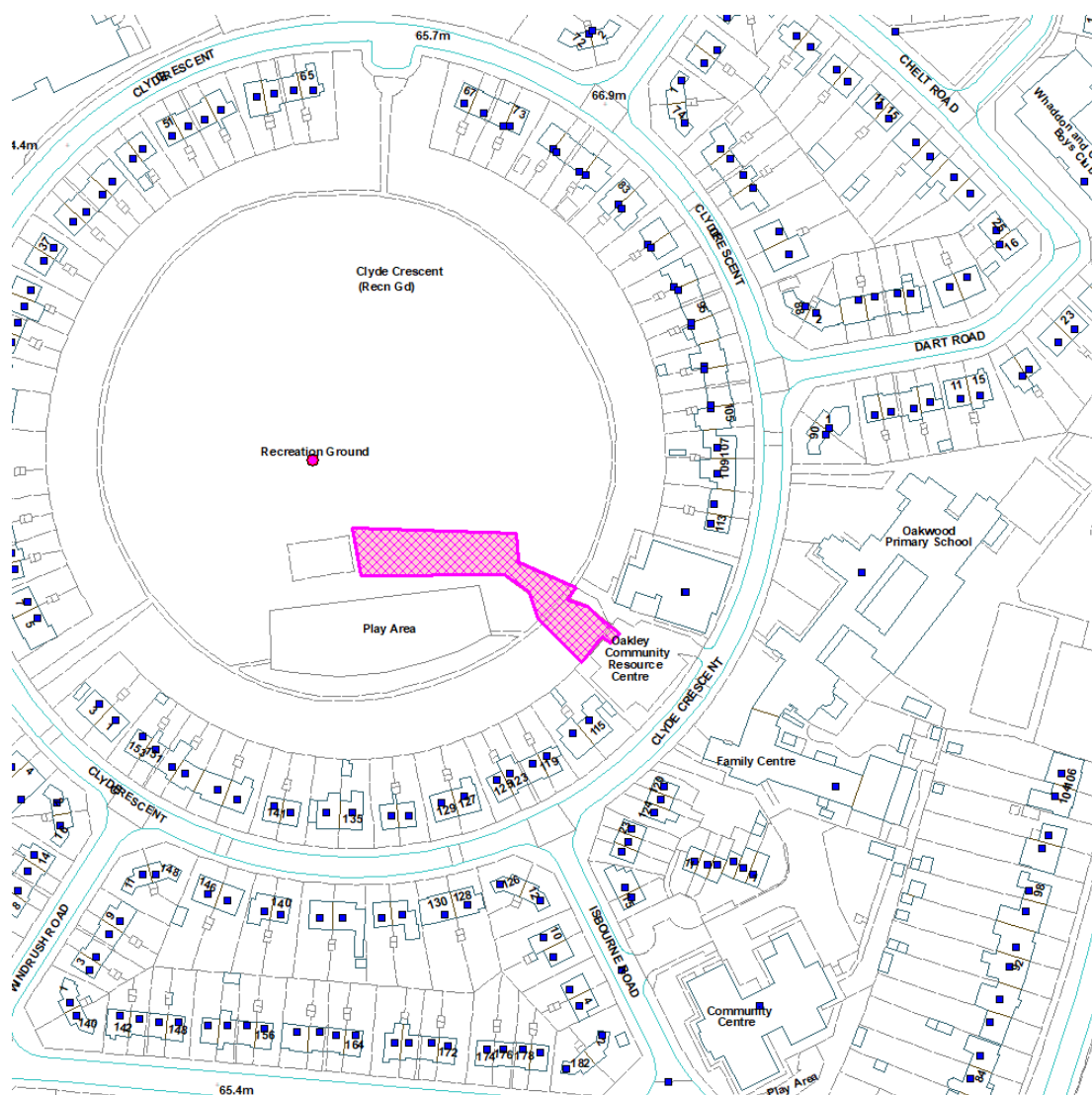


<b>APPLICATION NO:</b> 19/02335/FUL		<b>OFFICER:</b> Mrs Victoria Harris
<b>DATE REGISTERED:</b> 23rd November 2019		<b>DATE OF EXPIRY:</b>
<b>DATE VALIDATED:</b> 23rd November 2019		<b>DATE OF SITE VISIT:</b> 11th December 2019
<b>WARD:</b> Oakley Ward		<b>PARISH:</b>
<b>APPLICANT:</b>	Cheltenham Borough Council	
<b>AGENT:</b>	n/a	
<b>LOCATION:</b>	Recreation Ground, Clyde Crescent, Cheltenham	
<b>PROPOSAL:</b>	Construction of a concrete scooter skate park, access path and the installation of a bin, cycle racks and sign	

**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 'Clyde Crescent Recreation Ground', located on Clyde Crescent within the Oakley Ward.
- 1.2 The applicant is seeking planning permission for the construction of a concrete scooter skate park next to the existing multi use games area, play area and grass football pitch.
- 1.3 The design is a bowl shape with over 14 features and will support the needs of skaters, scooters, roller bladers and BMX riders. The overall site area measures approximately 30.7 metres in length and 22 metres in width, with the maximum height at any one point being 2.1 metres.
- 1.4 The proposal includes a bench, bin, cycle racks, sign and tree planting.
- 1.5 The application is before committee as Cheltenham Borough Council are the applicant and the land owner.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Airport Safeguarding over 45m  
Principal Urban Area

### Relevant Planning History:

**80/00421/PF    31st October 1980    VARIED**

Clyde Crescent Playing Field Pavillion Cheltenham Gloucestershire - Re-Roofing Of The Pavillion

**85/01067/PF    12th December 1985    PER**

Erection Of Play Equipment And Mounding And Landscaping Of Area

## 3. POLICIES AND GUIDANCE

### National Planning Policy Framework

Section 2 Achieving sustainable development  
Section 8 Promoting healthy and safe communities  
Section 12 Achieving well-designed places

### Saved Local Plan Policies

CP 2 Sequential approach to location of development  
CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design  
GE 1 Public green space  
GE 6 Trees and development

### Adopted Joint Core Strategy Policies

SD4 Design Requirements  
INF3 Green Infrastructure

## 4. CONSULTATIONS

### Building Control

5th December 2019

No comment

### Tree Officer

19th December 2019

The Trees Section does not object to this application. Please could details of tree planting (Species, size and locations) be submitted.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	80
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 80 letters were sent to neighbouring properties and a site notice was displayed. No letters of representation have been received.

## 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 and impact on neighbouring amenity.

### 6.3 The principle of development and impact on the character of the area.

- 6.4 The Clyde Crescent Recreation Ground is currently used by a number of different users, ranging from dog walkers to people engaging in various sporting activities, including football and basketball. The field is recreational land and therefore provides the space for a number of users to take part in various outdoor activities.

- 6.5 The public art youth shelter 'toast rack' will be removed to provide space for the new scooter skate park. The design and access statement confirms that this 'shelter is deteriorating and the users of it have said it's not fit for purpose any more. Children also use this structure to kick balls up against which due to its structure creates a very loud noise and nuisance to residents. An alternative location and a more appropriate structure will be identified when funding is available.'

- 6.6 The loss of the youth shelter is regrettable however the proposed scooter skate park would provide a new use in the field, is relatively small scale and is positioned well within the site with a new access path. Officers therefore consider the principle of using the area of land to the south of the field to facilitate a scooter skate park to be acceptable.

- 6.7 The proposed scooter skate park is a bowl shape and the maximum height of the track at any point is 2.1 metres. The material used for the construction of the park itself is concrete for the riding surface and grass for the banked sides. These materials are entirely suitable for their context and will not create a visually harmful structure within the field.

- 6.8** A direct link from the existing public footpath to the new facility is proposed which will ensure there is not a potential conflict between users of the field and potential harm to the grass surface of the field.
- 6.9** The proposal is considered to be compliant with the requirements of Section 12 of the NPPF in terms of improving the character and quality of the area.

#### **6.10 Impact on neighbouring property**

- 6.11** Local plan policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.12** The scooter skate park is proposed to be sited close to the existing play area to the south of the playing field, which at its nearest point is approximately over 45 metres away from the closest residential building and will not be artificially lit. The design and access statement confirms the bowl shape design will reflect the majority of the noise away from the neighbouring properties, the proposed material concrete has been chosen because it gives off less noise compared to facilities made from metal and the proposed trees will soften noise levels. 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 therefore the hours of use cannot be controlled.
- 6.13** It should be noted that the proposed scooter skate park 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. With this in mind it is unlikely that the proposed scooter skate park will attract any large volume of users at any one time.
- 6.14** 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.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** Paragraph 97 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** Based on the above, the proposed scooter skate park is considered to be in accordance with the relevant policies and guidance in terms of achieving an acceptable design, impact on the character of the area and will not result in unacceptable harm to the amenity of adjoining land users.

- 7.4 The recommendation is therefore to permit this application subject to the conditions set out below.

## 8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of all new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 4 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 5 Prior to first occupation of the development, the cycle racks shall be provided in accordance with the approved plans. The cycle racks shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

