



PLANNING COMMITTEE: 3rd April 2012
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2012/0170: Creation of multi-use skatepark at
Midsummer Meadow, Bedford Road.

WARD: Rushmills

APPLICANT: Northampton Borough Council
AGENT: None

REFERRED BY: Head of Planning
REASON: Borough Council Application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions and for the following reason:

The proposal would represent an improvement in leisure facilities which would serve the Borough as a whole and which would not have any detrimental impact on the existing open space or on the amenities of adjoining occupiers. The proposal thereby complies with Policies E20, L1 and L16 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal entails the creation of a new skatepark on a greenfield site with Midsummer Meadow. The skatepark covers an area of 2,400m² and has been designed with a variety of different features for a range of abilities of different skatepark users, following consultation with users. Access for emergency services in the event of a serious incident on the site is provided via lockable bollards. At present the skatepark would be unlit but if lighting proves to be required, installation would be considered, if the skatepark proves to be popular expansion of the skatepark could also be considered.

3. SITE DESCRIPTION

- 3.1 The site is a greenfield site which has not previously been developed located to the south of Bedford Road within part of Midsummer Meadow north of the River Nene.

4. PLANNING HISTORY

- 4.1 There is no history for this site.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies

PPS1 – Delivering Sustainable Development.
PPS23 - Planning and Pollution Control.
PPS 25 - Development and Flood Risk
PPG 17 - Planning for Open Space, Sport and Recreation

5.3 Northampton Borough Local Plan

E20 – New Development
L1 – Existing recreation / Leisure
L16 – River Valley Policy

5.4 Supplementary Planning Guidance

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Arboricultural Officer** - I do not anticipate that the proposed skate park construction will impact on nearby trees. Trees are mostly small to medium sized Cherry & Sorbus spp. The trees adjacent to the main Bedford Road already have a small bund which protects them from the proposed development. I would recommend that the following conditions be included within any future planning permissions: No construction activity and/or storage of plant and materials to take place within 1 metre of tree canopies. Any trees removed to facilitate the construction of the skate park should be replaced close to the same location. Details as to the number, species, size and timing of planting should be submitted for approval.

- 6.2 **Environmental Health** - no objections to the proposals. However, the site is located in an area where the underlying geology is associated with elevated levels of naturally occurring arsenic. In addition there may have been historical uses on the land which may have caused contamination. Therefore, the land should be investigated for prior contaminative uses and more particularly possible excessive levels of natural Arsenic. The lighting scheme should be of a high standard that minimises light emissions beyond the site boundary.
- 6.3 **Highway Authority** - Following the additional information regarding access for emergency vehicles, we have no objections in principle to the application.
- 6.4 **Police Crime Prevention Design Adviser** - There is good surveillance over the application site from passing vehicles and pedestrians using Bedford Road, due to minimal soft landscaping and low bunding. Surveillance over the site will be further supplemented by the provision of CCTV monitored by St Johns as part of this application. As this skate park is likely to attract people of all ages from far and wide and not just young people on foot I am concerned to note that the car park would appear to be locked shut between 3.00pm until 7.00pm on weekdays. If parents bring their children to the park by car during these times I am concerned that the drop off points may well be on the Bedford Road. There are no designated drop off points along Bedford Road and the dropping off of young people along such a busy road will cause traffic disruption and is inherently not safe. Perhaps you could ascertain why the access to the car park is closed during weekday afternoons and whether the access will be fully open when the skate park is operational.
- 6.5 **Environment Agency** – No objections subject to a condition requiring detailed design, to include a minimum of rising with skate ramps being open structures, not mounds.
- 6.6 **Sport England** - Does not wish to comment on this particular application.
- 6.7 The application was advertised by site notice and notification letter to adjoining premises. At the time of writing this report no representations had been received. The overall last date for representations is April 2nd and any which are received by this date will be reported to Committee by means of the addendum.

7. APPRAISAL

- 7.1 The main issues to consider are the impact on the amenity value of the existing open space, the impact in terms of demand for parking and highway congestion and on the adjacent highway and any impact on adjoining occupiers.

- 7.2 The area of the application is currently open space, this would be replaced with the concrete skatepark, thereby altering the visual character of the area, however it would remain as recreation space and would not fundamentally alter the visually open character of this part of the river valley.
- 7.3 Policy L1 deals with existing open space and states that Planning Permission will not be granted which would result in *“The loss of existing public or private, outdoor or indoor, recreational facilities for which there is an established or potential need, unless suitable replacement facilities of at least an equivalent standard are provided within or immediately adjacent to the town or the loss of open space of established amenity/landscape value unless the development secures the majority of the site as a facility for sport and recreation”*
- 7.4 In this case there would be a loss of green open space, but as this would be replaced with an outdoor recreational facility that is open in character this would comply with the policy.
- 7.5 Policy L16 states *“within the river valley policy area planning permission will not be granted for development other than agriculture, leisure or recreational uses. All such development will be required to avoid significant harm to the amenity value of the open space in the valley pay due regard to the character, natural features and wildlife of the area and make adequate provision for public access where the development is such as to attract visits from members of the public”*
- 7.6 Whilst the proposed facility would cover an area of the open space, as it will be a leisure facility it is not considered that this would be harmful to the amenity value of the area and as discussed above it would not fundamentally alter the visually open character of this part of the river valley. Nonetheless any lighting proposed to be installed with the skateboarding facilities have the potential to further alter the semi-rural character of this part of the river valley and therefore it is recommended that the lighting details are controlled by condition in order to ensure that it is not intrusive or over-prominent.
- 7.7 The area would be freely open to the public at all times, and therefore overall it is considered that the proposal complies with Policy L16.
- 7.8 The facility would be have a limited overall height (a maximum of 1.7m) and would not, therefore, result in any detrimental visual impact from the point of view of either the neighbouring Bedford Road or the adjacent remaining open space. As referred to above it is considered that the visual impact of the facility within the open space is acceptable, given that it is a leisure facility.
- 7.9 The site is located well away from the nearest neighbouring residential properties at Becket’s View (almost 300m) meaning that there would be very limited impact on these occupiers.

- 7.10 Concerns have been raised by the Police Crime Prevention Design Adviser as to the opening times of the adjacent car park, which is currently closed from 3pm until 7pm to prevent abuse by workers in the town and nearby offices. Negotiations are underway at the time of writing the report in response to this, potentially by opening the car park at 11am which would also prevent use by office workers but allow afternoon use by skatepark visitors. In the absence of this it is felt that there is a strong possibility of visitors being dropped off on the busy Bedford Road or in car parks opposite such as the DVLA / County Council which could potentially prejudice highway safety.
- 7.11 The development has been carefully sited to ensure that it would not affect the adjacent areas of open space that are used for events such as the circus and dragon boat races.
- 7.12 The site is within the flood zone, however the development of sport and recreation facilities within this area is considered acceptable under Environment Agency guidance. The Environment Agency raise no objection to the proposal in respect of any increased risk of flooding, subject to consideration of the detailed design of the facility.
- 7.13 It is not considered that any significant impact on wildlife would result from the loss of this relatively small area of green space, within the context of the large areas of such space which would remain in the immediate vicinity. The Northamptonshire Wildlife Trust have been consulted on the application and their response will be reported to Committee by means of the Addendum.

8. CONCLUSION

- 8.1 It is considered that the proposal would represent an improvement in leisure facilities which would serve the Borough as a whole and which would not have any detrimental impact on the existing open space or on the amenities of adjoining occupiers. Subject to the issue of car parking being resolved there would be no traffic / parking implications.

9. CONDITIONS

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- (2) No construction activity and/or storage of plant and materials to take place within 1 metre of tree canopies.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(3) Any trees removed to facilitate the construction of the skate park should be replaced close to the same location. Details as to the number, species, size and timing of planting should be submitted for approval.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(4) No development shall take place until a desktop study and site "walk-over" in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

(5) Any site investigation found to be required under condition 4 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

(6) All remedial works found to be required under Condition 5 shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

(7) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 2 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared,

which is subject to the approval in writing of the Local Planning Authority in accordance with Contaminated Land Condition 3.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

(8) Prior to the commencement of any lighting element of the development hereby permitted, the applicant shall submit a lighting scheme to the Planning Authority for approval. The scheme shall provide data on the predicted lighting levels, including the vertical illuminance levels, at any sensitive premises due to the proposed scheme. The scheme approved shall be installed and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(9) The development hereby permitted shall not be commenced until such time as a scheme for detailed design/layout has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To avoid adverse impact on flood storage and to prevent flooding by ensuring the satisfactory disposal of surface water from the site. In accordance with PPS 25 "Development and Flood Risk"

(10) Prior to the commencement of the use of the facility hereby permitted, the adjacent car park shall be made available for use during hours to be agreed in writing by the Local Planning Authority and shall remain open during such hours for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2012/0170.

11. LEGAL IMPLICATIONS

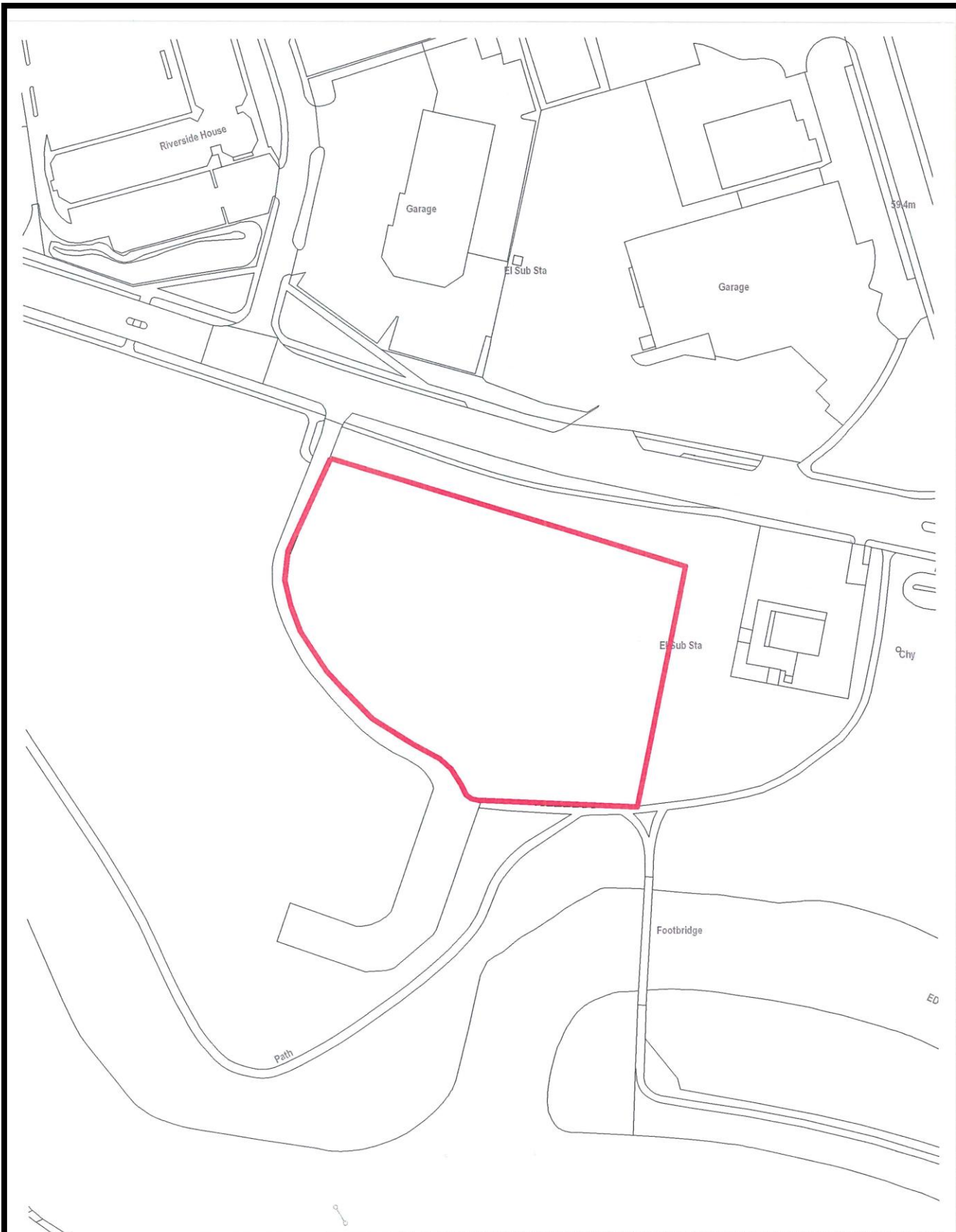
11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to

securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

Position:	Name/Signature:	Date:
Author:	A Holden	22/03/12
Development Control Manager Agreed:	G Jones	22/03/12



Name: SW
 Date: 23rd March 2012
 Scale: 1:1250
 Dept: Planning
 Author: Site Location Plan

Title
Midsummer Meadow, Bedford Road

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