

Item Number: 12
Application No: 13/01289/FUL
Parish: Welburn (Malton) Parish Council
Appn. Type: Full Application
Applicant: Crambeck Management Co Ltd
Proposal: Installation of childrens play equipment on existing playing field
Location: Land At Crambeck Crambeck Welburn Malton

Registration Date:
8/13 Wk Expiry Date: 3 January 2014
Overall Expiry Date: 16 December 2013
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Archaeology Section	Recommend conditions
Public Rights Of Way	Recommend informative
Parish Council	Neither support or object but have taken on board the concerns of the residents
Highways North Yorkshire	No objection
English Heritage	Recommends conditions
Environmental Health Officer	Recommend informative
Howardian Hills AONB JC	No comments to make in relation to impact on the Special Qualities of the AONB.

Neighbour responses: Mrs Nicola Webster, Mrs Anna Szkiler, Miss Michelle Ingram, Mr Martyn Leggett, Mr Jonathan Carey, Mrs EEaine Tomlinson, Mrs Sally Hill, Mrs Carol Sollitt, Mr Andrew Sollitt, David Heeley, Mr Richard Pollard, Mr Martin Miles, Mr Stewart Walker, Miss Fiona Coleman, Dr John Axford, Dr Ian Milner, Mr David Egan, Mr Ian Flett, Mr Stephen P Tomlinson, Ms Jennifer Todd, Mr Andrew Gardiner, Mr Peter Sellar, Mrs Christine Miles, Miss Anne Whinfield, Mrs Lucy Hart, Mr James Szkiler, Mr Denis Pickup, Mrs Lindsey Coulson, G Candler, Mr Peter Roberts, Mrs Rebecca Charlton, Mrs Jo Holleran, Mr Frank Adcock, Mr Martin Charlton,

SITE:

The existing playing field is located within the village of Crambeck, just outside of the village's 'saved' development limits and is approximately half a hectare in area. The land is located upon a Scheduled Ancient Monument and within the Howardian Hills Area of Outstanding Natural Beauty.

PROPOSAL:

Installation of children's play equipment on existing playing field:

- 1 zip wire with a safety timber fence measuring 1m in height
- 2 'springers'
- 2 sets of double cradle swings
- 1 toddler play fort
- 1 youth activity play fort

HISTORY:

90/00917/OLD (3/146/55D/FA) Permission granted - Change of use of land for the provision of 2 all weather tennis courts and play areas and erection of a 3.6m high perimeter chain link fence at Castle Howard Community Home, Crambe.

APPRAISAL:

Permission is sought for the installation of children's play equipment on an existing playing field. The main considerations to be taken into account are:

- i. The principle of the proposed play equipment
- ii. Siting, design and scale of the proposed play equipment
- iii. Impact upon the Area of Outstanding Natural Beauty
- iv. Impact upon the Scheduled Ancient Monument and archaeological constraints
- v. Land contamination
- vi. Impact upon neighbouring amenities
- vii. Highway safety, access and parking
- viii. Other matters

- i. The principle of the proposed play equipment

The proposed play equipment will be installed on an existing playing field, where there is also an existing tennis court and football field. Policy SP11 (Community Facilities and Services) of the Ryedale Local Plan Strategy supports the expansion and improvements to existing facilities in or outside of Development Limits in 'other villages'. The proposed site is therefore considered acceptable in principle for the siting of the play equipment. 19 letters of support have been received from the residents of Crambeck and 3 letters from non-residents stating that the play area will reduce on-street play and ensure that children have a safe environment for physical activity within the village. The National Planning Policy Framework (paragraph 70) also supports local services to enhance the sustainability of communities. 11 letters of objection and a petition have also been received which are detailed later in this report.

- ii. Siting, design and scale of the proposed play equipment

A floor plan showing the layout of the play equipment has been submitted as part of the application. A timber dividing fence will separate the play equipment from the designated football area. The scale, siting and design of the play equipment are considered acceptable. The applicant has confirmed that that all items and components meet the requirements of the British Safety Standard (BS/EN1176) for play equipment and British Safety Standard (BS/EN1177) for safety flooring. The safety mats will be positioned under all of the play equipment and be grass mat surfaced. The use of timber as a construction material with green steel fixings is considered acceptable in this location.

- iii. Impact upon the Area of Outstanding Natural Beauty

The development is minor in scale. The Area of Outstanding Natural Beauty Officer has no comments to make in relation to the impact upon the special qualities of the Area of Outstanding Natural Beauty. The proposal is considered to be acceptable in terms of its impact on the AONB.

- iv. Impact upon the Scheduled Ancient Monument and archaeological constraints

English Heritage has been consulted with regard to the application. The application site consists of largely, level, rectangular area of grass land at the north east of the Scheduled Ancient Monument which is already used as amenity space for the village. The proposed play equipment will include limited areas of ground penetrative works for timber uprights supporting the zip wire, forts and swing. Several of these supports will be in distinct clusters to a depth of 600mm and could have the potential to impact on important archaeological deposits. The NYCC Historic Environment Team stated that prior to determination of the application; archaeological evaluation should be carried out. However, English Heritage who are also responsible for any Scheduled Monument Consent have stated that the application can be recommended for approval. This is subject to a condition being attached to require mitigation through archaeological evaluation prior to commencement any works being carried out. This

is to ensure 'less than substantial harm' to the significance of the heritage asset in accordance with the National Planning Policy Framework.

v. Land contamination

Environmental Health Officer has been consulted with regard to land contamination on the site. The Environmental Health Officer has identified no issues and the applicant has submitted a screening form for potential land contamination. An informative will be attached to the decision notice to ensure that any unforeseen contamination is investigated and dealt with accordingly.

vi. Impact upon neighbouring amenities

11 letters of objection and a 34 signature petition have been received from residents of Crambeck with regard to the proposal having an impact upon their amenity. These objections include increase in noise disturbance from children and traffic and the loss of privacy. Environment Health have stated that any potential noise disturbance would not have a detrimental impact upon neighbouring amenities because of the distance the proposed play equipment is to any neighbouring properties. The proposed play equipment is well screened on the northern elevation, where the neighbouring properties are screened by a mature hedge. Crambeck House is located approximately 30m from the boundary of the proposed site and Penton House approximately 19m. Furthermore, the proposed additional play equipment is not considered to have a material adverse in terms of causing loss of natural daylight or being of an overbearing presence upon neighbouring amenity. Officers therefore consider that the proposal complies with Policy SP20 (Generic Development Management Issues- Amenity and Safety) of the Ryedale Local Plan Strategy.

vii. Highway safety, access and parking

NYCC Highway Authority has raised no objections to this proposal. However, local objections have been raised to this proposal with regard to the increase traffic flow to the site from the A64 and concerns raised about insufficient parking facilities. The Highway Agency who is responsible for the A64 were informally consulted and stated they have no objection to the proposal as the development would have no impact upon the safe and continued operation of the A64. In light of no objections being received from either NYCC Highway Authority or the Highway Agency there are considered to be no sustainable highway objections to the application.

viii. Other matters

Other matters and objections have arisen during the consideration of this planning application. These include:

- Land ownership
- LPG tanks located to the north west of the site
- Financial implications
- Insurance costs
- Property values

None of the above are not regarded as material planning considerations.

North Yorkshire County Council has requested that an informative is attached to the decision notice to ensure that any works will not obstruct the adjacent public right of way. Welburn Parish Council have stated that they neither support nor object to the proposal but have taken on board the concerns of the residents with regard to general public use and increase traffic.

In light of the above considerations the proposed children's play equipment sited on an existing playing field, is considered to satisfy the relevant policy criteria outlined within the National Planning Policy Framework and Policies SP11, SP12, SP13, SP16, SP19 and SP20 of the Local Plan Strategy. The proposal is therefore recommended for approval subject to the following conditions.

National Planning Policy Framework

Local Plan Strategy -Policy SP11 Community Facilities and Services

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:- The site is of archaeological interest and investigation/protection and observation of the site is required by Section 12 of the National Planning Policy Framework.

3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):all plans and drawings dated 08.11.2013..

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties