

APPLICATION: MA/12/1644 Date: 7 September 2012 Received: 13 September 2012

APPLICANT: Miss Amanda Scott, Maidstone Borough Council

LOCATION: COBTREE PARK, FORSTAL ROAD, AYLESFORD, KENT

PARISH: Boxley,

PROPOSAL: Installation of a new play area as shown on site Location Plans and Block Plans received 6th September 2012, Proposed Elevations numbered A 1/1 received 13th September 2012, Design and Access Statement and Application Form received 6th September 2012.

AGENDA DATE: 1st November 2012

CASE OFFICER: Kevin Hope

The recommendation for this application is being reported to the Committee for decision because:

- The Council is the applicant.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV28, ENV31, ENV34
- South East Plan 2009: CC1, CC6, C4
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework 2012

2. HISTORY

2.1 MA/06/2266 - Formation of a new independent access to the existing disabled toilet facility separating the public toilet from the food kiosk entrance lobby – Approved with conditions.

MA/77/0469 - Details of picnic site, Nature reserve, car park and toilet, pursuant to conditions (ii), (iii), (iv) and (v) for this park of the development of the Cobtree Estate, granted under permission on the 8/9/77 under reference 74/496 – Approved

MA/74/0496 - Use of land as leisure/recreation area – Approved with conditions

3. CONSULTATIONS

3.1 **Boxley Parish Council** – Wish to see the application approved.

4. REPRESENTATIONS

4.1 No neighbour representations received.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site relates to the Cobtree Manor Park located to the northern side of Forstal Road. The site is located within the designated open countryside and parish of Boxley. The site is also designated as a Special Landscape Area and within the Strategic Gap as designated by the Maidstone Borough Wide Local Plan 2000.

5.1.2 The site is accessed from an existing vehicular access from Forstal Road leading to a visitor car parking area. There is also a café within some outdoor seating to the west of the parking area. There is some existing play equipment within the western side of the park comprising a number of climbing frames and individual balancing apparatus.

5.1.3 The site is located close to major roads through Maidstone with the M20 to the south and A229 to the east. To the west of the site is an existing industrial area allocated for employment under policy ED2 of the Local Plan. The site also lies approximately 2.2 miles to the north of Maidstone Town Centre.

5.2 Proposal

5.2.1 Planning permission is sought for the installation of a new bespoke play area. This would be sited to the west of the café in a similar position to the existing play area which would be removed to facilitate this development.

5.2.2 The play area would have an overall floor space of approximately 475m². Play equipment for a variety of age groups would be included within the play area including slides cradle swings and rockers for younger children and walkways, larger slides and spinning disc roundabout for older children.

5.2.3 The play area would consist of a main wooden frame featuring walkways and towers between with a maximum height of 7.12m. Resin bonded rubber mulch safety surfacing would be used within the play area itself providing a safe environment. The play area would be sited among the existing trees within the

park and has been designed to reflect its history with a zoo and animal theme. There would also be a new footpath leading from the car parking providing pedestrian access for users.

5.3 Principle of development

5.3.1 In principle, this type of development is acceptable within a countryside location. The key considerations are whether the proposed development would result in any visual harm to the character or appearance of the surrounding countryside. In this respect, the main policy applicable is ENV28 of the Local Plan as outlined below:

5.3.2 *Policy ENV28 – The countryside is defined as all those parts of the plan area not within the development boundaries shown on the proposals map.*

In the countryside planning permission will not be given for development which harms the character and appearance of the area or the amenities of surrounding occupiers and development will be confined to:

- 1) That which is reasonably necessary for the purposes of agriculture and forestry; or*
- 2) The winning of minerals; or*
- 3) Open air recreation and ancillary buildings providing operational uses only; or*
- 4) The provision of public or institutional uses for which a rural location is justified; or*
- 5) Such other exceptions as indicated by policies elsewhere in this plan.*

Proposals should include measures for habitat restoration and creation to ensure that there is no net loss of wildlife resources.

5.3.3 I will consider these points under sections 5.4 and 5.5 below.

5.4 Visual Impact and design

5.4.1 In terms of the impact upon the countryside, whilst it is acknowledged that the proposed play area represents a significant scale, it's positioning to the south western corner of the park would reduce its overall visual dominance and would retain the open park land appearance of this landscape. Furthermore, its setting with a rural backdrop with a significant number of trees within the locality, the play area would be screened to a degree and would not appear significantly visually intrusive. This is further supported by the timber construction of the frame, fencing and towers forming much of the external construction material which would further reduce any visual impact creating a development sympathetic to its surroundings.

5.4.2 Fundamentally, play ground facilities would be reasonably expected within a park or recreational space such as this. Therefore, this proposed children's play area would not represent an alien feature within this landscape and would enhance the use of this park as a community facility and a recreational space. I therefore consider the proposed development would fall under criterion 3 of policy ENV28 and would not result in any detrimental visual harm to the character or appearance of the surrounding countryside.

5.5 **Neighbouring Amenity**

5.5.1 The closest residential properties are 'Normandine' and 'Forstal House' located to the west of the proposed play area. However, the play area is located approximately 150m to the north east of these properties and by virtue of this distance, I do not consider that there would be any significant harm to the neighbouring amenity of these properties. In addition to this, the existing tree planting within this area would also provide some screening between the development and the neighbouring residential properties.

5.6 **Landscaping**

5.6.1 No additional landscaping has been proposed within this application. However, no significant planting would be lost by this proposal and the development would be sited amongst a significant number of existing trees with pockets of planting to the north west and north east of the play area. I therefore do not consider it is necessary to require further planting in this case.

5.7 **Highways**

5.7.1 Significant parking provision is currently provided within the site within the existing car park at the entrance to the park. This would be retained and is sufficient to provide parking for the users of the play area. Therefore, there would be no highways issues as a result of this development.

5.8 **Ecology**

5.8.1 I do not consider there to be any significant issues with regards to a possible impact upon protected species due to the maintained nature of grass within the park and the retention of existing trees.

6. **CONCLUSION**

6.1 For the reasons outlined above, I consider the development would not cause any demonstrable harm to the character or appearance of the surrounding countryside, it would not have a detrimental impact upon the amenities of the

existing residents and would not result in harm to ecology or highway safety. It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the development plan and amenity impacts on the local environment and other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site Location Plans and Block Plans received 6th September 2012, Proposed Elevations numbered A 1/1 received 13th September 2012, Design and Access Statement and Application Form received 6th September 2012.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with policies ENV28, ENV31 and ENV34 of the Maidstone Borough Wide Local Plan 2000 and policies CC1, CC6 and C4 of the South East Plan 2009 and the guidance contained within the National Planning Policy Framework 2012.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.