

DELEGATED OFFICER REPORT

Application Ref: F/24/97883

Site Address: FLEMING PARK PLAY AREA, FLEMING PARK DISTRICT PARK,
PASSFIELD AVENUE, EASTLEIGH

Case Officer: Rachael Morris

Description: Mounding works with an associated slide to the play area/paddling pool

Particular Site Constraints?	Yes ☒	No ☐
- Existing Recreation and Open Space Facility - Within the urban edge - Southern Water sewers - SGN Gas Pipeline - Medium Pressure - Partially within Flood Zone 2 & 3		

Planning History?	Yes ☒	No ☐
- Z/12201/021/00 - Erection of Detached Single Storey Structure to Accommodate Toilets, First Aid, Kiosk, Store and Plant Room – Permit – May 2000 - Z/12201/030/00 - Relocation of Existing Artificial Turf Pitch, Provision of Three New 5-A-Side Artificial Pitches, And Extension of Existing Car Park To Create 88 Additional Spaces Fronting Passfield Avenue – Permit – June 2003		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	155 Passfield Avenue. Comment. During the opening months of the splash pool, parking for residents is impossible as well as numerous times that my driveway has been blocked, despite the presence of double yellow lines. Please at least detail where visitors to this area should park, because it is absolutely ridiculous that residents have to suffer this inconvenience. 17 Meadow Grove. Objection. Publication concerns. Waste of tax-payers money. Concerns with the skate park being cordoned off. Ignoring secondary school children.		
Town Council:	No Objection		
Environmental Health – Contaminated Land:	The site is not located within an identified contaminative area. River Monks Brook is located at approximately 15m from the proposed site. The site is not located within an Air Quality Management Area. The proposed development includes the creation of new earth mound to enhance landscape. While we generally support the development in principle, we require the details on imported soils. In addition, due to the proximity to the Monks Brook River and to prevent disturbances to neighbouring dwellings, we recommend that the application includes a Construction Environmental Management Plan. The CEMP should outline measures for preventing, controlling or mitigating environmental impacts during the construction works.		
Tree Officer:	The submitted arboricultural documents are acceptable. Please condition these.		
Ecology:	We have no objection to the application. The application is exempt from mandatory BNG, however, to provide a biodiversity net gain in line with policy DM11 and the NPPF, the bunds should be seeded with a more biodiverse (but still fit for purpose) grassland mix to that currently present. The amount of hardstanding, and therefore also surface water run-off, will be reduced which will be beneficial.		

	Regarding impacts to tree roots and any potential requirement to crown lift for the new vehicular access and mounding, we defer to the tree officer's advice. The CEMP (v2) is satisfactory.
Hampshire Highways:	<i>*This aspect of the application has been withdrawn*</i> No objection to the proposals from a highway perspective. It is proposed to relocate the vehicle maintenance access into Fleming Park to a location south of the existing, which will enable improvements to the adjacent play area to be made and to also facilitate a better access position into the site in terms of operational issues. The site access plans have been issued (S4E38-02), and visibility splays are achievable to standard, and the new location is also now separate from the pedestrian crossing build-out points which would be beneficial. It is also understood that movements in and out of the proposed access will be infrequent / low level. In terms of the closure of the existing access, this is not required, given its dual purpose as a pedestrian drop kerb. Applicants should however be made aware that subsequent to any planning permission that may be forthcoming from EBC as Local Planning Authority, a secondary permission will be required to actually undertake the works. The Vehicle Access Extract Plan shows the access gates to be pushed into site away from the highway edge, allowing for a vehicle to wait off the carriageway whilst the gates are opened. Whilst there may be some partial blocking of the adjacent foot/cycle path remaining, this would be acceptable in this specific instance due to low level of use that the gates will attract. In terms of the CEMP, this has also been reviewed and is acceptable from a highway perspective. Parking of operatives will be within the site, and wheel wash facilities and road sweepers will be made available to ensure that the highway is kept clear of mud and debris following delivery of associated materials (primarily soil) onto site. In terms of delivery vehicle movements, it is understood that this will utilise both the existing (and to be closed) access along with the proposed access, which will allow for forward gear access and egress.
Environment Agency:	The development shall be carried out in accordance with the submitted flood risk assessment (ref: Fleming Park Paddling Pool – flood risk application, dated 22/07/24) and the following mitigation measures it details: • Compensatory storage shall be provided by the creation of basin to the north of the paddling pool and specified within the following drawings: - o Section Plan S4E38-03 Rev A - o Phase 2 Proposals Plan S4E38-02 - o Sections A-I S4E38-04 - o Sections J-O S4E38-05 Rev A - o Slice Section Areas & Calculations S4E38-06 These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: • on or within 8 metres of a main river (16 metres if tidal)

	• on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission
Southern Water:	• The various diameter gravity sewers to all sides of the Paddling Pool require a clearance of 4 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access. • No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer or public water main without consent from Southern Water. All existing infrastructure should be protected during the course of construction works. Please refer to: https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf • The 33-inch (838mm) diameter water main to the East of the Paddling Pool requires a clearance of 8 metres on either side of the water main to protect it from construction works and to allow for future maintenance access. • There is also a 680mm diameter Surface Water pipe which is located to the South of the Paddling Pool and this requires a clearance of 3.5 metres on either side of the water main to protect it from construction works and to allow for future maintenance access.
Southern Gas Network:	No comment.
The Gardens Trust/Hampshire Garden Trust:	No comment.

Site Visit:	Yes ☒	No ☐
Details: 07/08/2024		

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, S2 and S10; and Development Management policies DM1, DM2, DM5, DM8, DM11, DM13, DM14, DM32 and DM34. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
<u>Principle and policy</u> • The development proposals are located within the urban edge where the principle of development is acceptable. • Policy DM32 refers mainly to the need to protect recreational/open space and in what event its loss could be acceptable. However, it also states that development

ancillary to the recreational use may be permitted on recreation sites provided that it does not adversely affect land forming part of, or capable of forming part of, a playing pitch/ court/green.

- Policy DM34 states that the provision, extension or enhancement of public and private recreation and open space facilities or uses will be permitted provided that: they accord with the general development criteria and the biodiversity, and heritage policies of this Local Plan; ... they contribute to the management of, and where possible enhance the countryside and urban open spaces. The Council may require a legal agreement to ensure that land is managed to maintain or enhance its agricultural and/or landscape value and/or biodiversity interest; and; they are readily accessible to those they are intended to serve by means of transport other than the private car, and accord with the transport and parking policies of this Local Plan.

Mounding Design

- The proposed mounding will create a more interesting landscape for Fleming Park Paddling Pool and its immediate surrounding. In addition, the mounding will create better viewing opportunity for parents to supervise children in the pool.
- The mounding closest to Passfield Avenue will also help to block some level of pollution coming from the road and also create greater opportunity for natural play due to the location adjacent to an existing toddler and junior play areas.
- A slide is proposed to sit on one of the mounds and will use its proposed height to accommodate the slide's slope. This is in the context of an existing play area and as such its impact is not considered unacceptable.

Flood risk

- The proposed creation of mounds between the existing paddling pool and the Monks Brook watercourse will result in a small loss of floodplain storage volume, as they will be located partially within flood zone 3. The applicant has calculated the loss of storage volume and has put forward a location where compensatory storage can be provided.
- The Environment Agency is satisfied that the proposed compensatory storage will provide adequate mitigation to ensure that flood risk will not be increased to off-site areas. The Environment Agency has conditioned the requirement for compensatory floodplain storage as this is fundamental in ensuring that flood risk is not increased as a result of this development.

Other material considerations

- It is noted that a resident has commented on the current parking situation for the paddling pool. However, this is an existing issue for the site in which this proposal will not detrimentally impact, and so no additional parking provision is required.
- A CEMP has been proposed which will be conditioned and includes details on safeguards to avoid pollution to Monks Brook waterway.
- A grass specification has been submitted and will be conditioned to ensure a biodiversity enhancement will be provided, in accordance with DM11 of the local plan.
- A proposed vehicular access has been removed from the application during the process of determination.
- There are on-going discussions with the applicant about how to best protect the public sewers and water main that run adjacent and through the site. These discussions are reaching a positive conclusion, and it is expected no layout changes are required to accommodate this. Overall, with no layout changes expected, this is not a planning consideration and just requires separate approval from Southern Water.

Other parts of the wider project that does not require planning permission

- Demolition and disposal of the existing steel sunshades that are at the end of their life.
- Commissioning new shading structures (up to 4m in height) through public art to replace the existing ones, funded through public art s.106 monies.
- Tree planting to increase shaded areas and improve the setting.
- Removal of some damaged and unnecessary tarmac areas.
- Creation of new earth mounds over existing grass and excavated tarmac areas (no more than 4m in height and no more than 200 cubic metres (Part 12, Class A) as this is to be undertaken by the local authority.).
- Landscape works to include grass and tree and shrub planting.
- Potential removal of the existing half pipe
- Procurement and installation of new skate ramps/ tracks for a junior skate park/trail (no more than 4m in height and no more than 200 cubic metres (Part 12, Class A) as this is to be undertaken by the local authority.).
- Removal of the two existing skate ramps and surface replacement.

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 adopted local 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 local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

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

Conclusion:

Recommendation: **PERMIT** ☒

REFUSE ☐

Comments ...