

CARLISLE CITY COUNCIL

Report to:- **Development Control Committee**

Date of Meeting:- 4th June 2004

Agenda Item No:- **A2**

Public	Operational	Delegated: No
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Accompanying Comments and Statements	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
Financial Comments:	No	No
Legal Comments:	No	No
Personnel Comments:	No	No
Impact on Customers:	No	No

Title:- **FORMATION OF PLAY AREA AT CRINDLEDYKE ESTATE,
KINGSTOWN, CARLISLE**

Report of:- **Head of Planning Services**

Report reference:- **P.32/04**

Summary:-

This report relates to a breach of a planning condition concerning the formation of a play area at Crindledyke Estate, Kingstown, Carlisle

Recommendation:-

That members authorise officers to initiate enforcement action to ensure implementation of the play area

A Eales
Head of Planning Services

Contact Officer: Martin Tickner

Ext: 7175

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

1.0 Introduction

- 1.1 This matter relates to land at Crindledyke Estate near Kingstown opposite the main entrance to Kingmoor Park.
- 1.2 Outline planning consent was granted to Kingmoor Park Properties on 10th December 1999 to erect 8 no. dwellings with associated play area situated to the north of the existing houses at Crindledyke.
- 1.3 The site was subsequently bought by Jim Grant (Builder) who submitted a Reserved Matters application for 8 dwellings together with an access road and play area. The play area consists of a climbing frame, 2 no. Junior swings and a ball kicking wall to be constructed to British Standards with appropriate safety surfacing and to the satisfaction of the City Council.
- 1.4 This application was recommended for approval subject to the play equipment and financial contribution towards maintenance being secured by means of a Section 106 agreement.
- 1.5 The Section 106 agreement was completed on 17th May 2001 and the planning decision notice issued to the developers on 25th May 2001.
- 1.6 Although no specific date for completion of the play area was incorporated into the agreement, it was expected that works would commence following occupation of the final dwelling on phase 1.
- 1.7 The Health and Safety Executive carried out a routine inspection of the site and confirmed in writing that it would be better and safer to delay the play area until the development was complete.

2.0 Present Position

- 2.1 The final house on the site remained unfinished for a considerable length of time and was only occupied in December of 2003. The site of the play area is full of top soil and material from the development and although some material has been removed, a large amount still remains.

- 2.2 Some local residents and Kingmoor Parish Council are concerned that the developer is 'dragging his heels' in respect of the play area and they had hoped it would be available for use this Summer.
- 2.3 Discussions have recently taken place between the developers and Council officers regarding the omission of the 'ball kicking wall' from the play area and replacement with two additional pieces of equipment.
- 2.4 This will necessitate a Deed of Variation and revised layout drawing to amend the existing Section 106 agreement. Once this Deed of Variation has been concluded, the developer will be expected to carry out the necessary works to install the play area.

3.0 Conclusion

- 3.1 This matter has been ongoing for some considerable time and local residents have been anticipating the play area being open for this summer. However the developer has made little or no progress and a number of complaints have been received by the Council from local residents. It is therefore recommended that members authorise officers to commence enforcement action to ensure that the developers install the play area without any further prolonged delay.

A Eales
Head of Planning Services

Contact Officer: Martin Tickner

Ext: 7175

23, Crindledyke Est.
Kingstown
Carlisle
CA6 4BZ
21/05/2004

Dear Sir,

Please find attached a number of signatures from angry residents of Crindledyke Estate and Crindledyke Close. We are angry because when Mr. Grant was granted planning permission for the first phase of his property development, one of the conditions that on completion of this phase a play park would be erected for the local children to play on and as of yet he still hasn't finished this phase and has gone onto start phases two and three.

This leaves the children nowhere to play on but a piece of land next to the main road and the junction for Kingmoor Park, which is not ideal for small children to play on.

We have approached Mr. Grant on several occasions to ask if he would at least flatten the land earmarked for the park, only to be told "It will be a long time before it isn't a building site". Surely Mr. Grant should not be given revised permission to move plots nine and ten unless he completes and complies with regulations that he was given in the first phase of the building development.

As it is nearly three years to the day that he started work, we as residents feel that enough is enough and something has to be done to make him comply.

Yours Sincerely

The Residents of Crindledyke

Name	Address	Signature
MARK ELAND	23 Crindledyke Estate	M. Eland
Melanie Eland	"	Melanie Eland
Kellie Graham	32 Crindledyke Estate	K. Graham
DANIEL FRICKER	32 Crindledyke Estate	D. Fricker
MICHAEL DEIVEN	30 Crindledyke EST	M. Deiven
MRS J. Cupid	29 CRINDLEDYKE EST	J. Cupid
T. Cupid	29 CRINDLEDYKE EST	T. Cupid
B. Colville	22 Crindledyke EST	B. Colville
MR C. ELAND	23 CRINDLEDYKE EST	C. Eland
17 COLVILLE	22, Crindledyke EST	17 Colville
T. Box	21 Crindledyke EST	T. Box
M. Nelson	18 Crindledyke Est	M. Nelson
I Simpson	28 Crindledyke Est	I Simpson
D Hill	17 Crindledyke EST	D. Hill
T Hill	14 Crindledyke est	T. Hill
MARK SCOTT	17 Crindledyke Est	M. Scott
CHIB WARDLE	2 Crindledyke Close	Chib Wardle
Emma Wardle	2 Crindledyke Close	Emma Wardle
TONY MUNN	6 Crindledyke Close	T. Munn
A Munn	6 Crindledyke Close	A. Munn
J KIRKWOOD	8 Crindledyke Close	J. Kirkwood
H Kirkwood	10 " "	H. Kirkwood
MARG. KIRKWOOD	10 " "	M. Kirkwood
C Munn	4 " "	C. Munn
Kerry Graham	16 Crindledyke Close	K. Graham
A. Hales	10 Crindledyke Est	A. Hales
N. Rimmer	24 Crindledyke Estate.	N. Rimmer
N. RIMMER	24 " "	N. Rimmer
J English	6 " "	Janet English
Ch. L. English	6 " "	Hayleigh English
A Crawford	27 " "	Amu Crawford
N.W. English	8 Crindledyke Estate	Chris
Leanne Bell	20 " "	Leanne Bell
Steven Johnston	4 Crindledyke ESTATE	S. Johnston
Gavin Munn	3 Crindledyke Close	G. Munn