

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 10 February 2010

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APPLICATION REF. NO:	09/00898/DC
STATUTORY DECISION DATE:	11 February 2010
WARD/PARISH:	BANK TOP
LOCATION:	Eastbourne Park, Eastbourne Road
DESCRIPTION:	Creation of a new equipped play area.
APPLICANT:	Director of Corporate Services.

APPLICATION AND SITE DESCRIPTION

This is a full application under Regulation 3 of the Town and Country Planning General Regulations 1992. Approval is sought for an additional play area to provide a different play value to the play equipment already installed in Eastbourne Park. The proposed play area would be situated within the eastern part of the Park between the existing play area and the bowling green. The site identified for the play area comprises an open grassed area.

Three pieces of play equipment are proposed, a roundabout, a slide, and a sculptural climber. The latter two pieces of equipment would be sited on conical grass mounds (approximately 2m in height). A further grass mound, in the form of a crescent shape, would be constructed between the play equipment and the adjacent bowling green.

The documentation submitted with the application states that consultation sessions have been held in the Park to talk with children and young people who use the existing play equipment, and parents views were sought regarding future equipment that could be provided for the local community to offer more opportunities for challenging and imaginative play. In addition residents adjoining the Park were invited to a meeting in December 2009 where the proposals were displayed prior to the submission of any planning application. Residents who attended the event were generally satisfied with the location of the play area but some concerns were raised about anti social behaviour in the Park.

PLANNING HISTORY

74/636- In February 1975 planning permission was granted for the erection of a groundsman's equipment store and toilets.

81/174 - Planning permission was granted in March 1981 for the erection of a replacement bowls pavilion.

PLANNING POLICY BACKGROUND

The following policies in the Borough of Darlington Local Plan are relevant:-

R25 –Provision of Community Facilities
E46 –Safety and Security
H15 –The Amenity of Residential Areas
R1 – Designing for All
R2 – Access for People with Disabilities
R4 - Open Space Provision
R20 –New Sports and Recreational Facilities
E48 –Noise Generating Development
T24 –Parking and Servicing Requirements for New Development

Policy 22 (The Design of Open Spaces) of the Darlington Open Space Strategy 2007 – 2017 is also relevant

RESULTS OF CONSULTATION AND PUBLICITY

The Council’s Anti Social Behaviour Team has no objection to the proposed equipped play area but advises that there is seasonal anti- social behaviour within the park and therefore the proposal would require careful management. They have been liaising with Groundwork on this issue and have stated that a sum of money from their anti-social behaviour lighting budget will be provided to improve the lighting in the park.

The Council’s Public Protection Division has recommended that the standard land contamination condition be attached, as this is a sensitive end user.

The Council’s Highways Engineer has raised no objections to the proposal.

PLANNING ISSUES

The principal issues to be considered in the determination of this application are:

- Planning Policy
- Residential Amenity
- Visual Amenity

Planning Policy

Policy R4 (Open Space Provision) states that the Council will seek to ensure that provision of all forms of open space for recreation in the urban area, including parks, informal amenity open space, playing fields and children’s play areas is maintained. The policy also seeks to encourage a wide variety of spaces for recreation use within the urban area. Policy 22 (The Design of Open Spaces) of the Darlington Open Space Strategy 2007 – 2017 is also relevant and states that new and existing open spaces should reflect local distinctiveness and local townscape context; be well connected to the surrounding development it is intended to serve; be accessible to all; wherever possible integrate a range of open space uses; reflect and integrate pedestrian and cycle

desire lines and be overlooked by neighbouring properties. They should also include clear boundaries, entrances and gateways, the retention of existing landscape features, tree and shrub planting using native species, wildlife habitats and sustainable drainage.

Policy R20 (New Sports and Recreation Development) of the Borough of Darlington Local Plan permits the development of new sports and recreation development within built-up areas where their impact on traffic and residential amenity is acceptable, where satisfactory car parking can be provided, and where they are sited in locations accessible to public transport users, cyclists and pedestrians.

The proposal is considered to be acceptable in principle in the context of the above policy, subject to detailed matters of development control, which are considered in the remaining sections of this report.

Residential Amenity

The Park is bounded on three sides by residential properties. A separation distance of approximately 170m is provided with terraced properties that bound the western boundary of the park. To the north of the site are dwellings in Eastbourne Road, which would be approximately 80m from the proposed play area, and to the east are dwelling houses in Milton Street some 100m from the site. The documentation submitted with the application states that Groundwork had invited residents adjoining the Park to a meeting in December 2009 where the proposals were displayed prior to the submission of any planning application. Residents who attended the event were generally satisfied with the location of the play area but some concerns were raised about anti social behaviour in the Park. The Council's Anti Social Behaviour Team has confirmed that there is a seasonal problem in the Park but have not objected to the application, and advise that they have been liaising with Groundwork with a view to allocating a sum of money from their budget towards improving lighting in the park to address the anti social behaviour problem. Consequently, it is considered that the proposal is unlikely to result in conditions that would adversely harm the amenities of adjoining and neighbouring residents.

Visual Amenity

In the context of its surroundings the development is unlikely to result in any material harm to the visual amenities of the area.

Highway Issues

The Council's highways engineer has no objections to the development on highway or other traffic grounds

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposed development is considered acceptable in this location and will not give rise to conditions prejudicial to local amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention.

RECOMMENDATION

PURSUANT TO REGULATION 3 OF THE TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992 PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Five Years)
- 2) B5 Detailed Drawings (Accordance with Plan)
- 3) J2 Contamination
- 4) Prior to the commencement of the development hereby approved, provision shall be made for cycle parking, precise details of which shall be submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – To ensure that adequate cycle parking provision is provided to promote access and accessibility.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposed development is considered acceptable in this location and will not give rise to conditions prejudicial to local amenity or highway safety. The application does not raise any issues in relation to highway safety or crime prevention. The proposal accords with the relevant policies within the development plan, as listed below.

Borough of Darlington Local Plan (1997)

R25 –Provision of Community Facilities

E46 –Safety and Security

H15 -The Amenity of Residential Areas

R1 – Designing for All

R2 – Access for People with Disabilities

R4 – Open Space Provision

R20 –New Sports and Recreational Facilities

E48 –Noise Generating Development

T24 –Parking and Servicing Requirements for New Development

Darlington Open Spaces Strategy 2007 – 2017

Policy 22 – The Design of Open Spaces

