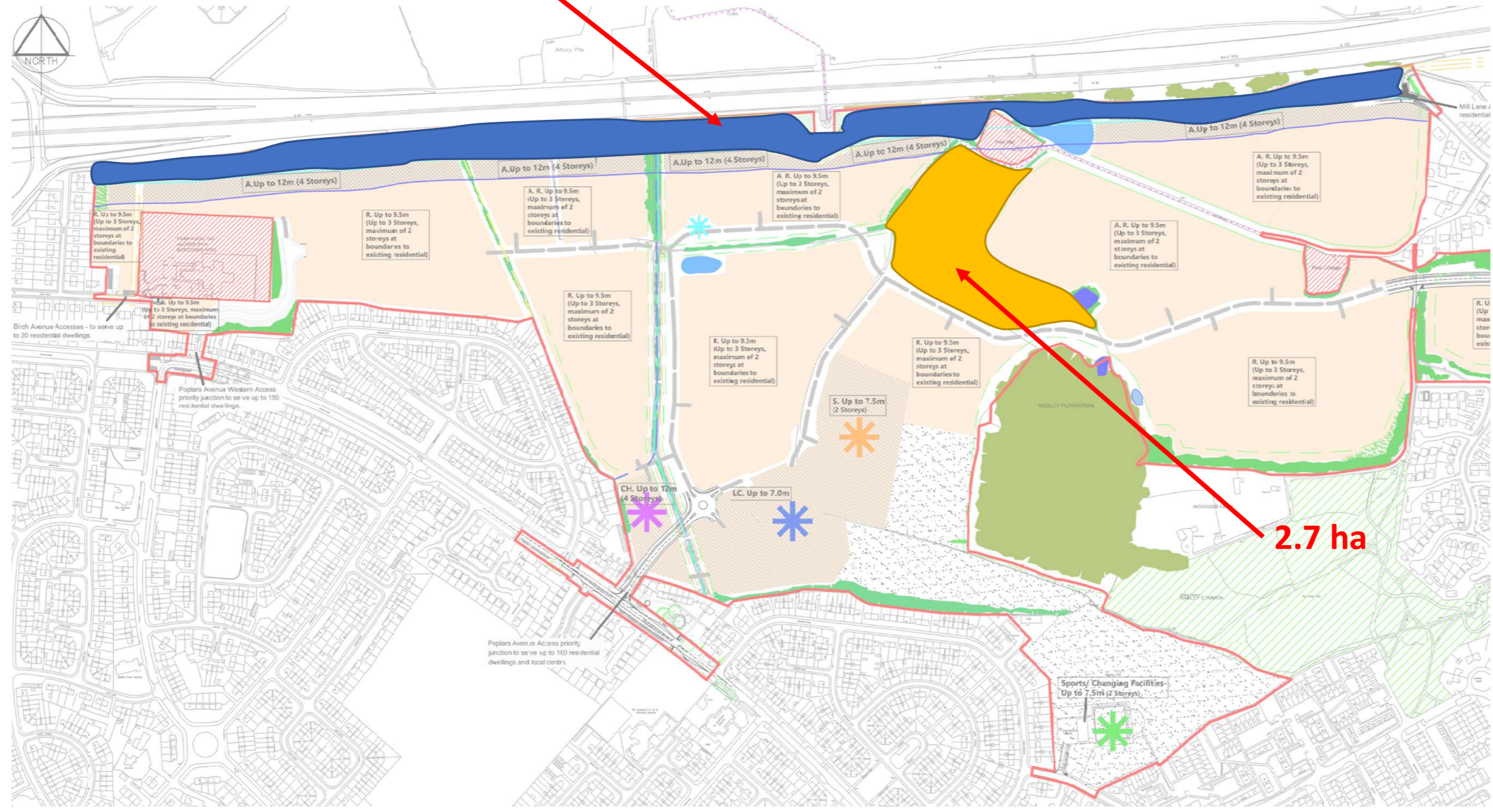


## **Appendix 8 - Area of Parks and Green Areas**



4.88 ha

2.7 ha



**SAVE PEEL HALL**

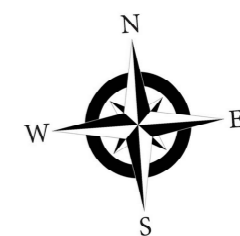
**Appendix 8**

**Area of Parks and Green Areas**

Scale - NTS

## **Appendix 9 - Future Proposal for Ballater Playing Fields**





5x5 Grass Pitch

Plenty of space retained for informal use during game days.

11v11 Grass Pitch

7x7 Grass Pitch

5x5 Grass Pitch

7x7 Grass Pitch

Provide hard standing for additional parking to facilitate match days – existing access/egress retained

**SAVE PEEL HALL**

Appendix 9

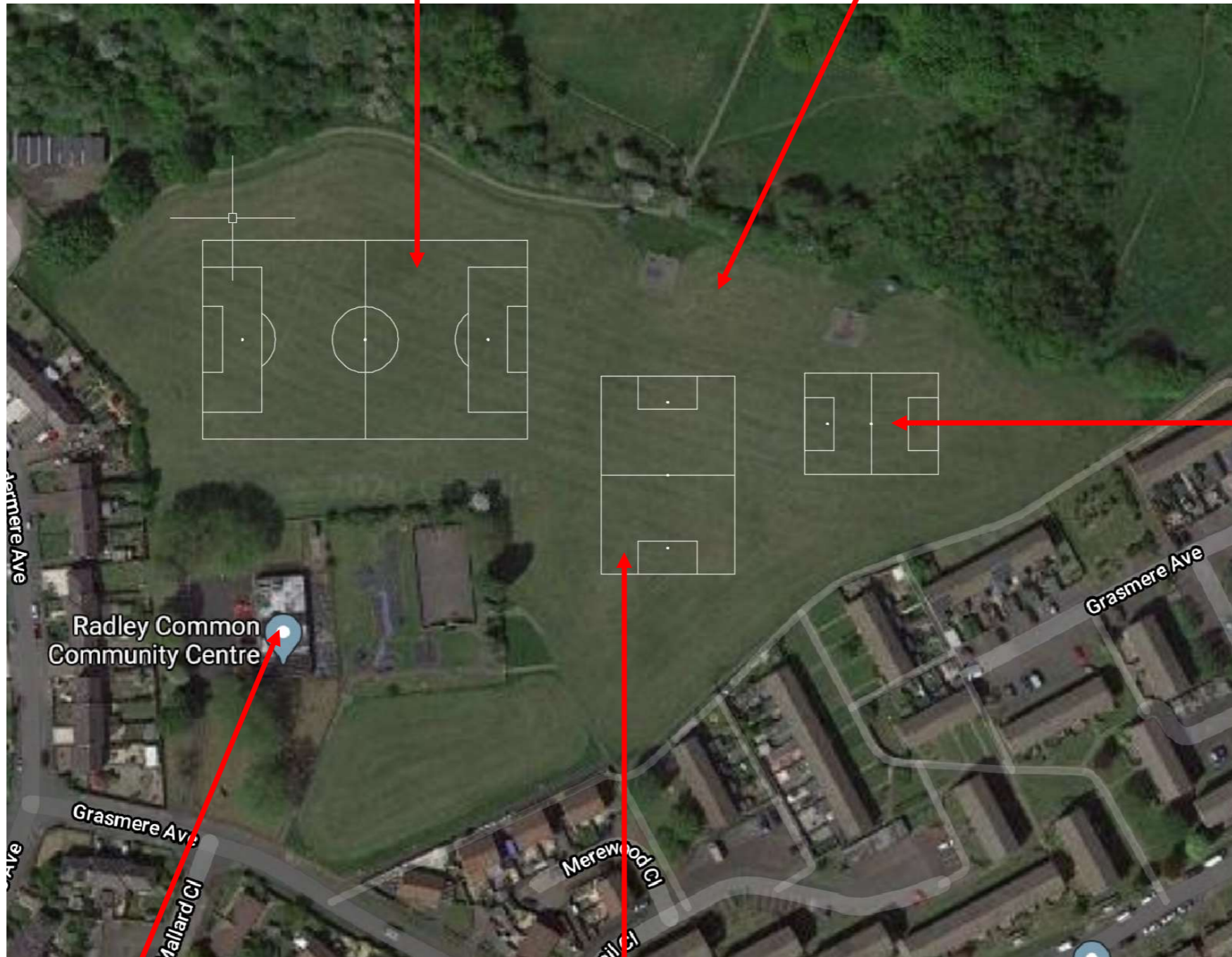
Future Proposal for Ballater Playing Fields

Scale - NTS



## **Appendix 10 - Future Proposal for Radley Common Playing Fields**





11v11 Grass Pitch

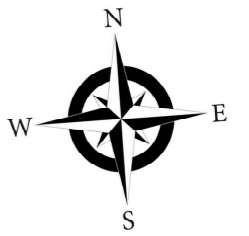
Plenty of space retained for informal use during game days.

5x5 Grass Pitch

Radley Common Community Centre

Seek funding for investment into community centre to provide changing facilities.

7x7 Grass Pitch  
Poss 9v9 Grass Pitch)



**SAVE  
PEEL (HALL)**

Appendix 10

Future Proposal  
for Radley  
Common  
Playing Fields

Scale - NTS

## **Appendix 11 - Existing Playing Facilities in the area**





Grass Pitches at Winwick Leisure Centre

Grass & Artificial Pitches at Orford Jubilee Hub

Artificial Pitches

Grass Pitches



Appendix 11

Existing Playing Facilities in the area

Scale - NTS