

21/00680/FUL

Applicant Rushcliffe Borough Council

Location Playing Fields Corner Of Boundary Road And Loughborough Road
West Bridgford Nottinghamshire

Proposal Upgrade/remodel existing bike track

Ward Musters

THE SITE AND SURROUNDINGS

1. The 1675sq.m Park site is located at the corner of the road junction between Boundary Road and Loughborough Road. It is an existing park with a bike track and a small contained play area having a railing and hedge boundary and gated access to the north west and south east of the site.
2. Boundary Road play area was refurbished in 2009 with equipment for children aged 0-12. The focal point of the site is a large mound with stepping stones, boulders and a climbing wall, in addition there are also a Gyrospiral seesaw, Speed Gyro roundabout, springers, a cable way and pod swing.
3. Residential properties on Repton Road (136 – 152) and 58 and 60 Boundary Road back onto the site on its eastern boundary, having a variety of boundary treatments. The properties are at an elevated position to the application site. To the North is 305 Loughborough Road, across Loughborough Road to the west are numbers 304 - 310 and 21 and 23 Swithland Drive. St Pauls Church and Hall are located to the south of the site on the opposite side of boundary Road.

DETAILS OF THE PROPOSAL

4. The proposal is to upgrade the existing bike track with a more modern bike track facility. It is proposed to provide a learn to ride area and intermediate pump track allowing for progression of all ages and skill levels. The learn to ride area and start hill and berms (corners) of the intermediate pump track are proposed to be finished in asphalt with the remainder finished in crushed stone. All backs of berms and side slopes of features would be finished in grass.
5. Plans have been provided to indicate the location and design of the proposed bike track together with section drawings that indicate profile changes to the existing land level of up to 1.5m in places on the main track and 0.8m on the learn to ride track, with associated amended adjacent land gradients and landscaping. The submitted sections are shown flat to work with the existing ground level heights. There is no intention for these to be brought level but always to work with the current heights shown from the existing ground level. The sections relate to the markers A through E on the drawing 17-002 (07)001 PL2 TRACK PLAN. Drawing 17-002 (06)001 PL2 SITE PLAN shows a 10m clear radius from the existing teen shelter.

SITE HISTORY

6. No site history.

REPRESENTATIONS

Ward Councillor(s)

7. One Ward Councillor (Cllr Major) supports the application commenting; *"I think this is a welcome addition to the park and will encourage positive use of the space within the community. It's difficult to tell exactly from the drawings but I would hope that the materials proposed will serve to blend into the environment whilst being robust enough to survive intensive use and weathering. I trust the officer will interrogate this as part of the process. I do wonder if there needs to be more formal designated paths from the main park entrances at both the bottom onto Loughborough Road and at the top onto Boundary Road to avoid a muddy mess from bikes rolling across the grass, particularly during the winter months. While I'm loathed to cover more green space with structured paths, having the only one leading from the playground may mean larger bikes being taken through the play area unnecessarily. I would ask the officer to look at this specifically but in principle I am very supportive of the plans."*
8. One Ward Councillor (Cllr Jones) supports the application commenting; *"This is a welcome plan and well designed plan to replace the crummy wooden humps. Installing a robust pump track will attract more positive users of the park, many with parents. The location is sufficiently distant from properties adjoining the park. I appreciate this is a costly investment and requires removal of fencing and barrier to enable the contractors vehicle in. I suggest that Officers respond as best they can if there are any repeats of reported anti-social behaviour in the Park."*

Statutory and Other Consultees

9. The Council's Sustainability Officer commented that they *"note the applicant has stated no important biodiversity or geological conservation features are present on site or nearby; and are likely to be affected by the proposals. No ecological survey is likely to be required. The site consists of amenity improved grassland and hardstanding, occasional trees and hedgerow. The site is surrounded by urban gardens and roads. It is not expected nearby Local Wildlife Sites (nearest 500m) will be impacted. No protected or priority species are identified. No priority habitats are identified. The development provides opportunities for ecological enhancement. The favourable conservation status of Protected Species is unlikely to be impacted by this development."*
10. The Council's Environmental Health Officer has no objection subject to an informative/condition on construction hours.
11. Nottinghamshire County Council as Lead Flood Risk Authority has provided general recommendations for all developments.
12. Nottinghamshire County Council as Highway Authority have no objections.
13. Sport England have commented *"The proposed development does not fall within either our statutory remit (Statutory Instrument) or non-statutory remit*

therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

14. *The proposal involves sports facilities or facilities which encourage active recreation. Sport England supports the principle of facilities which encourage people who are inactive to be active and proposals which are in accordance with both government's Sporting Futures Strategy and Sport England new Strategy. Our New Strategy 'Uniting the Movement' is a 10-year vision to transform lives and communities through sport and physical activity. We believe and will advocate sport and physical activity has a big role to play in improving the physical and mental health of the nation, supporting the economy, reconnecting communities and rebuilding a stronger society for all. We will be a catalyst for change and join forces on 5 issues which includes connecting communities, connecting with Health and Wellbeing and Active Environments. In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), we consider that the proposal will provide opportunities for people to lead healthy lifestyles and create healthy communities."*

Local Residents and the General Public

15. Six representations supporting the proposal have been received raising the following matters:
- a. Fully supportive of the plans for the new pump track and believe it will be a wonderful asset to the area for local children.
 - b. It will provide an excellent facility to the local area.
 - c. There are no current similar facilities available to this neighbourhood without travel along main roads with no cycle path provision and replaces the previously ill-designed humps.
 - d. The proposed plans leaves a good area for games on the field and is distanced from the neighbouring properties with consideration given to the aesthetics from these overlooking properties.
 - e. With additional investment in the park, it will become more cared for by users as other well-maintained parks in the area demonstrate.
 - f. It will massively increase the value of the park and use by local people in what is currently a grass area that is underused.
 - g. The nearest bike track of this sort is at Queen's Drive park and ride and this new site will mean that many families can access a track on foot and by bike without having to drive.
 - h. The park is well-used particularly by younger children and those exercising their dogs.
 - i. The existing 'obstacle course' has been popular and an upgrade of the facilities would no doubt enhance its use.

- j. The general upkeep of the space has deteriorated with the removal of a dedicated litter-pick on a regular basis and the additional planting of trees has resulted in a collection of 'stumps' as teenagers have systematically destroyed the majority of them.
 - k. The teenage shelter is a magnet for an unruly element who climb on the structure, set fire to the plastic surfaces and abuse the facility, often accompanied by loud music.
 - l. If the bike track is to be improved then the opportunity should be taken to shift the shelter away from the road. The surface around it should be modified.
 - m. In terms of the bike track itself, what steps will be taken to 'proof' the facility from the attentions of the youths who regularly ride petrol-driven trail bikes/scooters in the park now as well as the local 'crew' who now own electrically propelled skateboards, balance boards and scooters?
 - n. Given the number of very small children using the playground area and the park for a kick-about, it is inevitable that serious injury will result from a collision with a powerful and weighty machine if they are allowed to access the track.
 - q. Could the newly created police depot 'adopt' the park and oversee its safe use? or first aid facilities should be freely available at the station and promoted near the track.
16. One resident considers that the existing facility does not require any upgrade. It will cause many problems for the local community – currently noise, destruction of trees, anti-social activities and vandalism.

PLANNING POLICY

17. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the 2019 National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (the Guidance).

Relevant National Planning Policies and Guidance

18. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. The following sections of the NPPF are relevant to this application.
- Section 8 - Promoting healthy and safe communities
 - Section 12 - Achieving well-designed places
 - Section 15 -Conserving and enhancing the natural environment

Relevant Local Planning Policies and Guidance

19. The following LPP1 policies are considered to be of relevance to this application:
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 2 - Climate Change
 - Policy 10 - Design and Enhancing Local Identity
 - Policy 16 - Green Infrastructure, Landscape, Parks and Open Spaces
20. The following LPP2 policies are considered to be of relevance to this application:
- Policy 1 - Development Requirements.
 - Policy 32 - Recreational Open Space
 - Policy 33 - Local Green Space
 - Policy 34 - Green Infrastructure and Open Space Assets
21. Leisure Facilities Strategy 2017-2027

APPRAISAL

22. Planning permission is sought for improvements to the existing bike track at the recreational park on Boundary Road. It is considered to be a sustainable form of development and acceptable in principle subject to other material planning considerations.

Amenity/design

23. The proposal is to improve and enhance the existing bike track within the central part of the park area. The topography of the site slopes down from Boundary Road towards number 305 Loughborough Road. This property has first floor windows facing the site across its flat roof garage and driveway. The boundary comprises of a fence. The distance from the application site to this property boundary is around 25m, this includes the landscape/recontouring elements and so the track itself would be approximately 35m from this boundary.
24. The application site is around 18m from the rear boundary of 150 Repton Road and approximately 13m to the rear boundary of 146 Repton Road. The corresponding tracks are thus located further away. Loughborough Road and Boundary Road separates the site from properties to the south and west.
25. The small learn to ride track for the younger age range is proposed to be to the south of the site with the larger main pump track for older users towards the north. The section plans indicate that at its highest the proposal would be 1.5m and that the land would be graduated towards the edges of the site at a gradient of 1:5. It is intended to follow the levels of the Park and not level off the site. As no topographical details have been submitted with the application a condition is recommended in requiring submission of details of existing and proposed land levels.

26. As a result of the design, distances and positioning of adjacent properties and boundary treatment it is not considered that the development would have any undue impacts on these nearby residential properties and the proposal is considered to comply with Policy 1 (Development Requirements) of the LPP1, in particular criteria which requires that there is no significant adverse impact upon amenity, particularly residential amenity of adjoining properties by reason of the type and levels of activity on the site.

Footpath/connectivity

27. A Ward Councillor has requested that consideration be given to more formal designated paths from the main park entrances at both the bottom onto Loughborough Road and at the top onto Boundary Road to avoid a muddy mess from bikes rolling across the grass, particularly during the winter months.
28. The agent has confirmed by email that *“linking paths fall outside the scope of the current planning application and the track has been designed based on the existing facility which has been in place for the last 15 years, following resident, user and Cllr feedback. It is really important to maintain the area of greenspace to the south of the bike track allow for informal football and cricket to take place. The newly created path from the play area is to allow for parent/carers with buggies or those with mobility issue to be able to access the learn to ride track with toddler and infants with balance bikes, etc.*
29. *The Council would monitor the performance of the track and could provide a linking path from the north western entrance at a later date if required but based on consultation and trying to balance the facility and the natural environment is it not deemed necessary at this time.”*
30. The application does include a temporary roadway from the south of the site but this is to allow for construction, a further path is proposed connecting the existing play area. It is considered that connectivity can be satisfactorily reviewed and should additional paths be required it could be undertaken by the Council under permitted development.

Increased/Nature of use/Litter and anti-social activity

31. Concern has been raised by residents regarding the current activities of teenagers currently using the park and how the proposal may result in further anti-social activities, litter and general issues with upkeep.
32. The agent has confirmed in an email that the litter collection schedule at Boundary Road Park has not been reduced however, there has been an increase in usage and associated littering during the Covid 19 lockdown period. Additional litter picks have occurred and the litter picking schedules will be reviewed. The Council has the ability to adjust as necessary for any increased usage created by the redevelopment. The Borough Council has also joined forces with Waste Investigations Support and Enforcement (WISE) who have the ability to issue fixed penalty notices for littering and Boundary Road Park has been added to their monitoring.
33. It is understood that a replacement tree planting scheme for the damaged trees is currently being developed by the Borough Council Landscape Officer in consultation with the Community Facilities Manager, local Ward Councillor and

residents. The planting scheme is scheduled to take place in the next planting season in late autumn/winter. It sits outside the scope of this application. The agent has confirmed that; *“the siting and location of the replacement trees will be carefully considered so that they are not located close to the existing teen shelter to mitigate the risk of damage in the future.”*

34. The agent has confirmed that; *“This track will be an attraction for all ages including teenagers therefore the shelter location complements the bike track design and is the reason the track has been designed around it. Community safety research has shown that teen-shelter work most effectively when they are located adjacent to an ancillary facility in an open environment with clear sight lines. The greater use the track gets the easier the area will self-police opposed to having a shelter elsewhere in isolation. We have no Police or ASB reports with the facilities proximity to the road but a well-used track will help mitigate this and as a local authority would be able to take action if this risk was realised in the future.”*
35. It is envisaged that; *“A fun enjoyable track for all ages will attract actual users to the facility continuing the self-policing aim of the site. The fully asphalted beginner track will give scooter users a smooth rollable surface to enjoy and progress skills before moving onto a BMX bike or similar for the main track. This additional element will attract parent/carer who will be able to observe and self-police the teen facility.”*
36. *“There will always be the possible damage from scooter wheels on the stone surface finish of the main track but again this comes down to users wanting to keep it as well maintained as possible and the Council’s continued maintenance. The contract we have with the successful tenderer covers the maintenance of the track for 12 months and it will then be added to our annual maintenance schedule for structured maintenance, similar to how the successful tenderer carries out work at the larger Country Park facility in Ruddington.”*
37. *“The Borough Council has invested heavily in its skatepark facilities in recent years most notably at the Hook Skate Park in Lady Bay and is currently redeveloping the skate park facility at the nearby Rushcliffe Country Park site in Ruddington, it has also provided grants for skate park across the borough. These recreation opportunity create opportunity for skateboard and scooter for which this facility is not designed.”*
38. *“Regarding anti-social behaviour and inappropriate use of the parks facilities. It will be monitored on an on-going basis through our facilities management teams and if any incidents of anti-social behaviour arise they will be investigated by our ASB teams in the usual way. The park is accessible 24hrs per day and whilst we have no intention to restrict access as a responsible authority, should these issues arise we could closely monitor the park and could reduce opening times by locking the gate access points on a temporary basis if required.”*
39. It is considered that the proposal accords with local policy and can effectively be managed and monitored by the Council. It is considered that the proposed development would not have any detrimental impact on the character of the area or boundary treatment to the overall site, with the development sitting within an existing facility and not therefore being alien to the character of the

area. It is therefore considered that the proposal complies with Policy 10 (Design and Enhancing Local Identity) of the LPP1 and Policy 1 (Development Requirements) of the LPP2.

Ecology

40. The Council has a duty to consider the potential impacts of a proposal on wildlife. The Sustainability Officer advises that; *“the favourable conservation status of Protected Species is unlikely to be impacted by this development.”* It is therefore considered that the 3 tests are not applicable for the assessment of this application and that the development will not have an adverse impact on wildlife in the vicinity.

Conclusion

41. It is considered that the proposal would not have any overriding adverse impact on the appearance of the site. Approval would support the existing business activity and provide a valuable leisure service to the local community. The proposal is therefore considered to accord with the policies set out in the Local Plan Part 1 and 2 and the relevant guidance within the NPPF. Approval of the application is therefore recommended.
42. The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary resulting in a favourable recommendation.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted must be carried out strictly in accordance with the following approved plan(s)/drawings/documents: Site Plan 17-002 (05)001 rev PL2; Site Plan 17-002(06)001 rev PL2; Track Plan 17-002 (07)001 rev PL2; Track Sections 17-002 (08)001 rev PL2.

[For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

3. The development shall be undertaken in accordance with the materials specified in the submission for the hardsurfaced areas.

[To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

4. The development hereby permitted must not commence until details of both the existing and proposed land levels across the site and relative to adjoining land, together with the finished levels of the proposed development, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development hereby permitted must be carried out and completed in accordance with the approved details

[This is a pre-commencement condition to ensure the satisfactory appearance of the development in respect of its relationship to adjoining properties having regard to policies 10 (Design and Enhancing Identity)) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 of the National Planning Policy Framework (February 2019)].

Notes to Applicant

Any construction work, including deliveries, be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents/businesses:

Monday Friday 0700 1900 hours
Saturday 0800 1700 hours
Sunday/Bank Holidays No work activity

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at:

<https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

The Lead Flood Risk Authority have provided the following advice regarding drainage:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.