

Agenda Item A16	Committee Date 7 December 2009	Application Number 09/01073/DPA
Application Site Happy Mount Park, Marine Road East, Morecambe, Lancashire, LA4 6AH		Proposal Installation of Play Equipment
Name of Applicant Lancaster City Council		Name of Agent c/o Helen Ryan, Lancaster City Council
Decision Target Date 23 December 2009		Reason For Delay n/a
Case Officer		Richard Bamforth
Departure		No
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

- 1.1 The area of land concerned with this application is situated to the south-east of Happy Mount Park. The area can roughly be divided into two halves separated by a band of mixed trees (some of which are evergreen) and shrubbery. The southern area is currently grassed and interspersed with occasional tree saplings, whilst the northern half slopes gently west to east and is interspersed with more mature pine trees. The area has formally been utilised as a mini 'pitch and putt' golf course.
- 1.2 Immediately adjacent to the north of the application site is the Morecambe Golf Course. The southern boundary of the application site is clearly defined by a boundary fence and a 3m+ high hedge line. Immediately beyond which is a public footpath that separates additional council owned land to the south and south west. This small area of land to the south west is utilised as a public green space, whilst the larger remaining area of rough, poorly drained land is designated a County Biological Heritage Site (BHS). Immediately beyond these two areas are residential dwellings associated with Woodrush, Chestnut Drive and Happy Mount Court.

2.0 The Proposal

- 2.1 The intention is to provide a natural play area within the two areas highlighted in paragraph 1.1, incorporating timber climbing frames, elevated platforms, swings, den making and willow weaving facilities, quiet areas, and (retained) grassed play areas.
- 2.2 There are no extensive landscaping works envisaged and the majority of the works do not require the benefit of planning permission, but will instead be carried out under Part 12 (Development by Local Authorities), of the General Permitted Development Order 1995.
- 2.3 Natural landscaping is integrated into the design utilising sand, bark, boulders and logs. The works will involve the thinning/felling of the some leylandii, but additional planting has been incorporated into the design.
- 2.4 Planning Permission is sought purely for four items of play equipment which exceed 4m in height:

- One extra high swing (approximately 5m in height)
- One 34m long cable rider (maximum height 5m)
- One timber Maypole (5.8m)
- Platform, bridge and climbing structure; the associated roof heights of which exceed 4m.

2.5 The 'extra high swing' is located centrally in the southern half of the development site, whilst the remaining three items are contained in the northern area. All the equipment frames are to be constructed in wood.

3.0 Site History

3.1 Happy Mount Park has evolved over a period time and has therefore an extensive planning history with numerous alterations and extensions and changes to facilities and services provided. None of which appear relevant to this specific application.

4.0 Consultation Responses

4.1 According to the application various consultation has been undertaken over the past 12 months including local residents, Ward Councillors and various departments and/or individuals within the City Council (Grounds Maintenance, Tree Protection Officer, Access Officer) and the local Police.

The following responses have been received from statutory consultees:

Statutory Consultee	Response
Parish Council	No comments received to date.
Environmental Health	No objections – request a condition stating that there shall be no operations or activities outside of the hours of 08:30-2100
Tree Protection Officer	No comments received to date.
Police	No adverse comments

5.0 Neighbour Representations

5.1 Two letters of objection have been received, citing the following as the main reasons for opposition:

- Anti-social behaviour (alcohol, vandalism, noise)
- Lack of policing
- Litter
- Parking

6.0 Principal Development Plan Policies

6.1 The principal development plan policies most relevant to the application are the following;

6.2 National Planning Policy Statements (PPS) and Guidance (PPG):

PPG 17 (Planning for open space, sport and recreation) - seeks to protect, enhance and provide new open space and sports facilities by assessing existing supply and demand, and making planning decisions based on a robust assessment.

6.3 Lancaster District Core Strategy:

Policy **SC8** (Recreation and Open Space) - seeks to retain, protect and enhance existing sports facilities and green spaces.

6.4 Lancaster District Local Plan (LDLP), saved policies:

Policy **R1** (Outdoor Playing Space) - states that these areas will be protected from development.

Policy **E29** (Green Spaces) - similarly states that these areas will be protected from development and where appropriate enhanced.

7.0 Comment and Analysis

7.1 Lancaster City Council has been awarded more than £114,000 (BIG Lottery, Lancashire County Council Play Builder and Community Design and Arts Council England) to develop and deliver the project.

7.2 The project aims to provide a natural play area to encourage a more creative play environment aimed specifically at families and children aged between the ages of 8-13 years. According to the application there are already suitable facilities for under 8's within the park.

7.3 Happy Mount Park is contiguous with the Morecambe/Heysham promenade and coastline recreation network. The specific area relevant to this application is identified in the LDLP as an Outdoor Playing Space (Policy R1) within the general 'Happy Mount' public park area which is identified as urban green space. There is no departure from policy and in policy terms the application appears acceptable.

7.4 Members are reminded that this application relates purely to the four particular items of play equipment that exceed 4m in height and the development does not affect any part of the BHS.

7.5 In terms of design, the equipment is constructed predominantly in timber and is a common feature in many outdoor park areas and would certainly not appear out of place in this particular setting.

- In terms of siting, the 35m long wire cable ride runs parallel with the linear belt of trees that divides the northern and southern areas thereby offering a degree of natural screening and utilises the natural slope in the land (north-west to south-east).
- The climbing structure which is connected via bridges and incorporating 'tree houses on stilts' again incorporates some of the mature pine trees in its siting, which again adds some screening and sympathetically 'connects' the equipment with the environment. The southern end of this is situated approximately 40m+ from the curtilage of the nearest property at No.26 Woodrush to the east
- The stand alone 'May pole' extends to 5.8m in height and should be barely visible above the existing boundary hedge line and mature hedgerow trees along the footpath. The nearest properties are within 60-85m of the pole.
- The extra high swing is the only piece of equipment above 4m sited in the southern area of the site and is within 55m of the nearest residence along Happy Mount Court to the west.

7.6 The overall development will result in the loss of some leylandii trees and possibly some of the saplings, but additional tree planting is proposed. There may be some concern with the installation of the stilts around some of the mature pines, but any comments raised by the Tree Protection Officer will be verbally reported at committee.

7.7 Whilst the hours of use indicated by Environmental Health may be appropriate to the summer months, this would be inappropriate in the winter months. If minded to approve this application, Members may wish to recommend hours of use restricted to the opening times of the park.

7.8 The concerns raised by the two residents (Happy Mount Court & Mount Avenue) are noted. These issues appear to be more in terms of anti-social behaviour, including litter and parking rather than specific to the four items of play equipment.

8.0 Conclusions

- 8.1 The proposed four pieces of play equipment appear to be suitable in terms of their design and materials and within the scope of the relevant policies that govern Happy Mount Park. Given the presence of the additional owned land to the south/south-west of the site, including the area designated as a BHS, provides a natural 'buffer zone' to the residential dwellings.
- 8.2 The benefit of providing this form of natural play environment outweighs any concerns and is considered an acceptable form of alternative outdoor playing space. The application is therefore recommended favourably.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year planning permission timescale.
2. Development in accordance with the approved plans.
3. Use of the equipment to be restricted to the opening hours of Happy Mount Park.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None