

Received Date:	18 October 2024
Expires:	13 December 2024
Application Number:	242646
Site:	Twyford Skatepark, King George V Recreation Ground, Twyford, Reading
Application:	Application for a certificate of lawfulness for the proposed installation of an integrated free form spray concrete multi use skate park following demolition of the existing modular skate park units.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
111579	Erection of floodlighting columns around boundary of existing skate park to provide illumination level of 200 lux on playing surfaces with time switch control to turn off by 7pm.	09/08/2011	Approved	N/A

2. Site Description

The application site is a skatepark located within the King George V Recreation Ground in Twyford. The surrounding area features a junior school to the east, but the area would be described as predominantly residential in nature.

3. Land/ Property Designations

- There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is not subject to wildlife and habitat designations being located in an area that has the potential to support bat roosts.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as 'lawful' if:
- (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
- (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class A) grants planning permission for the "*enlargement, improvement or other alteration of a dwellinghouse*".
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

Application for a certificate of lawfulness for the proposed installation of a multi-use skate park following the demolition of the existing modular skate park units.

7. Assessment against legislation:

Schedule 2, Part 12, Class A of the General Permitted Development Order 2015 states that development is permitted for:

The erection or construction and the maintenance, improvement or other alteration by [or on behalf of] a local authority or by [or on behalf of] an urban development corporation of—

(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

The interpretation of Class A, A.2, states:

The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

This proposal is for the construction of a multi-use skatepark, and the applicant is Twyford Parish Council, a local authority. Additionally, it has been demonstrated on the submitted plans and documents that the skatepark does not exceed 4 metres in height and that the volume does not exceed 200 cubic metres in capacity.

8. Conclusion

The proposed installation of a multi-use skatepark following demolition of the existing skatepark constitutes development requiring planning permission. Permission **IS** available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 12) (Class A) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 20/11/24