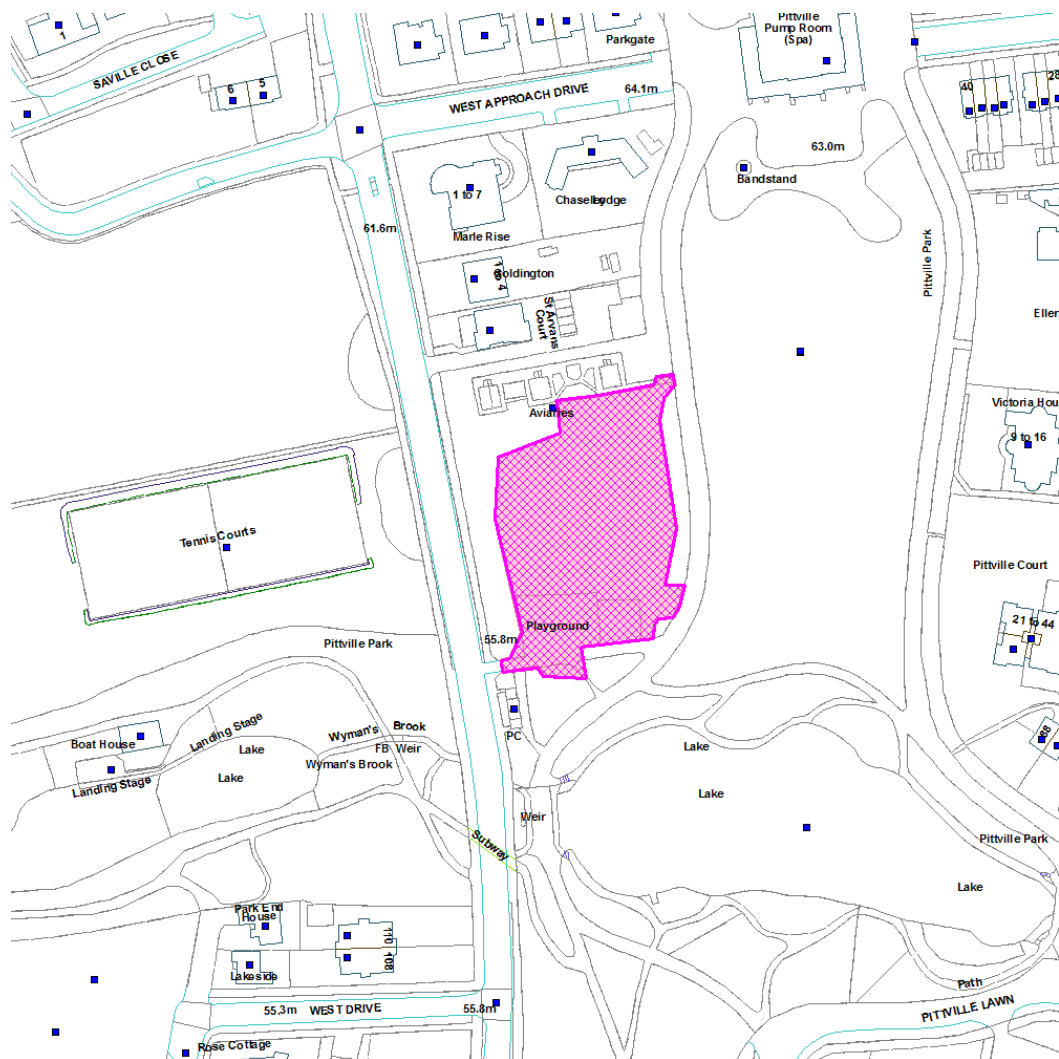


APPLICATION NO: 15/01860/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 24th October 2015	DATE OF EXPIRY: 19th December 2015
WARD: Pittville	PARISH: n/a
APPLICANT:	Cheltenham Borough Council
AGENT:	SF Planning Limited
LOCATION:	Pittville Park, Evesham Road, Cheltenham
PROPOSAL:	Replacement of children's play park and erection of refreshment kiosk

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Pittville Park, laid out between 1825 and 1842, is on the Register of Parks and Gardens of Special Historic Interest, and is Grade II listed. The park is located within the Pittville Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area. The park is designated as Public Open Space.
- 1.2 The application proposes the replacement and enlargement of the existing children's play park and the erection of a refreshment kiosk. The scheme proposes a wide variety of equipment to provide for children up to 14 years of age.
- 1.3 The existing play park is located to the east of the Evesham Road between the lake to the south, and the aviaries and animal pens to the north. The Grade I listed Pittville Pump Room is located to the north-east of the play area.
- 1.4 The proposals were the subject of pre-application discussions and have been amended in response to a number of concerns raised in respect of the setting of the park and the Pump Room.
- 1.5 In addition to proposed plans, the application has been accompanied by the following documents:
 - Heritage Statement
 - Flood Risk Assessment
 - Arboricultural Report
 - Ecology Statement
 - Transport Statement
 - Statement of Community Involvement
- 1.6 The application is before the planning committee as Cheltenham Borough Council is the applicant and land owner. Members will visit the site on planning view.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

Grade II listed park
Conservation Area
Flood Zone 2

Planning History:

CB21044/00	PERMIT	28th July 1994
The Aviaries - arched extension to existing aviaries; landscaping and general repair works (phase 1) (revised scheme)		
CB21701/00	PERMIT	17th October 1996
Tennis Courts - Erection of skate board ramp complex		
CB21701/01	PERMIT	26th March 1998
Tennis Courts - Permanent retention of skate board equipment		
00/01155/FUL	PERMIT	24th October 2000
Siting sculpture "Excalibur" by Andrew Logan on existing platform in lake for display: 1/11/2000 - 30/1/2001		
01/01018/FUL	PERMIT	7th September 2001

Retention and upgrading of existing skate park (timber and metal)

02/00600/CAC

GRANT

23rd October 2002

Full demolition and removal of existing public toilet block, maintenance workshop block and garage/shed

02/00601/FUL

PERMIT

11th July 2002

Erection of a single storey visitor centre and public toilets

03/00989/COU

PERMIT

4th August 2003

Removal of silt by dredging from Upper Pittville Lake (to be stored/spread at land at Hunting Butts Farm - see application 03/00618/COU)

04/00487/CAC

REFUSE

26th April 2004

Demolition and removal of existing public toilets, maintenance workshop and garage/shed

05/00291/FUL

REFUSE

22nd April 2005

Stationing of an iron portacabin for community use by young people in the St. Pauls area for a temporary period of five years

05/00840/FUL

PERMIT

25th July 2005

Removal of silt from Lower Pittville Lake by dredging

09/01415/FUL

PERMIT

18th December 2009

Installation of footbridge over the Lower Lake, Pittville Park on the site of the dismantled bridge

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 1 Public green space

GE 4 Pittville Park and Bouncers Lane cemetery

GE 6 Trees and development

UI 2 Development and flooding

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Pittville Character Area and Management Plan (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Heritage and Conservation

26th November 2015

History and Context:

Pittville Pumps Rooms and Gardens were the focus of 'Pittville', a proposed new town, developed by Joseph Pitt, a wealthy banker, lawyer and MP. This development, which began in the 1820s, was to include wide roads, gardens, crescents and squares, all of

which were to be set out on a structured grid, with the Pump Rooms and Gardens at its core. These gardens were intended for use by patients taking the spa waters, as well as residents of the proposed new development; included in Pitt's scheme were at least 500 housing plots.

Pitt's plans however never reached their full fruition, increasing financial problems and a downturn in the property market, meant that by 1830, although the Pump Rooms had been completed and the Gardens adjoining it had been laid out, only 20 houses had been completed. By the time of Pitt's death in 1842, he was in considerable debt, and his estate was sold off to pay creditors.

By the 1860s just over 200 houses had been completed, and finally by the end of the century the remains of Pittville's estate, as well as the Pump Rooms had been purchased by the Council.

The Pittville Play Area:

The children's play area is located to the east of the Evesham Road in an enclosed area, which, according to Pitt's plan, was to have been housing plots. This part of Pitt's plan was not realised and since the 1920s there has been evidence of children's play equipment on this site.

The Setting of the Grade I Listed Pump Rooms and the impact on the historic park:

The 'setting' of a heritage asset is defined by the NPPF as 'the surroundings in which a heritage asset is experienced.' The extent of the setting is not fixed and it may change as the asset and its surroundings evolve. In addition elements of a setting may make a positive or negative contribution to the significance of an asset and they may affect the ability to appreciate that significance or may be neutral.

The current children's play area is situated to the south west of the Pump Rooms, in an enclosed area that has aviaries in its northern half and the children's current play equipment to the south. Its' distance from the Pump Rooms, and the amount of play equipment currently in place, means that although it is well used, its impact on the setting of the Pump Rooms is limited. It is a small site, located some distance from the Grade I listed asset.

In addition the nature of the equipment currently in place, and its location in the southern end of this part of the park, means that views of the Pump Rooms, as well as those looking eastward across this section of the park from the Evesham Road, are relatively unimpeded.

However the extension of the children's play area and the increase in the amount of equipment sited there will change this. Rather than a relatively small site some distance from the Pump Rooms, the new children's play area will be a significantly larger site, and, because the site will have extended north from its current location, it will be considerably closer to the Pump Rooms. This will be a change in the setting of the listed building.

Whilst the re development of the proposed play area has many positive aspects, from a heritage perspective there are concerns with regards to the amount of equipment that is to be placed within the enclosed area, as well as issues with specific items.

According to the information submitted, the proposed play area will have a diverse range of equipment to cater for children of different ages and with different needs, and this equipment will spread across the majority of the enclosed area. Because the equipment will be spread across much of the enclosed area, and because some of this equipment is of a considerable size and prominently placed, views towards the Pump Rooms, as well as views across the park from the Evesham Road will be impeded. Views from the Pump Rooms into the park will also be changed. These changes will be detrimental to the setting of the listed building.

One piece of play equipment is of particular concern: the 'Eibe Unique Fort Structure Shadra'. This piece of equipment is substantial, and, at its highest point, it reaches nearly six metres. A structure of this height and size will not only impact on the views within and into the park; it will also dominate this area of the park and detract from its historic nature.

Conservation and Heritage summary: Whilst the proposals for the Pittville Play Area, have evolved and improved, further changes, in terms of equipment size and layout, would lessen its impact on the historic environment.

GCC Highways Planning Liaison Officer

11th November 2015

The proposal is for an enhanced replacement play park, to replace the existing, combined with the addition of a refreshment kiosk, the proposed development will not impact upon the surrounding highway network.

I refer to the above planning application received on 27th October 2015, with unnumbered plan(s); Planning, Design and Access Statement; Statement of Community Involvement; Heritage Statement; Transport Report; Arboricultural Report; Ecological Statement; Flood Risk Assessment; Site Location Plan (which also indicates current layout); Proposed Block Plan; Proposed Planting Plan; Plans and Elevations of each piece of equipment ;Sections for equipment involving level changes; Foul drainage and Main connections to which no Highway objection is raised.

Tree Officer

19th November 2015

The Tree Section has been involved with the formation of these plans and tree protection of existing large trees throughout much of this process.

The proposed new play area will generate more visits/heavier usage to this part of Pittville Lawns and as such the risk posed by the damage will increase correspondingly. However it may seem churlish not to encourage children into the park and this increased risk of failure of the trees leading to injury has to be accepted by this council. Currently, the tree's health/assessment of the risk of failure is undertaken by CBC Trees Officers formally every 18-24 months. This is unlikely to change.

The removal of the existing play equipment and the installation of new equipment should not significantly impact on existing trees providing all tree protection measures and actions contained within the arb method statement are adhered to.

There is only one small self-sown goat willow (T11 on the accompanying survey) whose removal is required. This will be mitigated by the proposed planting of 21 new trees-all of which are suitable species for the locations specified. However the proposed trees are described on the Planting plan to be of a 'standard' size (i.e. 2.5 – 3 metres high and 8-10cm circumference at 1.5 metres). The trees are due to be double staked with a cross bar but no other protection. The Tree Section strongly recommend that all new trees to be slightly larger (selected standard size (i.e. 3 - 3.5 metres high and a circumference of 10-12cm at 1.5 metres). All trees should be protected (as per CBC tree planting in parks and gardens elsewhere) by a min. 1.5m galvanised mesh cage to protect them until they are virtually beyond being significantly damaged by vandals and are self-supporting. Trees Officers will determine when this is a suitable time as a part of routine Health and Safety inspections.

Environmental Health

30th October 2015

1. Pittville Water Cross Play

In the "sewer record" document there is information relating to the water connection from the aviary supply to the feature but there is no drainage provision drawn.

- a. Please could drainage provision to the water cross feature be indicated.

Reason: Absence of drainage could cause water damage to the surrounding features. The location of the water feature next to a path means in winter there may be a slip issue with ice forming, if inadequate drainage is present, or mud at other times of the year, if the surrounding surface is permeable. A slip concern may also occur on the setts of the water feature themselves if the drainage is not right.

- b. Please could more details on the water supply at the Water Cross Play feature be provided this should include the mechanism of water delivery; any recycling of water and any water treatment; No details were seen on the application only in the virtual image where a mock hand pump is present (I think with no handle).

Reason: The risk of aerosol creation at the water delivery point would allow a potential bacteria source to be breathed into the lungs, increasing the risk of legionella or other infection, especially relevant in the under-fives, who are highly likely to use this play feature.

Reason: Recycling the water within the play feature may result in bacterial growth in what normally would be safe water supplied by the mains. Bacterial growth would depend upon the season and the length of time the water was held.

- c. Will water be provided to the Water Cross Play feature all year and what measure will be taken to prevent bacterial growth and ice damage?

Reason: Water is a great play medium but each season holds risks that are not part of normal play and these have not been addressed in the application. The risks are for bacterial growth and for ice. With fresh mains treated water and good drainage (not indicated) bacterial growth is unlikely to be a problem.

Reason: Appropriate insulation will be required in winter or the disuse and drainage of the system undertaken, to prevent the risk of burst piping.

It is recognised that water play was the fourth largest request for inclusion at 51.6%, of those surveyed, following requests for more climbing, sliding and swinging, therefore I certainly do not wish to discourage the inclusion of this feature but wish to ensure it is safe.

2. Eibe ibondo Standy-Up Seesaw

Comment: In the Standy-Up Seesaw specification, the impact protection net (presumed to be the safe area around the equipment) is 14m² and a line is drawn around the Seesaw on the block plan (possibly to this affect). The drawn line is very close to the fence posts leading from the sand bridge and the water feature. There are therefore concerns that adults or teenagers risk using the Standy-Up Seesaw and falling onto the fence posts instead of into a safe space.

- a. Please clarify that the safe space around the "Eibe ibondo Standy-Up Seesaw" is correct for young adult use and there is a negligible risk of people falling into the proposed fence.

Landscape Architect

20th November 2015

Design

Setting of the Listed Building

The Grade 1 listed Pittville Pump Room is the focal point of this part of Pittville Park.

Significant viewpoints towards and from the Pump Room are shown on the attached map – ‘Pittville Park Pump Room – Viewpoints’.

- Viewpoint 1: Looking towards the Pump Room across the upper lake.
- Viewpoint 2: Looking towards the Pump Room across the upper lake.
- Viewpoint 3: Standing in front of the Pump Room looking south and south-west.
- Viewpoints along Evesham Road: Views of the Pump Room are afforded from the Evesham Road, alongside the play area.

From all of the Viewpoints considered, there are two elements of the proposal that will have the most impact on the landscape setting of the Grade 1 Listed Pittville Pump Room:

1. Eibe unique Fort structure Shadra

The Fort is nearly 6 meters high. From Viewpoints 1 and 2 this may well be visible through gaps in the vegetation where it would have a negative impact on the vista up the slope towards the Pump Room. It will also result in greater obstruction of views from the Evesham Road.

There are a number of ways in which this impact could be mitigated:

- The existing evergreen planting on the north-west boundary of the upper lake currently screens the play area. It is essential that this evergreen screen is maintained and enhanced in future years, at a sufficient height to screen the play equipment from the view across the lake.
- When installing the Fort, care should be taken to arrange the towers such that they are screened by existing, mature evergreen trees.
- It would be very helpful if the height of the Fort could be reduced by at least 2 metres, though it is appreciated that its height might well be an attraction in terms of play value.
- In light of Historic England’s comments regarding the location of the fort, consideration should be given to repositioning it further south. This would necessitate a redesign of this portion of the play park, perhaps including the ‘triangular green’, but it would have advantages in terms of the views across the lake and from the Evesham Road. Moving the fort further south would also help reduce the impact on views from the Pump Room.

2. The section of the play area in the NE corner of the scheme. The greater part of the existing, fenced children’s play area consists of an open area of grass. The proposals will substantially increase the land occupied by play equipment. This reduction of open space has impacts on views across the park. The north-east section of the proposed scheme is of particular concern because of its proximity to the Pump Room.

- From Viewpoints 1 & 2, the NE corner forms part of the near landscape setting of the Pump Room. It is a visually valuable area of open space which will be eroded by the inclusion of play equipment in this area.

- From Viewpoint 3, looking south-west from in front of the Pump Room, the existing area of grass reduces the visual impact of play equipment by keeping the foreground view clear. This beneficial effect would be removed by the inclusion of the proposed 6-way swing and crawling tunnel.
- From the Evesham Road, views of the Pump Room can currently be seen across the open area of grass in the north and the existing 'low rise' play equipment in the south. The extended play area will disrupt the view of the Pump Room when seen from the Evesham Road.

With regard to the landscape setting of the Pump Room, the proposed scheme would be improved if the six-way swing and crawling tunnel in the north-east portion of the play area were removed. The existing grassed area could then extend across to the diagonal path. This would remove the requirement for, and expense of, the curving self-binding gravel path and result in less fragmentation of the space.

An increased area of grass would reduce the adverse effect of the new play area on the setting of the listed building and views into and out of Pittville Park, while at the same time allowing for an expansion of play facilities.

Please see attached drawing for suggested layout.

Eibe ibondo Sand Wreck

This play equipment is set into a surface of play sand. Please could the proposed management arrangements and maintenance regime for the sand area be submitted.

It is understood that, in recent years, CBC has moved away from 'loose fill' surfacing in play areas because of the difficulty of maintaining the required level of cleanliness for amenity use. It is appreciated, however, that in a large play area such as the one proposed, a sand surface would add an extra play element. It would perhaps be worth considering replacing the Sand Wreck with alternative play equipment that did not require loose fill surfacing and so would not have the associated potential problems and maintenance costs.

Proposed Planting

- Trees
Good choice of proposed trees.
- Hedging
 - *Buxus sempervirens* 'Suffruticosa'
 - 87 linear metres of box hedging is proposed along the west boundary of the proposed play area. It is proposed to keep this formally clipped to approximately 1 metre high, in order to provide low-level visual screening and a sense of separation from the traffic on the Evesham Road.

Unfortunately box is affected by box blight. Box blight is caused by two separate fungi, which can both be present on the same plant: *Cylindrocladium buxicola* which causes spots on leaves and *Volutella buxi* which causes pink pustules on the underneath of leaves. Although cultural methods can be employed to ameliorate the blight, there is no cure. It would, therefore, be advisable to reconsider the choice of hedging plant, rather than take the risk of the whole hedge becoming infected, especially in a 'flagship' play area refurbishment such as the one being proposed.

There are a number of alternatives to box for a low-growing hedge. *Ilex*

crenata is one which is often mentioned as a substitute.

- Yew Hedge

Gloucestershire Gardens and Landscape Trust's suggestion for planting along the eastern perimeter of the play area is noted and supported. This will help to mitigate the effect of multiple play surfaces and textures on the setting of the Listed Building by visually containing the play area.

The suggestion is for a yew hedge 1.5m high + 1.5m wide. However, a height of 1.5m may be too high as this could reduce informal surveillance – for many people, children included, this height could block sightlines. Consider 1m high instead. A lower hedge would still have a softening and containing effect, but would also allow for greater informal surveillance.

In addition, yew is not recommended for planting in play areas because its leaves are toxic if ingested. It would be advisable to select an alternative hedging species.

- Species Selection, Establishment, and Alternatives

Hedging has been proposed by both the applicants and consultees as perimeter planting on both the eastern and western boundaries of the play area. In both cases there are design advantages to this boundary planting. In both cases the species suggested may need to be reconsidered for the reasons given above.

The practicality of establishing robust hedge lines also needs to be taken into account. There are mature trees, with extensive roots, on both the east and west boundaries and this may preclude the formation of a continuous hedge. Given the design advantages to boundary planting, an alternative approach might be low-growing mixed borders on each side, which would offer greater flexibility of plant selection for growing under trees.

Whatever option is chosen, symmetrical planting should be considered, with either the same hedging species or the same mixed border plant palette used on each boundary, if possible.

- Other Proposed Planting

The plant species proposed are acceptable.

-

Conclusion

No landscape objection to the application is raised provided the following conditions are complied with:

1. The existing evergreen planting on the north-west boundary of the upper lake is retained, to be maintained and enhanced. In future years evergreen planting is to be maintained at a sufficient height to screen the play equipment from views across the lake.
2. The six-way swing, crawling tunnel, post and rope fencing and curved path are removed from the proposed scheme. The retained existing grass area shown on the proposal drawings is extended to include the north-east corner up to the proposed diagonal path. Prior to the commencement of development, drawings showing the revised scheme shall be submitted to and approved in writing by the Local Planning Authority.

3. Management arrangements and a maintenance regime for the Sand Wreck area shall be submitted in writing to the Local Planning Authority prior to the installation of this play equipment.
4. Notwithstanding the planting details already provided, prior to the commencement of development, a detailed planting plan for the east and west perimeter boundaries shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP3 – Sustainable Environment and GE4 – Pittville Park and Bouncers Lane Cemetery.

Land Drainage Officer

4th November 2015

No objection.

Historic Parks & Gardens

16th November 2015

Thank you for your letter of 29 October 2015 notifying us of the application for planning permission relating to the above site. We do not wish to comment in detail, but offer the following general observations.

Historic England Advice

This application involves the enlargement of an existing play park within the grounds of Pittville Park; a grade II registered park and garden laid out between 1825 and 1842 as a centrepiece for the town of Pittville. The development was designed by Richard Ware for the wealthy lawyer, banker and MP for Cricklade, Joseph Pitt, and includes within it the grade I focal building, Pittville Pump Room. The gardens and pleasure grounds were intended to be experienced by patients taking water at the Pump Room, as well as for the local residents of the associated designed estate. The Pump Room itself was designed by the prominent Cheltenham architect John Forbes in the Greek Revival style based on engravings of the Temple of Illissus, near Athens. It has been described as 'one of the finest Regency buildings, (and) the largest and grandest of the town's spas' (Sampson, A. and Blake, S.: A Cheltenham Companion, 1993).

The proposal is largely a positive improvement to the existing play park, with the introduction of a scheme more sensitive to the suburban gardens of Pittville Park and a more consistent theme to what exists. The colouring scheme is considered appropriate and the amendments through consultation (with particular reference to the reduction of overall extent and the repositioning of proposed trees and low level and permeable play facilities to enhance views) are beneficent improvements to the proposal.

Whilst this could be considered an opportunity to assess the suitability of the location of the play park, we are satisfied that it remains in what was originally intended, in Pitt/Ware's concept scheme, to be housing allocation. However, consideration should be given to the ideal location of the largest item of equipment, being approximately 6 metres in height. Views of Pittville Pump Room are afforded from Evesham Road and could be compromised by this play facility. In accordance with the National Planning Policy Framework section 132, 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification', you should be satisfied that an analysis of views looking towards the Pump Room from beyond the play park has been thoroughly assessed.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

The Gardens Trust

10th November 2015

The Garden Trust, as Statutory Consultee for development proposals that may impinge on the landscape setting of Registered Parks and Gardens, has asked the Gloucestershire Gardens and Landscape Trust (GGLT) to respond to this proposal on its behalf.

The Heritage Statement prepared by Lewis Advisory Services Ltd clearly sets out the heritage significance of this location within the Registered Park and within the setting of the Grade 1 Pittville Pump Room. As a location for children's play there has been a long precedent and the recent Management Plan highlights the fact that the mixed play equipment has become tired and worn out. The need for the play area is well established as evidenced by the high levels of usage. In GGLT'S opinion, the proposal will be a sound investment in maintaining strong a community use in the future evolution of this Registered Park.

Although the range of play equipment has substantially increased in number and area, the colour scheme has been toned down so that it does not look like a manufacturer's fair. The area of the play-space has expanded, in itself not necessarily a bad thing, as it will help reduce wear and tear on the grassed areas, and continue to allow free play on an open area if the northern part of the site toward the aviaries.

However, GGLT has two observations on the scheme as a whole. These relate to the reference in the Heritage Statement referring to the ability of these settings to absorb change as a contemporary contribution to the heritage matrix. In this case:

*In carrying out a major new intervention such as this renewal and enlargement of the playground, it might be opportune to accompany it with a strong and structural landscape statement to tie the development rather more firmly into the Park structure, such as including a sinuous enclosure of railings plus a 1.5m high + 1.5m wide yew hedge along its Eastern boundary. This element would lead the eye to the Pump Room, and also provide a measure of security along the western side of the major North/South footpath.

*The title "refreshment unit" on its drawing rather hints at its character. Security is obviously a matter of great importance, but this proposal one considers adds very little if anything to the character of this part of the Pittville Character Area. A piece of really good contemporary design would be welcomed but it will have to be rather better than this proposal. Why not a limited architectural pro bono competition amongst the practitioners in Cheltenham?

Overall, this proposal is to be welcomed as it will give impetus to the continuing life of Pittville Park. However GGLT considers that just a little more thought is needed while you have the opportunity.

Cheltenham Civic Society

17th November 2015

No comment.

Gloucestershire Centre for Environmental Records

9th November 2015

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Given the nature of the application site and the proposals, individual letters of notification were not sent out on this occasion. However, a number of site notices were posted along the Evesham Road adjacent to the park, and an advert was published in the Gloucestershire Echo.
- 5.2 Six representations were received in response to the publicity, which have been circulated in full to Members. The points raised in the representations are summarised below:
1. Despite the large number of documents, this application does not seem to adequately describe the proposal in detail.
The drawing of the new Refreshment Kiosk is of poor quality and doesn't adequately describe the proposal - may not be appropriate for Pittville Park.
Are the aviaries to be renovated?
 2. Fully support but dismayed by choice of materials and the four very tall towers which will dominate the site and compromise the vistas to and from the Pump Room and across the Upper Lake. The images of the cafe are dispiriting in the extreme. It looks like the worst garden shed. A wasted opportunity.
 3. Trustees of the Friends of Pittville support the application. The existing play area is well used but looking tired and lacks a coherent design. The aviaries and small animal cages are much in need of refurbishment.
The design of the play equipment will fit into the park environment and will not impinge on the main views between the Pump Room and the lake. The siting of the taller equipment at the lower corner of the area will minimise its profile against the big trees at that point. The planting of new trees and other landscaping will enhance the park setting. A modern interpretation of the original idea for Pittville's Pleasure Gardens.
 4. Well designed and thoughtful Plan. Sits well within this historically important Park. A modern updating of the original idea of Pleasure Gardens. Good to see a planting scheme alongside the new play equipment. The modern style Kiosk is of a style seen in Royal Parks and settings in London. Well done for siting the tallest structure in the well screened south west corner.
 5. A missed opportunity to re-site the play area to the west side or on the Agg Gardener fields – would allow the historic aspect of the East Side near the Pump Rooms to be restored. Project could be completed more quickly because no need to remove the current facility beforehand.
 6. Really good idea. It won't be overcrowded at all because there will be so many things to do.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application for planning permission relate to design and layout; impact on the listed park and setting of the listed building; impact on amenity; and highway safety.

6.2 Design and layout

6.2.1 The design and layout of the proposed play equipment is an important consideration in assessing this proposal.

6.2.2 Following revisions to the scheme in response to the concerns raised at pre-application stage, in respect of the setting of the park and the Pump Room, officers now consider the proposals to be acceptable in terms of design and layout.

6.2.3 Although the replacement play area will adopt a significantly larger footprint than the existing play area, the overall extent of the proposed play area has been reduced from that originally proposed. This will ensure that a sufficient area of open green space will be retained between the play equipment, and the aviaries and animal pens to the north.

6.2.4 The layout has also been more carefully thought through with the largest and tallest piece of play equipment (a large Fort-style climbing frame structure some 6 metres in height overall) now located at the southern end of the site against a backdrop of trees rather than centrally located within the site.

6.2.5 Additionally, the colour palette for both the play equipment and the surfacing materials has been toned down to achieve a more sympathetic autumnal mix of colours.

6.2.6 The proposed refreshment kiosk is modest in size and would be located at the southern end of the site. It is of a simple, modern design with a shallow mono-pitch roof and vertically boarded elevations. Officers consider that the kiosk would sit discreetly in its context.

6.3 Impact on the listed park and setting of the listed building

6.3.1 The Conservation Officer has fully assessed the proposal in respect of the impact on the listed park and the setting of the Grade I listed Pump Room, and in raising no objection concludes that *“Whilst the proposals for the Pittville Play Area, have evolved and improved, further changes, in terms of equipment size and layout, would lessen its impact on the historic environment”*. The Landscape Architect is also of a similar opinion.

6.3.2 It is acknowledged that the increased footprint of the play area together with the increase in the amount of play equipment would alter the setting of the listed building, and that as a result of the scale and range of play equipment proposed, views towards the Pump Room and across the park from Evesham Road would be changed. Additionally, views from the Pump Room will be changed which are considered by the Conservation Officer to be *“detrimental to the setting of the listed building”*. However, officers do not consider that any impact would necessarily be harmful.

6.3.3 Should Members consider the impact to be harmful, paragraph 134 of the NPPF is particularly pertinent. Paragraph 134 advises that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”*.

6.3.4 The social health and wellbeing benefits that would result from such an exciting and bespoke play facility are apparent. Research published by the Association for Public Service Excellence (APSE) in August 2015 identifies that *“Parks and outdoor public areas are important spaces where we socialise and play, bond with family and friends, and meet new people”*. It goes on to highlight that *“Outdoor play areas...improve children’s motor development skills such as balance, strength and co-ordination...and can also improve children’s social and cognitive development”*.

6.3.5 Although it is acknowledged that the existing play facility already meets these objectives to some extent, the play equipment is tired and dated and the Council has been looking to replace the existing facility for some time. Indeed, the Planning Design and Access Statement which accompanies the application, sets out at paragraph 4.10 that *“the ‘quality’ of the Pittville play equipment has been subject to scrutiny for some time now”*. It goes on to state, at paragraph 4.19, that *“there is no doubt that the existing park is valued by the residents of Cheltenham and beyond...This value will only increase with the level of investment proposed here”*.

6.3.6 Additionally, Historic England suggests that *“The proposal is largely a positive improvement...with the introduction of a scheme more sensitive to the suburban gardens of Pittville Park and a more consistent theme to what exists”*. They go on to state that *“The colouring scheme is considered appropriate and the amendments...are beneficent improvements”*.

6.3.7 As such, officers are of the opinion that the significant public benefits that would result from the proposal far outweigh the perceived harm to the designated heritage assets and in this respect should be supported.

6.4 Impact on amenity

6.4.1 The replacement and enlargement of the existing play facility would likely result in a greater number of visitors to the park and an intensification of its use; however, given the park setting and the presence of the existing play area it is not considered that the proposals would result in any significant harm to the amenity of local residents. Although there would undoubtedly be an element of noise associated with children playing, the principle of a play area in this location is long established; indeed the Conservation Officer has commented that *“since the 1920s there has been evidence of children’s play equipment on this site”*.

6.4.2 It should be noted that nearby residents have raised no objection on amenity grounds.

6.5 Access and highway issues

6.5.1 The proposal has been considered the GCC Highways Planning Liaison Team who have raised no objection to the application and comment that *“the proposed development will not impact upon the surrounding highway network”*.

6.6 Other considerations

6.6.1 A revised landscaping plan is expected to address some minor concerns raised by the Tree Officer and Landscape Architect in respect of the Box hedge to the Evesham Road boundary and the proposed tree sizes; an update will be circulated on receipt of the revised plan.

6.6.2 The applicant has responded to the comments from Environmental Health, set out at Section 4, and the Environmental Health Team has confirmed that they have no further concerns.

6.6.3 As the site is located within Flood Zone 2, the application was referred to Environment Agency but no response has been received. The Council's Land Drainage Officer raises no objection.

6.6.4 Although the issue of re-locating the play area to a less sensitive site has been raised, the consideration when determining this application is whether the proposals put forward for this site are acceptable.

6.6.5 For the avoidance of doubt, this application does not propose the refurbishment of the aviaries and animal pens.

7. CONCLUSION AND RECOMMENDATION

- 7.1 It is clear that the application represents a significant investment into Pittville Park and this should be welcomed. The proposals seek to improve and extend the existing play facilities to create an exciting and bespoke play 'destination' for residents and visitors to Cheltenham. The layout has been amended in response to criticism from consultees at pre-application stage is now considered to be appropriate in its context.
- 7.2 Notwithstanding the above, the site is prominently located within the conservation area and within the setting of a Grade I listed building and therefore the proposals still need to be appropriate to their setting. With this in mind, this report has identified that the Conservation Officer and Landscape Architect have some outstanding reservations particularly in respect of the altered views towards the Pump Room and across the park from Evesham Road, and the altered views from the Pump Room which are considered by the Conservation Officer to be *"detrimental to the setting of the listed building"*. However, officers do not consider that any such impact would necessarily be harmful.
- 7.3 In any case, the impact cannot be considered to be substantial and therefore paragraph 134 of the NPPF is particularly pertinent. Paragraph 134 advises that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use"*. As set out above at paragraphs 6.3.4 and 6.3.5, the social health and wellbeing benefits that would result from such an exciting and bespoke play facility are apparent.
- 7.4 Moreover, with the response from Historic England in mind which suggests that *"The proposal is largely a positive improvement...with the introduction of a scheme more sensitive to the suburban gardens of Pittville Park and a more consistent theme to what exists"* officers consider that the proposals fully accord with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires development in a conservation area to preserve or enhance the character or appearance of that area.
- 7.5 The recommendation therefore is to grant planning permission.

8. CONDITIONS

- 1 Conditions to follow in an update.