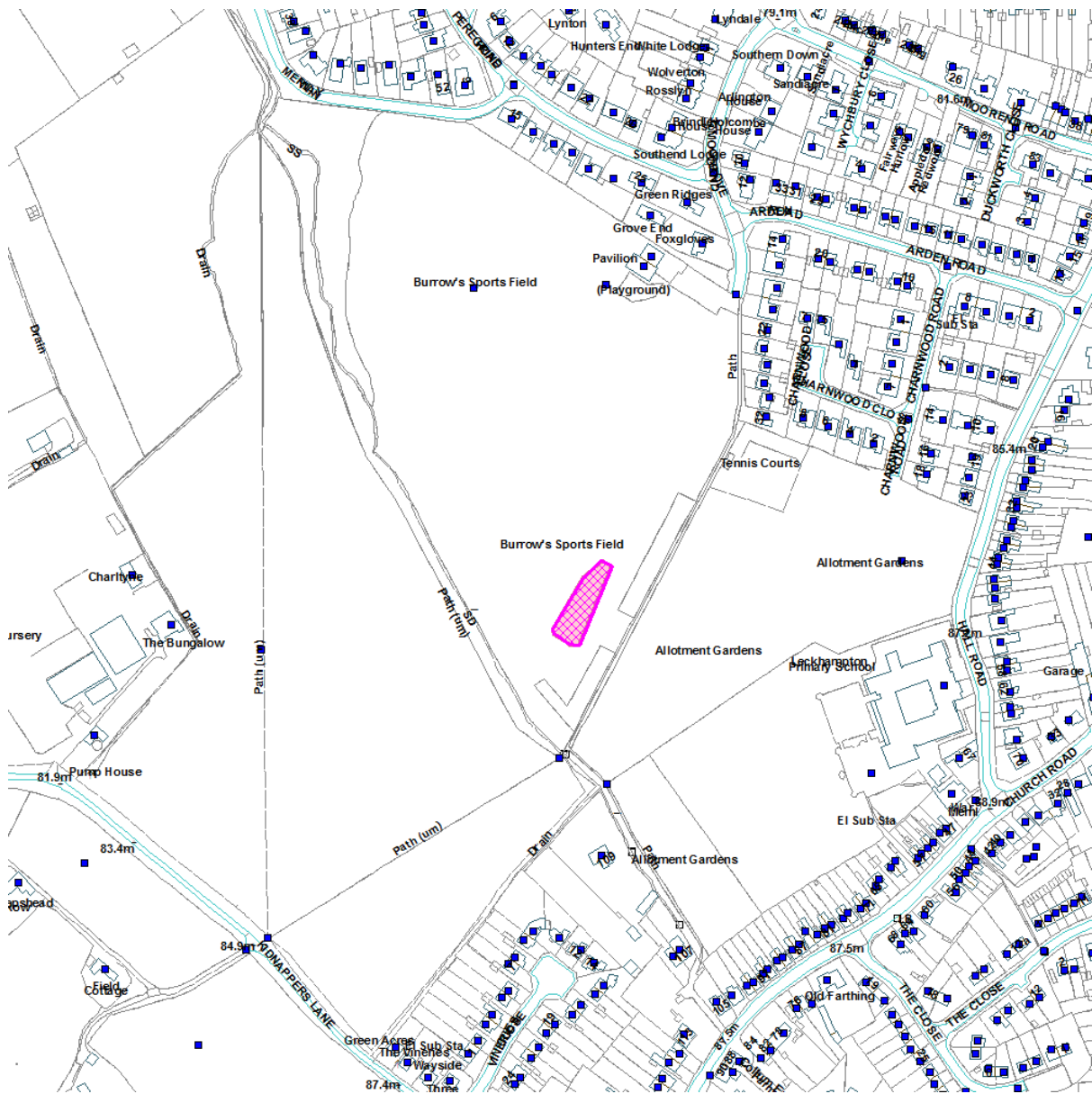


APPLICATION NO: 15/02065/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 30th November 2015		DATE OF EXPIRY: 25th January 2016
WARD:		PARISH:
APPLICANT:	Ms N Powell	
AGENT:	Cheltenham Borough Council	
LOCATION:	Burrows Sports Field, Merlin Way, Cheltenham	
PROPOSAL:	Construction of BMX pump track	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site falls within the public green space known as 'Burrows Sports Field', located on Merlin Way and is accessed via Moorend Grove in Leckhampton.
- 1.2 The applicant is seeking planning permission for the construction of a BMX track in the southern corner of the playing field.
- 1.3 The application is before committee as Cheltenham Borough Council are the applicant and the land owner. Although the application has been submitted by Cheltenham Borough Council, the application has been brought forward by a BMX user group who have been discussing the need for a BMX Pump Track in Cheltenham with our Open Space/Parks team.
- 1.4 The proposed BMX track will be located in the southern part of the field; will form a series of bumps with rounded profiles made of compacted stone and grass verges. The overall site area measures approximately 70 metres in length and 22 metres in width, with the maximum height at any one point being 1.8 metres.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Flood Zone 2
Smoke Control Order

Relevant Planning History:

87/01570/PF 5th August 1987 REF

Outline application for residential development on 8.1ha of land, including construction of new access roads.

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
CO 1 Landscape character
GE 1 Public green space
GE 6 Trees and development
NE 1 Habitats of legally protected species
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parish Council

11th January 2016

The Council requests that the following observations be noted and considered by the Planning Committee in respect of the plans for the above application:

The Council does not object to the application, and is fully behind supporting youth recreational activities in its area but requests the Committee to take into account the observations noted below.

Observations

1. The Burrows Field is in regular use as a sports field and as for running, walking, dog walking with dogs off lead, sitting, relaxing and other activity. This track must not be at the expense of these other uses.
2. The proposed site is close to football pitches, with goal posts near the site and run of play towards the site. Strong protection of the pitches from being cycled over is essential if the scheme should go ahead (currently cycling is not permitted at all on Burrows Field).
3. It is also essential to protect the south-west corner of Burrows Field. This area is waterlogged in winter with occasional slight flooding, which is due in part to Moorend Stream being badly clogged up. Several heavily used footpaths intersect at the south-west corner of Burrows Field and it is important to make sure that greater use of land around the BMX track does not make the state of the ground worse. The Council recommends that Moorend Stream needs to be cleared out along the west side of Burrows Field and a plan to do this and funding for the work is needed before permission is granted for the BMX track. Secondly there must be prohibition and prosecution of any cycling that affects the footpath use.
4. Burrows Field lacks sufficient parking facilities for present users and for the adjacent playgroup; it is questioned whether it can cope with the additional parking by the BMX track users.
5. The question has been raised over how the use of the track will be supervised to ensure it is safe. It is understood that the site will be open for use for all ages and abilities.
6. A number of local people have proposed that the Brizen Sports Ground could be a better location for the BMX track. Their main argument is that Brizen has a much larger car park, the grounds are not as heavily used as Burrows Field, Brizen has less scenic sensitivity, and the land at Brizen has sufficient space to accommodate a BMX track of a suitable layout. There are counter-arguments for location at Burrows Field: in particular that Leckhampton is short of facilities for young people. Some members of the Parish Council firmly support this Brizen option. The Council does not have enough information to form a clear position, but recommends that the Brizen option should be considered in sufficient detail before the Planning Committee makes a decision on the Burrows Field site.
7. This proposal raises the strategic question of whether consideration has been given to other facilities that could be provided at Burrows Field that might benefit local residents including young people.

I hope that these comments can be taken into account and that they are reported to Planning Committee.

Tree Officer

14th December 2015

The following needs to be addressed prior to the Tree Section having no objection in principle to this application:

- 1) A BS 5837 (2012) Tree Protection plan needs to be drawn up so as to ensure no damage is done to adjacent trees or their rooting area during construction.
- 2) It would be better if this proposed BMX Track is moved further westward by several metres. There are many newly planted trees within the area. All are now established but still small. These new trees are (mostly) Indian chestnuts trees and so eventually will have 20 metre + crown diameters. The proposed track will be 5-6 metres away from existing tree trunks. This could lead to future demands to have the trees inappropriately pruned thereby reducing their amenity. Similarly there will be much leaf and flower fall, conker drop and general tree litter falling on this track throughout the year as the trees mature. As such it would be better if this track was moved westward by 3-4 meters so as to reduce this likely nuisance.
- 3) Is any new seating proposed for adjacent to this track? Please site new seating away from young trees so as to discourage casual vandalism.
- 4) Please could it be confirmed that all construction materials are inert and will not contaminate the ground near to existing trees.

GCC Highways Planning Liaison Officer

19th January 2016

I refer to the above planning application received on 1st December 2015 with submitted application form, site location plan, illustrative cross sectional photographs and various public comments.

Proposal & location

The proposed development at Burrows Sports Field is for the construction of a BMX pump track in the southern most corner of the field, adjacent to allotments and farmland. The proposed development is accessed via the entrance on Moorend Grove, a class 4 road subject to a 30mph speed limit.

History

The Burrows Playing Field access is off Moorend Grove from the urban area and via the PROW footpath network from the more rural area. The 25 vehicle car park at Moorend Grove allows level access onto the field as well as to the pavilion and building used by a local playgroup. The pavilion also houses changing rooms a 'tea room' traditionally used by cricket teams. There is a play area for younger children close to the car park and play group.

The field is level grass and used for football during the winter and cricket in the summer. The field is often used by dog walkers as a circuit connecting with the PROW network of field paths.

Accessibility

The site is relatively sustainably located within Leckhampton easily being accessed by foot or various modes of transport; however it is anticipated users of the proposed BMX would be most likely to cycle to and from the site, although it is accepted that there will be some level of vehicle movements to and from the site associated with the track.

Access, parking & vehicle movements

The proposed development site makes use of existing field access. Construction vehicles will also use this access for between 3-4 weeks to construct the track. Construction

vehicles will access the field for construction via the maintenance gates within the car park. Bulk materials will also be arranged to be delivered this way but co-ordinated to avoid busy times such as peak periods when the dropping off and picking up children from the Broadlands play group occurs most.

Having spoken to Cheltenham Borough Councils GSM (Green Space Manager) he has informed me that based on any single point on a Saturday during spring or summer it is estimated that a maximum of 10 children will be using the facility at peak use as a track of this size is designed as a local facility for casual use, they are wide enough to accommodate one bike, and therefore not suitable for racing.

As the BMX track has been designed to be a community facility people are less than likely to drive to the site. It is considered that most users will be local children who travel to the facility on their bikes. It is therefore considered that the proposal will not have a significant impact on the surrounding highway network.

I acknowledge all of the local residents objections based upon parking issues. I am also aware that on street parking occurs within the surrounding highway network mainly on weekends for people playing football and cricket.

Upon assessing the following surrounding highways; Moored Grove, Arden road, Charnwood Road, Charnwood Close, Peregrine Road & Merlin way it is noted that the majority of the dwellings have off street parking.

Therefore residents will use their own off street parking and not that of the on street parking. Consequently if users of the playing field were to drive to the destination, even at peak times on a busy day there is sufficient room to accommodate the increase in vehicles along the surrounding unrestricted highway. There has been no accident data recorded in the past 5 years as a result of on street parking. There appears to be no inherent highway safety concern with the levels of on-street parking, it is an existing situation for which this development is not to mitigate for and that this development would not cause a detriment to highway safety as it will not significantly increase any on-street parking associated with it.

In view of the local highway authority there is not enough evidence to refuse this application based on cumulative impact. Paragraph 32 of the NPPF states 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of a development are severe.'

Summary

I recommend that no highway objection be raised subject to the following condition being attached to any permission granted:-

Suggested condition:

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development.

It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

22nd December 2015

Due to the high level of objections in regards to the above application I have spoken to the senior management team.

We'd like to request that the applicant provide us with some expected numbers of people that will use the BMX track. These usage figures will allow us to assess what the impact on the car park and surrounding roads may be.

This can also be gauged by looking at usage levels for similar sites to the one proposed.

Are there any age groups in particular that will be using the BMX pump track?

Tree Officer

6th January 2016

Following previous comment, Trees Officers welcome the submitted changes to the site location drawing.

However the tree protection plan should include robust protection adjacent to the proposed construction site as agreed verbally with the Green Space Development Manager.

Following submission of this information please use Condition TRE03B in any permission granted.

Landscape Architect

23rd December 2015

Comments

Further to:

Site visit 14/12/2015

Drawings - Burrows Playing Field BMX pump track

- Site Location
- Drawing No.1 Version 2
- Cross Section X-X, Cross Section Y-Y
- Cross Section BMX track path

With regard to landscape issues there is an objection to this proposal for the following reasons:

1. Landscape and Visual Impact

The proposal site lies within Burrows Field which is a public green space. It is its effect on the landscape character and visual amenity of the field that is of concern.

Burrows Field is flat and bounded to the east, south and west with hedgerows. The hedgerow on the southern boundary is associated with a stream, on the other side of which is a neighbouring field known as Lotts Meadow. Along the watercourse the vegetation consists mostly of willow and riverine vegetation and scrub.

Within Burrows Field there are approximately 40 trees of a variety of species. Included in this number, to the south-west of the field, is a copse of poplars planted to celebrate the late Queen Mother's 100th birthday. This is a sizeable number of trees but, because they are planted mostly around the edges, they do not detract from the sense of openness one experiences when looking out across the field.

There is provision for both formal and informal recreation, neither of which interfere with the flat topography of the site. Formal recreation includes football and cricket pitches. There is also a play area to the north of the site, associated with the nursery school. As well as sports provision, this public green space allows for quiet, informal recreation such as walking. The public right of way on its eastern boundary connects to Lotts Meadow and then to a network of footpaths in the wider area.

An attractive quality of Burrows Field is its undeveloped nature. It affords views of the Cotswold escarpment to the south-east across a flat, semi-rural, naturalistic landscape which provides an appropriate setting for the AONB (Area of Outstanding Natural Beauty). The existing sports pitches have little visual impact on the view.

The construction of a BMX pump track in the southern corner of the field would introduce a raised, incongruous, engineered element into the landscape. It would be out of character with the existing landscape and would intrude into the view of the escarpment.

In addition to the visual impact of the BMX pump track itself, there are also concerns about the effect of user activity on the visual amenity of the field. It is not unreasonable to assume that bikes will be ridden around the field as well as on the track, leading to unsightly erosion of the turf.

No planting plans have been submitted with this application. The Design & Access Statement states that no additional planting is proposed as part of the development in order not to obstruct informal surveillance of the track. There is, however, the impact on existing planting to be considered. The track is located near to existing trees and hedgerows which have amenity and general ecological value, forming part of the green infrastructure of the locality. A question mark remains over the effect of user activity on the existing planting in this corner of Burrows Field. The southern corner of the field is also the most sensitive in terms of visual amenity being directly in the view of the Cotswold escarpment.

1.1. Cumulative Effects

Best practice guidance advises considering the cumulative effect of planning proposals on landscape character and visual & practical amenity.

Burrows Field is adjacent to Lotts Meadow, the two being separated by a stream and a hedgerow. Both Burrows Field and Lotts Meadow are visually prominent from the Cotswold AONB escarpment. Their combined open space forms a landscape setting for the AONB escarpment. The Landscape Character Type of this setting is Settled Unwooded Vale.

Lotts Meadow is included in a planning application for a proposed mixed use development fronting Shurdington Road. This planning application (LPA Reference: 13/01605/OUT) has been the subject of a planning inquiry (PINS Reference: APP/B1605/W/14/3001717) for which a decision is expected in April 2016. In this planning proposal Lotts Meadow has been retained as strategic open space. The reason for retaining Lotts Meadow as strategic open space was its proximity to the AONB boundary and its role in forming part of the Settled Unwooded Vale setting of the AONB. It was intended to act as a green buffer between the proposed development and the AONB. In the Landscape Proof of Evidence for the public inquiry - provided by CBC's expert witness, Ryder Landscape Consultants - it is pointed out that the proposed mixed use development would change the character of Lotts Meadow from estate parkland to that of municipal park.

Given the uncertainty of how the character and appearance of Lotts Meadow might change, it is important that Burrows Field retains its undeveloped character.

Were planning permission to be granted for the BMX pump track proposal, it would set a precedent for similar development within Burrows Field. The cumulative effect of changes in both Burrows Field and Lotts Meadow would be to erode the remaining Settled Unwooded Vale setting of the AONB.

For the reasons discussed, the proposal is considered contrary to the following Local Plan Policies:

- Policy CO1, relating to Landscape Character
- Policy CO2, relating to Development Within or Affecting the AONB.
- Policy CP3, relating to Sustainable Environment

2. Amenity

As a public green space Burrows Field provides for both recreation and amenity. It is the potential conflict between these roles and a BMX pump track that is cause for concern.

2.1. New Path

Please could a revised drawing be submitted showing the existing footpath as well as the proposed new path. It is not clear from the drawing if the two paths coincide for some of the way and it would be helpful to have both paths shown on the drawing.

Is the new path intended to provide alternative pedestrian access to Lott's Meadow as well as cycle access to the BMX pump track? Is it intended to link to the footpath from Church Road?

The existing footpaths around Burrows Field, Lotts Meadow and beyond are for pedestrian use only. Their principal amenity use is walking. There is potential for confusion and conflict if these paths begin to be used by cyclists also, leading to adverse effects on walking activities.

2.2. Sports Pitches

The Design & Access Statement states that 'The track will not affect the current use of the playing field for football or cricket.' Since the BMX pump track is to be open and unsupervised how will its impact on the users of the playing pitches be monitored and moderated? How will the use of bikes be confined to the track? If cycling does not remain restricted to the track but extends out into the rest of Burrows Field then the playing pitch surfaces could be degraded, leading to potential conflict between user groups. Who will pay for reinstatement?

Due to its potential to harm existing amenity the proposal is considered to be contrary to Local Plan Policy CP4, relating to Safe and Sustainable Living.

3. Maintenance

The issue of maintenance is of great concern.

It is vitally important that the local community should not be left with an eyesore in Burrows Field should enthusiasm for the BMX pump track wane.

The Design & Access Statement states that the user group will maintain the upkeep of the track with the help of Cheltenham Borough Council. However, no maintenance schedule has been submitted with the application and so it is not clear what activities the user group has committed to undertake. For example, who will maintain the grassed areas within and immediately adjacent to the proposed track - it cannot be assumed that the current contract for grass-cutting will automatically extend to maintenance within the track.

As is the case with other community group initiatives in Cheltenham, there should be a legal basis for management and maintenance responsibilities.

Please could the following document be submitted prior to determination:

3.1. A management and maintenance schedule:

- Proposals for the future maintenance of the proposed BMX pump track, including any associated items should be stated.
- Responsibility for maintenance operations for the said track and other items shall be clearly set out.
- The proposals shall ensure the proper maintenance of the facility, in perpetuity, at no cost to the Council.
- The proposals should take account of the need to remove the facility should interest in it wane to the point of it being unviable to maintain it. The site should then be restored to its former condition. This should be accomplished at no cost to the Council.

3.2. Should planning permission be granted, then prior to the commencement of any development please could the following be submitted:

- A legally binding arrangement with the user group to undertake the management and maintenance programme. For the avoidance of doubt, these proposals shall ensure the proper maintenance of the facility, in perpetuity, at no cost to the Council. Thereafter, all facilities shall be maintained in complete accordance with the terms of such scheme / agreement as may be so approved unless the planning authority gives written approval for any variation.

Without appropriate maintenance arrangements in place the proposal cannot be considered sustainable development in terms of the NPPF (7, bullet point 3).

It would also be contrary to the following Local Plan policies:

- Policy CP3, relating to Sustainable Environment
- Policy CP4, relating to Safe and Sustainable Living

Conclusion

For the reasons given above there is a landscape objection to the proposal for a BMX pump track in Burrows Field.

Gloucestershire Centre For Environmental Records

15th December 2015

Please find attached the results of a planning alert for this consultation. Colin Studholme (with the wildlife trust) had no response to make.

I should add that although we have no record of a bat roost (why Ben Hawkes rang me in the first place) this doesn't mean to say that we doubt the anecdotal sightings; we just don't have the full verified details.

I can only provide the biological information, as this is the position of a local environmental record centre. Should you wish to get further instruction; then I'd suggest you'd contact Gary Kennison.

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	27
Total comments received	200
Number of objections	117
Number of supporting	83
General comment	0

- 5.1** 27 letters were sent to neighbouring properties and site notices were displayed in the local area. 200 letters of representation have been received; 117 letters of objection and 83 letters of support. Two petitions have been received one in support which contains 184 signatures and one in objection which contains 274 signatures. The reasons for objection and for support have been summarised below.
- 5.2** The objections raised within these comments relate to the impact on neighbouring amenity in terms of noise and disturbance, impact on environmental species, impact on the use of the existing playing field, maintenance, flooding, parking and impact on the character of the area.
- 5.3** The majority of the comments in support of this application highlight the need for a local and public facility for people of all ages and abilities and how this proposal would enable a range of local residents to make use of the field alongside its existing users.
- 5.4** All of the comments received have been carefully considered and have been addressed in the officer comments below.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations in relation to this application are the principle of the use of the land for this development, impact on neighbouring amenity and the potential impact on trees and wildlife.

6.3 The principle of development and impact on the character of the landscape.

- 6.4** The Burrows Sports Field is currently used by a number of different users, ranging from dog walkers to people engaging in various sporting activities, including football and cricket. The field is recreational land and therefore provides the space for a number of users to take part in various outdoor activities. Although the proposed BMX track would provide a new use in the field, it would not be at the expense of other users, especially given its relatively small scale and its position within the site. Officers therefore consider the principle of using the area of land to the south of the field to facilitate a BMX track to be acceptable.

- 6.5** The proposed BMX track will take the form of a series of bumps with rounded profiles; the maximum height of the track at any point is 1.8 metres. The material used for the construction of the track itself is compacted stone for the riding surface and grass for the banked side profiles. These materials are entirely suitable for their context and will not create a visually harmful structure within the field.
- 6.6** In terms of visual impact, the introduction of a BMX track in to the field will undoubtedly have an impact on the existing landscape and current character of the field. This is a point that has been raised in the landscape architects comments, which can be read above. The application is accompanied by a section drawing which shows that the proposal will be undulating in its profile and it is the view of officers that it is unlikely to have a harmful impact on any views of the open countryside beyond the southern boundary of the field. Although the landscape architects comments have been duly noted, officers are of the opinion that the proposal would not result in an unacceptable impact on the character of the field or its surroundings. It is accepted that the track will be seen as part of the wider view towards the scarp, but this imposing feature will still dominate the field. In this respect, officers are satisfied that the proposal will not unacceptably harm the character of the surrounding landscape.
- 6.7** The original proposal did not propose any form of direct link from the existing car park to the proposed new facility, also noted by the landscape architect. Officers were concerned that this could cause issues regarding potential conflicts between users of the field and potential harm to the grass surface of the field. With this in mind officers requested that a path be included as part of the proposal to form a natural desire line from the car park to the track. This was included in the revised plan and is considered to be acceptable.
- 6.8** The proposal is considered to be compliant with the requirements of the local plan policy CO1 in terms of protecting the existing landscape and ensuring development responds to the character of its surroundings.
- 6.9 Impact on neighbouring amenity**
- 6.10** Local plan policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.11** Concerns have been raised regarding the potential for the use of the BMX track to cause an unacceptable impact on neighbouring amenity in terms of noise and disturbance for the surrounding residential properties. The BMX track is proposed to be sited in the southern corner of the playing field, which at its nearest point is approximately 113 metres away from the closest residential building. Officers therefore do not consider any noise generated from the use of this facility would cause any harmful impact on the amenity of the surrounding residential properties. The field is a public space and is not gated and therefore the hours of use cannot be controlled.
- 6.12** It should be noted that the proposed BMX track is not of a suitable size or standard to be able to host any form of sporting event or competition and is therefore only suitable for public recreational use and as a training facility for BMX users. With this in mind it is unlikely that the proposed BMX track will attract any large volume of users at any one time.
- 6.13** With a limited number of users of the facility at any one time, officers do not consider that any noise generated would be of an unacceptable level. The proposal is therefore compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.14 Traffic/Parking

- 6.15** A large percentage of the objection letters have raised concerns regarding traffic and potential parking implications. The Highways department were consulted on this application and their full comments are provided above. No highway objection has been raised.
- 6.16** The site currently has an existing car park that provides 25 spaces for the users of the facilities within the Burrows field. Based on the information submitted the new facility is not expected to attract a high volume of car users to the site; it is anticipated that a large proportion of users will be from the local area and will therefore travel by bike or on foot. It is the view of officers that any increase in the number of vehicles to the area as a direct result of the new facility will be accommodated by the existing car park and on street parking availability in the surrounding streets.
- 6.17** Although it is noted that parking in the area can become a concern for local residents on a Saturday when football matches take place, the number of users of the BMX track will not be so significant to notice any additional pressure on parking in the locality.
- 6.18** The proposal is therefore not considered to have an unacceptable impact on neighbouring properties and is compliant with Local Plan Policy TP1 in terms of highway safety.
- 6.19 Other considerations**
- 6.20** A number of concerns from local residents relate to the perceived impact of the proposal on the trees and wildlife. The tree officers were consulted on this application and their full comments can be read above. The tree officers initially raised concerns regarding the position of the track and possible impact on the trees to the eastern boundary of the site. As part of the revised plans the track was moved in line with the comments and therefore the tree officer no longer has an objection to the proposal. A condition has been added to ensure protective fencing is installed to protect the trees during the construction stages.
- 6.21** An ecological site walkover was carried out and the report is available on the web. The assessment findings show that protected species such as bats, birds, amphibians and reptiles are in the surrounding areas. However the report concludes that these species are located some distance away from the application area and due to the nature of the works to be undertaken, no harmful impact is anticipated. A condition has been added to prohibit the use of any external lighting to further protect these species. The proposal is considered to be compliant with Local Plan Policy NE1 in terms of protecting the habitats of legally protected species.
- 6.22** Concerns have been raised by residents relating to the maintenance of the track and the surrounding area. Confirmation from the applicant details that the proposed facility will become the responsibility of the Cheltenham Borough Council Parks Green Space Division, and will fall into their general scheme for safety inspection and maintenance. This will comprise of weekly visual inspections, monthly inspections by the Council's playground officer and an annual independent safety inspection. Grass cutting will be undertaken around the track and strimming of the grass banks on a 4-6 week cycle. In addition to this day to day maintenance and upkeep will be undertaken by the user group. Officers consider the details that have been provided by the applicant to be sufficient to ensure the area is maintained to a suitable standard.
- 6.23** Residents have raised concerns regarding the potential risk of increased flooding as a result of this development. The proposed track itself does not fall within a flood zone and therefore a flood risk assessment has not been deemed necessary for the application. In addition to this, the materials used in the construction of the track are permeable and will allow for suitable surface water drainage. Therefore the proposal is not considered to cause any increased pressures in relation to potential flooding.

- 6.24** It has been brought to the attention of officers that there is an existing by-law on the field that prohibits the riding of bikes in the field. This has been noted and this matter has been brought to the attention of the applicant, it is however not a planning consideration.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Paragraph 74 of the NPPF states “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:... the development is for alternative sports and recreational provision, the need for which clearly outweigh the loss.” The proposal will not result in any loss of the open space but will enable provision for a different form of outdoor activity for the sports field. It is clear to officers that there is a demand in and around Cheltenham to provide members of the public with new facilities and the opportunity to engage in outdoor sports.
- 7.2** In this instance the demand for such a facility is given great weight in the consideration of the application. The provision of this new facility will introduce a new use to the field that officers believe can happily co-exist alongside all other uses of the field, including football and dog walkers.
- 7.3** In terms of noise and disturbance, the proposal is not considered to be contrary to local plan policy CP4 in terms of protecting local amenity.
- 7.4** The impact on environmental species, maintenance of the facility, any potential risk of flooding and any impact on the character of the area have been addressed in the officer comments above and the application is considered to be compliant with local plan policies CP1, CP3, CP7, CO1, GE1, GE6 and NE1.
- 7.5** It is therefore recommended that the application be permitted, subject to the following conditions:

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.
Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 4 No lighting shall be installed on site in connection with the development hereby permitted, unless submitted to and approved in writing by the LPA.

Reason: To protect any nearby wildlife in accordance with Local Plan Policy NE1 relating to habitats of legally protected species.

- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.