

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA 8 September 2005

Item No:	11
Address:	Oakwood Park Recreation Ground Oakwood Avenue Otterbourne Hampshire
Parish/Ward	Otterbourne
Proposal Description:	Change of use of land to leisure use: erection of youth shelter and goal/basket ball end
Applicants Name	Otterbourne Parish Council
Case No:	05/01598/FUL
W No:	W02472/38
Case Officer:	Mr Neil Mackintosh
Date Valid:	28 June 2005
Delegated or Committee:	Committee Decision
Reason for Committee:	4 or more representations contrary to the Officer's recommendations have been received
Site Factors:	Countryside Adjoins Site of Importance for Nature Conservation

Site Description

- The site comprises approximately 0.1ha of scrubland between the formally laid out recreation ground, to the south, and Oakwood Copse to the north.
- To the east are the grounds and buildings of Southern Water and District Audit.
- The nearest houses are in Oakwood Avenue, approximately 90m to the west
- Their rear gardens back on to the recreation ground.
- Access to the site is on foot, either across the recreation ground or by means of informal tracks through the wood.
- A pair of floodlights, mounted on a pole, illuminate the area.

Relevant Planning History

- W02472/37 – youth shelter and basket ball end, withdrawn 2004 (insufficient information)

Proposal

- As per Proposal Description
- Erection of a metal shelter, width 4.0m, depth 2.5m, height 2.5m
- Erection of 7.m long 'wall' using panels to a height of 3m with a basketball and goal end.

Consultations

Landscape (POS):

- No objection. Site is well located in the landscape, by virtue of the enclosing woodland, which will significantly reduce its impact on nearby houses.
- There will, however, be some informal surveillance from the main entrance and car park.

Landscape (Trees):

- No objection, subject to conditions, but would also like the SINC Officer to be consulted

HCC Ecology:

- A few concerns. Though not ideally situated with some careful planning the impact of the shelter on the SINC might be minimized.
- (Suggestions have been passed to the applicant)

Police(Crime Prevention)

- Play areas have the potential to generate crime and anti-social behaviour and increase fear of crime in the community.
- I would have preferred a location that was closer to existing properties in Meadowcroft Close, to afford more natural surveillance to safeguard the users and to prevent damage.
- However, having discussed the matter with Parish Chairman, this would appear to be the only location that is suitable.
- (Recommendations concerning area management have been passed to the Parish)

Environmental Protection

- No adverse comments but would prefer further details regarding noise potential

Representations:

Otterbourne Parish Council

- Support -'The need for Youth facilities for the village was identified in the Otterbourne Parish Plan' (Your officers wish to point out that this application has been made by the Parish Council)

Letters of representations have been received from 4 neighbours – Oakwood Avenue(2), Meadowcroft Close(1) and Greenacres Drive(1) – all object;

- Colour and design are not in keeping with the area and adversely affect visual amenity.
- Noise disturbance and litter
- Devaluation of property

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- Loss of habitat for birds
- Will encourage alcohol drinking, smoking, drug taking and paedophiles
- There are no Youth in the immediate vicinity of the proposal

Relevant Planning Policy:

Hampshire County Structure Plan Review:

- C1, C2, R3

Winchester District Local Plan

- C1, C2, C24, RT4, EN5

Winchester District Local Plan Review Deposit and Revised Deposit:

- C1, C6, C27, RT7, DP3

Supplementary Planning Guidance:

- Winchester District Landscape Character Assessment
- Hampshire Biodiversity Action Plan
- Site of Importance for Nature Conservation (SINCS): Winchester District
- Assessment of Playing Field Provision in the Winchester Built-Up Area

National Planning Policy Guidance/Statements:

- PPS 1 General Policy and Principles
- PPS 7 The Countryside – Sustainable Development in Rural Areas
- PPG 17 Sport and Recreation
- PPG 24 Planning and Noise

Planning Considerations

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area
- Nature conservation
- Residential amenities
- Comments on representations

Principle of development

- The Development Plan allows for recreational/sporting development in the countryside, particularly in edge-of-settlement locations, if it meets a local community need and is small in scale and unobtrusive so as to maintain the open character of the countryside

Impact on character of area

- The intention is to clear an area of scrub, in order to accommodate the development
- Both the shelter and the wall will be coloured green (precise shade to be agreed)
- The siting of the development has to strike a balance between being unobtrusive in the countryside and the natural surveillance of its users.
- At night there are floodlights that illuminate this area

Nature conservation

- There is concern that a wildlife habitat will be lost and that the adjacent SINC may be adversely affected
- In mitigation, it is proposed to selectively retain some species, eg. Buddleia, whilst still taking into account natural surveillance.
- Your landscape officers do not raise this as a specific concern
- However, any comments from HCC concerning the adjacent SINC will be taken into account by the Parish Council.

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Residential amenities

- The proposed siting of the equipment will mean that it will be no more visually intrusive to local residents than the adjacent waterworks buildings and equipment.
- There is a danger that noise disturbance could be a problem
- However, the equipment is approximately 90m from the nearest house and measures will be taken to reduce the sound of footballs against the hard surface of the wall.
- Young people would appear to be using the area already as the Police have commented; 'there was evidence that the location was already used by youngsters with litter, cigarette packets and empty bottles strewn about the edge of the copse.'

Comments on representations

- Many issues raised by the four parishioners have been addressed above.
- The location of this facility has been chosen with care and, presumably, due democratic process by the Parish Council.
- In the event that the location proves to be unsuccessful this elected body could choose to relocate the equipment or remove it altogether.
- In the meanwhile, it behoves the Local Planning Authority to support and encourage the provision of youth facilities, particularly where there are considered to be no sustainable reasons to refuse planning permission.

Recommendation

APPROVE– subject to the following condition(s):

Conditions/Reasons

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 Details of the finished colour of the structures hereby permitted shall be agreed in writing with the Local Planning Authority. The structures shall be maintained in the agreed colour.

02 Reason: In the interests of visual amenity.

03 Details of measures to mitigate against the generation of noise from the play equipment shall be submitted to and approved by the Local Planning Authority before development is commenced. Such measures as may be agreed shall be carried out as approved and fully implemented before the equipment is first brought into use.

03 Reason: In the interests of the amenities of nearby properties.

04 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars, and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building(s) for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

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b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted and approved in writing by the Local Planning Authority before any equipment, machinery, or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

04 Reason: To ensure the protection of trees which are to be retained.

05 Details of all works to trees (on or adjacent to the site), must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. All tree surgery/works shall be carried out in accordance with the relevant recommendations of BS 3998 Tree Work.

05 Reason: To ensure the continuity of amenity afforded by the tree(s) in question.

06 If within a period of 2 years from the date of the planting of any tree, or any tree planted in replacement of it, that tree is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

06 Reason: In the interests of visual amenity.

Informatives

01. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-
Hampshire County Structure Plan Review: C1,C2,R3
Winchester District Local Plan Proposals: C1,C2,C7,C24,RT4,EN5
Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1,C6,C9,C27,RT7, DP3

03 The applicant is advised to take into account advice from Hampshire County Council regarding the protection of the adjacent Site of Importance for Nature Conservation. Their letter dated 08 August 2005 refers.