

Application Number

P/2014/0450

Site Address

Wildlife Adventure Playground
Off Smallcombe Road
Foxhole
Paignton
Devon
TQ3 3XA

Case Officer

Mr Alexis Moran

Ward

Blatchcombe

Description

Change of use from school land to community playground (to form extension to the existing facility reference P/2011/0824)

Executive Summary / Key Outcomes

The application proposes to change the use of an area of open space forming part of Kings Ash Primary School into a community playground. The playground would be an extension of the community adventure play area approved in 2011 under application no. P/2011/0824. The playground would include a zip wire, log cabin, compost toilet and bark path, and would operate under supervision.

It is considered that the proposal would provide a positive community facility and would relate well to the surroundings. Therefore, the application should be approved, subject to no objection from Highways and conditions to control the management of the facility and to secure suitable landscaping.

Recommendation

Conditional approval; subject to no objection from Local Highway Authority; conditions as drafted in this report.

Site Details

The site is a sloping parcel of open land that currently forms part of the wider curtilage of Kings Ash Primary School. The site sits to the rear of the ambulance station and clinic on Smallcombe Road, and is adjacent to the previously approved adventure play area.

Detailed Proposals

The application is in two parts, as it seeks the change of use of the land from school land to community play area, together with approval for the siting of a zip wire, log cabin, compost toilet and a bark path which is to be accessed via a new gate.

Summary Of Consultation Responses

Sport England - No objection

Arboricultural Officer - No objection

Environmental Safety - No objection

Police Liaison Officer - Opportunities for reducing criminal activity, disorder, anti social behaviour (ASB) and community conflict or for the area to be misused or abused when not in use should be undertaken.

Highways/Strategic Transportation: Comments awaited.

Summary Of Representations

A total of nine representations have been received at the time of the writing of this report, seven in support of the proposal and two objecting.

The key points raised in the letters of objection refer to the management of the site and previous issues with local residents rather than any specific planning related issues.

These representations have been copied and been sent electronically for Members consideration.

Relevant Planning History

P/2011/0824 Land At Kings Ash Primary School; Change of use of school land to Community play area; construction of a tree house and play area including a gravelled area, fire pit and a seated area using reclaimed materials from the local community. Approved 05.09.2011

Key Issues / Material Considerations

The key issues are:

1. The Principle of the Development
2. Visual Impact
3. Impact on Residential Amenity
4. Access and Impact on Highways
5. Landscape Protection and Nature Conservation

1. The Principle of the Development

The principle of the development is acceptable and accords with Local Plan Policy R2. This policy supports proposals for outdoor recreation developments provided criteria relating to residential amenity, access/highways and landscape protection/nature conservation are met. The proposals are considered to be acceptable with regard to these criteria (subject to comments from Highways); therefore the development is acceptable in principle.

2. Visual Impact

The use sits comfortably with those of the surrounding area, whereby the school and community playing fields and buildings provide a backdrop of a similar use and character. There is therefore a degree of homogeneity locally and the use should therefore have little impact on the character of the area.

The proposed cabin is to be 2.4 metres in height and the compost toilet is to be 3 metres high and set behind the clinic and ambulance station. The buildings have been sited in this location to minimise their visual impact in the streetscene.

Bearing these points in mind it is considered that the scale and form of the proposed structures sit comfortably within the area and are considered to be visually acceptable.

3. Impact on Residential Amenity

The proposal is situated close to buildings and space (e.g. multi use games area) that also support community based activities. As such there would be no unreasonable amenity issues on the users of the adjacent buildings.

The residential properties to the east of the site (Brookman Court) are at a lower level with a large retaining wall between them and the site. Due to the low heights of the development it is not considered that the structures would have an over dominant impact on the occupiers of these properties. However, it is considered that low level landscaping should be provided between the proposed structures and boundary with Brookman Court in order to provide screening and act as a buffer.

The properties to the west of the site on Smallcombe Road are obscured behind an established tree border and are sited some 35 metres from the zip wire and as such the development is considered to have an acceptable impact on the residential amenity of their occupants.

Consideration has been given by the applicants to limit the potential for harm to neighbouring properties, for example by locating the most-raised and substantial structures away from this area and closer to the community centre to the south of the site. Considering the layout of the proposed development, the distances to adjacent plots and properties, together with the general relationship, neighbour amenity would not be materially affected by the scheme.

4. Access and Impact on Highways

Pedestrian access would be provided via a new gate to the west linking to the existing tarmac path. Comments are awaited from Highways and will be reported at Committee.

5. Landscape Protection and Nature Conservation

There are no landscape or nature conservation constraints affecting the site. Therefore, the proposals would not have a significant impact on these interests.

Conclusions

The proposed development is considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations.

Condition(s)/Reason(s)

01. The play area shall at all times be supervised by someone over the age of 18 whilst open to the public, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the area and to ensure that this part of the site is supervised to the same extent as the rest of the site as approved in accordance P/2011/0824 and in accordance with Policy R2 of the Saved Adopted Torbay Local Plan 1995-2011.

02. Prior to the commencement of development details of low level boundary landscaping, to screen the development from the properties on Brookman Court, shall be planted.

Reason: In the interests of the amenities of the area and in accordance with saved Policies BES, BE1, BE2 & R2 of the adopted Torbay Local Plan 1995-2011.

03. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of the amenities of the area and in accordance with saved Policies BES, BE1, BE2 and R2 of the Adopted Torbay Local Plan 1995-2011.

04. The site shall not be occupied outside the following hours:-16:00 - 18:00
Mondays - Fridays 10:00 - 14:00 Saturdays

Reason: In the interests of the amenities of the area and in accordance with the requirements of saved Policy R2 of the Adopted Torbay Local Plan 1995-2011.

Informative(s)

01. Any additional structures, play equipment or alterations in sizes and locations of structures on the approved plans will require the submission of a planning application(s).

Relevant Policies

BES Built environment strategy
BE1 Design of new development
R2 Outdoor recreation developments