

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 3 June 2009

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APPLICATION REF. NO:	09/00122/DC
STATUTORY DECISION DATE:	21 April 2009
WARD/PARISH:	HAUGHTON EAST
LOCATION:	Red Hall Playing Area, Headingley Crescent, Darlington.
DESCRIPTION:	Installation of multi use games area (MUGA), junior play area, link footpath, shelter and 4 No. lighting columns.
APPLICANT:	Director of Corporate Services

APPLICATION AND SITE DESCRIPTION

The application site consist of the large area of open space within Red Hall Estate. Red Hall Primary School is located to the north of the site, Headingley Crescent is to the west and White Hart Crescent is to the south.

This is a full application under Regulation 3 of the Town and Country Planning General Regulations 1992. The application is for the installation of multi use games area (MUGA) with four lighting columns, a junior play area, a link footpath and a revised location for an existing shelter.

The MUGA would be approximately 30m in length and 15m in width. A wire-mesh weld fence would surround the MUGA and four lighting columns are proposed which would be approximately 8m in height. The MUGA would be located to the north of the site (towards Red Hall Primary School) and would replace the existing junior play area.

A replacement junior play area (approximately 20m by 17m) is proposed towards the west of the site (some 11m from Headingley Crescent).

It is proposed to relocate the existing shelter from its current position next to the path leading to the existing senior play area to a new position some 7m from the south east corner of the proposed MUGA (to the east of the senior play area).

A new footpath is proposed that would provide access to the MUGA, the existing senior play area and the new junior play area. This would connect with the existing path that runs from Headingley Crescent to the senior play area.

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
R11 – Artificial Turf Playing Pitches
R20 – New Sports and Recreational Facilities
R25 – Provision of Community Facilities
T24 – Parking and Servicing Requirements for New Development

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring residential properties have been consulted by letter. A site notice has also been displayed.

Comments have been received from the Headteacher of Red Hall Primary School which are summarised below:

The school has been approached on several occasions to site the MUGA on school grounds and has consistently declined. This is due to the risks it was felt it would pose for vandalism and high maintenance / repair costs.

The propose location of the MUGA is in very close proximity to the school boundary.

The playground surface has been vandalised and dug up. Debris litters Headingley Crescent, the surrounding area and the school. The caretaker collects missiles thrown onto school grounds each morning and a member of staff has been hit with a piece of floor surface.

Children have now started to light chunks of the rubber surface material and project them into the school on sticks. The caretaker had to extinguish a fire at the perimeter fence before it took hold of surrounding trees and shrubbery.

My greatest concern is the likelihood of arson attacks against cars on the other side of the perimeter fence and most worrying of all the school itself. The school has a very large flat roof, covered with highly flammable felt material. The consequences of this being in close proximity to a readily available supply of flammable projectiles is worrying in the extreme.

I would urge the Council to reconsider the siting of this development and the current siting of the junior playground. In the meantime corrective works are urgently required to prevent more serious arson attacks.

The Council's Highways Officer has made no objections to the application.

The Environmental Health Officer commented that conditions would be required if the application is approved. These conditions would be to confirm details and the use of the proposed floodlighting and details of how the facility will be managed.

The comments of Durham County Archaeology Officer will be reported verbally at the Committee Meeting.

Sport England have commented that the proposal is consistent with Sport England's Land Use Planning Policy Statement *Planning Policies for Sport*. Policy Objective 7 of which aims to support the development of new facilities, the enhancement of existing facilities and the provision and/or improvement of access to the natural environment which will secure opportunities to take part in sport and which can be achieved in a way which meets sustainable development objectives.

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 R11 (Artificial Turf Playing Pitches) permits the installation of artificial playing surfaces where they are accessible by a range of means of transport, they avoid the attraction of traffic through residential streets, are well related to other sports facilities and are designed so as to protect the amenities of occupiers of neighbouring properties.

The site is in a location accessible by a range of means of transportation. Due to the limited size of the proposed MUGA it is unlikely to significantly increase the amount of traffic travelling through this residential area.

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 MUGA is proposed to be installed in an area of open space and existing recreational facilities. It would be some 50m from the nearest residential property. The proposed junior play area would be located closer to residential properties as compared to its current location. This is, however, still within the area of open space and close to the other existing play areas on the site.

The Environmental Health Officer has been consulted on the proposal and has raised no objections to the scheme subject to a planning condition to ensure that the arrangement and specification of the floodlights are such, that they avoid excessive light spillage by way of the submission of further details, together with a planning condition to restrict the hours of use of the floodlights.

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

There have been issues of anti-social behaviour around the existing Red Hall playing area which the Council's Community Services Department is aware of.

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. The location of the proposed MUGA and re-sited play areas is considered to be the most suitable area within the Red Hall Estate

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 proposal involves the provision of community facilities in such a location as to be accessible by a range of modes of transport. It is considered that the externalities of the proposal can be satisfactorily dealt with by means of planning conditions to control light spillage and hours of use. It is not considered that the proposal will give rise to a significant increase in traffic travelling through the locality. 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.

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. No development shall commence until a full lighting impact assessment, undertaken by an independent assessor, for the proposed floodlighting has been submitted to and approved by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details. The lighting impact assessment must include:
 - A description of the proposed lighting units including height, type, shape and luminance output of the floodlights.
 - The proposed level of lighting (in lumens) and a justification specifying which guidance has been used to choose this.
 - Drawing(s) showing the luminance levels both horizontal and vertical on the Multi Use Games Area to demonstrate that no light falls into the curtilage of neighbouring properties or onto the public highway.
 - The direction and aiming angle of each floodlight and the upward waste light ratio for each light.
 - The Environmental Zone which the site falls within, in accordance with the Institute of Lighting Engineers Guidance on the Reduction of Light Pollution.

Reason – In the interests of visual amenity and residential amenity.

3. Any external floodlighting, approved under Condition No. 2, of this permission shall be switched off each day and shall not operate between 21:00 hours and 09:00 hours the following day.

Reason – In the interests of visual amenity and residential amenity.

4. No development shall commence until details of the arrangements for the management of the games area have been submitted to and approved by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details.

Reason – In the interests of visual amenity and residential amenity.

5. The development hereby approved, shall not be used outside of the hours of 09:00 and 21:00 Monday to Saturday and 10:00 and 18:00 Sunday.

Reason – To protect the amenities of the surrounding residential properties.

6. B2 Detailed Drawings (Specific) [INSERT: the replacement junior play area].

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

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