

Report to Development Control Committee

Agenda
Item:
A.3

Meeting Date: 7th July 2017
Portfolio: Economy, Enterprise and Housing

Key Decision:

Within Policy and
Budget Framework

NO

Public / Private

Public

Title: PLAY AREA AT THE OAKS, LONGTOWN
Report of: Corporate Director of Economic Development
Report Number: ED.26/17

Purpose / Summary: To consider whether a children's play area should be sited on the open space at The Oaks, Longtown or whether a contribution should be given to the Parish Council to spend on upgrading existing areas of open space in the locality

Recommendations: That a commuted sum of £15,000 should be paid to the Parish Council to improve existing play facilities in the locality and that the open space at The Oaks should be retained as open space and landscaped.

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. BACKGROUND

- 1.1 In August 2008, planning permission was granted for the erection of 82 dwellings on land adjacent to the former Sawmill Site, Netherby Road, Longtown (08/0431). The approved layout included an area of Public Open Space in the southern corner of the site, which had seven dwellings facing onto it, with a road between the dwellings and the open space. A condition was added to the permission which required the applicant to provide, at their expense, items of equipment on the play area.
- 1.2 In July 2009, a revised application for 82 dwellings was approved on the site (08/1172). This retained the Public Open Space in the southern corner of the site and changed the layout so that five dwellings faced it. The same condition about the provision of a play area at the applicant's expense was added to this permission.
- 1.3 From March 2010 to February 2013, three applications to vary permission 08/1172 to substitute house types were approved. In September 2013, an application to change permission 08/1172 to replace 47 dwellings with 29 dwellings was approved (12/1048). The new dwellings were bungalows and replaced the previously approved dwellings on the site that adjoined the proposed open space. In January 2014, further applications to change 7 dwellings for 7 bungalows were approved.
- 1.4 The site has now been developed but the open space is yet to be put in place. Concerns have been raised about putting a children's play area on the site, given that it would lie adjacent to bungalows. There have been a number of incidents of anti-social behaviour on the existing play area on the Lochinvar School site that lies to the rear of the bungalows with the Police being involved a number of times. There have also been incidents of anti-social behaviour caused by children playing on the open space at The Oaks.
- 1.5 The Council has explored the possibility of moving the play area onto the adjacent Longtown Primary School site, which adjoins the site, with the open space being retained and landscaped. This proposal was not, however, acceptable to the school.
- 1.6 Discussions have also taken place with the Parish Council about them receiving a commuted sum of £15,000 in lieu of the providing a children's play area at the Oaks. The Parish Council, however, rejected this offer. This was due to the fact that the offer came directly from the developer and the matter had not been resolved by the Local Planning Authority.

2. PROPOSALS

2.1 There are currently two options. One option is to install the children's play area on the site and this would be maintained by a management company. The other option would be to receive a commuted sum of £15,000 from the developer, which would be gifted to the Parish Council to be spent on improving existing play facilities within Longtown and to landscape the area of open space at The Oaks. The landscaped area would be maintained by a management company.

3. CONSULTATION

3.1 No specific consultation has been undertaken in relation to this issue.

3.2 The developer undertook a survey of residents and 50% were in favour of retaining the children's play area on the open space with 50% wanting it to be re-located elsewhere. The Parish Council has received petitions for and against retaining the children's play area on the open space.

3.3 The Police have contacted the City Council about this issue and they consider that the children's play area should not be located on the open space due to the associated problems of anti-social behaviour.

4. OFFICER ASSESSMENT

4.1. The original application on this site was approved in 2008 and this contained an area of open space, which was to incorporate a children's play area. The layout has been amended a number of times and bungalows are now located adjacent to the open space.

4.2 There have been a number of incidents of anti-social behaviour at the play area on Lochinvar School, which lies to the rear of the site. Local residents and the Police are concerned that putting a children's play area on the open space at The Oaks, will lead to problems of anti-social behaviour within the development.

4.3 The open space is located at the southern end of the site in close proximity to bungalows, a number of which are occupied by elderly residents. If the original application was submitted today, a children's play area would not be provided on the site and the Council would receive a commuted sum for off-site provision. On this basis, and due to the concerns raised by the Police, it is considered that a children's play area should not be provided on the site. The open space should be retained and landscaped and a

contribution of £15,000 should be given to the Parish Council to be spent on improving existing play facilities in the locality.

4.4 Once the payment has been made to the Parish Council, the condition that requires the developer to provide, at their expense, items of equipment on the play area would need to be removed and the approved plans would need to be amended. These changes would be the subject of a separate application.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

5.1 That a commuted sum of £15,000 should be paid to the Parish Council to upgrade existing areas of open space in the locality and that the open space at The Oaks should be retained as open space and landscaped

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 Will contribute to improving the quality of our local environment and green spaces

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Appendices None
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS/RISKS:

Community Services—in light of the changing circumstances since the original application was approved, the Green Spaces Manager is supportive of the idea of a commuted sum being paid in lieu of a play area being provided on the site.

Corporate Support and Resources – n/a

Economic Development – contained in report

Governance and Regulatory Services – the commuted sum to be paid to the Parish Council should meet the same tests of necessity, etc as would a commuted sum paid under a s106 agreement, namely it should be expended on open space and play facilities in the reasonable vicinity of The Oaks.