

**Development Control Committee  
10 December 2013**

**Please note there are 2 extra reports in the Additional Items which were not included on the Agenda document for today's Committee meeting.**

**1. Justin Johnson - S13/1824 – Land west of Ryhall Road, Stamford**

**Proposal:** Application under Section 73 to vary the wording to conditions 27 and 30 of application S13/0260 to amend requirements relating to the timing of access improvements, land west of Ryhall Road, Stamford

**2. Pat Reid – Non Key Decision**

Modification of Planning obligation in relation to Section 106 Agreement (Distribution of play areas) - Poplar Farm, Barrowby Road, Grantham (Ref S08/1231)

**These can be found at the end of the usual Late Items reports of those applications being heard today.**

## **Additional Information**

### **NB1 - S13/2242**

A request from the agent for a 5 year consent.

Heritage Lincolnshire has confirmed that they raise no objection to the application.

Natural England has clarified points raised in their initial consultation.

Consultation has been undertaken with DEFRA.

**Proposal** Installation of a 13MW solar photovoltaic farm and associated infrastructure.

## **Information Received**

The agent notes that there may be difficulties in connecting the solar panels to the national grid within a three year period. They do, therefore, request that should Members be minded to grant permission it be done so on a five year consent.

Heritage Lincolnshire have reviewed the additional information with regard to impacts on archaeology and raise no objection to the application.

Natural England have expanded on their initial comments with regard to Soil and Land Quality, their observations are reproduced below;

*“Based on the information available to us we consider this application is likely to impact on a significant amount of ‘best and most versatile’ agricultural land (paragraph 112 of the National Planning Policy Framework refers). However, the proposals would not appear to lead to the long term loss of best and most versatile land as the panel arrays would be fixed with limited soil disturbance being secured through pins in to the ground every few metres, and could be removed when planning permission expired with no likely loss of agricultural land quality.*

*Whilst soil would be disturbed in some parts of the site through the construction of the switch station and access tracks and installing of buried cables this amounts to a relatively small area and much of the soil disturbance may be reversible during decommissioning. We note that the planning application is for a limited period of 25 years and would expect that any planning approval would require the site to be decommissioned and restored to its former condition when planning permission expired.*

*We would draw to your attention to paragraph 27 of the recently published DCLG Planning Practice Guidance for Renewable and Low Carbon Energy (July 2013) and advise you to fully consider the best and most versatile agricultural land issues relating to this proposal in accordance with that guidance*

*General guidance for protecting soils during development is also available in Defra's [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and should the development proceed, we recommend that relevant parts of this guidance are followed, e.g. in relation to handling or trafficking on soils in wet weather.*

*If you advise us of any specific points on which you need Natural England's advice, we would be pleased to discuss the matter further".*

In addition to the information supplied by Natural England a request has been made to DEFRA as to whether this organisation would have any comments on the application.

### **Officer Comment on Information Received**

There is not considered to be any reason to object to a five year consent should it assist the applicants in implementing the permission.

Appropriate information has been submitted to determine the likely impacts from the development on archaeology and no objection is raised to the proposal in this regard.

Natural England confirm that they raise no objection to the application. They note that the NPPF would look to protect the best and most versatile agricultural land but feel that the panels would cause limited disturbance to the soil and could be removed when no longer required. With conditions requiring the land to be returned to its former use once the panels are no longer in use there would be no likely loss of agricultural land or quality.

Contact has been made with DEFRA to determine whether or not this organisation has any comments on the application. At the time of writing no response has been received.

### **Alterations to Conditions**

Condition 1 be amended to allow the grant of a five year permission.

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

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

### **Changes to Recommendation:**

The recommendation remains that the application should be granted permission; however, should no response be received from DEFRA it is

recommended that the application be granted permission subject to DEFRA not raising an objection to the application.

## **Additional Item**

JJ1 – S13/1824

**Proposal:** Application under Section 73 to vary the wording to conditions 27 and 30 of application S13/0260 to amend requirements relating to the timing of access improvements, land west of Ryhall Road, Stamford

### **Introduction:**

The above application was considered by the Development Control Committee on 8<sup>th</sup> October 2013. At that meeting Members resolved to defer approval of the application to the Chairman/Vice Chairman subject to the completion of a section 106 agreement and subject to the following conditions:

1. The development hereby permitted shall be commenced within 3 years of the original grant of planning permission under application S13/0260, which was approved on 14 June 2013.

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

2. Notwithstanding the submitted information precise details including 1:50 scaled elevations of the proposed floodlighting columns shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the building(s) are occupied. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over this important detail in the interests of the amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the District Planning Authority for the location of bird and bat boxes to encourage wildlife to the development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development in accordance with policy EN1 of the adopted South Kesteven core Strategy 2010.

4. No development shall take place within the application site until the applicant has secured the implementation of a programme of

archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

7. Before development is commence on site all existing trees and hedgerows to be retained as part of the development shall be fenced off to the limit of their branch spread, in accordance with a tree and hedgerow protection scheme to be agreed in writing by the local planning authority. The protection scheme shall include a detailed plan of those trees and hedgerows to be retained as part of the

development. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas. All tree works shall be carried out in accordance with the requirements of British Standard 3998 2010 and where trees are to be protected this shall in accordance with the requirements of British Standard 5837 2012.

Reason: To prevent unnecessary damage to existing trees and hedgerows and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

8. No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: The submitted Preliminary Investigation Report undertaken by Soiltechnics indicated a potential for ground gases and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and the requirements of the National Planning Policy Framework (NPPF)

9. Prior to any development taking place precise details shall be submitted to and agreed in writing by the local planning authority showing the provision of a footpath linking the development hereby approved to the existing footpath located to the west of the application site running along the eastern boundary of Queen Eleanor School and linking in to Kesteven Road. The proposed footpath shall then be provided prior to the occupation of the buildings hereby approved and maintained available thereafter.

Reason: To ensure satisfactory pedestrian access to the site in the interests of sustainability, in accordance with policy SP3 of the adopted South Kesteven Core Strategy 2010.

10. Notwithstanding the submitted details shown on drawing title Proposed Cycle Shelter precise details of the proposed cycle shelters shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the precise dimensions including the length, width and height of the proposed shelter. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy 2010.

11. Notwithstanding the submitted details shown on drawing title Proposed Dug Outs precise details of the proposed dug outs shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the precise dimensions including the length, width and height of the proposed dug outs. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy 2010.

12. The pitches and buildings hereby approved shall be constructed in accordance with the levels and finished floor levels specified on drawing number (08)008 Rev A00.

Reason: For the avoidance of doubt and to ensure that the development is assimilated into the surrounding landscape in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

13. No development shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

14. No development shall be commenced (apart from those works identified on drawing Proposed Construction Access Arrangements submitted on 3 September 2013 and the works required in relation to the re-contouring/grading of the land in the areas to accommodate the football pitches hereby approved) until:-

(i) A detailed assessment of ground conditions of the land proposed for the new football pitches as shown on drawing number (08)008 Rev A00 shall be undertaken (including drainage and topography) to

identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate pitch drainage measures) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority.

Reason: To ensure that the playing field is provided to an acceptable quality and standard, in accordance with the requirements of Sport England and the National Planning Policy Framework (NPPF).

15. The sports building (including sports hall, changing rooms and fitness suite) hereby permitted shall not be constructed other than substantially in accordance with Sport England's Technical Design Guidance Note 'Sports halls: design and layouts design guide February 2012'

Reason: To ensure the development is fit for purpose and sustainable and to accord with the requirements of National Planning Policy Framework.

16. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports building (including the sports hall, fitness room, changing rooms and other ancillary facilities) and artificial and grass pitches and include details of pricing policy, hours of use, access by non college/football club users/members, management responsibilities and a mechanism for review, and anything else in which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities to ensure sufficient benefit to the development of sport and to accord with the requirements of the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any

order amending, revoking or re-enacting that order), no buildings, moveable structures, works, plant, machinery, access, storage of vehicles (including car parking), equipment or materials or other use in connection with events or temporary uses shall be permitted or take place on the grass or artificial turf pitches.

Reason: To protect playing fields from damage, loss or availability of use and to accord with the requirements of the National Planning Policy Framework.

18. Prior to the commencement of the development hereby permitted details of a noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The noise management scheme shall contain details to demonstrate how noise emitted from the sports hall, including consideration of the noise impact from functions held in the sports hall, will be mitigated to minimise the impact of the development on the occupiers of adjacent residential properties. The noise management scheme shall be fully implemented and operated at all times in accordance with the approved details.

Reason: To ensure that the development does not adversely impact on the residential amenity of the occupiers of nearby properties in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

19. No external generators shall be used on site in connection with the car boot sales, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development does not result in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

20. The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

21. The floodlights for the stadium and the training pitches shall not be used between 22:30 hours and 07:30 hours.

Reason: To ensure that the development does not adversely impact on the residential amenities of the occupiers of adjacent dwellings and

to minimise the visual impact of the development on this countryside location in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

22. There shall only be a maximum of 30 Car boot sale events held at the site in any one calendar year.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

23. Mechanical service plant noise levels shall adhere to the details contained in para 5.65 - 5.67 of the Noise Assessment prepared by Hepworth Acoustics dated February 2013. The cumulative LAr noise rating levels from any mechanical service plant at the nearest residence, including any acoustic penalty, shall be at least 10dB(A) below the lowest measured LA90 background noise level.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

24. Prior to the commencement of development a PA noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The PA noise management scheme shall include the layout, location, height, type, method of control and sound power levels of the PA system along with details of when and how the PA system will be used in association with the use hereby permitted. The PA noise management scheme shall be fully implemented and operated at all times in accordance with the approved details.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

25. Notwithstanding the submitted details the proposed acoustic bund located to the south of the proposed pitches shall be at least 10m high in relation to the pitch levels directly adjacent to the bund and at least 4m high in relation to the ground level of the adjacent housing development to the south of the site. Precise details of the ground levels and acoustic bund, including cross sections, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall then only be implemented in strict accordance with the approved details.

Reason: To ensure that the development does not resulting in noise

and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

26. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought in to use and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

27. Prior to the commencement of the use of the site as a football stadium, education facility or for car boot sales the land between the highway boundary and the vision splays indicated on drawing number 10000/04/01 & 10000/04/02 received on 14/5/2013 shall be lowered so that it does not exceed 0.6 metres above the level of the adjacent carriageway Ryhall Road and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

28. The arrangements shown on the approved plan LK606 (08)008 Rev A00 dated 29/01/13 for the parking/turning/manoeuvring of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Ryhall Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

29. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 2 metre wide combined footway/cycleway along the frontage of the site and linking the existing provision to the north of Borderville Cottages and extending southwards to Rutland Road, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before the development is occupied or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each building in the interests of amenity, convenience and safety.

30. Prior to the commencement of the use of the site as a football stadium, education facility or for car boot sales the works to improve the public highway (by means of ghost island right turn facility together with all

necessary lighting, drainage, marking and ancillary works as indicatively identified on drawing number 10000/04/01 received on 14/5/2013) or as specified shall have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

31. Prior to commencement of the development a Travel Plan shall be submitted to, and approved in writing by the local planning authority that builds on the framework travel plan for the football ground and the existing college travel plan. Thereafter a survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan, unless the local planning authority stipulates approval to any variation.

Reason: In order that the local planning authority conforms to the requirements of sustainable travel, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

32. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

- Site Location Plan - (08)001 Rev A00 received 29/01/2013,
- Existing Site Plan - (08)002 Rev A00 received 29/01/2013,
- Existing Site Sections - (08)003 Rev A00 received 29/01/2013,
- Comparison of Footprints - (08)004 Rev A00 received 29/01/2013,
- Comparison of Floor Space - (08)005 Rev A00 received 29/01/2013,
- Comparison of Floor Space Site Sections - (08)006 Rev A00 received 29/01/2013,
- Proposed Site Context Plan - (08)007 Rev A00 received 29/01/2013,
- Proposed Site Plan - (08)008 Rev A00 received 29/01/2013,
- Proposed Site Sections - (08)009 Rev A00 received 29/01/2013,
- Proposed Ground Floor Plan - (08)010 Rev A00 received 29/01/2013,
- Proposed First Floor Plan - (08)011 Rev A00 received 29/01/2013,
- Proposed Roof Plan - (08)012 Rev A00 received 29/01/2013,
- Proposed Sections A-A & B-B - (08)013 Rev A00 received 29/01/2013,
- Proposed Sections C-C & D-D - (08)014 Rev A00 received 29/01/2013,
- Proposed North & East Elevation - (08)015 Rev A00 received

- 29/01/2013,
- Proposed South & West Elevation - (08)016 Rev A00 received 29/01/2013,
  - Proposed Covered Seating Stand 1 - (08)017 Rev A00 received 29/01/2013,
  - Proposed Covered Seating Stand 2 - (08)018 Rev A00 received 29/01/2013,
  - Proposed Toilet Block - (08)019 Rev A00 received 29/01/2013,
  - Proposed Turnstile Building 1, 2 & 3 - (08)020 Rev A00 received 29/01/2013,
  - Proposed Dug Outs - (08)021 Rev A00 received 29/01/2013,
  - Proposed Cycle Shelter - (08)022 Rev A00 received 29/01/2013,
  - Proposed Site Entrance - (08)023 Rev A00 received 29/01/2013,
  - Proposed Hard and Soft Landscaping Layout - (08)024 Rev A00 received 29/01/2013,
  - Proposed Walls, Fences and Boundary Treatments - (08)025 Rev A00 received 29/01/2013,
  - Proposed Enclosures to Grass Pitch & Artificial Grass Pitch - (08) 026 Rev A00 received 29/01/2013,
  - Ghost Island Right Turn - 4309/01/30 received 29/01/2013

Reason: To define the permission and for the avoidance of doubt.

33. The proposed development shall be undertaken in strict accordance with the Assessment of spoil from the development undertaken by Waldeck and received on 29 January 2013. If any material is to be deposited outside of the application site area no development shall take place until a scheme detailing the method and arrangements for the deposition of soil on adjacent land, in the applicants control, and the removal of sub surface material off site has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (i) details of the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;
  - (ii) details of any subsurface material to be removed from the site and precise details of where and how the material will be disposed of;
  - (iii) details of the proposed routing arrangements for vehicles removing material from the site. The development shall be carried out in accordance with the approved details.

The development shall only be carried out in accordance with the approved details.

Reason: This is an outline application and the Council wish to ensure that the soil is disposed of in an appropriate manner in accordance

with policy EN1 of the adopted South Kesteven Core Strategy 2010.

34. No development shall commence until final details of the materials to be used in the construction of external walls and roofs of all of the buildings and structures have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

35. Notwithstanding condition 14 above no development shall be commenced (apart from those works identified on drawing Proposed Construction Access Arrangements submitted on 3 September 2013) before the works to improve the construction traffic access arrangements and provision of a temporary haul road have been completed. Construction traffic shall only use the approved construction access arrangements during the construction of the development. Within 3 months of completion of the development the temporary haul road shall be removed and the land restored in accordance with the approved details.

Reason: In the interests of safety of the users of the public highway and the safety of users of the site.

36. Prior to the development first commencing the developer shall submit a Construction Traffic Management Plan for the approval of the Local Planning Authority. The Plan shall incorporate further detail in respect of anticipated daily vehicle movements; routing or sourcing materials in such a way as to minimise HGV movements through villages or roads unsuitable for such traffic; measures to provide adequate signing/warning to highway users of increased turning movements in and around the proposed point of temporary access; control and management of arrivals and departures to minimise risk of conflict or amassing of vehicles at the access and within the limits of highway; provision for a wheel wash; proposals and a timetable for the introduction of temporary speed restrictions; control of surface water run-off and a means of monitoring and ensuring compliance with the operations of the Plan. Once approved the Plan shall be maintained through the lifetime of the construction phase of the development.

Reason: In the interests of safety of the users of the public highway and the safety of users of the site.

### **Officer Evaluation:**

The S106 has now been completed and signed and the decision is ready to issue, however the applicants have already submitted some of the information required by some of the conditions and work has already commenced on site.

Some of the conditions as currently approved by the Development Control Committee are pre-commencement conditions which require details to be submitted prior to any development taking place. Whilst the applicants have provided some of this information there are some elements still outstanding.

Development has already commenced on site and it is therefore no longer appropriate to impose pre-commencement conditions. It is therefore necessary to amend the conditions to link the development to the details already submitted and approved since the application went to committee or in some cases amend the outstanding conditions to require details to be submitted within one month of the date of this consent.

A full set of the revised conditions are listed below, the conditions specifically amended are 3, 4, 5, 7, 8, 13, 18, 24, 25, 26, 29, 31, 34, and 36.

### **The conditions should therefore be amended as follows:**

1. The development hereby permitted shall be commenced within 3 years of the original grant of planning permission under application S13/0260, which was approved on 14 June 2013.

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

2. Notwithstanding the submitted information precise details including 1:50 scaled elevations of the proposed floodlighting columns shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the building(s) are occupied. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over this important detail in the interests of the amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Bat and bird boxes shall be sited within the development in accordance with the details setout on drawings (08)031 Rev A00 and (08)032 Rev A00 received on 26 July 2013. The bat and bird boxes shall be installed prior to the completion of the development and maintained thereafter.

Reason: To encourage additional biodiversity within the development

in accordance with policy EN1 of the adopted South Kesteven core Strategy 2010.

4. The development shall be undertaken in accordance with the written scheme of investigation for archaeological work prepared by the University of Leicester Archaeological Services received on 12 July 2013..

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. Within one month of the date of this permission full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

7. All existing trees and hedgerows to be retained as part of the development shall be fenced off to the limit of their branch spread, in

accordance with the tree protection measures detailed on drawing (08) 028 Rev A00 received on 19 July 2013. All tree works shall be carried out in accordance with the requirements of British Standard 3998 2010 and where trees are to be protected this shall in accordance with the requirements of British Standard 5837 2012.

Reason: To prevent unnecessary damage to existing trees and hedgerows and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

8. The development hereby approved shall be carried out in accordance with the scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and the proposals for future maintenance and monitoring as set out in the information received on 15 October 2013.

Reason: The submitted Preliminary Investigation Report undertaken by Soiltechnics indicated a potential for ground gases and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and the requirements of the National Planning Policy Framework (NPPF)

9. Within one month of the date of this permission precise details shall be submitted to and agreed in writing by the local planning authority showing the provision of a footpath linking the development hereby approved to the existing footpath located to the west of the application site running along the eastern boundary of Queen Eleanor School and linking in to Kesteven Road. The proposed footpath shall then be provided prior to the occupation of the buildings hereby approved and maintained available thereafter.

Reason: To ensure satisfactory pedestrian access to the site in the interests of sustainability, in accordance with policy SP3 of the adopted South Kesteven Core Strategy 2010.

10. Notwithstanding the submitted details shown on drawing title Proposed Cycle Shelter precise details of the proposed cycle shelters shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the precise dimensions including the length, width and height of the proposed shelter. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of

the adopted South Kesteven Core Strategy 2010.

11. Notwithstanding the submitted details shown on drawing title Proposed Dug Outs precise details of the proposed dug outs shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the precise dimensions including the length, width and height of the proposed dug outs. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy 2010.

12. The pitches and buildings hereby approved shall be constructed in accordance with the levels and finished floor levels specified on drawing number (08)008 Rev A00.

Reason: For the avoidance of doubt and to ensure that the development is assimilated into the surrounding landscape in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

13. Within one month of the date of this permission a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

14. No development shall be commenced (apart from those works identified on drawing Proposed Construction Access Arrangements submitted on 3 September 2013 and the works required in relation to the re-contouring/grading of the land in the areas to accommodate the football pitches hereby approved) until:-

(i) A detailed assessment of ground conditions of the land proposed for the new football pitches as shown on drawing number (08)008 Rev A00 shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the

playing fields will be provided to an acceptable quality (including appropriate pitch drainage measures) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority.

Reason: To ensure that the playing field is provided to an acceptable quality and standard, in accordance with the requirements of Sport England and the National Planning Policy Framework (NPPF).

15. The sports building (including sports hall, changing rooms and fitness suite) hereby permitted shall not be constructed other than substantially in accordance with Sport England's Technical Design Guidance Note 'Sports halls: design and layouts design guide February 2012'

Reason: To ensure the development is fit for purpose and sustainable and to accord with the requirements of National Planning Policy Framework.

16. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports building (including the sports hall, fitness room, changing rooms and other ancillary facilities) and artificial and grass pitches and include details of pricing policy, hours of use, access by non college/football club users/members, management responsibilities and a mechanism for review, and anything else in which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities to ensure sufficient benefit to the development of sport and to accord with the requirements of the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order), no buildings, moveable structures, works, plant, machinery, access, storage of vehicles (including car parking), equipment or materials or other use in connection with events or temporary uses shall be permitted or take

place on the grass or artificial turf pitches.

Reason: To protect playing fields from damage, loss or availability of use and to accord with the requirements of the National Planning Policy Framework.

18. The development hereby permitted shall be fully implemented and operated at all times in accordance with Noise Management Plan scheme received 29 August 2013.

Reason: To ensure that the development does not adversely impact on the residential amenity of the occupiers of nearby properties in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

19. No external generators shall be used on site in connection with the car boot sales, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

20. The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

21. The floodlights for the stadium and the training pitches shall not be used between 22:30 hours and 07:30 hours.

Reason: To ensure that the development does not adversely impact on the residential amenities of the occupiers of adjacent dwellings and to minimise the visual impact of the development on this countryside location in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

22. There shall only be a maximum of 30 Car boot sale events held at the site in any one calendar year.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven

Core Strategy.

23. Mechanical service plant noise levels shall adhere to the details contained in para 5.65 - 5.67 of the Noise Assessment prepared by Hepworth Acoustics dated February 2013. The cumulative LAr noise rating levels from any mechanical service plant at the nearest residence, including any acoustic penalty, shall be at least 10dB(A) below the lowest measured LA90 background noise level.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

24. The development hereby approved shall be implemented and operated at all times in accordance with the PA noise management scheme contained within the Noise Management Plan received on 29 August 2013.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

25. The acoustic bund located to the south of the proposed pitches shall be at least 10m high in relation to the pitch levels directly adjacent to the bund and at least 4m high in relation to the ground level of the adjacent housing development to the south of the site. The development shall be implemented in accordance with the details of the ground levels and acoustic bund, including the cross sections received on 19 July..

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

26. Within one month of the date of this permission further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought in to use and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

27. Prior to the commencement of the use of the site as a football stadium, education facility or for car boot sales the land between the highway

boundary and the vision splays indicated on drawing number 10000/04/01 & 10000/04/02 received on 14/5/2013 shall be lowered so that it does not exceed 0.6 metres above the level of the adjacent carriageway Ryhall Road and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

28. The arrangements shown on the approved plan LK606 (08)008 Rev A00 dated 29/01/13 for the parking/turning/manoeuvring of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Ryhall Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

29. Within one month of the date of this permission a scheme shall be submitted to and agreed in writing by the local planning authority for the construction of a 2 metre wide combined footway/cycleway along the frontage of the site and linking the existing provision to the north of Borderville Cottages and extending southwards to Rutland Road, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before the development is occupied or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each building in the interests of amenity, convenience and safety.

30. Prior to the commencement of the use of the site as a football stadium, education facility or for car boot sales the works to improve the public highway (by means of ghost island right turn facility together with all necessary lighting, drainage, marking and ancillary works as indicatively identified on drawing number 10000/04/01 received on 14/5/2013) or as specified shall have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

31. Within one month of the date of this permission a Travel Plan shall be submitted to, and approved in writing by the local planning authority that builds on the framework travel plan for the football ground and the existing college travel plan. Thereafter a survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan,

unless the local planning authority stipulates approval to any variation.

Reason: In order that the local planning authority conforms to the requirements of sustainable travel, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

32. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

- Site Location Plan - (08)001 Rev A00 received 29/01/2013,
- Existing Site Plan - (08)002 Rev A00 received 29/01/2013,
- Existing Site Sections - (08)003 Rev A00 received 29/01/2013,
- Comparison of Footprints - (08)004 Rev A00 received 29/01/2013,
- Comparison of Floor Space - (08)005 Rev A00 received 29/01/2013,
- Comparison of Floor Space Site Sections - (08)006 Rev A00 received 29/01/2013,
- Proposed Site Context Plan - (08)007 Rev A00 received 29/01/2013,
- Proposed Site Plan - (08)008 Rev A00 received 29/01/2013,
- Proposed Site Sections - (08)009 Rev A00 received 29/01/2013,
- Proposed Ground Floor Plan - (08)010 Rev A00 received 29/01/2013,
- Proposed First Floor Plan - (08)011 Rev A00 received 29/01/2013,
- Proposed Roof Plan - (08)012 Rev A00 received 29/01/2013,
- Proposed Sections A-A & B-B - (08)013 Rev A00 received 29/01/2013,
- Proposed Sections C-C & D-D - (08)014 Rev A00 received 29/01/2013,
- Proposed North & East Elevation - (08)015 Rev A00 received 29/01/2013,
- Proposed South & West Elevation - (08)016 Rev A00 received 29/01/2013,
- Proposed Covered Seating Stand 1 - (08)017 Rev A00 received 29/01/2013,
- Proposed Covered Seating Stand 2 - (08)018 Rev A00 received 29/01/2013,
- Proposed Toilet Block - (08)019 Rev A00 received 29/01/2013,
- Proposed Turnstile Building 1, 2 & 3 - (08)020 Rev A00 received 29/01/2013,
- Proposed Dug Outs - (08)021 Rev A00 received 29/01/2013,
- Proposed Cycle Shelter - (08)022 Rev A00 received 29/01/2013,
- Proposed Site Entrance - (08)023 Rev A00 received 29/01/2013,
- Proposed Hard and Soft Landscaping Layout - (08)024 Rev A00

received 29/01/2013,

- Proposed Walls, Fences and Boundary Treatments - (08)025 Rev A00 received 29/01/2013,
- Proposed Enclosures to Grass Pitch & Artificial Grass Pitch - (08) 026 Rev A00 received 29/01/2013,
- Ghost Island Right Turn - 4309/01/30 received 29/01/2013

Reason: To define the permission and for the avoidance of doubt.

33. The proposed development shall be undertaken in strict accordance with the Assessment of spoil from the development undertaken by Waldeck and received on 29 January 2013. If any material is to be deposited outside of the application site area no development shall take place until a scheme detailing the method and arrangements for the deposition of soil on adjacent land, in the applicants control, and the removal of sub surface material off site has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (i) details of the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;
  - (ii) details of any subsurface material to be removed from the site and precise details of where and how the material will be disposed of;
  - (iii) details of the proposed routing arrangements for vehicles removing material from the site. The development shall be carried out in accordance with the approved details.

The development shall only be carried out in accordance with the approved details.

Reason: This is an outline application and the Council wish to ensure that the soil is disposed of in an appropriate manner in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

34. The development shall be carried out in accordance with the materials received on 22 July 2013 detailed on drawings (08)015 Rev A01 and (08)016 Rev A01. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

35. Notwithstanding condition 14 above no development shall be commenced (apart from those works identified on drawing Proposed Construction Access Arrangements submitted on 3 September 2013) before the works to improve the construction traffic access arrangements and provision of a temporary haul road have been

completed. Construction traffic shall only use the approved construction access arrangements during the construction of the development. Within 3 months of completion of the development the temporary haul road shall be removed and the land restored in accordance with the approved details.

Reason: In the interests of safety of the users of the public highway and the safety of users of the site.

36. Within one month of the date of this permission the developer shall submit a Construction Traffic Management Plan for the approval of the Local Planning Authority. The Plan shall incorporate further detail in respect of anticipated daily vehicle movements; routing or sourcing materials in such a way as to minimise HGV movements through villages or roads unsuitable for such traffic; measures to provide adequate signing/warning to highway users of increased turning movements in and around the proposed point of temporary access; control and management of arrivals and departures to minimise risk of conflict or amassing of vehicles at the access and within the limits of highway; provision for a wheel wash; proposals and a timetable for the introduction of temporary speed restrictions; control of surface water run-off and a means of monitoring and ensuring compliance with the operations of the Plan. Once approved the Plan shall be maintained through the lifetime of the construction phase of the development.

Reason: In the interests of safety of the users of the public highway and the safety of users of the site.

**Report to Development Control Committee**

**REPORT OF:** Pat Reid - Development Management Service Manager

**REPORT NO:** PLA 1024

**DATE:** 10 December 2013

<b>TITLE:</b>	Modification of Planning obligation in relation to Section 106 Agreement (Distribution of play areas) Poplar Farm, Barrowby Road, Grantham Ref S08/1231	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	N/A	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	N/A	
<b>CONTACT OFFICER:</b>	Pat Reid	
<b>INITIAL IMPACT ANALYSIS:</b>		
<b>Equality and Diversity</b>	Not applicable	Not applicable
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	N/A	

## **1. RECOMMENDATIONS**

**That the approval of the Variation of the Section 106 Agreement be delegated to the Development Management Service Manager in consultation with the Chairman and Vice Chairman of the Development Control Committee.**

## **2. PURPOSE OF THE REPORT**

To provide advice to Members on a request to modify a Section 106 agreement in respect of land at Poplar Farm, Barrowby Road, Grantham.

## **3. DETAILS OF REPORT**

On 23 June 2011 outline planning permission was granted for residential development on land at Poplar Farm, Barrowby Road, Grantham. The development was the subject of a Section 106 legal agreement requiring the provision of play areas.

Following the approval of the layout of the first phases of the site the developers have requested that the previously agreed layout of a hierarchy of play areas is amended to provide an improved quality but reduced number of play areas across the site.

This report explains the proposed changes to the provision of play areas and the need to vary the Section 106 Agreement.

### **Report to Development Control Committee – 6 August 2013**

This item was reported to committee on 6 August 2013, when Members did not agree to accept the proposed amendments. This was principally because of concerns about the significant reduction in the number of smaller play areas, LEAPs (Local Equipped Areas of Play ) and LAPs (Local Areas of Play). This point has now been investigated further and shown that there was an error when the original Section 106 was drafted. Consequently, it can be reported that while the number of the smallest spaces (LAPs) would be reduced the total area for play on the development will be greater than that which is currently proposed. This is explained in detail below.

### **The application site and surroundings**

The site is off Barrowby Road, Grantham.

The planning permission for the Poplar Farm development is a mixed use urban extension of up to 1800 dwellings and associated community facilities and infrastructure, including children's play areas.

The Third Schedule of the Section 106 Agreement states that:

.”8. Unless the Council and the Owners agree in writing otherwise, the Owners shall provide 3 LEAPS before Certification of 601 Dwellings, a further 3 LEAPS before Certification of 1201 Dwellings and a further 3 LEAPS before Certification of 1800 Dwellings.

9. Unless the Council and the Owners agree in writing otherwise, the Owners shall provide within the Green Areas 8 LAPS before Certification of 226 Dwellings, a further 8 LAPS before Certification of 451 Dwellings, a further 8 LAPS before Certification of 676 Dwellings, a further 8 LAPS before Certification of 901 Dwellings a further 8 LAPS before Certification of 1,126 Dwellings, a further 8 LAPS before Certification of 1,3511 Dwellings and a further 8 LAPS before Certification of 1,800 Dwellings.

10. Unless the Council and the Owners agree in writing otherwise, the Owners shall provide within the Green Areas 1 NEAP before Certification of 901 Dwellings.”

The developers are proposing that the previously agreed play areas should be replaced by the new areas shown on the attached plan (Plan 1).

On this plan the LEAPS (Local Equipped Play Areas), LAPs (Local Areas of Play) and NEAPs (Neighbourhood Equipped Play Areas) are referred to as follows:

LEAPS are now referred to as “Other Equipped/Landscaped Play Areas”

LAPS are now referred to as “Doorstep Play Space”

NEAPS are now referred to as “Principal Equipped Play Areas”

### **Amendment to Section 106**

The original schedule and drafting of the Section 106 required the provision of 1 NEAP,3 LEAPs and 8 LAPs. The error in the final document recorded above would have required the provision of 1 NEAP,9 LEAPs and 56 LAPs.

The current Section 106 agreement is inadvertently proposing 66 play area, while the Council currently only maintains 39 play areas across the whole district.

The plan indicates that there would be:

3 Other Equipped / Landscaped Play Areas (9/3 LEAPs are currently proposed).

4 Doorstep Play Spaces (56/8 LAPS are currently proposed).

1 Principal Equipped Play Area (1/1 NEAP is currently proposed).

The Principal Equipped Play Area, would be designed as an integral part of the main sports facilities and green space on the lower lying land in the eastern half of the site. The size and scope of this area is comparable to but a little larger than a traditional NEAP and includes a Multi Use Games Area. The two Other Equipped / Landscaped Play Areas would be located in the south west and west of the site with relationships to the Primary School/ Local Centre facilities and the main green corridors. These would be equipped yet could also include some natural play and would be comparable to but a little larger than the traditional LEAP. The Doorstep Play Spaces would be located at other places around the development and also linked to the main green corridors and other spaces.

The approved Section 106 Agreement requires an unworkable number of small pockets of play areas dotted around the site, with associated problems for future maintenance. The proposed amendments are for a reduced number of larger play areas.

The attached plan indicates that all of the occupiers of the proposed dwellings would have good access to a range of play areas. The proposed changes meet the Fields in Trust access standards, which are 5 minutes walking to a LEAP standard play area and 15 minutes walking to a NEAP standard play area.

The proposed changes would increase the total area of play space on the development. The current agreement is for 1 NEAP (1,000sq m) ,3 LEAPs (3 x 400 sq m) and 8 LAPs (8 x 100 sq m) which would provide a total of 3,000 sq m of equipped play space. The proposed amendment would provide 1 Principle Play Area (1,250 sq m), 3 Other Equipped Play Space (3 x 600-900 sq m) and 4 Doorstep Play Spaces (4 x 100 sq m) ,a total of 3,450 sq m - 4,350 sq m.

This approach is supported by the Council's Community Leisure Officer. It is recommended that the Section 106 is varied as requested.

### **Supporting Information**

The applicants have submitted a statement in support these amendments which is attached as Appendix A to this report.

This explains the rationale for the proposed changes to the provision of the children's play areas.

### **Relevant Site History**

S08/1231/EIAOL - Outline planning permission for a mixed use urban extension comprising up to 1800 dwellings, community facilities (including a primary school, community centre, retail use classes A1, A2, A3 & A5, doctor's surgery and elderly persons accommodation) and associated open space (including new playing fields, facilities and changing rooms, children's

play areas, informal network of open space and allotments) and a new road and new road bridge – 23 June 2011.

## **Conclusion**

### **4. OTHER OPTIONS CONSIDERED**

**None**

### **5. RESOURCE IMPLICATIONS**

**No significant impact on resources**

### **6. RISK AND MITIGATION**

Risk has been considered as part of this report and any specific high risks are included in the table below:

<b>Category Risk</b>	<b>Action / Controls</b>
Low	None necessary

### **7. ISSUES ARISING FROM IMPACT ANALYSIS**

**None**

### **8. CRIME AND DISORDER IMPLICATIONS**

It is considered that the development would not result in any significant adverse crime and disorder implications.

### **9. COMMENTS OF FINANCIAL SERVICES**

No specific impact.

### **10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

Section 106 Agreement will need to be amended to take account of the proposed changes to the provision of play areas.

### **11. COMMENTS OF OTHER RELEVANT SERVICES**

SKDC Community Leisure Officer

Whilst there is a reduction in the total amount of play space being provided, my opinion is that the attached proposal contains sufficient detail and a level of provision to ensure the development is well catered for in terms of plays areas. I also think the proposal provides a much more realistic and practical approach for play provision than the existing.

## **12. APPENDICES:**

**Planning submission can be viewed via the following link:**

**<http://www.southkesteven.gov.uk/index.aspx?articleid=2230&ApplicationNumber=S08/1231>**

## **Poplar Farm, Grantham**

### **PLAY AREAS STRATEGY (Rev B)**

The proposed development will provide the following designated children's play areas and will be in addition to the broader proposed landscape and public open space areas:

#### **Principal Equipped Play Area (1 No.)**

To be located as part of the broader proposals for public open space and sports facilities on the lower lying land close to the current end of Balmoral Drive. The play area will be designed as an integral part of this part of the site and will relate positively to all of these surrounding proposed uses.

The play area will provide a broad variety of both active and more passive play. It would be designed mainly for older children but would also include play opportunities for younger children.

The key features of this play area will be:

- It will be sited close to the sports facilities/ pavilion and be easily accessible from surrounding footways;
- It will encompass a minimum activity area of 1,250m<sup>2</sup>; including a Multi Use Games Area (MUGA) (of at least 500m<sup>2</sup>);
- The number and nature of play equipment and structures is to be agreed with SKDC and will provide for a wide variety of play experiences;
- It will include both grass and hard surfaces and impact absorbing surfaces (where required around play equipment and structures);
- It will include a shelter for meeting/ socialising in an open area and with a visual relationship to the MUGA;
- It will incorporate an appropriately designed "buffer zone" around the main activity area(s);
- It will be designed to provide a stimulating and challenging play experience;
- Boundary treatments and any necessary fencing, gates or access controls will be agreed with SKDC as part of the design of the play area;
- It will include signage, seating and litter bin(s);
- It will include convenient and secure cycle parking as part of the broader public open space and sports facilities proposals

#### **Other Equipped/ Landscaped Play Areas (3 No.)**

Three areas to be located within identified landscape areas/ corridors. One play area to be located in the south west of the site, close to the future Primary School and Local Centre facilities (and north of Running Furrows Drain); one play area to be located within the landscape corridor (running west – east) in the west of the site: and one would be located towards the north of the site. All of the play areas to be designed as an integral part of the landscape and public open space proposals and to relate positively to the other surrounding proposed uses.

They would be designed mainly for younger children (who are beginning to go out and play more independently)

The key features of these play areas will be:

- They will be sited close to and easily accessible from surrounding footways (one of the play areas will be easily accessible from the Local Centre/ Primary School sites);
- They will encompass areas of between 600 – 900m<sup>2</sup> (larger areas could include less equipment and incorporate imaginatively designed "natural play" features; using materials such as logs and boulders. Areas with a greater emphasis on specific play equipment could be relatively smaller);
- The number and nature of play equipment and structures is to be agreed with SKDC and will provide for a wide variety of play experiences;
- They will include both grass (more grass within areas with a greater emphasis

on “natural play”) and hard surfaces and impact absorbing surfaces (where required around play equipment and structures);

- They will incorporate an appropriately designed “buffer zone” around the main activity area(s);
- Planting to be included around the play areas and to provide a mix of scent, colour and texture;
- They will be designed to provide a stimulating and challenging play experience;
- Boundary treatments and any necessary fencing, gates or access controls will be agreed with SKDC as part of the design of the play area;
- They will include signage, seating and litter bin(s);

#### **Doorstep Play Spaces (4 No.)**

Three “Doorstep Play” spaces will be provided. These will be designed as an integral part of the areas within which they are sited. They will be designed and designated specifically for young children/ toddlers. They will be designed to encourage informal play and social interaction and to allow for ease of informal observation and supervision.

The key features of these spaces will be:

- They will be sited close to and easily accessible from surrounding footways and housing;
- They will be designed primarily for children up to the age of 6 but could be used by older children;
- They will include a minimum activity area of 100m<sup>2</sup>; reasonably flat and of grass or hard surfacing or a combination of the two;
- They may include a small element of “natural play” e.g. boulder/ logs
- Planting to be included around the play areas and to provide a mix of scent, colour and texture;
- They may include a knee rail or low fence to indicate the perimeter and broadly define the area.
- They will include signage, seating and litter bin(s);
- The layout of the space will be agreed with SKDC.

#### **Programme for Implementation**

The designated play areas will be delivered as follows:

**Principal Equipped Play Area (1 No.)** – by delivery of the 901<sup>st</sup> unit.

**Other Equipped/ Landscaped Play Areas (3 No.)** – 1<sup>st</sup> by delivery of the 450<sup>th</sup> unit; 2<sup>nd</sup> by delivery of the 901<sup>st</sup> unit; and 3<sup>rd</sup> by delivery of 1350<sup>th</sup> unit.

**Doorstep Play (3 No.)** – 1<sup>st</sup> and 2<sup>nd</sup> by delivery of the 300<sup>th</sup> unit; 3<sup>rd</sup> by delivery of the 901<sup>st</sup> unit; and 4<sup>th</sup> by delivery of 1350<sup>th</sup> unit.

*Note: Main sports pitches/ facilities to be delivered by delivery of the 901<sup>st</sup> unit (i.e. at the same time as the Principal Equipped Play Area).*