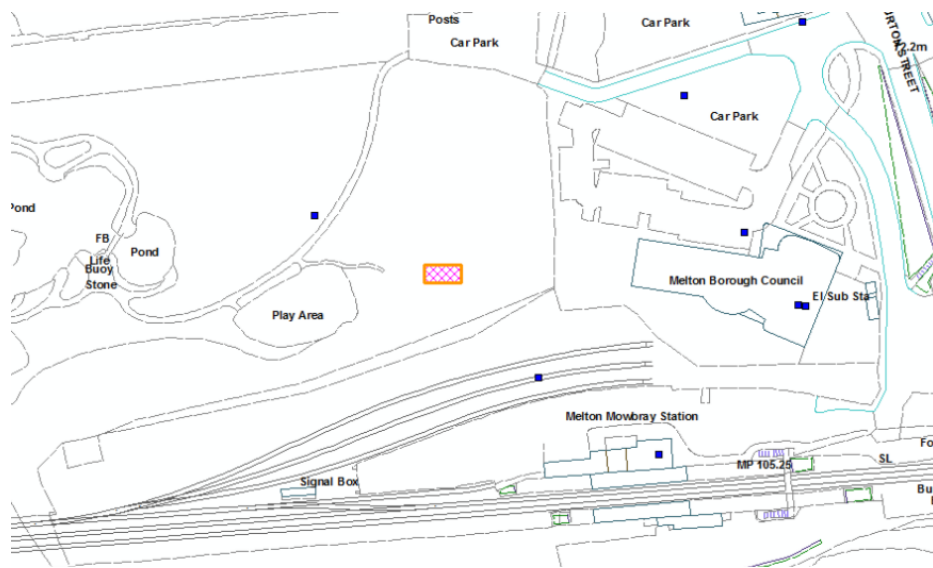


Reference: 15/00401/FUL
Date submitted: 20th May 2015
Applicant: Melton Borough Council – Mr R Selvon
Location: Play Close, Park Lane, Melton Mowbray
Proposal: Replacement new skate park with removal of existing damaged equipment.



Introduction:-

The application seeks full planning permission for the replacement of the old skate park located within the park to the west of Melton Borough Council’s Parkside Offices. The Priors Close park area is predominantly grass land with tree lines, pathways and a tree ringed lake with the existing skate park to the south. The proposal is part of a regeneration programme for Melton Mowbray as a whole and in this area is to improve facilities for an age group who are considered to be underserved in their field of interest.

It is considered that the main issue relating to the application is:

- **Impact upon the character and appearance of the area**

The application is required to be considered by the Planning Committee due to the level of representations received and that the application is proposed by the Council.

Relevant History:

Application reference 06/00891/FUL was approved in November 2006 for the creation of a skate park on land previously used as an equipped play area.

Development Plan Policies:

Melton Local Plan (saved policies):

Policies OS1, BE1

OS1 states that planning permission will only be granted for development within the town envelope where:

- The form, character and appearance of the settlement is not adversely affected;
- The form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality;
- The development would not have a significantly adverse effect upon the historic built environment or nature conservation features including trees;
- The development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity;
- Satisfactory access and parking can be made available.

BE1 states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings, they would not adversely affect the amenity of neighbours and there is adequate access and parking provision.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; *or*
 - specific policies in the Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that **whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.**

It establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to respond positively to wide opportunities for growth.
- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
- Always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

On Specific issues relevant to this application it advises:

Requiring good design

The Government attach great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 64 the NPPF goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Promoting healthy communities

Paragraph 70 of the Framework advises that to deliver the social, recreational and cultural facilities and services the community needs, local planning authorities should ensure that the provision of shared space, community facilities and other local services are planned for to enhance the sustainability of communities and residential environments. Paragraph 73 goes on to state that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF paragraph 12).

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No Objection</p> <p>The Highways Authority has no comments to make on the application.</p>	<p>Noted.</p> <p>The proposal seeks planning permission for a replacement skate park on the site of the existing skate park within the Priors Close area of the Town Estate Town Centre Parks. There is a large pay and display car park to the north east of the site and it is relatively close to the town centre where there is good access to the bus routes serving the town.</p> <p>It is not considered that the proposal would cause any highways safety issues, there is adequate parking close by, and the site is located a reasonable distance from main roads. As such, the proposal is considered to meet the requirements of policies OS1 and BE1 of the Melton Local Plan.</p>
<p>Environment Agency: No Objections</p>	<p>Noted.</p> <p>The application site is in flood zone 2 as defined by the Environment Agency, however the proposal is considered to be a ‘water-compatible development’, and as such there is no objection to the development from the Environment Agency in terms of the flood risk that the proposal may pose.</p>

Representations:

The application was advertised by way of a site notice close to the application site, and the Ward Councillor was also informed. As a result **31 letters of support** were received in response to the consultation.

Consideration	Assessment of Head of Regulatory Services
<p>Community Facility</p> <p>This would be a great facility for the young people of Melton to keep them entertained, inspiring and engaging them.</p> <p>This will improve the safety of the skate park – the current skate park is dangerous. The park is worn out, has fallen into disrepair and its replacement is overdue</p>	<p>Noted.</p> <p>The provision of enhanced community facilities is positively supported within the National Planning Policy Framework. Specifically, paragraph 73 states that local planning authorities should provide access to high quality open spaces and opportunities for sport and recreation to make an important contribution to the health and wellbeing of communities.</p>

<p>This would be a great asset to the community</p> <p>Extreme sports are a growing ‘genre’ and this should be embraced</p> <p>A bigger and better skate park will build on the positive foundations</p> <p>The skate park will help local shops to be sustainable</p> <p>This will encourage young people into sport, promoting healthy living and exercise</p> <p>It will attract people to come in to town and bring in tourism</p>	<p>The existing skate park is well used, and the replacement will enhance the facilities for the community. As such, the proposal is considered to meet the objectives of the NPPF.</p>
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Other Material Considerations Not Raised In Consultations:

Consideration	Assessment of Head of Regulatory Services
<p>Design & Impact Upon Character and Appearance</p>	<p>The proposed replacement skate park is proposed to be built on the site of the existing skate park. The existing park is considered to be out-dated and noisy, and consists of a number of steel ramps located in 4 groups surrounded by a metal fence.</p> <p>The new skate park will be constructed from free form spray concrete that will be banded to allow grass to grow up to the edge. This will prevent the use of unsightly safety rails and concrete walls that would be considered to have a negative impact upon the character and appearance of the Park.</p> <p>The existing skate park has an internal dimension of approximately 24.5m x 34m, and the removal of some of the fencing will allow part of the proposed skate park to stretch into the existing grass bunds. The new skate park will therefore have a site area approximately 41sqm larger than the existing. The skate park area has been divided into three main areas that feature the elements that the user group wish to see in the skate park. In addition, the routes around the park have been designed to link up so that they can work as one long flowing run or as separate areas when the park is busy. The overall shape and style of the park dictates the different ‘riding lines’ and has been designed to cater for all skate disciplines and skill levels, and those who are less able. The skate park will be surfaced and finished so that it is quiet, smooth and fast but with sufficient grip for both skate and BMX.</p> <p>The eastern end of the site will be a mini-ramp bowl. The main area of the park is loosely divided into three lanes and on the far side a wide-platform. To the western edge of the site is a small quaterpipe feature, further down into the site are integral ledges, stairs and a small handrail. Some features that have been requested by the users of the park</p>

	<p>are also listed in the application and replicate iconic / historical local spots.</p> <p>The highest point in the park will be one of the ramps which will have a total height of 2.7 metres, however the bunding behind this will be tall and will screen the majority of the ramp.</p> <p>There is space proposed at the front of the park which has been left flat to act as a rest area with benches and litter bins. The existing bunding around the site also can act as an additional viewing platform.</p> <p>The overall impact of the proposal on the Park could be quite high due to the amount of concrete required, however the impact will be reduced by the bunds which will be turfed. This will effectively hide the park when viewed from a distance so that all that would be visible would be low grassy mounds interspersed with patches of concrete.</p> <p>It is considered that the proposal has been designed well to ensure a minimal impact upon the wider park area, it will be well screened and should sit sensitively within the landscape. In addition, the use of concrete to form the skate park will result in a significant reduction in noise to the wider area. As such, the proposal is considered to meet the overall objectives of policies OS1 and BE1 of the Melton Local Plan.</p>
<p>Compliance (or otherwise) with Planning Policy The site lies within the town envelope where residential development is supported. Policies OS1 and BE1 seek to ensure that development respects the character of the area and that there would be no loss of residential amenities and satisfactory access and parking provisions can be complied with.</p>	<p>The development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>

Conclusion

The application seeks full planning permission for the provision of a replacement skate park on the site of the existing skate park within the Priors Close area of the Town Estate Park. The proposal is considered to be of benefit to the community, having strong local support and being supported in principal by the National Planning Policy Framework which states that access to high quality open spaces and opportunities for sport and recreation make an important contribution to the health and well-being of communities. In addition, the proposal is considered to be well designed to have a minimal impact upon the overall character and appearance of the park, and the change in materials will have ensure a significant reduction in noise when the park is in use. As such, the proposal is considered to meet the objectives of the National Planning Policy Framework and local plan policies OS1 and BE1. Accordingly, the proposal is recommended for approval.

RECOMMENDATION: Permit, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. This decision relates to the approved plans received at these offices on 19th May 2015 titled: Boundary Plan, Access Route, Sections and Dimensions.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning

Authority. The development shall be carried out in strict accordance with the approved details

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.

Officer to contact: **Mrs Sarah Legge**

Date: 2nd July 2015