

DELEGATED OFFICER REPORT:**Application Ref:** F/23/95861**Site Address:** Camborne Close, Bishopstoke**Case Officer:** Clare Martin**Description:** Installation of new play equipment and benches

Particular Site Constraints?	Yes ☐	No ☐
• Within Urban Edge • Adjacent to Ancient Woodland • Adjacent to Stoke Park Wood SINC		

Planning History?	Yes ☒	No ☐
• F/06/57836 - Demolition of existing dwellings and construction of 79 dwelling units (increase of 7) with associated parking, landscaping, bin and cycle storage and highway works – Permit (Jan 2004)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Tree Officer:	<u>Updated comments 1/11/23</u> It is understood that the proposal is for a no-dig solution (as confirmed by the agent). The only issue is how the surface is prepared and levelled, which can be dealt with via condition. <u>Previous comments 3/10/23</u> There is a significant tree very close to the boundary (<1 metre) which could be impacted. The issue is not <i>just</i> one of tree damage and the impact on longevity and amenity, but also one of safety – we cannot knowingly allow a proposal to occur where they may be an impact on the condition of the tree, and thus a knock-on effect on risk to users of the play area in the future. We would ask for arboricultural information relating to the drainage and installation of the surfacing.		
Ecology Officer:	<u>Updated comments 1/11/23</u> I mirror the tree officer's comments but if the condition is adhered to, then impacts on the TPA of the woodland should be limited. Please add into the reason, <i>and to protect the ecological value of the woodland</i> (or similar). Regarding drainage, it has been stated that only a 100mm deep sub-base is being installed (no underground pipe drainage network) and the drainage of the scheme is likely to mimic the existing scenario, therefore resulting in a negligible impact on the adjacent habitat. <u>Previous Comments 2/10/23</u> There are limited details but they're proposing to replace the existing grass, often waterlogged, with tiger mulch which will be underlain with drainage (up to the site boundary). The site, however, abuts the ancient woodland and SINC of Stoke Park Wood. Therefore any excavation in the area (for soil stripping and		

	drainage installation) could potentially adversely affect the trees adjacent to the site. We'd therefore need further information on this to ensure no damage occurs – not just the location of any excavation but also the alignment of any drainage and flow direction (the latter to assess any potential changes to hydrology/ surface water flows on the adjacent woodland).
Environmental Health(Contaminated Land):	It does not appear that this site has been previously developed. However, made ground could be present due to the neighbouring housing developments. In terms of risk of contamination, there is no potential pollutant linkage as the site will be covered entirely by tiger mulch surfacing and it will break the pathway between users and any potential contamination. The site lies over London clay, which is an unproductive aquifer. However, the impact on near surface water features from the proposed drainage system needs to be considered (as mentioned by Sarah Boyd). In terms of ground gas, the site is approximately 55m northwest from a landfill, and the UK Radon map says the site is within an area of 3-5% risk of radon, however, the porosity of the proposed surfacing/ drainage will mitigate any ground gas effects. We do not object to the proposed development, but we do recommend good practices in terms of waste management and to report any unexpected contamination (if encountered) to the LPA, who will provide further guidance.
Parish Council:	<u>No objection</u> , but request that a tree protection plan is approved before work commences.

Site Visit:	Yes ☒	No ☐
Details: Carried out 10/11/23		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 (sustainable development) and S2 (approach to new development); Development Management policy DM1(general development). Supplementary Planning Documents: Quality Places

Assessment:

Principle

The site is within the urban edge where the principle of development is acceptable.

Character and Appearance

The small rectangular piece of land is within an existing housing estate and was designed to be a small play area for local children. The current site has very limited play equipment and its grass surfacing and lack of drainage means it is not particularly well used. The proposal will replace the existing equipment with a 4m high multifunctional tower, basket swing, interactive board and two spring loaded rockers. New all weather safety surfacing will be installed, and three new benches added for parents. The applicant is intending to retain the existing shrubs and hedging within the play area.

Overall, it is considered that the proposal will improve the appearance and function of the play area and making it more appealing to children.

Residential Amenity

The tower is the largest piece of equipment and has been positioned next to the blank side wall of no.42, which is the least intrusive part of the site. While there will be views of the equipment from some of the gardens, the equipment should not be overly prominent from these properties.

The tower's platform level is between 1.5m and 2m above ground level and is enclosed on the sides. While some of the children will be able to see into the neighbouring garden, the tallest sections of the equipment are 7m or more away from the neighbours garden boundaries and so the level of overlooking is not considered to have an unacceptable impact.

The new equipment is likely to encourage more children to use the play area and this could result in additional noise and disturbance to the nearby residential properties. However, the usage of the play equipment will vary considerably through out the day/ year and there will be periods of time where it is not used at all.

It is also noted that the area was always intended to be a playground and a balance needs to be struck between protecting the amenity of nearby residents and providing outdoor play equipment for the children. In this case no third party objections were received in relation to the planning application and a residents survey carried out by Vivid before submitting the application voted unanimously in favour of the new play equipment.

On balance, it is considered that the installation of the new play equipment will not have an unacceptable impact upon the amenities of neighbouring residents, in term of a loss of outlook, overlooking or disturbance.

Trees and Ecology

The proposal is very close to a significant tree, which forms part of the ancient woodland and within stoke park woods SINC to the north of the site. However, the new surfacing can be installed using a no dig solution with no underground pipes and so will avoid impact upon nearby trees or habitats.

In terms of drainage, only a 100mm deep sub-base is being installed (no underground pipe drainage network) and the drainage of the scheme is likely to mimic the existing scenario, therefore resulting in a negligible impact on the adjacent habitat.

No objection has been raised by the Tree or Ecology Officer's subject to a condition.

Other Considerations

- The site is not on previously developed land and no objection has been raised by the Environmental Health Officer subject to a note to applicant on best practice and unexpected contamination condition.
- There are no likely significant impacts on the New Forest or the Solent special protection areas.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...