



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 2nd August 2022

DEVELOPMENT: Demolition of the existing skatepark and construction of a new concrete skatepark facility. Construction of a temporary access path.

SITE: Horsham Skate Park Horsham Park North Street Horsham West Sussex

WARD: Denne

APPLICATION: DC/22/0967

APPLICANT: **Name:** Mr Stuart Maclure **Address:** Horsham Skatepark Horsham Park Horsham RH12 2DW United Kingdom

REASON FOR INCLUSION ON THE AGENDA: The land is Horsham District Council property

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the demolition of the existing skate park and the construction of a new concrete skate park facility, slightly re-aligned to the south.

1.3 The proposed development would be built in concrete, with some tarmac areas. Ramps will be constructed using a combination of aggregate massing and timber and steel formwork. The highest new ramp would measure to 2.3m, with existing landscaping integrated into the proposed skatepark facility.

1.4 The proposal would incorporate a BMX flow, impact street area, creative skate plaza, and classic skateboard park elements. The existing lighting will be retained, with no alterations to these proposed, with seating also provided.

1.5 A temporary construction access is also proposed to be accessed from North Street.

DESCRIPTION OF THE SITE

1.6 The application site is located in Horsham Park, within the built-up area of Horsham.

1.7 The existing skate park is formed of an asphalt floor surface with timber ramps built on top. The existing ramps are in varied condition, but generally very worn and unsuitable for use.

Due to the poor conditions, most users are BMX-ers as the quality of the timber riding surface makes it unsuitable for the smaller wheels of a skateboard.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 **National Planning Policy Framework**

2.4 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

2.5 **Horsham Blueprint Business Neighbourhood Plan**

Policy HB3 – Character of Development
Policy HB4 – Design of Development
Policy HB8 – Horsham as a Sustainable Visitor Destination
Policy HB11 – Local Green Spaces
Policy HB13 – Provision of Sport, Leisure and Recreation Facilities
Policy HB14 – Community and Cultural Facilities

PLANNING HISTORY AND RELEVANT APPLICATIONS

HU/106/99	Erection of a skateboard and streetsports facility Site: Horsham Park North Street Horsham	Application Permitted on 05.06.2000
HU/45/03	Variation of condition 4 of hu/106/99 to extend floodlighting hours from dusk till 23.00 hours all year for skateboard park Site: Horsham Park North Street Horsham	Application Permitted on 30.04.2003

3. OUTCOME OF CONSULTATIONS

- 3.1 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

- 3.2 **HDC Environmental Health:** No comments but a Construction Management Plan for the demolition and construction phases would be advisable.

- 3.3 **HDC Economic Development:** Support

It seeks to create a new, attractive, and functional space where young people can gather and socialise. In turn it is likely to bring several community benefits and potentially be a positive for the local economy.

Whilst the impact on the local economy is unlikely to be significant, the skatepark is in Horsham Park and therefore close to the town centre. The new and improved skatepark may encourage more young people to spend their leisure time in Horsham town centre which could bring some benefits to nearby local businesses, by driving up footfall and dwell time. It will also add to the limited supply of 'things to do' for young people in the local area, and potentially boost the young demographic of visitors to the park. Moreover, it would build on one of the district's assets – Horsham Park – which contributes towards Horsham's offer as an attractive place for people to live, work and visit.

- 3.4 **HDC Arboricultural Officer:** The principle of placing the access road in the proposed location is not unacceptable altogether. However, there are several semi-mature to mature trees within the area where the access road is proposed. Therefore, it is critical that these trees and, more importantly, their Root Protection Areas (RPA's) will be adequately protected against soil compaction throughout the works. Para .4 of the Construction Management Plan states that "A temporary access route is to be constructed to allow deliveries to site. Local ground works company SR Brierely is taking on the works and will construct a 250m long track, 3.5m wide to a depth of 250mm in 6F2 stone. The track will have wooden edging to retain the massing and will take the loads required for heavy plant and aggregate deliveries." To ensure this is built to an acceptable standard, the track would need to be constructed using a cellular confinement system installed under the stones to help spread the load of the heavy plant and aggregate deliveries evenly across the underlying soil. Without the use of such a system, building the road as proposed would result in substantial soil compaction that would be detrimental to the health of the trees; it would be beneficial to have more detailed information on how the access track will be built. This could be dealt with through a Pre-Commencement condition.

Due to the limited amount of space available along the route, it would not be feasible to install Tree Protection Fencing as this would get in the way. However, recommend that the stems of the adjacent trees along the route are boxed-in with timber to help prevent against mechanical damage should the large vehicles get too close. Also, it would be beneficial if some soil decompaction works were undertaken after the works have been completed; this could be done by hand with a garden fork.

Some minor facilitation pruning works will be needed to allow for sufficient clearance for the large construction vehicles to pass without damaging the crowns of the adjacent trees. Parks and Countryside team, who manage the Council's tree stock in the park, have advised that they do not foresee any problems with the pruning works, as they will be undertaken with

care by the Council's contractors in accordance with the current industry standard BS3998 Tree Work – Recommendations (2010). No concerns raised with this aspect of the proposal.

A single young field maple is proposed to be felled to allow for the track to be built in the proposed location. Given the abundance of good-quality specimen trees in the area, there are no significant concerns with this aspect of the proposal.

OUTSIDE AGENCIES

3.5 **WSCC Highways:** Comment

Access to the site will be gained via the pedestrian access route northwest of the site. The existing internal access route is to be altered as a result of the proposal. It is unclear how the construction materials would reach the site, since there is no vehicular access to the site.

3.6 **Sport England:** Comment

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

3.7 **Community Crime Prevention:** No response received

3.8 **Natural England: (Standing Advice) -** Objection

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

PUBLIC CONSULTATIONS

3.9 **Horsham Denne Neighbourhood Council:** No Objection

3.10 No letters of representation were received.

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 The application seeks full planning permission for the demolition of the existing skate park and the construction of a concrete skate park facility. A temporary construction access is also proposed.

Principle of Development

- 6.2 Policy 43 of the Horsham District Planning Framework (HDPF) states that the provision of new or improved community facilities will be supported, particularly where they meet the identified needs of local communities as indicated in the current Sport, Open Space and Recreation Study and other relevant studies, or contribute to the provision of Green Infrastructure.
- 6.3 In addition, Policy 11 of the HDPF states that measures which promote tourism and enhance local cultural facilities will be encouraged. Any development should be of a scale and type appropriate to the location and should increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which, among others, reinforce the local distinctiveness and improve existing facilities; focus major tourism and cultural facilities in Horsham Town Centre; and seek to ensure that facilities are available within the towns and villages in the District and are in keeping with their relationship with the urban area and countryside.
- 6.4 Policy 42 of the HDPF outlines that positive measures which help create a socially inclusive and adaptable environment for a range of occupiers and users to meet their long term needs will be encouraged and supported.
- 6.5 Policy HB8 of the Horsham Blueprint Business Neighbourhood Plan states that development and expansion of tourism attractions and activities connected with day and staying visitors will be supported where: there are demonstrable economic and social benefits of the proposals; it provides links to sustainable forms of transport and is accessible by foot, bicycle, and mobility transport; and the siting, scale and design has strong regard to the local character, historic and natural assets of the surrounding area and the design and materials are in keeping with the local style and reinforce local distinctiveness and provide a strong sense of place.
- 6.6 Policy HB13 of the Neighbourhood Plan continues that proposals in Horsham Park that support social inclusion will be supported. In particular, proposals to improve the skate park, in consultation with its core users, will be supported.
- 6.7 The application would update the existing and established skate park with the provision of an improved facility. Horsham Skate Park is recognised as an important asset within Horsham Park, providing a community facility and recreational space for a diverse range of people. The proposal would therefore result in social and public benefits.

- 6.8 The re-developed facility as proposed would improve the range and quality of attractions within Horsham and are supported by the Horsham Blueprint Business Neighbourhood Plan. The proposed development is therefore considered acceptable in principle, subject to all other materials considerations.

Design and Appearance

- 6.9 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, Policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.
- 6.10 Policy HB4 of the Horsham Blueprint Business Neighbourhood Plan states that development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings and minimises the impact on the natural environment.
- 6.11 Horsham Skate Park is an established facility within Horsham Park. It is proposed to demolish the existing facility, with the creation of a new skate park constructed primarily of concrete. Existing landscaping will be integrated into the new facility, with the provision of sensitive mounding to limit the visual impact of the facility when viewed from the immediate surroundings.
- 6.12 The proposed development would involve a slight realignment to the south. However, the proposal would utilise the existing landscape features, with the existing tree coverage retained. Given the established nature of the facility, it is not considered that the proposal would result in any further material harm above the existing situation.
- 6.13 It is noted that the proposed development may require the removal of a single tree. It is not considered that this tree is of significant visual aesthetic to require its retention, and no objection to its loss on amenity grounds is raised.
- 6.14 The proposed development would sit appropriately within the wider context and would result in no further visual impact. The proposal is therefore considered to accord with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.15 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.16 Policy HB14 of the Horsham Blueprint Business Neighbourhood Plan states that proposals for new/improved community facilities, will be encouraged provided that the proposal would not have significant harmful impacts on the amenities of surroundings residents and the local environment.

- 6.17 Horsham Skate Park is an established facility within Horsham Park. The proposed development seeks to improve the facility through the provision of concrete ramps and structures. This material is generally considered to be less noisy when compared with the existing timber construction, and would not therefore be considered to result in any greater noise than the existing facility.
- 6.18 The proposed development would be similar in nature to the existing facility, and is not therefore considered to result in any greater level or intensity of activity than the established situation. Furthermore, no alterations are proposed to the existing lighting. While the proposal would realign the part of the facility to the south, this would be set away from the nearby residential properties, with the existing tree coverage retained.
- 6.19 While no alterations to the existing lighting is proposed, it is noted that this is subject of an existing condition restricting hours of operation. To ensure continuity, it is considered reasonable and necessary to impose this condition on the current application.
- 6.20 On the balance of these considerations, it is not considered that the proposal would result in material harm to the amenities of neighbouring properties or users of nearby land, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts

- 6.21 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.22 The application would include the provision of a temporary construction access to be utilised until the development is completed. This would utilise an existing vehicle access point located to the north-west, and would cross Horsham Park.
- 6.23 Given the extent of the temporary construction access track, there is the potential for conflict with pedestrians and users of Horsham Park during the construction phase. In order to address this, the Agent has submitted a Construction Management Plan which details the actions that would be taken to reduce conflict and appropriately manage the construction area. This includes the provision of fencing along the track and development site, signage, etc. These details are considered to adequately address potential conflict.

Water Neutrality

- 6.24 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the site necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusion

- 6.25 The proposed development would improve the range and quality of attractions within Horsham and are supported by the Horsham Blueprint Business Neighbourhood Plan. The proposed development is therefore considered acceptable in principle. The proposal would result in no greater visual impact than the existing facility, and would not result in a greater intensity of level of activity than established. The proposed temporary construction access is not considered to result in significant harm to pedestrians or users of the Park and public highway. For these reasons, the proposed development is considered acceptable.

7. RECOMMENDATIONS

7.1 To approve the application, subject to the following conditions:

Conditions:

1 **Approved Plans**

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until detailed measures to provide for the protection of trees and hedges during the construction work, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The development hereby approved shall be carried out in strict accordance with the Construction Management Plan dated July 2022 by Betongpark Limited and received on 11.07.2022.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition:** The floodlights shall only be switched on between the hours of 16:00 hours and 21:00 hours between the 1st September and 30th April inclusive.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).