



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 19 April 2016

DEVELOPMENT: Details of Strategic Infrastructure and Open Space pursuant to outline planning permission DC/15/0059

SITE: Land East of Billingshurst To North and South of A272 East Street
Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/14/2536

APPLICANT: C/O agent

REASON FOR INCLUSION ON THE AGENDA: More than 5 different representations received which are contrary to the Officers' recommendation

RECOMMENDATION: To approve the application, subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks approval of reserved matters pursuant to DC/15/0059 in respect of strategic infrastructure and open space only. This application does not include details of reserved matters for any of the residential parcels approved under DC/13/0735 (subsequently amended by DC/15/0059).

1.3 This application was originally submitted as an application for approval of reserved matters pursuant to DC/13/0735. However, the proposal was not consistent with the approved drawings of DC/13/0735, namely in respect of location of minor accesses, location of drainage infrastructure, removal of an underpass and location of play areas. It was therefore necessary for the Applicant to submit an application under S73 of the Town and Country Planning Act 1990 (as amended) to vary the approved drawings of DC/13/0735 to reflect the amended scheme before the Council could consider a reserved matters application. The amended outline application (reference number DC/15/0059) was considered at the committee meeting of 4th June 2015 where Members resolved to grant permission, subject to completion of a Legal Agreement to secure matters such as infrastructure contributions and affordable housing provision. The application was again considered by Members at the 15th March 2016 meeting, where the Application was assessed against the HDPF, which had been adopted in the period since Members'

resolution to permit the application in June 2015. The Legal Agreement has now been completed and the decision of DC/15/0059 has now been issued. The Council are therefore now able to consider this application for approval of details of Strategic Infrastructure and Open Space pursuant to outline planning permission DC/15/0059.

- 1.4 As set out above, this application proposes details of strategic infrastructure and open space. This includes the main spine road, drainage infrastructure and details of public open space.
- 1.5 The main site accesses from the existing highway network were first approved under DC/13/0735 and then amended by DC/15/0059. The Framework Plan approved at the outline stage shows a main spine road running from the A29/Stane Street roundabout, across the northern part of the site, and then down to the A272, where a new roundabout would provide the junction with the A272 and the spine roads into the northern and southern parts of the site. In the part of the site to the north of the A272, most of the residential parcels would be separated from the spine road by landscaped areas, with the exception of parcels H6 and H7, which adjoin the spine road. To the south of the A272, only a narrow landscaped strip separates the residential parcels from the spine road. There would be a new access to Hilland Farm (dwellings and buildings to the north of the site) from the spine road, and this would involve a short section of retaining wall facing the A29 roundabout due to the change in land levels.
- 1.6 From the A29/Stane Street roundabout, the speed limit of the main spine road would be 50mph. The speed limit would reduce to 30mph just to the west of footpath 1942, which crosses the site and spine road. This first section of the spine road would not have a pedestrian footway. Pedestrian access to the parcels would be facilitated through the public open space adjacent to Stane Street (annotated as SO1 on the submitted plans) and then through into parcel H1, which then links to H2 and the remainder of the development. To the south of the point at which public footpath 1942 crosses the spine road, a footway is provided to the western side of the spine road, with designated pedestrian crossing areas to allow access on foot to the three smaller parcels on the eastern side of the spine road. A new toucan crossing is proposed on the A272, to link the northern and southern parts of the site (note that the land reserved for a new school is to the eastern side of the southern part of the site). The southern part of the spine road would have footways to both sides. The A272 will be subject to a speed limit of 30mph from a point about 50m east of Old Reservoir Farm. Bus stops with shelters are proposed to both sides of the A272, to the west of the new roundabout junction with the spine road.
- 1.7 A number of structures are proposed to facilitate provision of services to the site. These include substations to the east of the access into parcel H2, to the south east of parcel H4, to the north of parcel H11 and to the south east of parcel H11 and foul pumping stations to the south east of parcel H6 and the south east of parcel H11. Attenuation of surface water would be managed by a combination of storage tanks and attenuation basins, and the overall surface water management principles and flood risk assessment was approved at the outline stage. Storage tanks would be sited below part of play area SO1 and under the area proposed for car parking serving the existing doctors surgery, to the south of parcel H3a. The attenuation ponds and basins are proposed to be integrated into the areas of public open space to provide attractive landscape features as well as serving a functional purpose. A new bund would be created in the large area of open space in a dip adjacent to the woodland and former allotments to the south of Roman Way, to allow for controlled release of surface water in heavy rainfall events (this area is not proposed to be permanently wet). Three attenuation ponds which are intended to be permanently wet are sited between parcels H6 and H8. These would be landscaped with wetland edges and some boardwalks to facilitate public access to these areas. Four further attenuation basins are proposed which are not intended to be permanently wet, one between parcels H7 and

H9, one to the south east of the land reserved for a school, one to the south east of parcel H11 (incorporated into play area SO5) and one to the south west of parcel H11.

- 1.8 There are a number of public open spaces proposed. Condition 6 of outline application DC/15/0059 requires provision of not less than:
- two Local Equipped Areas for Play for younger children
 - two Neighbourhood Equipped Areas for Play for older children (one of which is to include a multi-use space for ball games)
 - one Youth Activity Area
 - one outdoor gym area with not less than 10 gym equipment stations arranged in two pods of five pieces of equipment.

Standards for LEAPs and NEAPs are set out in Appendix B of the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document SPD (2007). Condition 6 also requires the Youth Activity Area to comply with the minimum size requirements for a LEAP set out in the SPD.

- 1.9 The submitted drawings include the following play areas:
- SO1 Minor Play Area (adjacent to the site entrance from Stane Street/A29): a LEAP with equipment for younger children
 - SO2 Major Play Area (between parcels H2 and H4): a NEAP with equipment for older children and younger children and a multi-use surface for ball games. Adjacent to this play area is a mound, which would have an informal trail to the top with views through to St Mary's Church, which is considered to be an important view corridor.
 - SO3 Major Play Area (to the north of parcel H8): a NEAP with equipment for older children. This play area would be adjacent to the wet attenuation ponds, which would have paths and boardwalks to allow interaction with the wetland features.
 - SO4 (adjacent to the woodland and former allotments to the west of the site): an informal open space planted as meadow
 - SO5 Minor Play Area (to the south east of parcel H11): a LEAP with equipment for younger children and a youth activity area comprising table tennis tables and informal seating.
 - SO6 (to the south west of parcel H11): An outdoor gym area for adults/teens and a play trail for older children.
- 1.10 The site includes the remains of Hammonds Mill, a non-designated heritage asset, to the west of parcel H8a. The Heritage Asset Mitigation Strategy required by condition 14 of DC/15/0059 requires approval of measures for enhancement of Hammonds Mill. The approved scheme includes removal of overgrown vegetation and stabilisation of the structure. This would form part of a 'heritage trail' through the site, with interpretation boards and taking in the view to St Mary's Church.

DESCRIPTION OF THE SITE

- 1.11 The site remains the same as that which was subject of DC/13/0735. The site area is 35.27 hectares, with net residential development area of 14.68 hectares. 2.46 hectares would be made available to accommodate a new primary school, dental surgery and crèche. The site is outside of the built-up area, and is largely greenfield, aside from the A272 which crosses the site. The site is bounded to the south by a dense hedgerow and the western boundary is defined by mature trees. The eastern boundary of the site is also characterised by established field hedgerows whilst the northern boundary is more open in character.
- 1.12 In terms of topography the site is undulating in character with two distinct high points. The northern boundary is one of the higher points of the site and the second is found at the point where the A272 crosses the eastern boundary. A valley is naturally formed between

these two points through which flows an existing watercourse. Long views to St Marys Church are obtained from the northern boundary as well as to the South Downs beyond. Billingshurst Conservation Area partially adjoins the application site on its western boundary.

- 1.13 Since permission was first granted under application DC/13/0735, some preliminary works have taken place at the site. This includes archaeological investigation of both the northern and southern parts of the site (final report of the southern part is yet to be submitted), ecological investigation and translocation of reptiles and land quality investigation (concluded to be very low risk of contamination).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012) chapters 1 (Building a strong, competitive economy), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment).

RELEVANT COUNCIL POLICY

- 2.3 The Development Plan comprises the Horsham District Planning Framework (November 2015). The relevant Policies of the HDPF include 1 (Sustainable Development), 11 (Tourism and Cultural Facilities), 24 (Environmental Protection), 25 (District Character and the Natural Environment), 26 (Countryside Protection), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Heritage Assets) 35 (Climate Change), 36 (Appropriate Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision) 40 (Sustainable Transport) and 43 (Community Facilities, Leisure and Recreation).

NEIGHBOURHOOD PLAN

- 2.4 Billingshurst Parish was designated as a Neighbourhood Plan area on 30th December 2015. No draft Plan has been published for consultation at this stage.

PLANNING HISTORY

DC/11/1654	Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 550 dwellings (Class C3), land to accommodate a new primary school and land to accommodate a dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)	Refused
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DC/13/0735	Development comprising the demolition of existing	Permitted
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buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)

DC/15/0059	Application for the Variation of Condition 38 of planning permission DC/13/0735 (Outline application for development comprising the demolition of existing buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations)	Permitted
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3. OUTCOME OF CONSULTATIONS

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

- 3.1 The Council's former Landscape Consultant raised a number of areas of concern in respect of the application as originally submitted. The Applicant submitted amended plans in response to those concerns. The Council's new internal Landscape Architect has assessed the amended plans, in consultation with the Council's Parks and Countryside Development Officer. Overall, no objection is raised to the principle of the proposals, but some minor amendments are sought, including changes to types of play equipment and surfacing.
- 3.2 The HDC Drainage Engineer raises no objection and has no conditions to recommend.
- 3.3 The HDC Strategic Planning Officer advises that they have no comments to make on the application.

OUTSIDE AGENCIES

- 3.4 West Sussex County Highway Authority raises no objection to the proposal.
- 3.5 West Sussex County Archaeology Officer raises no objection subject to compliance with condition 10 (Heritage Asset Mitigation Strategy) of outline application DC/13/0735.
- 3.6 West Sussex County Ecology Consultant raises no objection to the proposal.
- 3.7 The Environment Agency raises no objection to the proposal.

PUBLIC CONSULTATIONS

- 3.8 Billingshurst Parish Council object to the proposal. Their comments include the following points:
- 13 accidents recorded between Billingshurst High Street and Buck Barn.
 - Spine road will be used as a bypass road and will therefore generate significant noise, affecting the quality of life of future residents.
 - Concern regarding lack of pedestrian crossing points on the spine road.
 - Concern regarding lack of school places and capacity of doctors surgery and dentist in Billingshurst.
 - Lack of public transport locally, and trains to London are already full to standing room only by the time they reach Billingshurst.
 - The application has no employment uses proposed- people will have to travel for work and school.
 - 600 properties in Billingshurst may be at risk of flooding.
 - Surface water drainage from the site will discharge into areas that are at risk of flooding and have been subject to historic flooding.
 - The Bowling Alley to Little East Street has flooded seven times during November 2014. Surface water also floods a cul-de-sac to the south.
 - Although the development will not increase greenfield discharge rates, these are flooding other residential areas now.
 - Groundwater levels are high. Archaeological dig at the site in 2014 during a period with no rain for months had trial pits full of water.
 - Developments should not discharge into sub-standard watercourses, most of which are just ditches.
 - This development will impact areas downstream of the site.
- 3.9 Twenty-seven letters of objection have been received by the Council. The points raised can be summarised as follows:
- Existing properties in the vicinity of the site flood, and so do others downstream. The proposed development would make this situation worse.
 - The proposed drainage strategy is not sufficient and will result in flooding of other properties.
 - The area is identified by the Environment Agency as being at high risk from surface water flooding.
 - Attenuation systems often fail from misuse, inadequate storage facilities/breakdowns etc.
 - The community and infrastructure cannot handle massive development.
 - Poor public transport in the vicinity of the site.
 - Insufficient parking at the station.
 - Schools are nearly at capacity.
 - Spine road will not alleviate congestion in the village.
 - Loss of agricultural land.
 - The developer should build additional medical facilities and school, not just provide the land.
 - The bypass will not be used, as people take the shortest route.
 - There is already pressure for parking in the village centre, and the proposal will add to this.
 - No new jobs are proposed, so future residents are likely to be commuters, but there is insufficient parking at the station and commuting by car will add to traffic and congestion.
 - Commuter parking and parking for schools pick up/drop off spills onto surrounding roads causing obstruction.
 - Applicant does not control sufficient land to construct new footpath links.
 - Concern regarding loss of trees.
 - Proposal makes insufficient provision for protection of ecology.

- Loss of privacy and security due to increased use of footpaths in the vicinity and due to scale of development.
- Noise and disturbance to neighbouring residents due to construction of play areas.
- It is not clear how existing services running through the site will be protected.

3.10 One letter of comment has been received, which includes the following points:

- Pedestrian access should be provided from Roman Way to the site, so that existing residents can use the public open spaces.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1 This application seeks approval of details of strategic infrastructure and open space only, and not details of any of the residential parcels. The principles set out at the outline stage applicable to consideration of this application include the indicative Movement parameter plan showing the main vehicle and pedestrian/cycle routes through the site and open spaces, the Framework plan showing locations of attenuation ponds/basins and indicative locations of play areas and the Tree Protection Plan showing retained trees and hedgerows. Condition 12 of the outline approval requires the application for reserved matters in respect of the spine road, other strategic infrastructure and open space to include details of the roads, site levels, planting, services and hardsurfacing.

6.2 The Council's Landscape Consultant has made comments in respect of the appearance of the spine road, which has been designed to 50mph standard and which requires a number of areas of embankment and cutting to ensure a suitable road surface, and therefore could result in a fairly utilitarian appearance. However, the proposal does strike a balance between the technical requirements of the Highway Authority to create a safe route which adequately caters for the intended level of usage, and the introduction of new landscaping to soften the appearance of the spine road and the development and minimise the landscape impact of the development. For example, the areas of 'Structure Planting' along the northern part of the spine road and around the new roundabout on the A272 are intended to be planted as woodland and coppice, to screen the development and spine road from the wider area. The planting then becomes more formal, and parkland-like on the approach to Parcels H6 and H7, which both abut the Spine Road. The areas of embankment and cutting are all proposed to be planted, aside from the one stretch of retaining wall serving the entrance to Hilland Farm at the north of the site, for which materials can be approved by condition.

6.3 The proposed landscape masterplan shows a number of surfaced routes through the site, and linking with the existing built-up area and footpath network. These serve to link the green infrastructure and open spaces outside of the parcels (note that as the parcels come forward, these too will provide routes between the public open spaces). One of the main

routes through the site is a 'heritage trail', linking the remains of Hammonds Mill with a viewpoint through to St Marys Church, and taking in the former medieval field pattern proposed to be reinforced through new planting in the vicinity of open space SO4. Another main route is to parcel C1 (land reserved for construction of a school), which is in the southern part of the site and a toucan crossing is provided over the A272 to link the northern and southern parts of the site.

- 6.4 The County Highway Authority raises no objection to the proposal. The Council's Landscape Consultant initially commented that the proposed scheme of landscaping and surfacing materials may not meet the County Council's standards for adoption. This has been raised with the County Highway Engineer who has advised that there are not any fundamental conflicts between the highway layout and the landscaping layout. The County Council will carry out their full assessment of construction and landscaping within the area of adoptable highway at the s38/278 application stage (relating to adoption of new highways and work within the public highway). Landscaping features, new planting, retained vegetation, street furniture and surfacing materials are a key part of bringing a development together and delivering a high quality scheme. Therefore, should the highway adoption necessitate amendments to the landscaping scheme, these will need to be considered on their own merits at a later date.
- 6.5 The Council's Landscape Consultant also initially suggested that the Applicant look at reducing the width of some of the footpaths and cycleways crossing the site to around 2.4m wide, in order to minimise their visual impact and assist in integration with the landscaping scheme overall. The Applicant submitted amended drawings to address this concern (see page 18 of the Landscape Masterplan Summary RD1340-L-DOC-0001, received 27.10.2015). However the County Highway Engineer has advised that some of these should revert back to their originally proposed widths of up to 3m in order to provide standard dimensions for shared use surfaces. Overall, the route of the roads and footpaths is considered acceptable to provide good connectivity across the site, to the village centre, and to the countryside beyond. The only area yet to be agreed is the final width of some sections of shared footpath/cycle way and the surfacing type. A condition is recommended to address this issue.
- 6.6 The submitted drawings include a provisional utilities strategy layout, which shows the location of utilities infrastructure such as electricity, gas, water and drainage. Other than some drainage infrastructure which integrates with the open spaces, most buried services are shown mainly to the roads and footways. Such siting avoids the removal of vegetation in the event that services infrastructure needs to be dug up. There are some areas where services are contained in a verge, such as to the south east of parcel H4, but the vast majority avoid conflict with new planting.
- 6.7 In addition to the landscaped footpaths and trails through the site, the areas of public open space include a field (SO4) and areas around attenuation ponds for informal recreation. Five areas with play or gym equipment are proposed. The outline permission DC/15/0059 required provision of at least 2 LEAPs and 2 NEAPs, along with a youth activity area the size of a LEAP and outdoor gym equipment. The Planning Obligations SPD sets out the standards for LEAPs and NEAPs. This states that a LEAP should have an activity area of at least 400sqm and a buffer zone to the nearest dwelling of at least 10m to a dwelling boundary, and 20m to the nearest dwelling window, with a minimum overall size, including buffer, of 900sqm. A LEAP should have at least 5 different types of play equipment (providing opportunities for balancing, rocking, climbing/agility, sliding and social play). A NEAP should have an activity area of at least 1,000sqm, with a buffer zone between the play area and the nearest dwelling boundary of at least 30m, with a minimum overall size therefore of approximately 4,000sqm. A NEAP should have at least 8 types of play equipment (providing opportunities for balancing, rocking, climbing/agility, sliding and social play). At least 5 of the pieces of equipment in a NEAP should encourage adventurous

climbing, single point swinging, balancing, rotating or gliding. Both types of play area should provide ancillary facilities such as seats for parents/carers, litter bins, suitable surfacing and signage.

- 6.8 The proposed LEAP at SO1 has a fenced activity area of about 480sqm, and is sited about 11m from the boundary with parcel H1, allowing for the required 10m to a dwelling boundary. The layout of parcel H1 will therefore need to ensure that no dwelling window is within 20m of the activity area. The fenced activity area is about 20m from the existing dwellings to the south. SO1 is shown as providing equipment for younger children, including a rotating disc, rocker, balancing logs and stepping stones, a slide, sandpit and a multiple swing including a cradle swing. This play area is sited close to the northern site access and a footpath running to the south of the play area provides pedestrian/cycle access from the A29/Stane Street into parcel H1. Given its location close to a road, SO1 is proposed to be fenced, whereas the remaining play areas would be un-fenced, allowing integration with the landscaping scheme and land forms.
- 6.9 The proposed NEAP at SO2 includes areas to the north and south of public footpath 1942, which crosses the site. To the north a fan-shaped multi-use surface is proposed, with a northern retaining wall cut into the proposed mound which would provide a basketball hoop, football goal, climbing wall and built-in seating, providing a youth activity area. To the west of the ball-court is a timber adventure play structure incorporating platforms, bridges, nets and slides, providing mainly for older children. At the south western edge of the ball-court an astroturf mound with stepping blocks and music instruments is proposed, aimed at younger children. The activity area to the north of the footpath at SO2 has an area of about 730sqm. To the south of the footpath, an area of about 400sqm is proposed which is aimed at younger children and provides balancing logs, a play house, a sandpit with water play area, a hip-hop (see-saw type structure) and cantilevered swing. The total equipped activity area therefore has an area of about 1,130sqm. This equipped play area is closely linked to the heritage trail and mound to the north of the ball-court, which will also provide opportunities for play. The activity area is sited a minimum of about 20m from the edge of parcel H4, and therefore the layout of the dwellings in parcel H4 will need to take account of the 30m buffer required from the activity area to a dwelling boundary. A sufficient 30m buffer is provided to the edge of parcel H2, to the north of SO2. The Design Code (submitted pursuant to condition 15 of DC/15/0059) indicates that the residential layout of parcels H2 and H4 which adjoin the open space in which SO2 is set will have 'prime frontages' facing the open space. These are described as *'highest quality street and public space elevations...with front doors facing the street or public space'*. As such, the residential parcels coming forward which adjoin SO2 are intended to incorporate active frontages facing the open space to provide surveillance and overlooking of this area.
- 6.10 The 'heritage trail' leads south from the mound adjacent to SO2, to SO4, an informal open space planted as a meadow and with a dual function for stormwater attenuation. The heritage trail then continues south, as does a footpath/cycleway to the eastern side of the SO4 meadow, both leading to the NEAP at SO3. SO3 has an activity area of about 1100sqm, with a minimum buffer of about 25m to the edge of Parcel H8 (the remainder of the 30m buffer to a dwelling boundary will therefore need to be accommodated in the residential layout of the parcel that comes forward). The equipment proposed in SO3 could be used by both older and younger children and includes an area based on a fallen tree incorporating nets, bridge, platforms, slide and ropes, a 'climbing forest' with posts, nets and ladders, wooden stepping stones and logs, a wheel-chair accessible roundabout, hammocks, living willow play houses, sandpit with sand table and a multiple swing station. The planting in the vicinity of SO3 is to include edible fruits for picking. To the east of SO3 is an area with permanently wet attenuation ponds, which are set in an informal landscaped area with paths and a boardwalk facilitating interaction and exploration of the wetland area.

- 6.11 Open space SO5 is located in the southern part of the site, between parcels H11 and the land reserved for construction of a school. This would be a LEAP with an activity area of about 750sqm, but adjacent to an attenuation basin (not intended to be permanently wet). A buffer of over 20m is provided from the edge of the equipped activity area to the edge of parcel H11, although the attenuation basin also forms part of the intended play strategy in this location and is only about 6 metres from the edge of parcel H11, therefore requiring the buffer zone to extend into parcel H11. The play equipment here includes logs, posts and stepping stones for balancing, a gravity bowl (spinning), air rider and swings aimed at younger children, with a separate area with table tennis tables intended for older children and youth.
- 6.12 Open space SO6 is to the south west of parcel H11, and includes outdoor gym equipment as well as an area with balancing logs, posts, bars and ramps which can be used for play as well as exercise. The gym equipment proposed would include a spinning bike, leg press, cross trainer, sit-up bench, multi-use exercise frame, pull-up bars, overhead ladder and boxing tyres. The outdoor gym would have an area of about 400sqm, and the mixed use area for play and exercise would have an area of about 100sqm. The gym equipment would be a minimum of about 10m from the edge of parcel H11 (note that the Council do not have an adopted standard for buffer zones between residential dwellings and outdoor gym areas), and over 20m between the mixed use exercise and play equipment and the edge of parcel H11.
- 6.13 Overall, the equipped play areas proposed are broadly in accordance with the requirements of condition 6 of the outline permission DC/15/0059. However, there is not a separate youth activity area the size of a LEAP proposed. Despite this, the total activity area proposed is in the region of 3,560sqm, which is in excess of the 3,200sqm activity area which would be provided by 2 LEAPs, 2 NEAPs and a youth activity area the size of a NEAP as required by condition 6. The total area provision (excluding the gym equipment) is therefore in excess of that required by condition 6. Whilst, youth provision has not been made in a separate area, there are features contained in the proposed equipped play areas which provide for youth activity, such as the table-tennis tables in SO5 and the multi-use ball court and climbing wall at SO2, as well as the mixed use equipment for play and exercise at SO6. Overall therefore, it is considered that the proposal does make acceptable provision for equipped play, in addition to the informal open spaces for play and recreation, within the development site. The Council's Parks and Countryside Development Officer has considered the proposals and advised of a number of amendments that should be made in order to improve the scheme in terms of its durability, interest and versatility. These include suggestions of alternative pieces of play equipment, details of fixings for ancillary items such as picnic benches and details of extent and type of surfacing in the vicinity of play equipment. Overall however, no objection is raised to the strategy for play and recreation across the site, and the amendments requested by the Parks and Countryside Development Officer can be dealt with by conditions.
- 6.14 The Legal Agreement completed at the outline stage allows the developers to either transfer the areas of landscaping and open space to a Management Company or offer it for transfer to the District Council. The Landscape, Open Space and Ecological Management Plan (submitted pursuant to condition 20 of DC/13/0735 under reference DISC/15/0283) indicates that, other than the adoptable highway verges, most of the site would be maintained by a Management Company, and not offered to the District Council.
- 6.15 Condition 7 of DC/15/0059 refers to the development being carried out in accordance with the approved phasing plan. This shows the spine road being delivered in phase 1, along with the open spaces at SO1, SO3 and SO4. Open spaces at SO2 and SO5 are shown within phase 2. However, the phasing plan is annotated to explain that after construction of the spine road to base course for construction traffic, together with strategic planting to screen the development, the three phases of works are likely to be simultaneous, as there

are three developers working separately on the site. Condition 22 of DC/15/0059 requires the reserved matters application for Strategic Infrastructure and Open Space to include a timetable for implementation of strategic planting areas, and a phasing plan setting dwelling occupation triggers for each of the open spaces and play areas. The delivery of public open spaces at a suitable stage is necessary to ensure that future residents are able to use these public areas, and also to benefit existing local residents, particularly as SO3 and SO4 are both on the edge of the site, accessible from the existing built-up area via the woodland footpath from Little East Street and SO1 is adjacent to the existing public highway at Stane Street. The proposed conditions reflect the phasing of delivery of open spaces sought by Officers.

- 6.16 Following receipt of the comments of the Landscape Architect and Parks and Countryside Development Officer, the Applicant submitted amended plans. At the time of drafting this report, consultation responses had not been received from the relevant consultees regarding the amended plans. The conditions listed below reflect the need for additional detail of play equipment, surfacing and planting in some areas prior to these aspects being carried out. Should the Applicant submit acceptable details prior to a decision being issued, conditions would be amended to reflect this.

7. RECOMMENDATIONS

- 7.1 To approve the application, subject to conditions.

1. A condition listing the approved plans

2. The areas of structure planting shown on drawing RD1340-Z1250-L-002 Rev F received by the Council 27.10.2015 shall be completed in the first planting season following the laying out and construction to base course for each section of the main spine road.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

3. Prior to the commencement of construction of each equipped play area, including the multi-use ball court and outdoor gym area, full details of equipment, surfacing and associated planting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate provision is made for outdoor play and recreation within the development, in accordance with Policy 32 of the HDPF.

4. Prior to the commencement of construction of any footpath/cycle route through the site shown on drawing RD1340-Z1250-L-002 Rev F, full details of the surfacing and width of that section of footpath/cycleway shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate provision is made for access to parcels and play areas by means other than private car, in accordance with Policy 40 of the HDPF.

5. Prior to the commencement of new planting on the site, full details of the schedule of planting shall be submitted to and approved in writing by the LPA.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

6. The areas of landscaping and public open space and footpaths/cycleways not contained within a Residential Parcel and not identified as Strategic Planting on drawing RD1340-

Z1250-L-002 Rev F shall be delivered (i.e. surfaced, planted, equipped and available for use by members of the public) in accordance with the approved drawings and the following schedule, with reference to the residential parcels and areas of public open space identified on drawing number 121502-BEL-SL-LOP01 received by the Council on 5th April 2016:

- Open Space Zone A to be delivered prior to the completion of no more than 50% of the residential units within parcels H1 and H2
- Open Space Zone B to be delivered prior to the completion of no more 50% of the residential units within parcel H2, 50% of the residential units on parcel H3 or 50% of the units on parcel H4, whichever is the sooner
- Open Space Zone C to be delivered prior to the completion of no more than 50% of the residential units on parcel H3, 50% of the residential units on parcel H4, 50% of the units on parcel H6 or 80% of the units on parcel H8, whichever is the sooner
- Open Space Zone D to be delivered prior to the completion of no more than 50% of the residential units parcel H10 or 50% of the residential units on parcel H11, whichever is the sooner.
- Open Space Zone E to be delivered prior to the completion of no more than 80% of the units on parcel H11 or 80% of the units on Parcel H10, whichever is the sooner.

Reason: To ensure that appropriate provision is made for outdoor play and recreation within the development, in accordance with Policy 32 of the HDPF.

7. Prior to the construction of the retaining wall shown on drawing number CONS20412-Z100-L-DD-201 received by the Council on 06/04/2016, details of materials including samples, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

Notes to applicant:

1. The Applicant is reminded of condition 5 of DC/15/0059, which requires the development to be commenced within three years from 07 March 2014, or two years from the date of approval of the last of the Reserved Matters in relation to a parcel, whichever is the later.
2. The applicant is advised that it will be necessary to enter into a S278 agreement with WSCC for the adoption of the main spine road. This will involve detailed consideration of construction of the road and surfacing materials

Background Papers: see related applications: DC/14/2536, DC/15/0059 & DC/13/0735