
Site Address: St Clare's Pre-School, Strouden Court Precinct, Strouden Court, Havant
Proposal: Change of use from public amenity land to use as playground for pre-school enclosure with 1.5m - 2m high boundary fences.
Application No: APP/14/00523 Expiry Date: 29/07/2014
Applicant: Mrs G Young-Evans Team: Team 2
Agent: Case Officer: Stephen Cantwell
Ward: Warren Park

Recommendation: **GRANT PERMISSION**

1 Site Description

This is an unenclosed grass area on the east side of the shopping precinct, immediately to the east of a building which has been used as a pre-school nursery since 2010. To the west is a more extensive area of open ground, through which runs a pedestrian path connecting the adjoining flats to the north, to a parking area to the south and a Sure-Start premises to the east. The land slopes steeply up to the north, towards the flats,, it slopes less steeply down towards the pre-school building. It contains a semi mature deciduous tree close to the mid point of the east boundary. the existing pre-school building has a walled playground to the north of the building, close to neighbouring flats and can be used by all children of the school, which numbers up to 65.

2 Planning History

09/50444/004 - Change of use from A2 to D1 (a pre-school nursery). Approved 4 Jan 2010

3 Proposal

The use of an existing area of open grassland as an extended playground for the existing pre-school nursery which was established in 2010. Also to construct a range of boundary fences 1.5m, 1.8m and 2m, the last of these largely to replace an existing wall of similar height in a poor state of repair.

4 Policy Considerations

National Policies

national Planning Policy Framework 2012

Local Plan: Core Strategy 2011 and Allocation Plan 2014

CS13 (Green Infrastructure)
CS16 (High Quality Design)
CS6 (Regeneration of the Borough)
CS7 (
DM1 (Recreation and Open Space)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group - Refers to increased risk of noise to residents. Reducing the size of the area for play is unlikely to reduce this, although qualitative prediction is impossible. Can consideration be given to control of numbers of children playing in the open at any one time?

Crime Prevention -Minor Apps - Recommends re-siting fence back 2m from the footpath access (which runs along the eastern edge of the land)

Development Engineer - No objection. Recommend informative regarding any need from highway authority for construction of the fences.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 40

Number of site notices: One

Number of representations received: None

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Loss of open space
- (iii) Impact on surrounding amenities

(i) Principle of development

7.2 The site is within the built up area (policy CS17) where the principle of new development is acceptable, subject to detailed considerations and policies, which are explored in the following sections.

(ii) Loss of Open Space

7.3 Policies DM1 & CS17 seek to safeguard open space allow other uses if there is a surplus. The Council's open spaces officer was satisfied on this point as part of a pre-application examination of the proposal. It is also noted that there are larger tracts of open grassland around the Strouden Precinct and neighbouring houses and flats, so that the re-use of the small area here is unlikely to be significant. It is also relevant that the proposal would serve local children, so in a sense, the use remains as one of

recreation, albeit for a specific need. Policy CS7 supports community facilities and education.

(iii) Impact on Surrounding Amenities

- 7.4 The playground would remain largely as grass there are no details of any play equipment or surfaces. The use would be Monday - Friday and it would mirror local school terms plus a contingency of four weeks, giving a total of 42 weeks per year. There is currently no limitation of the number of weeks during which the school may be used but it is considered reasonable to limit the use of the playground extension, given that it increases opportunities for outdoor play close to neighbouring flats.
- 7.5 In consideration of noise risk and the comment of the Environmental Health officer, it is noted that children can currently play in the playground of the school approximately 6m from the flats. There is no limit on the number of children in a group playing outdoors. The proposal brings the closest part of the play area 3m closer to the flats, but this closest area is a distinctive slope or knoll. There is scope to arrange the internal layout of the playground to limit opportunities for play close to the boundary with the flats, for instance by landscaping or perhaps internal fencing. The applicant has agreed to provide details but condition of planning permission. In light of these factors it is not considered necessary or reasonable to limit the number of children using the space. The applicant has asked to be allowed to commence the use whilst devising these details, and a short period of time for this (3 months) is considered reasonable.
- 7.6 The amended plan has reduced the size of the site, moving it away from the flats. The plan also moves the fencing 700mm back from the footpath, partly following the police advisor's comments and partly to allow for planting to soften the appearance of fencing. It is noted that the east side of the footpath is open to an extensive grassed area, so that pedestrians are not constrained in the manner envisaged in the police response.
- 7.7 The reduced height of the painted (green) mesh fence to a mixture of 1.5 & 1.8m will alleviate the visual impact of the new enclosure. The section along the northern boundary which would remain as 2m height would largely replace a similarly high wall and cause little visual change, the short additional section here will assist in restricting access to the flat roof of the nursery, which has happened hitherto when the school is closed, this assists in safety.

8 Conclusion

- 8.1 The proposal as amended is acceptable in visual and community safety terms. Subject to a limitation to weekdays and 42 weeks per year and details of the layout of the northern part of the site, in order to limit use by children close to the boundary, it is considered acceptable.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00523, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The playground extension hereby permitted shall only be used on Monday to Friday between 08.00 hours and 17.00 hours, and not on Saturday, Sundays or on Bank or Public Holiday unless the Local Planning Authority gives prior written approval for any variation. Furthermore the use shall not exceed 42 weeks in any calendar year.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 No later than 3 months of the commencement of the use hereby approved, a detailed layout plan of the northern half of the playground extension shall be submitted to show measures, which may include landscaping, planting, fencing or other measures, to limit access by children to the raised area at the north eastern boundary with the adjoining flats, shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented within 2 months of the date of the aforementioned written approval, (with the exception of any planting, which shall be carried out during the next planting season following that approval). These measures shall then be permanently maintained and any tree, shrub or other such planting approved as part of these measures or landscaping which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To safeguard neighbouring amenities and ensure the appearance of the development is satisfactory and having due regard to policies CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 No later than 3 months of the commencement of the use hereby approved, details of new shrub planting outside the fence, as indicated on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall specify the position, species and planting sizes of shrubs to be planted. The planting shall be carried out during the next planting season following the approval of those details. Any shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Amended plan 28th July 2014

Reason: - To ensure provision of a satisfactory development.

