

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st July 2009

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1352/06/RM - GIRTON

Play Area (LEAP) and Community Land (Bowling Green, Community Building, Associated Parking and Landscaping) to Serve Residential Development

Recommendation: Delegated Approval

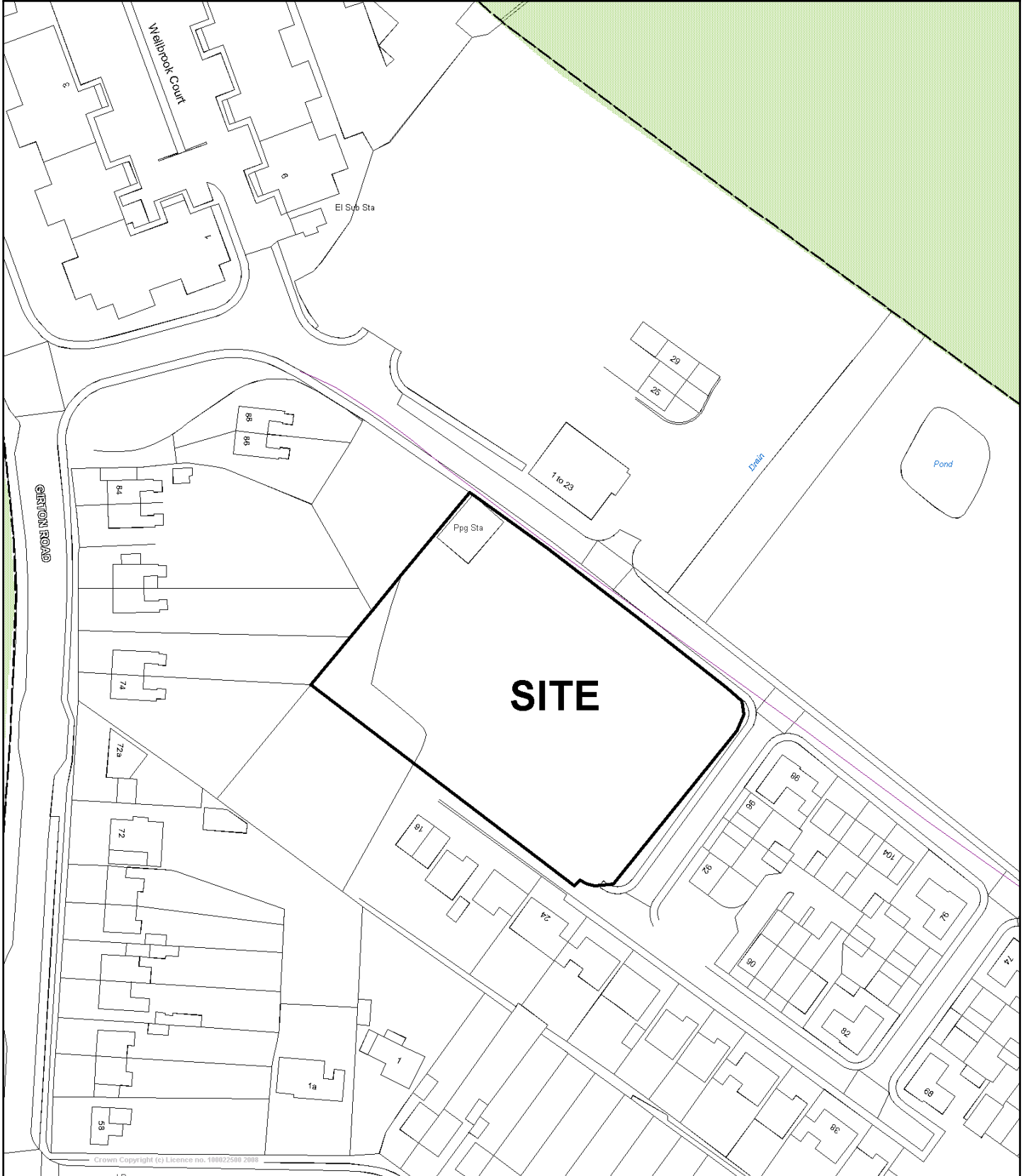
Date for Determination: 6th October 2008

Notes:

This Application has been reported to the Planning Committee for determination because of objections received from neighbouring residents.

Site and Proposal

1. The application site, measuring approximately 0.46 hectares (ha) (1.14 acres), is sited at the north-western end of a recent residential development at Wellbrook Way, Girton.
2. The site is adjoined by access roads with residential properties opposite to the north-east, south-east and south-west. To the north-west is an area of scrub that has planning permission to be developed for housing. A pumping station is sited at the north-western corner of the site.
3. The reserved matters application originally submitted in July 2006 but amended by landscaping proposals received 4th March 2009, seeks approval for layout and landscaping of the site.
4. It includes provision of a LEAP in the south-western corner of the site. It includes six pieces of play equipment (two sets of swings for 2-5 year olds and 5-12 year olds respectively, a 'Play Table', a Revolve Roundabout, a 'Haiti Multi Play' and a 'Glow Worm' see saw. In addition three metal seats and two bins. The play area will be turfed with wet safety surface beneath individual pieces of play equipment. Landscaping and railings are proposed to the boundaries.
5. A bowling green with turfed areas surrounding and hedged boundaries is proposed to the north-western end of the site. Four benches sited facing the green are included.
6. In the south-eastern corner of the site it is proposed to site a car park containing nineteen parking spaces. Two will be for disabled persons.
7. Between the car park and LEAP is to be sited a community building of approximately 300 sq metres footprint. The siting has been proposed, however full details of design and appearance are yet to be submitted and will be the subject of a separate planning application. The siting and landscaping are all that is to be determined at this stage.



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8. The road frontages are to be landscaped with hedges and trees, particularly to the main spine road serving Wellbrook Way, continuing an existing line of trees on this side of the road.
9. The development is proposed in three phases: (1) LEAP, (2) bowling green and (3) community building and car park.
10. The application was amended substantially following a submission in 2006, which had an alternative layout with a long and narrow LEAP to the south-eastern part of the site. The application site area has been increased to include the whole of the community land and associated proposals and not just the LEAP.

Planning History

11. An outline planning application (ref. **S/0175/99/O**) for residential development was considered by Planning Committee on 2nd June 1999 (item 2). Members agreed to grant outline consent subject to the prior signing of a Section 106 Agreement in respect to:
 - a) Provision of Social Housing
 - b) An Education Contribution
 - c) A Community Hall contribution and,
 - d) Maintenance of Public Open Space.All details required submission of reserved matters.
12. A subsequent outline application (ref: **S/1284/02/O**), submitted by George Wimpey was considered by Committee on 4th September 2002 (item 7). Although the application was in outline, full details were received in respect of layout, siting, means of access and landscaping. Members resolved to refuse this application.
13. These two outline applications were the subject of a call in Public Inquiry held on 10th September 2002. In respect of both applications the Secretary of State agreed with the Inquiry Inspector that the applications were compatible with the Development Plan. This was on the basis of the site accommodating up to 300 dwellings.
14. The Inspector noted: "In respect to the application B (S/1284/02), under which the current reserved matter planning application is made, a Section 106 planning obligation by way of a unilateral undertaking was agreed. This provides contribution for the whole site.
 - a) An establishment sum relating to public open space provision and landscaping strip, play area provision and landscaping strip, play area and informal areas).
 - b) Education contribution.
 - c) 60 dwellings or 30% affordable housing.
 - d) Community land and contribution of £100k.
 - e) Bus service contribution"
15. Outline planning application **S/1284/02/O** was granted for residential development, including close care flats, community facilities, public open space and associated highway infrastructure and landscaping.
16. Planning application ref. **S/0691/03/RM** subsequently approved reserved matters details of siting, design and landscaping of phase 1 subject to conditions.

17. A variation to the section 106 enabled the LEAP to be provided within phase 2 rather than phase 1.
18. Approved applications **S/2398/05/F** and **S/0061/06/F** vary condition 2 of planning permission S/2184/02/O to allow a further year (S/0061/06/F) and 3 years (S/2398/05/F) in which to submit details of reserved matters of siting, design and landscaping.
19. **S/0162/06/RM** granted permission for reserved matters in respect of siting, design and landscaping of phase 2 of the residential development including 72 dwellings, taking the total number of houses on site to 300.
20. **Circular 11/95: The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Planning Policy

21. **East of England Plan (Regional Spatial Strategy), adopted May 2008:**
 - a. **ENV7:** Quality in the Built Environment
22. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**
 - a. **POLICY ST/6** Group Villages
23. **South Cambridgeshire LDF, Development Control Policies DPD, adopted January 2007:**
 - a. **POLICY DP/1** Sustainable Development
 - b. **POLICY DP/2** Design of New Development
 - c. **POLICY DP/3** Development Criteria
 - d. **POLICY DP/4** Infrastructure and New Developments
 - e. **POLICY NE/1** Energy Efficiency
 - f. **POLICY NE/6** Biodiversity
 - g. **POLICY NE/15** Noise Pollution
 - h. **POLICY TR/1** Planning for More Sustainable Travel
 - i. **POLICY TR/2** Car and Cycle Parking Standards
 - j. **POLICY SF/10** Outdoor Play Space Informal Open and New Development
 - k. **POLICY SF/11** Open Space Standards
24. **South Cambridgeshire LDF, Open Spaces in New Development SPD, adopted January 2009. This expands on open space policies in the above mentioned DPD and provides additional details on how they will be implemented. Children's play areas should be provided where they are accessible and visible and in locations to maximise community benefit.**

Consultation

25. In response to the amended proposals, the following responses were received:
26. **Girton Parish Council** – Recommend approval, noting only that it was “very pleased to received these plans”.

27. **Local Highway Authority** – made a number of requests in response to the proposed layout:

- a. Two 2.0 x 2.0 metres visibility splays should be provided and shown on the drawings. The splays are to be included within the curtilage of the new Play Area and Community Land. One visibility splay is required on each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.
- b. The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing space.
- c. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
- d. Prior to the commencement of the first use the vehicular access where it crosses the highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- e. The vehicular access should be constructed using dropped kerbs rather than the radii ones as shown. The use of dropped kerbs reinforces the message that pedestrians have the right of way over the access and that vehicles entering or leaving the private property should give way.
- f. Please request that the applicant show covered and secure cycle parking in line with South Cambridgeshire District Councils policy of 1 space per 25m floor space and 1 per every 15 seats provided for spectators.

28. **Environmental Protection Team Leader** – Commented:

“If consent is granted in respect of the proposed development, it is recommended that the following condition be applied:

If it is proposed to locate a facility that will have a recreational use within 100 feet of the boundary of a residential property, the applicants should carry out a noise survey to assess the extent to which the use of the facility may impact on the occupiers of such a property and take appropriate measures to reduce any adverse impact accordingly”.

29. **Landscape Design Officer** – no comment received on the revised plans.

In response to an earlier amended landscape scheme of October 2008 the following comments were received:

1. “Suggest that the proposed close-board fence around the bowling green area should be replaced with a lesser amount of secure railings and gates so that the bowling green is visible and contributes to the landscape rather than being boxed off from it.
2. Trees and shrub planting on northern boundary should be simplified and used to form an entrance to the site in conjunction with the SUDS area opposite, create a pleasant internal space - seating and garden area etc, and to lessen the impact of parked cars.
3. Some of the planting around the bowling green could be fairly formal (hedges etc) setting off the garden planting. Hedges should not totally block views into the site.
4. The main area of outside seating/garden would be better in the area between the main hall and the bowling green.
5. If the whole area around the bowling green and building is secure then a separate boundary may not be needed around the LEAP.

6. Planting around the LEAP, building and car park may be best in bold blocks to define entrances etc”.
30. **Trees and Landscape** – no comment received on the revised plans.
31. **Ecology Officer** – Queried whether any consideration has been given to the roof of the community building; suggesting the use of a green roof.
32. **Cultural Services Manager** – no comment received on the revised plans.

Representations

33. A letter of objection has been received from an occupier at 92 Wellbrook Way on the following grounds:
 - a. Noise pollution resulting from the community building due to proximity of dwellings, especially if it is used in evenings and at weekends. This is currently a very quiet residential area. The community building will attract an increased number of cars and people to the development.
 - b. Proximity to dwellings of a commercial use and that it will potentially result in loss of light into a lounge window from the building.
 - c. Adequacy of car parking levels, as this could lead to increased on road parking resulting in access problems.
 - d. The site may attract groups of youths in the evening and at weekends, which may lead to anti-social behaviour and further noise pollution. They query if the play area and car park will be locked in the evenings.
34. A further objection on devaluation grounds is not a material planning consideration. The occupier of 80 Girton Road, whose garden ends directly behind the fence to the West of the bowling green, has commented that “...before Wimpey fenced it they removed the mature trees which I thought were mine thus destroying the natural screen. I see there is provision for planting on the North, East and South sides of the green. Would it not be beneficial for the users of the Green, my family, and for local birds and wildlife, to replace the natural screen by including the planting of a narrow hedge on the West side of the Green?”

Planning Comments – Key Issues

35. The key issues in determining this application are whether the LEAP meets the requirements of the section 106 Agreement, whether the layout, landscaping, access and parking are acceptable, whether harm will be caused to neighbouring amenity through noise disturbance, loss of light, privacy or overlooking, whether the proposals will enhance biodiversity in the area and whether the proposals are sustainable?

Does the LEAP meet the requirements of the section 106?

36. The area for the community land and LEAP were established through the approved layout under application ref. **S/0162/06/RM**. This application simply seeks to approve the details of the area. The requirements for the LEAP are established through a variation, dated 24th May 2004, to the original section 106. Such requirements include, amongst others:
 - a. A play area with a minimum of 400 square metres of equipped activity area. surrounded by landscaping and appropriate buffer zone within the retained land.
 - b. Retained land means an area shown for a Super LEAP on the accompanying plan.

- c. Specifications for the Play Area and buffer zone will be based on NPFA (Six Acre Standard 2001) for a Local Area of Equipped Play (LEAP), suitable for 4-6 year olds but will also be extended to include at least 3 pieces of equipment for children under 4 years. A wet pour safety surface will be provided beneath and around the play equipment and the area will be fenced to prevent access by dogs with two gates. It will provide seating for parents and carers and one rubbish bin. The design and specification will be agreed with the Council.
 - d. Appropriate directional and other signage including warning or 'no responsibility' signs.
37. It is noted that plan attached with this variation does not show the current, approved location and a further variation of the Section 106 may be required. Legal advice has been sought.
38. The 2001 NPFA standard requires equipment to include '...at least 5 types of play equipment, of which at least two are individual pieces rather than part of a combination. Each item is designed to stimulate one of the following: balancing, rocking, climbing or agility, sliding, and social play. Additional items might focus upon rotating, swinging, jumping, crawling, viewing, counting or touching'.
39. Based upon the above, it is concluded that in its current form, the proposal does not meet the required standard in terms of the equipment proposed. Officers have sought alternative provision on several occasions with no success. The provision of six pieces of equipment falls short of the required 5 pieces to serve 4-8 year olds and 3 additional pieces to serve under 4 years olds. Notwithstanding, the mix of equipment does cater for under 4s as well as over 4 year olds. Confirmation is to be sought as to whether further equipment is necessary to meet the terms of the Section 106 Legal Agreement and whether it provides an adequate mix and number of equipment, despite its seeming short fall.

Layout

40. The layout responds to the site constraints with good links between the various uses. The play area is located more than 10 metres from dwelling facades, as required by the NPFA standard.

Access from Wellbrook Road and car parking

41. The Local Highway Authority's comments have been put to the developer and a revised plan will be sought.
42. The proposed car park includes nineteen spaces. Based on the adopted standard 13 are required for the meeting hall. Although there appears to be a surplus it is reasonable to agree a higher level of provision as these are likely to be taken up by the LEAP and bowling club uses.
43. The size and layout of the parking area is acceptable. It includes two disabled spaces close to the building's entrance.

Lack of cycle parking

44. Cycle parking has not been provided. A minimum of four covered and secure spaces is required. A higher level may be appropriate given the number of uses on the site. The developer has been requested to indicate how this requirement is to be met.

Noise disturbance

45. The detailed design of the building has not been submitted as part of this application. Concerns relating to noise can be addressed by way of a planning condition, as it specifically relates to the design of the building.

Loss of light to neighbouring properties

46. Without detailed drawings it is not possible to assess the light impact on neighbouring properties. Notwithstanding, the building is sited to the north-west of the closest properties with a separation of at least 16 metres. It is considered unlikely that any loss of sunlight or daylight will result from a single storey building on this location.

Biodiversity

47. An informative in relation to the use of green roofs can be added to the decision. As this is a reserved matters application for siting only it is not possible to make this a requirement. In order to accord with PPS7 the scheme should enhance biodiversity however and this is a possible means of achieving this aim. The design of the building will be the subject of a separate application.

Sustainability

48. The detailed design will need to meet sustainable design objectives. In terms of location it minimises the need to travel and is accessible by non-car modes due to its siting in relation to the built area, public rights of way, the public highway and public transport.

Is the layout likely to result in anti-social behaviour?

49. Surrounding dwellings overlook the site, providing a high level of natural surveillance. It is not conducive to anti-social behaviour. The plans do not indicate gates to the access, however as the car park is to serve a community facility it is likely to be used in the evenings. The suggestion has been put to the developer and Parish Council for their response and an update will be provided.

Recommendation

50. Delegate approval to allow officers to address outstanding issues relating to the equipment proposed within the LEAP and cycle provision.

Conditions

- 1. Prior to the submission of a detailed design for the community building a noise survey to assess the extent to which the use of the facility may impact on the occupiers of neighbouring residential properties shall be undertaken. The detailed design of the building shall include appropriate measures to reduce any adverse impact to an appropriate level to be agreed with the Local Planning Authority. The building shall be constructed in accordance with the approved measures.**
(Reason: To minimise noise emanating from the building in the interests of neighbouring amenity, in accordance with Policy NE/15 of the adopted Local Development Framework 2007).
- 2. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme agreed in writing with the Local Planning Authority. If within a**

period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

3. **The bowling green and community building, hereby permitted, shall not be occupied until parking, turning, loading and unloading space has been laid out within the site in accordance with the approved details.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **The bowling green and community building, hereby permitted, shall not be used or occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
5. **Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out in accordance with a programme agreed in writing with the Local Planning Authority.**
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
7. **No external lighting shall be provided or installed within the site other than in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.**
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
8. **No development involving the construction of the community building shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage shall be completed before the community building is occupied in accordance with the approved scheme and shall thereafter be retained.**
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. **No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:**
 - i) **Contractors' access arrangements for vehicles, plant and personnel;**

- ii) **Contractors' site storage area(s) and compounds(s);**
 - iii) **Parking for contractors' vehicles and contractors' personnel vehicles;**
- Development shall not be carried out other than in accordance with the approved details.**

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

Informatives

1. A scheme of ecological enhancement may include a green roof.

Background Papers: the following background papers were used in the preparation of this report:

- East of England Plan (Regional Spatial Strategy), adopted May 2008
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted January 2007)
- South Cambridgeshire LDF, Open Spaces in New Development SPD, adopted January 2009.
- Planning Files Ref: S/1352/06/RM, S/0162/06/RM, S/1284/02/O, S/0691/03/RM, S/0175/99/O, S/2398/05/F and S/0061/06/F

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