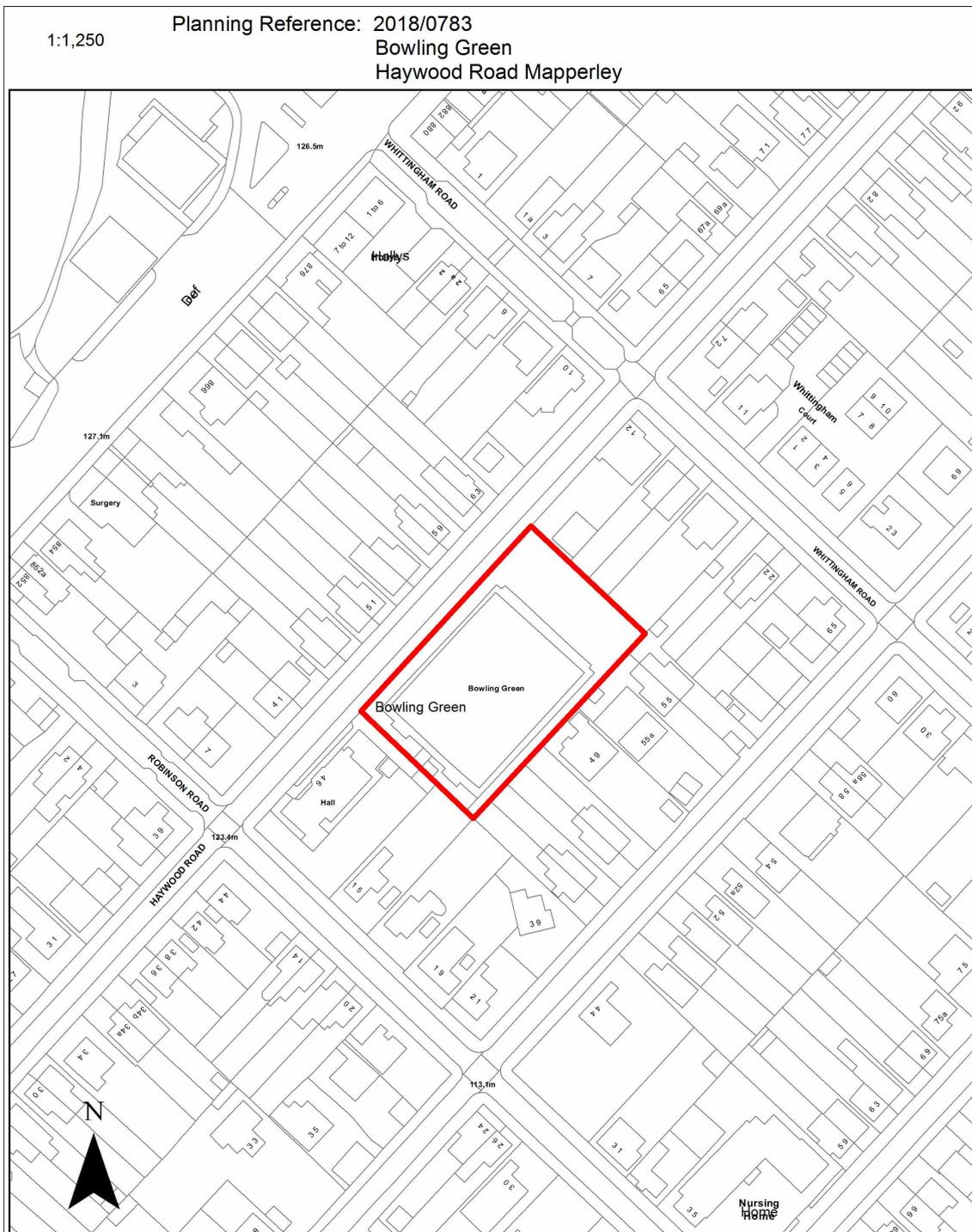




## Planning Report for 2018/0783



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## Report to Planning Committee

<b>Application Number:</b>	<b>2018/0783</b>
<b>Location:</b>	<b>Bowling Green Haywood Road Mapperley</b>
<b>Proposal:</b>	<b>Change of use from a bowling green to a publicly accessible park and erect 2.5 metre high fencing (including a 0.6 metre high metal trellis) above the existing retaining wall to the south-east boundary</b>
<b>Applicant:</b>	<b>Gedling Borough Council</b>
<b>Case Officer:</b>	<b>Alison Jackson</b>

### **1.0 Background**

- 1.1 This application is being referred to the Planning Committee because the land is owned by Gedling Borough Council and the application has been submitted by the Council.

### **2.0 Site Description**

- 2.1. The application site relates to a grassed area of land including hard surfaced pathways, situated off Haywood Road, Mapperley. The land is currently used as a bowling green.
- 2.2. There are railings to the front boundary of the site. To the rear boundary of the site is a retaining wall, railings and part landscaping. The side boundaries of the site consist of hedging to the north east boundary and railings to the south west boundary.
- 2.3. The site is predominately surrounded by residential properties with the exception of a community centre building adjacent to the south west boundary of the site.

### **3.0 Relevant Planning History**

- 3.1. Planning permission was granted in February 1953 for the change of use of the land from agricultural land to public open space.

#### **4.0 Proposed Development**

- 4.1. Permission is sought for the change of use of the existing recreational area currently used as a bowling green to a publically accessible park.
- 4.2. Permission is also sought for the erection of a 2.5 metre high fence (including a 0.6 metre high metal trellis) which would sit above the level of the existing 2 metre high retaining wall to the south east boundary of the site.
- 4.3. The submitted plans show the proposed erection of play equipment on the site. These works are permitted development and therefore do not form part of this planning application.
- 4.4. Landscaping works are also proposed to be undertaken at the site.

#### **5.0 Consultations**

##### **5.1. Neighbour Consultation**

The occupiers of adjoining residential properties have been consulted by letter and two site notices have been posted – the consultation period for the application expires on the 30<sup>th</sup> August 2018. Any comments received in respect to the application will therefore be reported verbally at the Committee.

#### **6.0 Assessment of Planning Considerations**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless other material considerations indicate otherwise'.
- 6.2. The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (July 2018). In particular the following chapters are relevant in considering this application:
  - Part 8 – Promoting Healthy and Safe Communities.
  - Part 11 – Making effective Use of Land.
  - Part 12 – Achieving Well Designed Places.
- 6.3. Gedling Borough Council Aligned Core Strategy (GBCACS) (September 2014) is part of the development plan for the area. The following policies are relevant:
  - Policy 10 – Design and Enhancing Local Identity
  - Policy 12 – Local services and Healthy Lifestyles
- 6.4. Local Planning Document (Adopted July 2018) is part of the development plan for the area. The following policies are relevant:

- LPD20 – Protection of Open Space
- LPD32 – Amenity

## **7.0 Appropriateness of the Use**

- 7.1. The land is designated as protected open space under the Local Planning Document (Adopted July 2018) and in accordance with policy LPD20 (Protection of Open Space), open space should be retained. In this respect I am satisfied that the proposed use of the site for general recreational use, rather than the restricted use of the site for bowling purposes, would in fact benefit the wider community.

## **8.0 Visual Amenity**

- 8.1. In respect to the change of use of the land from a bowling green to a public park, I consider that the use of the land would not be significantly different to the use of the land as a bowling green and in my opinion, would result in no significant impact on the visual amenity of the area in general.
- 8.2. It is noted that the submitted plans show the erection of play equipment on the site. The erection of the play equipment is permitted under permitted development rights. These works therefore do not require planning permission and are not being assessed as part of this planning application.
- 8.3. In respect to the proposed fencing and trellising to be erected to the south east boundary of the site above the existing retaining wall to the rear of the properties on Sandford Road, I consider that the design of the fencing and trellising is visually acceptable when viewed from both neighbouring properties and from the recreational area and would therefore not be detrimental to neighbouring properties or the character of the area.
- 8.4. I also note that landscaping is proposed to the site which in my opinion will not only aid with the visual appearance of the site in general but will also add to the softening of the appearance of the proposed fencing. Whilst the landscaping will be planted on the recreation ground, views of the landscaping would be seen through the open elements of the fencing which I consider will soften the appearance of the fencing when viewed from the properties adjoining the rear of the site.

## **9.0 Impact on neighbouring residential amenity**

- 9.1. In respect to the proposed change of use of the land, again I consider that the use of the land as a publically accessible park as opposed to a bowling green would not be significantly different and I therefore consider that there would be no greater impact on the amenity of neighbouring properties or the area in general.

- 9.2. It is appreciated that the recreational area will serve a wider audience than its current use as a bowling green, however given the limited size of the site, I do not consider that there will be a significant increase of noise and activity on neighbouring properties or the area in general.
- 9.3. Whilst, as stated above, the submitted plans show the erection of play equipment at the site, these works do not require planning permission and therefore are not being assessed as part of this application in terms of any potential impact on neighbouring properties.
- 9.4. In respect to the proposed fencing and trellising to be erected, I consider, given the height of the fencing together with the fact that the fencing would consist of 1.9 metre high timber fencing with trellising above, this element being more open in nature, there would be no undue overbearing impact onto neighbouring properties.
- 9.5. I also consider, given the siting of the fencing and the orientation with neighbouring properties to the rear of the site, these being located to the south of the site, there would be no undue overshadowing impact onto neighbouring properties.
- 9.6. As the rear of the site, where the proposed fencing would be erected adjoins the rear boundaries of the properties on Sandford Road and these properties are set at a lower level than the application site, the proposed fencing in my opinion will prevent any undue overlooking impact from users of the recreation ground onto these neighbouring properties.

## **10.0 Conclusion**

- 10.1. In conclusion, the development is considered acceptable for the following reasons:
- The protected open space is retained and its use for general recreational purposes will benefit the wider community.
  - The proposed use of the site for general recreational purposes will result in no undue impact on neighbouring properties or the area in general.
  - The proposed erection of fencing and trellising is visually acceptable and results in no undue impact on neighbouring properties in terms of any overbearing or overshadowing impacts.
- 10.2. For the reasons set out above, the proposed development accords with Part 8, 11 and 12 of the NPPF and Policies 10 and 12 of the Aligned Core Strategy. The development also accords with policies LPD 20 and 32 of the Local Planning Document (Adopted 2018). It is therefore recommended that planning permission is granted subject to conditions.

**11.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions;**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms received on the 1st August 2018, the location plan received on the 1st August 2018, the layout plan received on the 1st August 2018, drawing number PG88 B-O1d and the plans received on the 1st August 2018 and the 21st August 2018 showing the proposed fencing.
3. Before the use of the site is first brought into use full details of the proposed soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include, details of size, species and position of the trees to be planted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Local Planning Authority. If any planting material becomes diseased or dies within five years of the completion of the development, it shall be replaced in the next planting season by the applicants or their successors in title.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that the appearance of the site is visually acceptable, in accordance with the aims of policy LPD32 of the Local Planning Document (Adopted July 2018).

**Reasons for Decision**

The proposed use of the site together with the proposed fencing results in no undue impact on neighbouring properties or the area in general. The proposal therefore accords with the aims of the National Planning Policy Framework 2018, policies 10 and 12 of the Aligned Core Strategy 2018 and policies LPD20 and LPD32 of the Local Planning Document (Adopted 2018).

**Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018).

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.