

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 23 September 2009

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APPLICATION REF. NO:	09/00531/DC
STATUTORY DECISION DATE:	29 September 2009
WARD/PARISH:	FAVERDALE
LOCATION:	Play Area, West Park, West Auckland Road
DESCRIPTION:	Installation of 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 the installation of an equipped play area on an existing play area to the north east of the open space at West Park. Alderman Leach School is located to the west of the application site and the lay by off the A68 and Mill Garages are located to the north and east of the site respectively. Public footpath number 16 runs through the application site.

The Council has received funding through the national PlayBuilders scheme and following discussions with the Friends of West Park this site has been identified as being in need of refurbishment. The existing play area is low key with no formal play equipment and it is proposed to introduce a number of natural and manmade landscape features rather than formal play equipment. The application proposes the installation of the following facilities:

- Climbing boulder,
- Play tunnel,
- Sand play area,
- Slide with timber scramble steps,
- Amphitheatre terraces,
- Climbing boulder,
- Remodelling of stream bank and installation of timber groins and pebble beach,
- Revolving metal dishes,
- Stone climbing blocks,
- Rope swings,
- Climbing equipment to form lookout,
- Log climbing/balancing equipment, and
- Series of walkways, timber seats and landscaping.

A Design and Access Statement has been submitted with the application.

PLANNING HISTORY

The site has a lengthy planning history. The following history is considered to be relevant to the current application.

01/00020/OUTE – Outline application for reclamation of derelict land, provision of open space and development for residential, sports and recreation, community and health care purposes, together with ancillary highways and landscaping works. GRANTED 21 FEBRUARY 2002

01/00020/RM3 – Details of hard and soft landscaping works to entrance areas, central areas, sculpture surrounds and West Beck pursuant to outline planning permission 01/00020/OUTE. GRANTED 3 MARCH 2003

01/00875/FUL – Reclamation of former factory site and associated waste heaps to form public open space and future residential development land. GRANTED 6 FEBRUARY 2002

PLANNING POLICY BACKGROUND

The following policies of the Borough of Darlington Local Plan 1997 are considered relevant:

R1 - Designing for All
R4 – Open Space Provision
R20 – New Sports and Recreational Facilities
R25 – Provision of Community Facilities
E16 – Appearance from Main Travel Routes
E48 – Noise Generating Development
H15 – The Amenity of Residential Areas

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

RESULTS OF CONSULTATION AND PUBLICITY

None received.

PLANNING ISSUES

The main planning issues to be considered in the determination of the application are:

- Planning Policy
- Visual Amenity
- Residential Amenity
- Public Rights of Way and Highways Matters

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.

The application site was reclaimed from the former Darchem factory site and waste heaps. It has been in use as open space and an informal play area, in association with the wider West Park site, for approximately 5 years. The principle of the proposed development is considered acceptable. The following development control matters also require further consideration.

Visual Amenity

The proposed play equipment will be set within an existing informal play area on the edge of the larger area of open space at West Park. The Design and Access Statement accompanying the application states that the proposed play equipment has been designed to compliment the natural and informal nature of the existing open space and play area by using predominantly natural and manmade features. The A68 runs close by the application site. Policy E16 (Appearance from Main Travel Routes) seeks to ensure that the appearance of the Borough from the main road network will be maintained and enhanced. The proposed play area will be largely obscured from view by existing tree and shrub planting adjacent to the A68. The scheme has been designed to enhance the visual appearance of this part of the West Park site and the proposal is not therefore considered to be harmful to the visual amenity of the area.

Residential Amenity

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 areas having a predominantly residential character or with the quiet enjoyment of dwellings and gardens in particular. Policy E48 (Noise-Generating/Polluting Development) states that permission will not be granted for development which, by reason of the emission of noise or other pollutant, would be materially harmful to the amenities of existing or proposed residential areas.

The nearest residential properties are located approximately 65 metres to the north west on Tillage Green, above the shop units at West Park village. Beyond Tillage Green, the next nearest properties are on Duxford Grove some 130 metres to the east on the opposite side of the A68 and on Wildair Close approximately 200 metres to the west. The play area is located adjacent to Alderman Leach Primary School and is close to other non-residential uses at West Park village. The A68 also runs approximately 70 metres to the east. While there are some residential properties fairly close to the application site, these are already closely related to existing commercial activities and it is not considered that the installation of the proposed play equipment on an existing informal play area will have an unacceptable impact on the amenities of these properties in terms of noise, nuisance or disturbance.

Public Rights of Way and Highways Matters

Public footpath number 16 runs through the application site in a north south direction. Concern was originally expressed by the Council's Countryside Section that the proposed amphitheatre would impact upon the right of way, however the applicant's agent has confirmed that the site will be fenced off during the construction period leaving the public right of way open. The Head of Parks and Countryside is now satisfied that measures now taken to limit any possible

disruption to the right of way, either at the construction phase or after the development is complete will satisfy any concerns expressed previously by the Rights of Way Officer.

The Traffic Manager has also considered the application and raises no highway objection to the proposal.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

CONCLUSION

The proposal involves the provision of improved community facilities in such a location as to be accessible by local residents. The proposal does not raise any issues in respect of highway safety or visual or residential amenity. It is not considered that the development will lead to an increase in anti-social or criminal behaviour. The proposed is considered to comply with the relevant policies in the Borough of Darlington Local Plan 1997 and the Darlington Open Space Strategy 2007 – 2017.

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
2. B5

SUGGESTED REASONS FOR GRANTING OF 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 and complies with the relevant policies of the development plan, as listed below:

Borough of Darlington Local Plan 1997

R1 - Designing for All
R4 – Open Space Provision
R20 – New Sports and Recreational Facilities
R25 – Provision of Community Facilities
E16 – Appearance from Main Travel Routes
E48 – Noise Generating Development
H15 – The Amenity of Residential Areas

Darlington Open Spaces Strategy 2007 – 2017

Policy 22 – The Design of Open Spaces