

<b>Applicant</b>	<b>Bairds Malt Station Maltings, Witham, CM8 2DU</b>
<b>Agent</b>	<b>NAI Fuller Peiser Belgrave House, Bank Street, Sheffield, S1 2DR</b>
<b>Proposal</b>	<b>Residential Development</b>
<b>Location</b>	<b>Ermine Street, Ancaster</b>
<b>App Type</b>	<b>Major Outline (Residential)</b>
<b>Parish(es)</b>	<b>Ancaster</b>

## REPORT

### Introduction

Members may recall that the above outline planning application was granted planning permission 11th October 2005. The accompanying Section 106 legal agreement requires the following developer contributions/works:

1. Affordable Housing
2. Education Contribution
3. Open Space/equipped play area on site (A minimum of five pieces of play equipment).

In relation to open space and play equipment the Section 106 legal agreement for the site requires the developers to:

"provide within the Green Areas (identified on a plan of the site) a Local Area of Play (LAP) as defined by the National Playing Fields Association containing not less than five items of play equipment in accordance with details to be agreed with the Council".

The green area on the approved layout plan is not however of sufficient size to accommodate five items of play equipment. Alternative methods of play provision are therefore sought.

### Alternative Provision

As an alternative to providing five items of play equipment on site it is considered that on site provision should be downgraded to allow for a small play area to remain on the site which would serve the toddler children. The balance of the play equipment could be used to upgrade the provision on the adjacent playing fields for young people (aged 8-16).

The enclosed plan shows the proposed location of the on site LAP provision. Appendix 1.

The enclosed plan at appendix 2 show the proposed location of balance of the play provision to the nearby Ancaster playing fields.

Discussions have taken place between the developers, Parish Council and South Kesteven Leisure Healthy Communities Department. It has been suggested that provision is made off site.

Play provision would be provided in two locations within the playing field.

The hatched area within the Ancaster playing field has until recently contained a mix of play provision, swings slides etc. This equipment has recently been removed. It is intended to

replace this with new equipment for young people (aged 8-16 years). The smaller rectangular area, edged black, would be to provide toddler and children's play equipment (Please see: Appendix 3).

The proposed equipment is to be designed and installed by Miracle Design and Play Limited incorporating similar equipment to that shown at Appendix 4.

Ancaster Parish Council have confirmed that that they will take on the maintenance and insurance of the new provision therefore reducing the financing, inspection, maintenance, repair and insurance costs for South Kesteven District Council long term.

However, this would result in no on site play provision for the Charlestown development and would require children (including toddlers) to walk to the nearby playing field to access the play equipment.

## **Public Consultation**

### Members of the Public

A public consultation exercise has been undertaken by the Council's Healthy Community a summary of the responses is listed below:

The proposed deed of variation to the Section 106 Agreement was advertised in the Grantham Journal and at both sites on September 10 2010. Following a 21 day period 8 letters of objection were received. A summary of the objections is:

- Young children who live on Charlestown could not be expected to walk along the busy main road (Ermine Street) and cross Mercia Drive to get to the proposed site on the Parish playing fields.
- Residents of Charlestown were under the impression the public open space would have play equipment when they purchased their properties.
- The Parish had already removed the old equipment from their playing fields prior to the consultation period.
- Funds for the play equipment came from the sale of their properties.
- Adults playing football on the Parish playing fields make the site not a desirable location to visit at the weekend.

## **Supporting Information**

Miracle Design and Play Ltd statement (Acting on behalf of Persimmon Homes).

The walking time from the old to new site is 6 minutes. It crosses a minor dead end side road. The pathway is quite wide and would indeed promote walking. (Attached image shows distance ) – See appendix 5.

If we were to build a play area in the original location you would need to divert some major services and also cut / fill the bottom of the open space. I have done some rough calculations to achieve this and the result would be a play area 1/3 of the size we are currently offering.

## **Comments from the Parish Council**

When the new development at Charlestown, Ancaster was first considered the planning permission made provision for an Amenity Area situated at the south east corner of the site and was specifically earmarked for use by 5 to 8 years old.

Towards the end of the development the Contractor contacted the Leisure Services Department to discuss and agree the specification of equipment before SKDC became responsible for the site and it was at this stage that it was realised that this provision would replicate a similar play area site at the playing field. Furthermore the particular site was significantly restricted in development terms due to the number of sewage manholes and its undulations.

It was also recognised that Ancaster, which is a Service Centre in terms of planning, did not have any play facilities for young persons aged 8 to 16yrs.

#### Preliminary discussions

In March 2010 the Community Leisure Officer contacted Ancaster Parish Council with a proposal to provide a new play site at the Playing Field for use by young persons aged between 8 to 16yrs and for this to be funded by Persimmon Homes from the Section 106 Agreement set aside at the Charlestown development.

Several meetings were held by the Parish Council with the Playing Field Committee who managed the playing field and residents and it was eventually agreed that the site would be better placed, due to its proximity to other houses and the road, in the position of the existing play area and for similar equipment to be re-located nearer the Social Club, so that Parents can keep a watchful eye on them. It also meant that its position did not interfere with either the football pitches or cricket pitch.

At no stage of these discussions were there any adverse comments made by residents, which are sent to every resident as minutes in their monthly magazine.

#### Agreement reached

It was agreed to go ahead with these works at the Parish Council meeting held on the 17th May 2010 when it was resolved that the Parish Council go out to tender for the removal of the play equipment, rather than accept the price submitted by Miracle Design and Play Ltd. This proved to be most cost effective as the lowest price was £5,300 cheaper for the same specification of work and which the Parish Council had agreed to pay. These works were completed on 22nd August 2010.

At no stage during these negotiations with SKDC were the Parish Council informed that each resident would have to be served with a notice concerning the alteration to the Section 106 Agreement, otherwise the works mentioned above would never have gone ahead. It also poses the question why the Leisure Services Department were part of the decision making process to remove the equipment made no adverse comment and then a delay of 4 months in consulting with residents.

#### Benefit of new play equipment on playing field

The Playing Field Committee comprising of members of the village is already an active organisation which provides organised activities for the whole spectrum of children and young persons and the addition of a play area of the type specified would enable young persons to use the facilities which hitherto have not been available in any part of the village.

It would also enable the adjacent school to access the play area without having to use public roads and also allow local residents to have a more comprehensive family friendly environment for all ages, which would certainly go a long way in underpinning the future of the Social Club.

The use of the playing field for the new play area would clearly provide a facility centrally situated for the whole village, rather than a small section of it. There are no such facilities currently available for this age group of young persons and as the village of Ancaster is a service centre in terms of possible future development the playing field also has the capacity to cope with any extra demands.

## **Conclusion**

There is no doubt on the part of the Parish Council, the Playing Field Committee and the vast majority of residents of Ancaster that the proposed transfer of the Section 106 Agreement from Charlestown to the Playing Field, Ermine Street, Ancaster is a sound one based on the following factors:-

- provides a desperately needed play facility for young persons in a centrally located site which will be used by the whole village rather than a very small proportion and under the control of the Playing Field Committee.
- its siting means that the whole family can enjoy the facilities available as it is the intention of the Playing Field Committee to have a small area set aside for 5 – 8 yrs old close to the Social Club so they can be supervise and control.
- surely the allocation of any funding under Section 106 is not restricted to the development itself, but should be for the benefit of the village as a whole.

## **Relevant Policy Considerations**

### **Planning policy**

Planning Policy REC3-Public Open Space (partially replaced by Core Strategy SP4)

This policy requires developers to provide, where appropriate, new public open space for recreation and amenity purposes of a scale, nature and quality in satisfactory locations taking into account the number and types of dwellings.

### **Core Strategy Policy SP4 – Developer Contributions**

The Council will enter into planning obligations with developers to secure the provision of (or financial contributions towards) infrastructure and community benefits which the Council considers necessary in conjunction with the development.

### **Open Space Officer**

The proposal is to alter the Section 106 Agreement for S05/0107 Charlestown, Ancaster such that monies for on-site play equipment can be used to replace old equipment on the Parish playing fields off-site.

Persimmon Homes have made £40,000 available for the provision of play equipment from the Section 106 Agreement from S05/0107 Charlestown, Ancaster. Miracle Design and Play Ltd are working on behalf of Persimmon Homes to provide and install the equipment.

The walk from Charlestown to the Parish playing fields is 510m along Ermine and the junction of Mercia Drive, a side road leading into another small estate would need to be crossed. The straight line distance between the two sites is 390m.

The area represented by the hatched rectangle is the current area including play provision: swings, slides, springer etc. The current facilities are to be removed and replaced by new

equipment for young people (8 - 16yrs). The smaller red rectangle is the area identified for the provision of toddler and children's equipment.

The proposed equipment is to be designed and installed by Miracle Design and Play Limited incorporating similar equipment included in the attached design. However, this has not been finalised. I believe this play provision will require planning permission due to the 6m height of the net structure.

The original provision for public open space and play space sited at the Charlestown development was not to an adequate size or standard for the proposed provision. The new location would be sited on land owned by Ancaster Parish Council and the area requiring planning permission would not change its current usage. The site currently contains numerous pieces of play equipment and is within a POS. Therefore it is believed this is a more suitable location due to its physical requirements of space, which is not available at the original development.

Ancaster Parish Council have confirmed that they will take on the maintenance and insurance of the new provision as per the existing provision. Therefore reducing the financing inspection, maintenance, repair and insurance costs for SKDC long term.

Having mapped the walking distance/time for the development the relocation of the provision is within the required catchment area and would actually be safer and more accessible to potentially a larger population of Ancaster.

#### **General Permitted Development Order – Siting of Play Equipment**

Part 12 of the General Permitted Development Order 1995 – Development by Local Authorities permits the erection and construction and maintenance, improvement or other alteration by a local authority of any small ancillary building, works of equipment on land belonging or maintained by them required for the purposes of any function exercised by them on that land. Subject to the works or equipment not exceeding 4 metres in height.

This would include the Parish Council siting play equipment on Parish Land. However, if the proposed play equipment exceeds 4 metres in height planning permission would be required.

#### **Conclusion**

Whilst discussions have taken place providing all play provision off site on the nearby Ancaster playing field, it is recommended that the most appropriate form of alternative provision would be to provide a LAP on site and the balance to provide play equipment on the nearby parish playing fields.

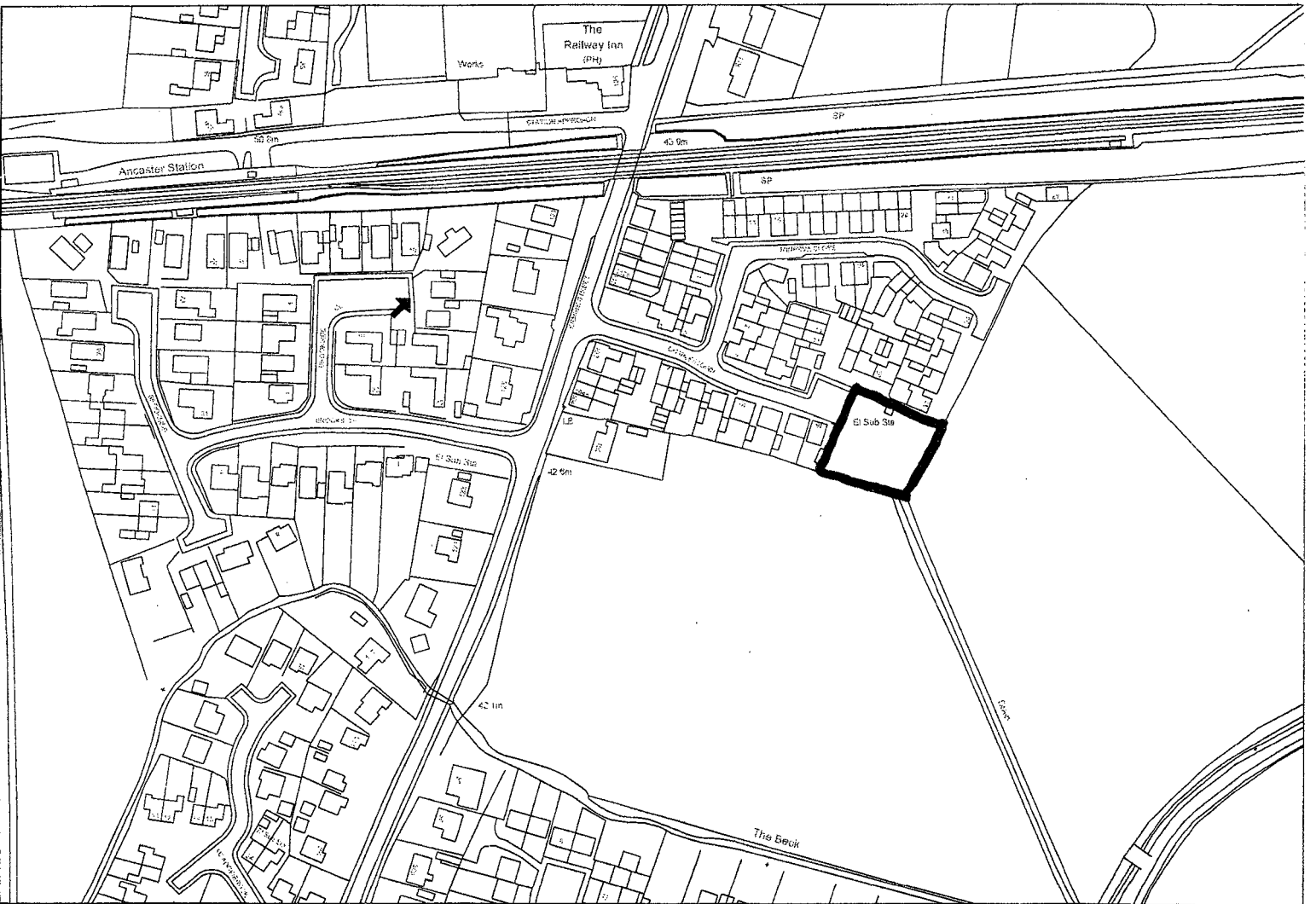
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Appendix 1 – Location of Proposed LAP

Appendix 2 – Distance between Charlestown and Adjacent Ancaster Playing Fields

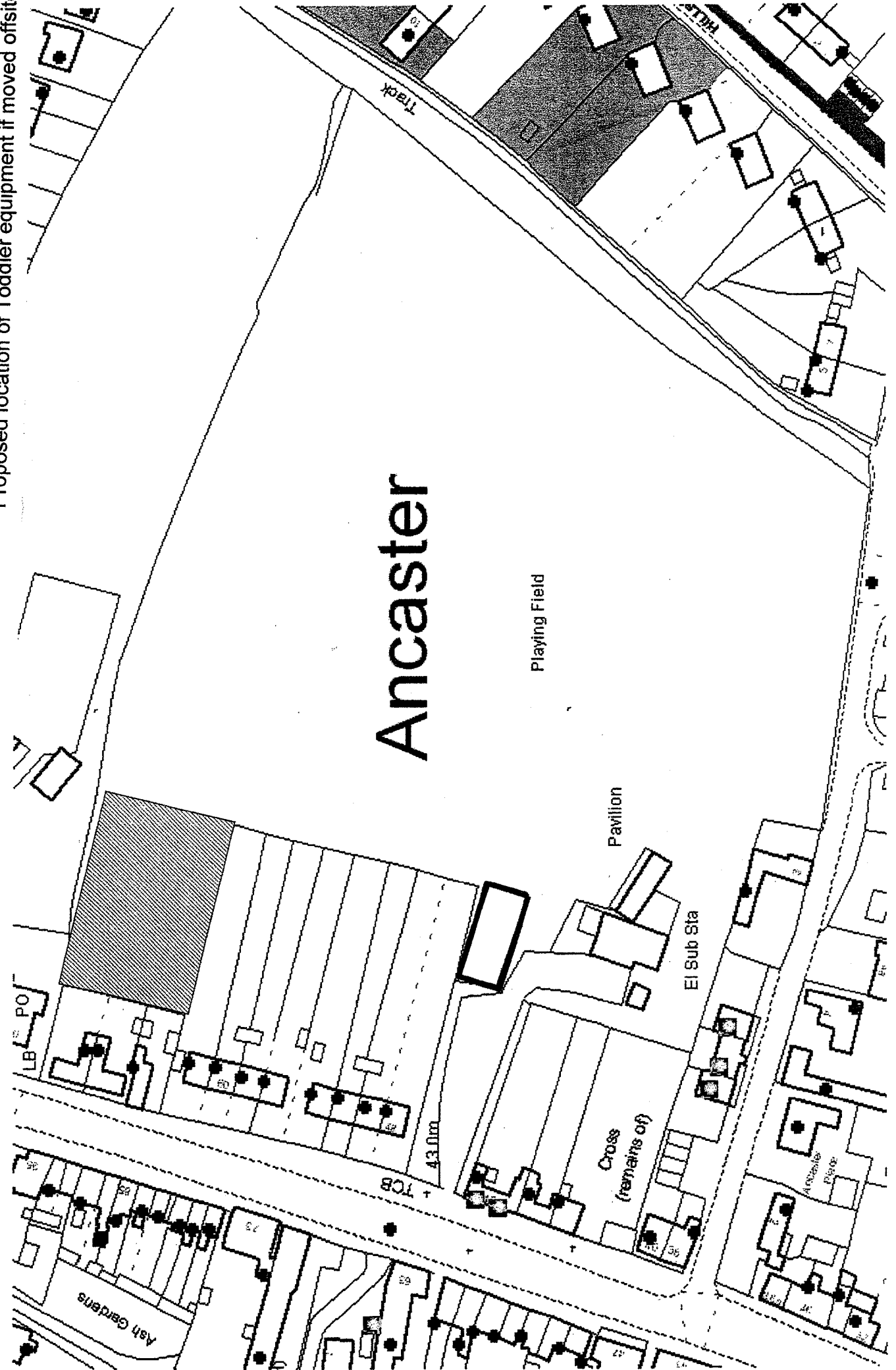
Appendix 3 – Proposed Location of Play equipment (hatched area)  
Proposed location of Toddler equipment if moved offsite

Appendix 4 – Examples of proposed play equipment



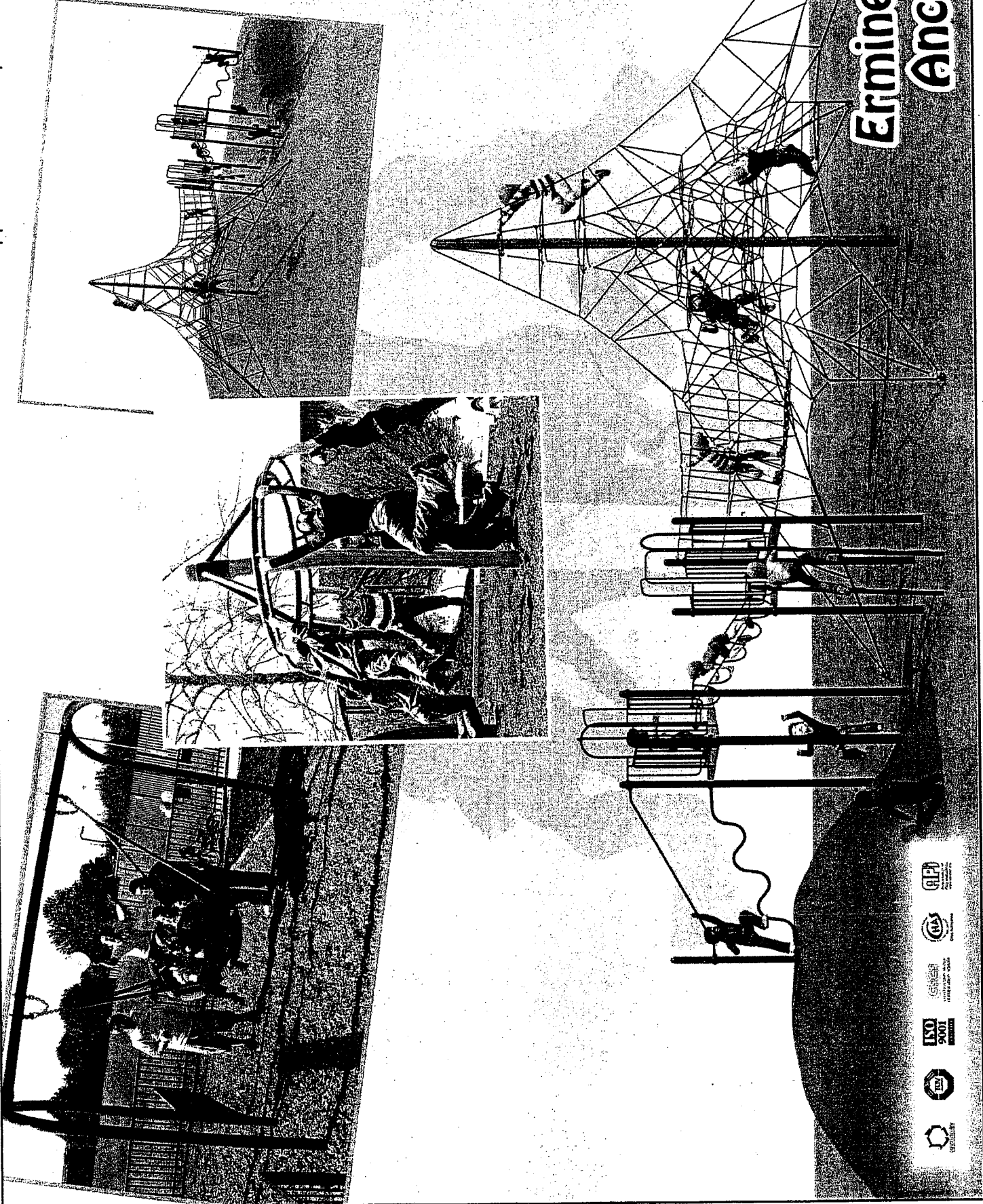


Appendix 3 – Proposed Location of Play equipment (hatched area)  
Proposed location of Toddler equipment if moved offsite





**MIRACLE**  
DESIGN AND PLAY LTD



**Ermine Street  
Ancaster**





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PROJECT TITLE: Ermine Street,  
 Ancaster

SCALE: 1:50  
 KEY: Proposed

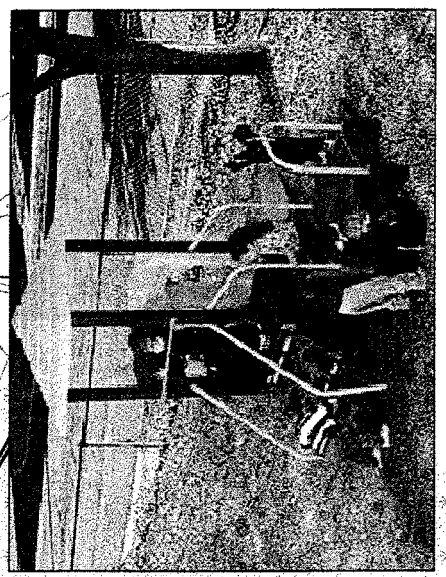
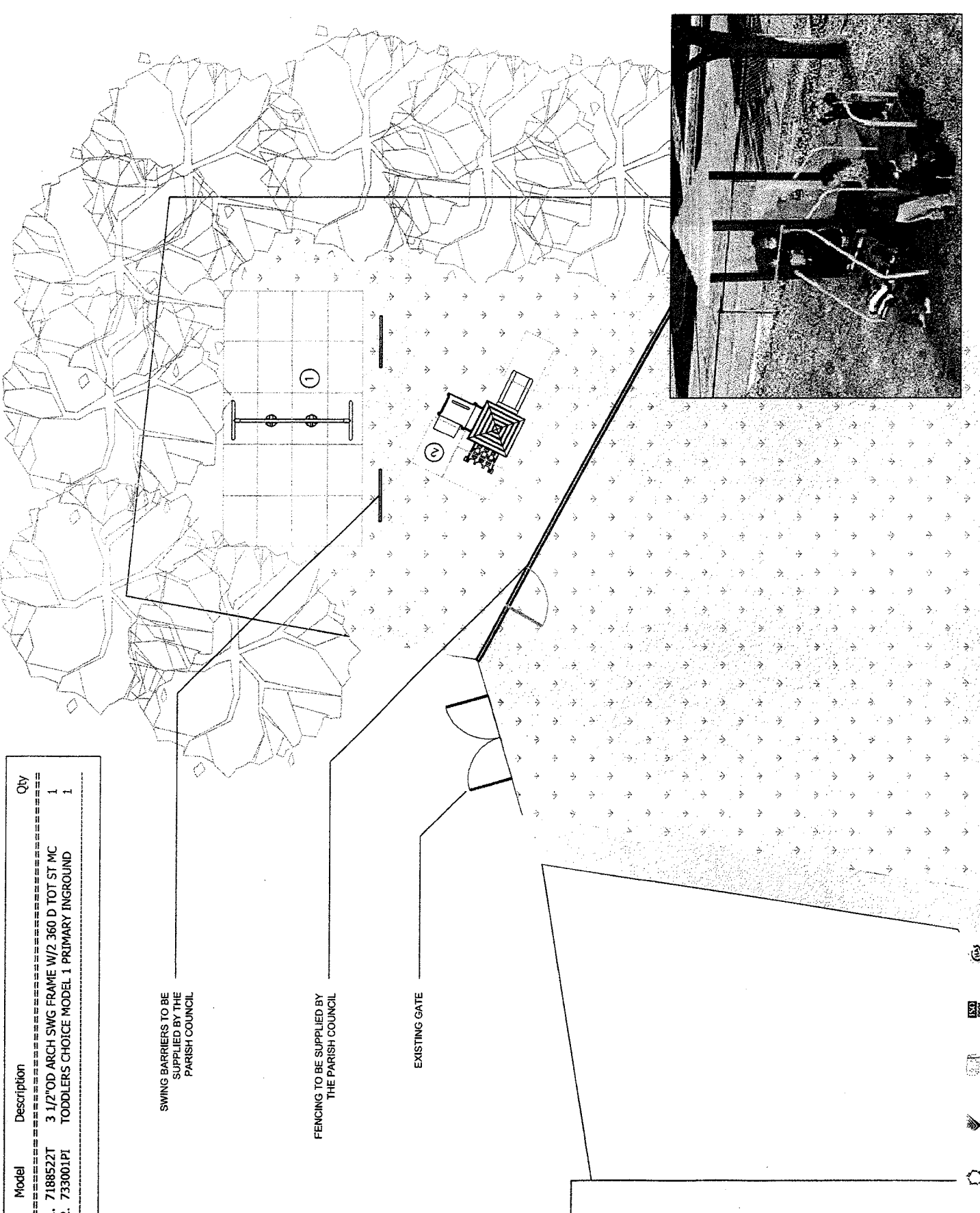
OWS  
 OWIS SAFETY FILE

REVISIONS	
No.	Description

DESIGNED BY: A. Marshall
SCALE: 1:50 @ A1
ISSUE: B
DATE: 07-05-10

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Model	Description	Qty
1. 7188522T	3 1/2"OD ARCH SWG FRAME W/2 360 D TOT ST MC	1
2. 733001PI	TODDLERS CHOICE MODEL 1 PRIMARY INGROUND	1

SWING BARRIERS TO BE SUPPLIED BY THE PARISH COUNCIL

FENCING TO BE SUPPLIED BY THE PARISH COUNCIL

EXISTING GATE

EXACT LOCATION OF EQUIPMENT TO BE AGREED ON SITE. ALL SURFACING TO BE FLAT AND LEVEL. ANY DISCREPANCIES IN LEVELS TO BE REPORTED TO MIRACLE DESIGN & PLAY IMMEDIATELY.





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**PROJECT TITLE:** Ermine Street, Ancaster

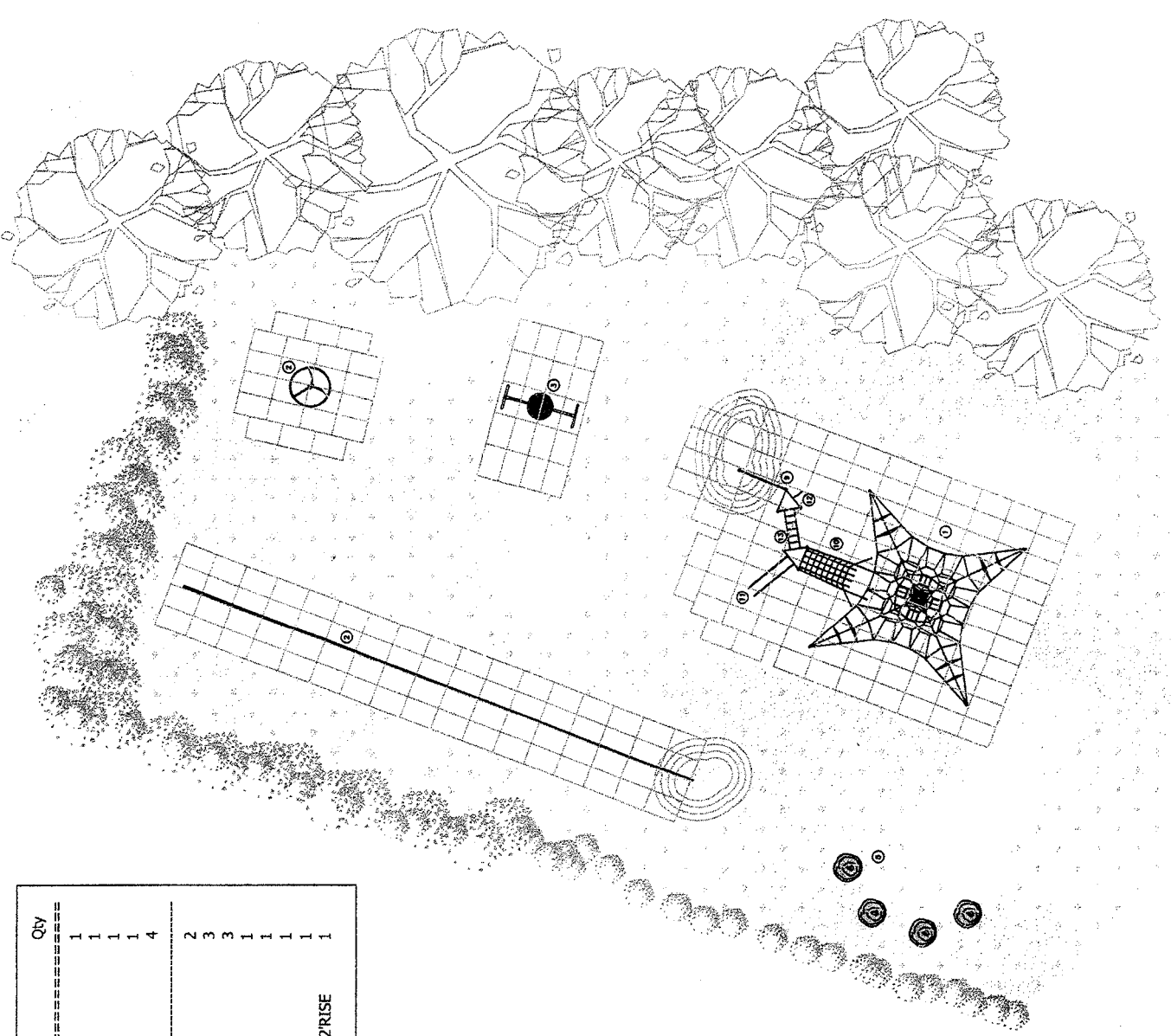
**SHEET TITLE:** Proposal

**KEY:**  OTHER EQUIPMENT NOT SHOWN  
 OTHER  
 CROSS SAFETY RULES

REVISIONS	
No.	Description

**DESIGNED BY:** F. HALL  
**SCALE:** 1:10 @ A1  
**ISSUE:** B  
**PROJECT NO.:** Q1948\_B (1)  
**DATE:** 07-05-10

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Model	Description	Qty
1. 4426	ACTIVE 6000 PLAY NET	1
2. 753	MAYPOLE	1
3. 7188522	BIRDS NEST SWING	1
4. ZL2001	ZIPLINE	1
5. CSB2/3	BOULDER SEATING	4
6. 7185019	TRIANGLE DECK (ATTACHES TO 3 POSTS)	2
7. 718553	3 1/2" OD X 148" POST (5'6" TO 6' 6" DECKS)	3
8. 718554	3 1/2" OD X 166" POST (7' TO 8' DECKS)	3
9. 7186124	WAVE WALKER CLIMBER (4' DECK)	1
10. 7186144	WEB BRIDGE	1
11. 7187796	DUCKWALK CLIMBER (5' & 6' DECKS)	1
12. 7188088	CLIMBING POLE (8' DECK)	1
13. 718986	INCLINE LOOP BRIDGE BETWEEN DECKS W/2'RISE	1

EXACT LOCATION OF EQUIPMENT TO BE AGREED ON SITE. ALL SURFACING TO BE FLAT AND LEVEL. ANY DISCREPANCIES IN LEVELS TO BE REPORTED TO MIRACLE DESIGN & PLAY IMMEDIATELY.

