

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 16 December 2009

Page

APPLICATION REF. NO:	09/00749/DC
STATUTORY DECISION DATE:	21 December 2009
WARD/PARISH:	LASCELLES
LOCATION:	Lascelles Playing Area, Fenby Avenue
DESCRIPTION:	Installation of equipped play area
APPLICANT:	Director of Corporate Services

APPLICATION AND SITE DESCRIPTION

The application site consists of the large area of open space within Lascelles close to the Allotment Gardens.

Residential properties located along Melsonby Crescent are located some 75m to the east of the playing area site. Residential properties located on Headlam Road are located some 50m to the south west and residential properties located on Keats Court are located some 85m to the north east.

This is a full application under Regulation 3 of the Town and Country Planning General Regulations 1992. The application is for the installation of an equipped play area.

The equipment includes adventure play equipment and an embankment slide to the north of the existing hedge (to the south of the playing area site). There would be a graded ramp towards the centre of the site with retaining walls and sandstone stone boulders. To the north of this ramp there would be an adventure swing. In addition to the embankment to the east of the site formed for the slide there would be an additional graded mound located to the north east of the site.

Exact details of the play equipment and the mounds (heights etc) has not been provided. A condition requiring this information would, therefore, be appropriate.

PLANNING HISTORY

There is no planning history associated with this application.

PLANNING POLICY BACKGROUND

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

E3 – Protection of Open Land
E46 – Safety and Security
E48 – Noise Generating Development
H15 – The Amenity of Residential Areas
R1 – Design for All
R2 – Access for People with Disabilities
R4 – Open Space Provision

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring residential properties have been consulted by letter. A site notice has also been displayed. At the time of writing, no comments have been received.

The Transport Policy Officer commented that provision should be made for secure cycle parking. This can be achieved via a condition.

The Highways Engineer raised no objections to the proposal.

PLANNING ISSUES

The main issues to be considered in this application are:

- Planning Policy
- Residential Amenity
- Visual Amenity

Planning Policy

Policy E3 (Protection of Open Land) states that for proposals to develop any area of open land consideration will be given to maintaining the usefulness and enhancing the appearance of the open land.

The proposal would enhance both the appearance and the usefulness of the area of open space. The proposal would not harm the visual relief provided by the open space or harm its character and appearance.

Policy R4 (Open Space Provision) sets out that the Council will seek to ensure that provision of all forms of open space for recreation in the urban area, including children's playing areas, are maintained.

The proposed development is considered to be acceptable in principle. Other matters to be considered in the determination of this application are all detailed matters of development control and are considered in the following sections of this report.

Residential Amenity

Local Plan Policy H15 (The Amenity of Residential Areas) states that permission will not be granted for the establishment, enlargement or material intensification of non-residential uses, which would unacceptably conflict with the amenities of surrounding residential areas.

The play area site would be located centrally within the area of open space and, at its closest, would be some 50m from residential properties. The design includes erecting mounds to the east of the playing area site which would help provide some screening of the play facility.

Visual Amenity

The proposal would be set within an existing area of open space. The scheme has been designed to take account of its setting and to blend in the landscape. The proposal would not, therefore, be harmful to the visual amenity of the area.

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 equipped play area will provide facilities for local children in an existing recreational area of open space. The proposal complies with the local plan in terms of open space and, due to its siting, the proposal will not result in any significant detrimental impacts to the visual or residential amenity of the area.

RECOMMENDATION

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

1. A3 Implementation Limit (Three Years)
2. B5 Detailed Drawings (Accordance with Plan)
3. B2 Detailed Drawings (Specific) [INSERT: the play area equipment and the mounds].
4. Prior to the commencement of the development hereby approved, details of secure covered parking for cycle stands 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 is considered to comply with the relevant policies in the development plan as set out below:

Borough of Darlington Local Plan 1997

E3 – Protection of Open Land

E46 – Safety and Security

E48 – Noise Generating Development

H15 – The Amenity of Residential Areas

R1 – Design for All

R2 – Access for People with Disabilities

R4 – Open Space Provision