

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 1 July 2009

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APPLICATION REF. NO:	09/00353/DC
STATUTORY DECISION DATE:	23 July 2009
WARD/PARISH:	CENTRAL
LOCATION:	Playing Area, Prescott Street
DESCRIPTION:	Upgrade existing play area provision
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 upgrading of an existing children's play area, located to the north of Prescott Street opposite the site of the former Albert Hill Nursery School. This project was initiated as a group of residents raised concern at a Central Partnership meeting in 2008 about the lack of play equipment in the current play area. Through work with Darlington Borough Council, Groundwork North East had already consulted with residents from Albert Hill about the area. The results of a questionnaire indicated that many residents wanted to see improvements to the play area and improved equipment for children. Three open consultation events were held inviting local residents to see proposed plans and make comments.

The existing site consists of a small play area, mature trees and grass. A single footpath crosses the site from Allan Street to Killinghall Street. The existing play area is run down and has limited use.

The upgraded park will provide:

1. A toddler/junior play area
2. New pieces of senior adventure play equipment
3. A seating area
4. A hard surfaced area around a metal kickwall
5. A comprehensive network of footpaths
6. Fencing around three sides of an informal grass 'kickabout' area

PLANNING HISTORY

None relevant to application currently under consideration.

PLANNING POLICY BACKGROUND

Policy R4 (Open Space Provision) of the Borough of Darlington Local Plan aims to secure adequate open space provision for recreation in the urban area. 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 following policies are also considered relevant:

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

The site is also identified within the Darlington Open Space Strategy 2007-2017 as being of high value and quality to the local population. Policy 22 of the strategy (The Design of Open Spaces) requires new and existing open spaces to:

- i) reflect local distinctiveness and existing townscape context; and
- ii) be well connected to the surrounding development that it is intended to serve; and
- iii) be accessible to all; and
- iv) wherever possible, integrate a range of open space uses, providing a wide range of activities; and
- v) reflect and integrate pedestrian and cycle desire lines; and be overlooked by neighbouring properties, rather than overlooking them.

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.

RESULTS OF CONSULTATION AND PUBLICITY

Thirty-eight letters of neighbour notification were issued to residents around the Prescott Street Play Area, which expire on 25 June 2009. A site and press notice in the Darlington and Stockton Times were also provided which expire on 3 July 2009. At the time of writing no objections had been received any responses received will be reported verbally to the committee meeting.

The Council's Highways Officer - has been consulted and requested a number of alterations to the proposed scheme including the use of tactile paving at points where footways meet existing carriageways. A pedestrian barrier should be erected onto the main road (Allan Street). A revised plan was issued incorporating these requests and a formal response is expected which will be reported verbally to the committee.

The Council's Arboricultural Officer – has been consulted, as there are existing trees within the site. Comments will be reported verbally to the planning committee.

Durham Police Architectural Liaison – Provided a number of comments on the proposal based on the principles of the 'Secure by Design' document:

- Increased use of this play area may generate problems of anti-social behaviour if young people from outside the area are attracted to it.
- Consideration should be given to installing a boundary treatment, either in the form of fencing or landscaping, with a view to prevent unauthorised access by motorcycles or other vehicles and potentially reduce instances of dog fouling.
- Lighting should be considered to facilitate surveillance at night and to reduce the fear of crime. Any lighting scheme should conform to BS 5489.

PLANNING ISSUES

The main issues to be considered in this application are:

- Planning Policy
- Residential Amenity
- Visual Amenity
- Crime and Disorder

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 policy also seeks to encourage a wide variety of spaces for recreation use within the urban area. Prescott Street play area has been in existence since the early 1900's. It has gone through a number of alterations and now incorporates areas formerly occupied by terraced properties on Killinghall Street and Nestfield Street. Most recently an area of play equipment was created to the south east of the site that has now fallen into a state of disrepair and consequently some pieces of play equipment have had to be removed.

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 extended play area is proposed in an area of open space and existing recreational facilities. It would be some 16m from the nearest residential property. The proposed junior play area is in the area where play equipment has previously been installed near the southern boundary of the site this is closer to residential properties in order to maximize surveillance in accordance with Police ALO advice. A small section of this junior play area will be located slightly closer to the properties currently being constructed at the end of Prescott Street but not sufficient to impact on residential amenity.

The layout of the site has been arranged so that potentially more disruptive activities such as the kick wall and kickabout area have been located to the north of the site away from the nearest residential properties. These elements are 40m and 35m respectively away from the nearest residential properties. And are located nearer the school and the club at 57 Nestfield Street.

Visual Amenity

The proposal would be set within an existing area of open space where there are already recreational (play) facilities. The scheme has been designed to enhance the visual appearance of this part of the open space. The proposal would not, therefore, be harmful to the visual amenity of the area.

Crime and Disorder

The proposal would not, in itself, lead directly to issues of crime or anti-social behaviour. The proposal does not, for example, obscure sight lines or create secluded areas that would be more likely to experience anti-social activity. The application represents an opportunity to improve the access to sport and recreation for local residents.

In relation to the comments of Durham Constabulary's Architectural Liaison Officer, additional fencing will be provided around some of the newly created areas which will restrict movement however it is important to preserve the open nature of the existing site and a fence around the entire perimeter would not necessarily be appropriate in visual terms.

British Standard 5489 –1:2003 (Code of Practice for the Design of Road Lighting) gives recommendations on the general principles of road lighting and is not therefore directly relevant to the application. Additional lighting is proposed as part of the scheme with the aim to improve surveillance of the site and reduce the fear of crime.

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. Improved lighting and additional fencing are provided which should help to improve the safety and security of the existing play area.

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. It is considered that the development will not lead to increased anti-social or criminal behavior. The proposal is considered to comply with the relevant policies in the development plan and the Borough of Darlington Open Space Strategy 2007-2017.

RECOMMENDATION

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 (Five Years)
- 2) B5 Detailed Drawings (Accordance with Plan)
- 3) E11 Tree Protection

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 and complies with the relevant policies of the development plan, as listed 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
R20 – New Sports and Recreational Facilities
R25 – Provision of Community Facilities
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Darlington Open Space Strategy 2007-2017

Policy 22 – The Design of Open Spaces.