

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Katie Herrington
Application No.	21/00910/FULPP
Date Valid	18th November 2021
Expiry date of consultations	9th December 2021
Proposal	Installation of play area including play equipment and safety surfacing
Address	<b>Queen Elizabeth Park Cabrol Road Farnborough Hampshire</b>
Ward	Empress
Applicant	Suzie Opacic, Taylor Woodrow on behalf of ESSO Petroleum Company.
Agent	Ms Suzie Opacic, Schofield Lothian
Recommendation	<b>Grant</b>

### Description

This application is for the provision of a play equipment and safety surfacing within Queen Elizabeth Park.

A Development Consent Order (DCO) was granted by the Secretary of State to replace the existing ESSO fuel pipeline between Southampton and London – the Southampton to London Pipeline project (SLP project).

The DCO permits and involves construction works in Queen Elizabeth Park (QEP) in order to install the pipeline. As a result of this the existing children's play area at the Cabrol Road entrance of the park will need to be removed.

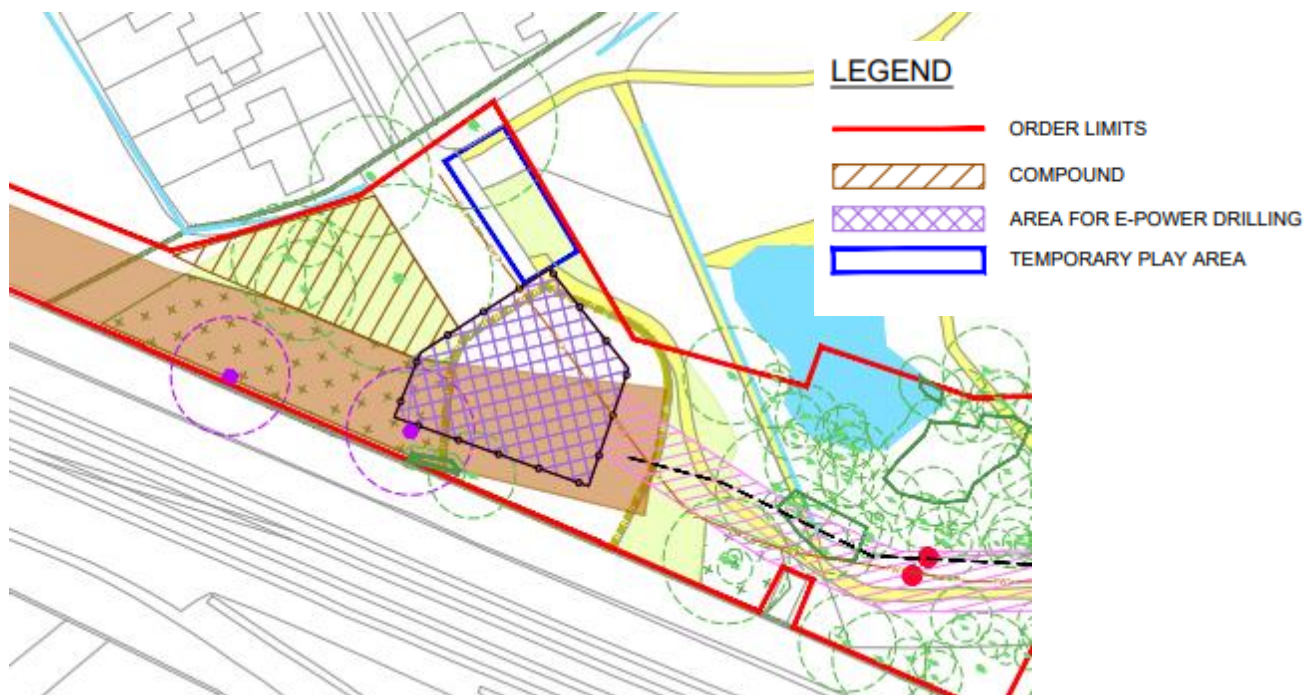
The DCO commits<sup>1</sup> Esso to not only reinstate the existing playground, but to also provide an alternative play area for use while the existing play area is out of commission.

The DCO already provides consent to install a temporary play area within the DCO Order Limits. However, the consented location is not ideal as it is adjacent to the SLP project construction compound and work area. Following discussion between ESSO and the Council

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<sup>1</sup> Commitment Reference OP05.

it was deemed preferable to provide the alternative play area away from the construction compound and working area. As this alternative site is outside the DCO boundary it requires planning permission, and is therefore the subject of this planning application.



**Figure 1 Replacement play area location as approved by the DCO located close to the compound and area for E-Power drilling.**

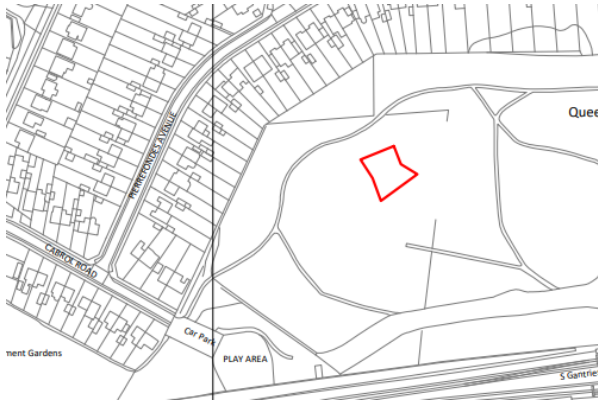
Whilst it is ESSO's commitment to provide the playground on a temporary basis (including maintenance thereof during that time), the Council has the option of taking on the alternative play equipment following the conclusion of the project. If Rushmoor Borough Council do not take the option to retain the playground then ESSO will be required to remove it and return the land to its original state. The option to retain the alternative play equipment, including the need to remove the alternative playground area if it is not retained, has already been secured by way of a legal agreement<sup>2</sup> that sits outside this planning application.

The existing children's play area at the Cabrol Road entrance to QEP will be reinstated with new equipment and surfaces after the SLP project construction works within the park are complete<sup>3</sup>.

The alternative playground would be located within a glade between the trees away from ESSO's Operational Boundary. There is a path along the front of the play equipment and a bench. The equipment would be sites between the trees. No trees are proposed to be removed.

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<sup>3</sup> It is understood that the community will be consulted on the design of that reinstated playground in 2022.

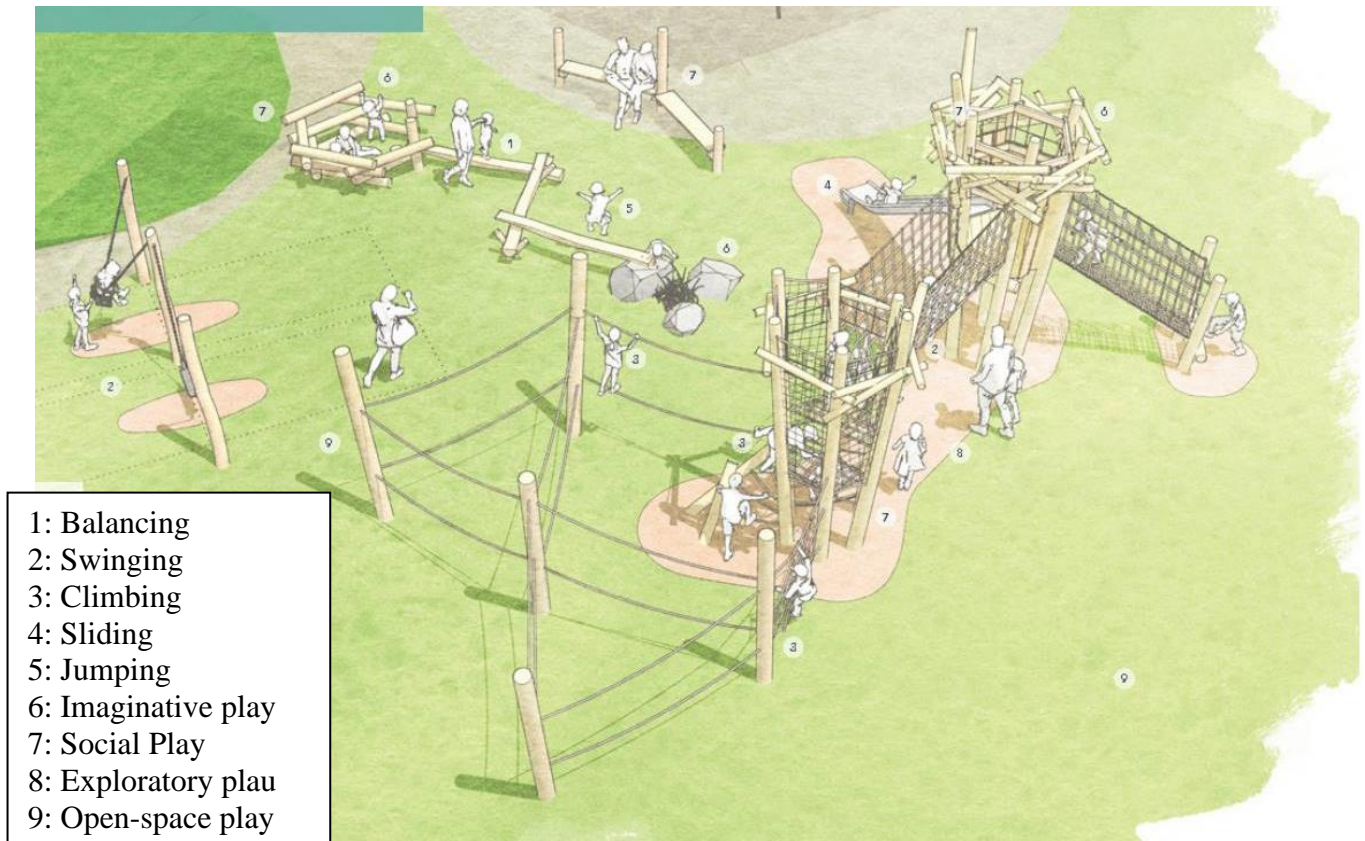


**Figure 2: location of the alternative play area**

The play equipment will be predominantly be made of wood and rope and would comprise balance beams and ropes, swings (traditional), Slide (traditional), climbing webs, netted platforms and ramps, and a seating area. No fencing is proposed around the equipment.

In consultation with The Council's Open Space Officer the playground has been designed as a Locally Equipped Area for Play (LEAP). LEAPS these play areas are for children who are beginning to play independently, and provide for a minimum of six play experiences. Those incorporated into the proposed design comprise;

- **Balancing** – balance beam
- **Swinging** – traditional swings including 1 toddler swing, and fat rope suspended under log beam bridge that can be sat on or hung from for variety of ages;
- **Climbing**; - low level clambering nest, spiders nest and elevator tower via a labyrinth of ropes and net platforms
- **Jumping**; - general – between and off equipment
- **Sliding**; - traditional slide
- **Imaginative play**; the equipment has a natural aesthetic to stimulate imaginative play narratives and innate creativity
- **social play**; structures lend themselves to co-operate and collective games – including the ground if lava/ off-ground chase and role playing
- **Exploratory play**; many routes around the structures for children to explore with many different levels of and type of challenge
- **Open space play**. The open space for free play.



**Figure 3: layout and labelling of play equipment**

### Consultee Responses

Aboricultural Officer

The submitted tree survey, AIA and tree protection method statement are consider acceptable.

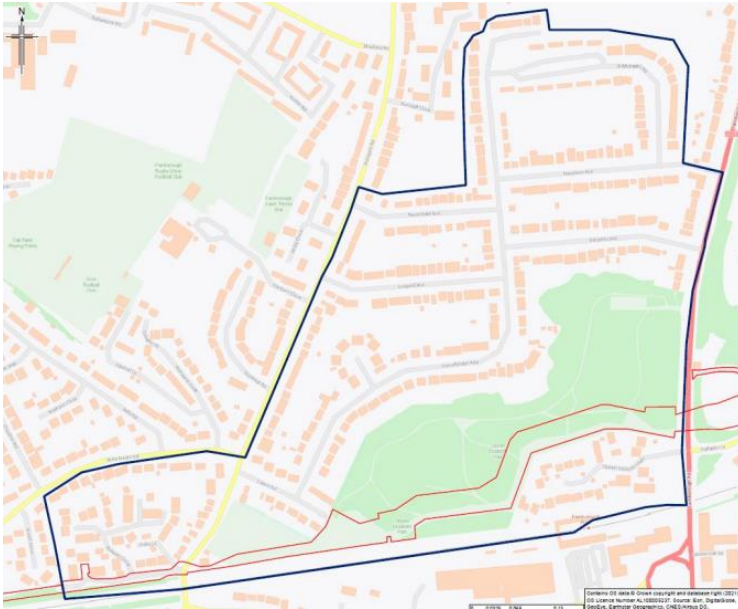
Ecologist Officer

Development should be carried out only in strict accordance with the recommendations of Section 7 of the Preliminary Ecological Appraisal.

### Neighbours notified

In addition to posting a site notice, 517 individual letters of notification were sent to surrounding residents. The consultation area is the same as that set out within the ESSO DCO Community Plan.





**Figure 4: 517 letters were sent to residents within the blue line area**

### Neighbour responses

9 different letters of representation have been received comprising 5 objections, 2 comments, and 2 letters of support from the following addresses; 19 Cabrol Road, 6 Cabrol Road; 10 High View Road; 118 Prospect Road; 91 Pierrefondes Avenue; 29 Morton Close, Frimley; 13 Queen Victoria Court; Friends of Queen Elizabeth Park; 10 Empress Avenue; 13 Leopold Avenue; 109 Pierrefondes Avenue; 4 Brewers Close . The comments are summarised below;

#### Support

- Good development, beneficial Economic development

#### Objection and neutral comments

- New location is less easy to access – distance and for pushchairs
- Would result in antisocial behaviour – existing problems, reduced surveillance, places to hide. Residents will find it harder to report in new location.
- Concern that Play area will not be fenced – dogs could defecate in the area/ children scared of dogs.
- Would harm the character of the park – currently wild/ tranquil. Proposal would result in additional noise, and remove glade area.
- Damage to tree roots/ need more pruning
- Equipment - Does not show containment area for small children or seating for parents. Not designed for toddlers – will fall through ropes, design for older children. Suitable equipment is too far away.
- Loss of glade area used for picnics and sunbathing.
- The playground will be closer to the residents of Pierrefondes Avenue and as a result will result in additional; noise (barking dogs, music, shouting and screaming and chatter of children and adults); Smoke from cigarettes
- Insufficient parking
- The park should be temporary only – provided when the current playground is out of action (due to harm).

## Other

- Requires at tax payers expense – new paths, additional litter picking/ bins, CCTV to be installed and monitored, vandalism, new lighting required, fencing around park needs to be installed, need to install dog waste bins. Increased footfall from pedestrian entrances and carparks to play area resulting in damage

Officer comment: any additional maintenance or associated equipment costs associated with such play spaces are not matters that are material to the determination of this planning application.

- Suggest that ESSO resurface top car park and put playground in the scrub near there.

Officer comment: The LPA must determine the planning application on its merits, an application is not a mechanism for promotion of alternative proposals.

- ESSO will ruin the park
- Reduced/ loss of earnings for ice cream van
- Play area will not be used much.
- ESSO do not care about the trees to be felled only care about making money. Supposed to be thinking about the environment.

Officer comment. The potential loss of earnings, the expected use of a proposal, and statements about what the application may or may not do or feel, are not considerations material to the planning proposal.

- ESSO are using the Cabrol Road Car Park – where are users supposed to park? Would like confirmation that the carpark on the A325 end of the park will be improved prior to parking suspension at Cabrol Road. Improvements made to the A325 Car park should include creating marked bays and better layout so that more vehicles can park including disabled parking. But no mature trees should be removed.

Officer comment. It was agreed through negotiation that ESSO would provide a contribution towards improvement of the car park towards the A325 given that the existing Cabrol Road Car park could be out of commission. It is a matter that sits outside of the consideration of this application.

## Policy and determining issues

The application site is located within the Development Limits and within the designated Open Space.

The relevant policies in the determination of this application are;

DE1 (Design in the Built Environment); DE6 (Open Space, Sport and recreation); DE10 (Pollution); NE3 (Trees and Landscape); NE4 (Biodiversity) of the Rushmoor Local Plan.

The relevant considerations in the determination of this application are; Principle of development ; impact upon visual appearance and character; impact upon trees; ecological impacts; impact upon residential amenity; and parking.

## Commentary

- Principle of development

The proposed play area would be located within a glade between trees within QEP. This area is designated in the Local Plan as an area of Open Space.

Policy DE6 – Open Space, Sport and Recreation states that the Council will support good provision of high-quality and accessible open space and sport facilities to meet a wide range of recreation, sport and open space needs in Rushmoor by maintaining and improving provision and accessibility for all. Development will not be permitted on areas of open space used for recreation or outdoor sport or having visual amenity unless exceptions are met. Para 9.60 supplementing such policy states that ‘because there will be limited opportunity to create new open space within the built up area, the policy approach is to protect against the loss of existing open space and to focus on its enhancement.

Whilst it is ESSO’s commitment to provide the playground on a temporary basis (including maintenance thereof during that time), full planning permission is being sought and ESSO has provided the option of Rushmoor Borough Council taking on the Playground following the conclusion of the project – potentially resulting in two areas of play equipment within QEP.

Open Space in the form of ‘Parks and gardens’ and ‘LEAPS’ are identified as required types of Open Space as per Policy DE6. The proposal would result in the loss of an ‘Open Space’ in the form of park area and would instead provide ‘Open Space’ in the form of play ‘LEAP’ equipment. Whilst there would be a small loss of open woodland in this area, the provision of such LEAP equipment provides an enhancement of in terms of the provision of additional play equipment facility whilst retaining some of the character of the parkland/ woodland setting.

It is considered that the proposal would not conflict with the objectives of Policy DE6 in that regard.

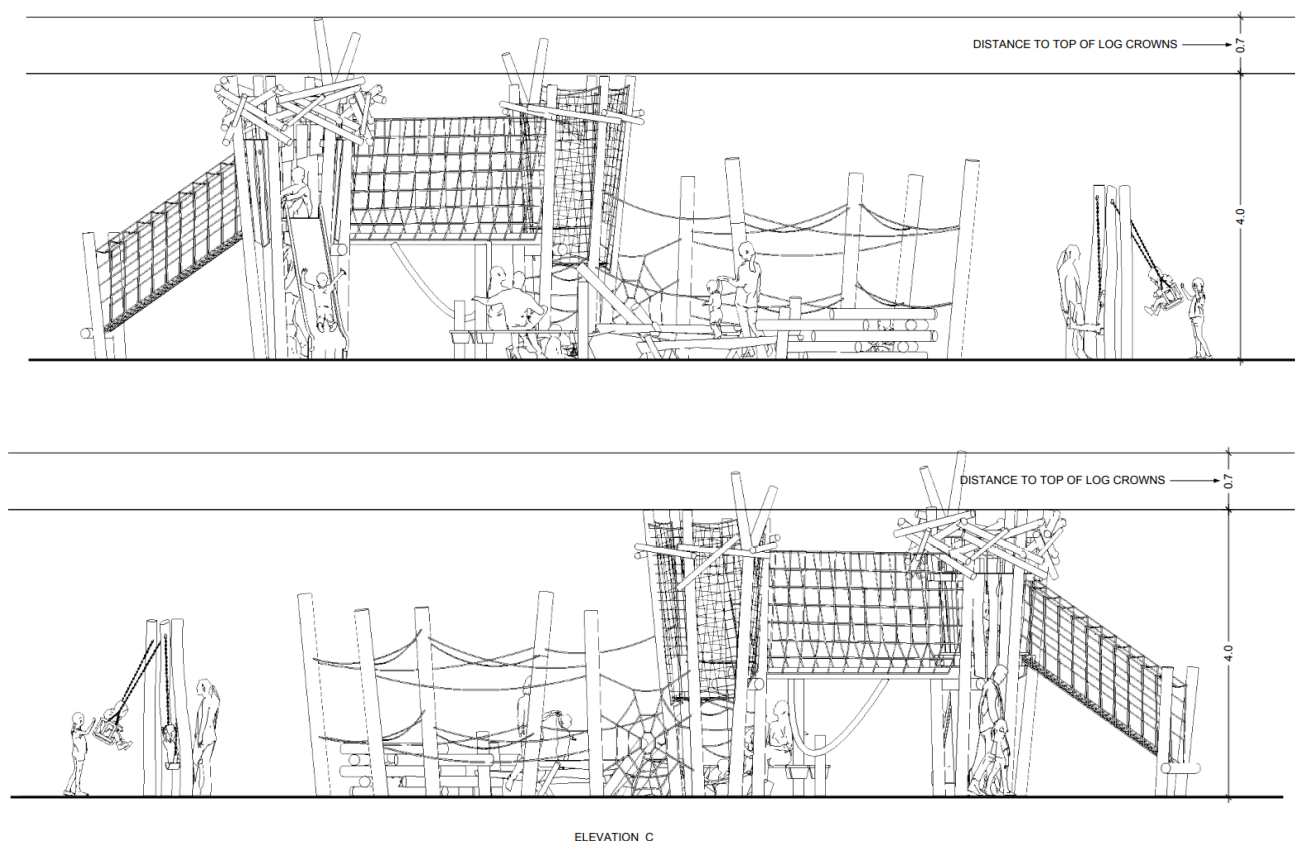
- Impact upon visual appearance and character

The proposal would be in a clearing within the woodland. The scale, form and massing of the play area has been designed to be sympathetic to the open glade.

Natural materials would be used as much as possible. The bulk of the material is Robina round poles, which have a natural organic shape. This results in a structure which would integrate well into the surrounding wooded landscape. The use of the timber nest tower, rounded builders and hemp coloured ropes add to this woodland aesthetic.

Surfacing has been minimised in the design in order to retain a natural feel to the location, but is provided where there is greater risk of falls, and in high wear areas. Surfacing would take the form of a recycled resin bound mulch with an ‘Autumn blend’ colour.

The area is not proposed to be fenced in in order to retain an informal and immersive experience with the woodland.



**Figure 5: Elevation A and C of the proposal**

Concern has been raised that the development would harm the character and ambience of the park by removing the glade and causing noise. The proposal would alter the character of this part of QEP, but it is not considered that this would be harmful. QEP has an existing play area and the provision of an additional play area would not detract from its overall aesthetic as a recreational woodland within an urban area. Whilst noise from users of the equipment may be heard elsewhere within the park this is not considered out of context within a recreational woodland. It is not unusual for children to play in woodland.

It is considered that the proposal would be consistent with Policy DE1 of the Local Plan.

- Impact upon trees

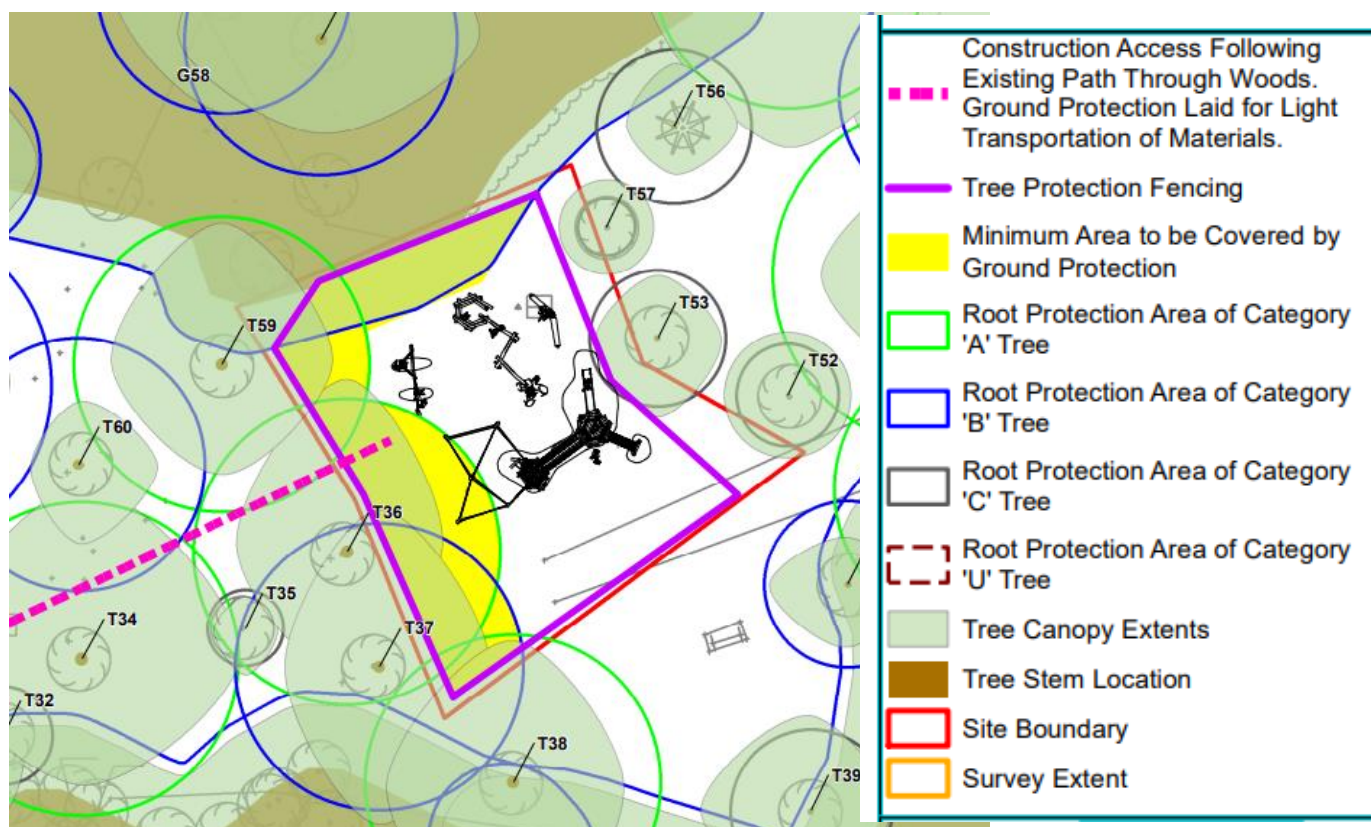
The proposed play equipment would be within a glade surrounded by established trees, falling within the root protection areas of some (RPAs). An Arboricultural Impact Assessment by Thompson Environmental Consultants<sup>4</sup> has been submitted with this application.

Three posts for the play equipment relating to the rope posts would be within the RPA of Beech tree T36. In order to limit harm to the integrity of the tree, the footing holes are to be dug by hand under the supervision of the project Arboriculturalist, and if a significant root is encountered, the post location can be adjusted to avoid and protect the root in accordance with the British Standard. No trees are proposed to be lopped or felled.

<sup>4</sup> Thomson Environmental Consultants. Queen Elizabeth park play area proposal. Arboricultural survey, Arboricultural impact assessment and Arboricultural Method Statement. Project no. AECO836/003. Dated November 2021.



The Council's Arboriculturalist has raised no objection. The tree protection and Arboricultural Method Statement are subject to recommended conditions. Subject to these conditions, the proposal would accord with policy NE3 of the Local Plan.



**Figure 6 RPA in relation to proposed play area**

- Ecological implications

The play area would be within an area of woodland and has potential to impact upon wildlife. The application was submitted with a Preliminary Ecological Appraisal<sup>5</sup> that includes recommendations to ensure that protected habitats and species are not adversely affected. The Council's Ecologist has reviewed the report and has raised no objection, subject to the condition that the works are carried out in accordance with the report's recommendations.

In addition to this, the Council's Ecologist has recommended that no lighting be installed. This is because bats are known to be present at the development site and as a nocturnal species, they are sensitive to any increase in artificial light of their roosting place, foraging places or commuting routes.

Whilst the proposal does not seek to provide lighting, it could be sought in the future. Any such proposals should be controlled and require appropriate mitigation to prevent disturbance to bats. A condition has been imposed to require details of any such lighting including hours of operation and light spread prior to installation.

Subject to these conditions, the proposal would accord with policy DE4 of the Local Plan.

<sup>5</sup> 'Preliminary Ecological Appraisal, Queen Elizabeth Park Play Area Proposal, dated November 2021, author Thompson Environmental Consultants'

- Impact upon neighbouring amenity

Concerns have been raised that the development would result in harm as a result of noise and odour. The play space would be located some 40m from the nearest residential occupiers within a relatively wooded area. Whilst residents may hear some noise from the intended users of the play space, it is not considered that such noise or odour pollution would be at a volume or extent to result in undue harm.

For clarity, any noise and disturbance resulting from anti-social behaviour should be reported to the appropriate authorities – such as the police or Environmental Health who has statutory powers for dealing with such harm.

- Highways impacts

Concerns have been raised that QEP would not provide sufficient parking for the proposed play equipment. For clarity, the proposal would provide alternative provision whilst the existing play area is unavailable. The provision of a replacement playground whilst works are ongoing has been accepted by the Secretary of State when approving the DCO. It was agreed through the DCO process that ESSO would provide a contribution towards improvement of the car park towards the A325 given that the existing Cabrol Road Car park could be out of commission.

The provision of the play equipment in a different location does not make material difference in that regard. If this alternative provision of play equipment was to be retained along with the replaced existing play equipment it is considered that there would be sufficient parking capacity Park to accommodate associated parking demand.

## **Summary –**

The proposal provides an alternative location for a replacement playground during the ESSO pipeline works at QEP. The Council additionally would have the option to retain the play equipment as a permanent fixture. The proposal is acceptable in principle, and is not considered to result in harm to the character and visual appearance of the park in that location; to residential amenity or to trees and ecology. As a result, the development would accord with the development plan and is recommended for approval.

## **Full recommendation**

It is recommended that Planning Permission be **GRANTED** subject to the following conditions and informatives:

### **Conditions**

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

Reason - As required by 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 permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:

Elevation Plan  
Elevation A  
Elevation B  
Elevation C  
Elevation D

Reason - To ensure the development is implemented in accordance with the permission granted

- 3 The development hereby approved shall be carried out in accordance with the recommendations and methods set out within the submitted Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement by Thompson Environmental Consultants Dated November 2011. For clarity the recommendations include:

- Erection of tree protection fencing prior to commencement of works
- Deployment of Methods described within Paragraph 5.6 and 6.10 when installing play equipment within the RPA of trees.
- No tree felling or lopping.

Reason - To ensure that existing trees are adequately protected and to preserve their amenity value\*.

- 4 The development shall be carried out in accordance with the recommendations as set out within the submitted Preliminary Ecological Appraisal dated November 2021 by Thompson Environmental Consultants.

Reason - In the interest of biodiversity and not resulting in harm to protected species\*

- 5 Prior to the installation of any lighting within the application site, details of the illuminance including its spread along with details of the height and form of any such lighting shall be submitted to and approved in writing by the LPA. Any installation shall be implemented and maintained in accordance with the details so approved.

Reason: To safeguard the habitats of protected species\*.

### **Informatives**

- 1 INFORMATIVE – The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

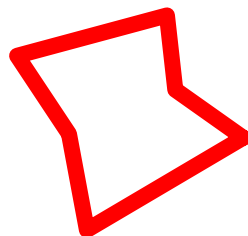
- 2 INFORMATIVE - REASONS FOR APPROVAL- The Council has granted permission because The proposal would be acceptable in principle, and is not considered to result in harm to the character and visual appearance of the park in that location; to residential amenity or to trees and ecology. As a result, the development would accord with the development plan and is recommended for approval. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked \*. These condition(s) require either the submission and approval of details, information, drawings etc.by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION.

The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.



Queen Elizabeth



PIERREFONDES AVENUE

Drain

Drain

Car Park

Play Area

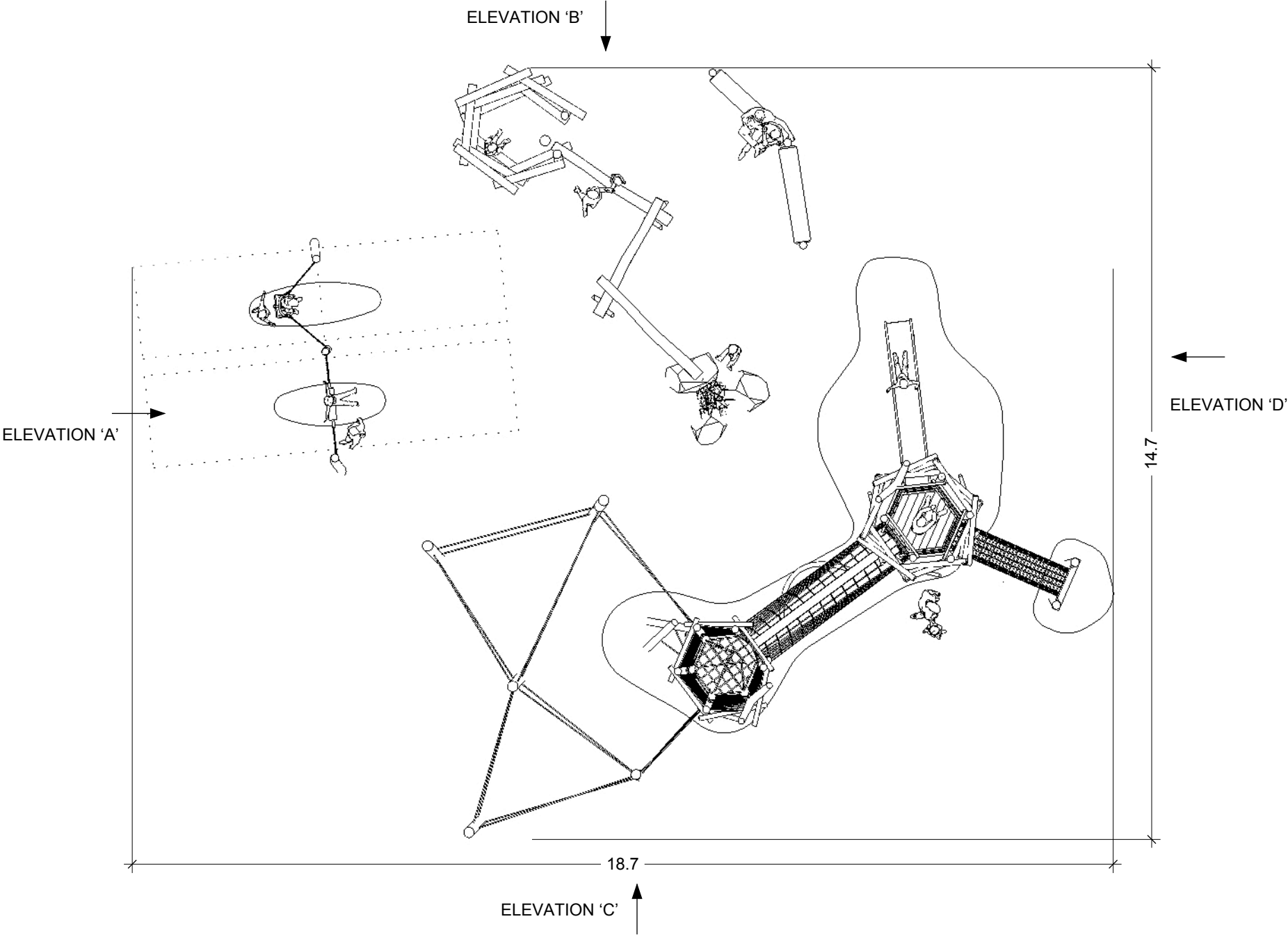
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S. Centric

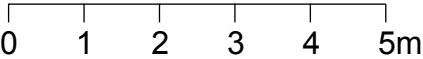


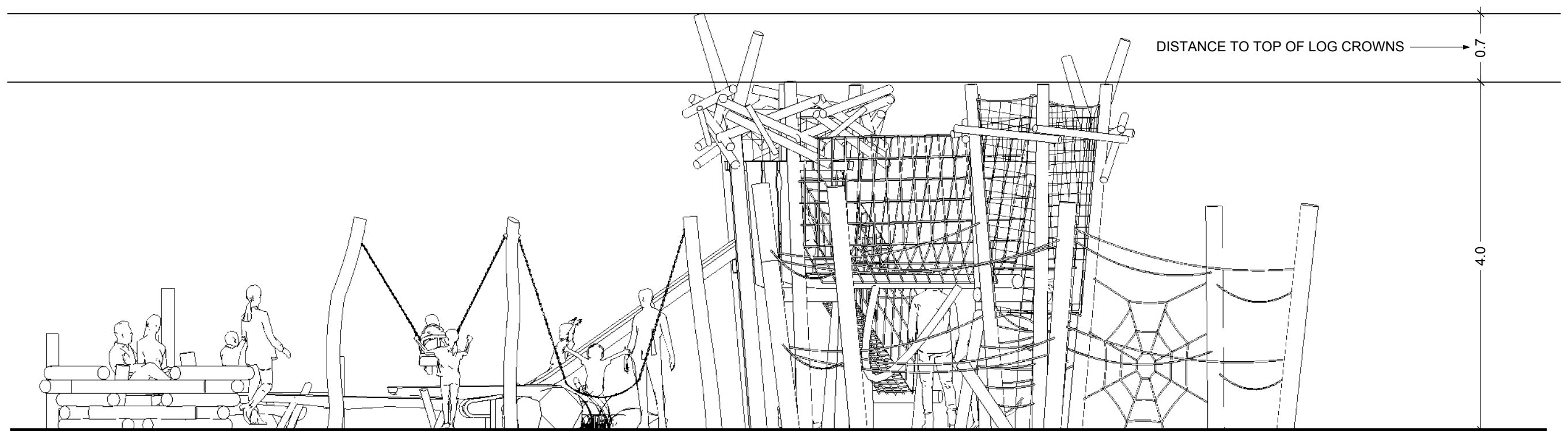


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Title:	ELEVATION PLAN	Drawn by:	TR		

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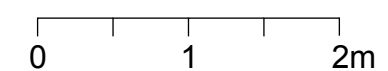
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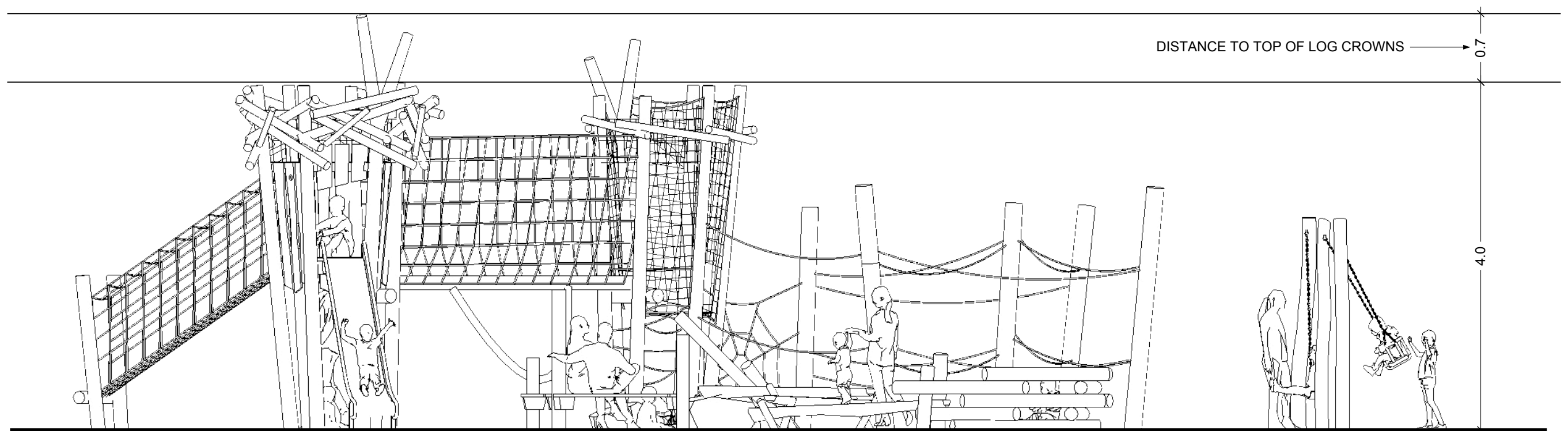


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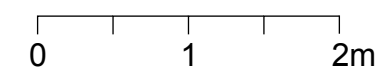
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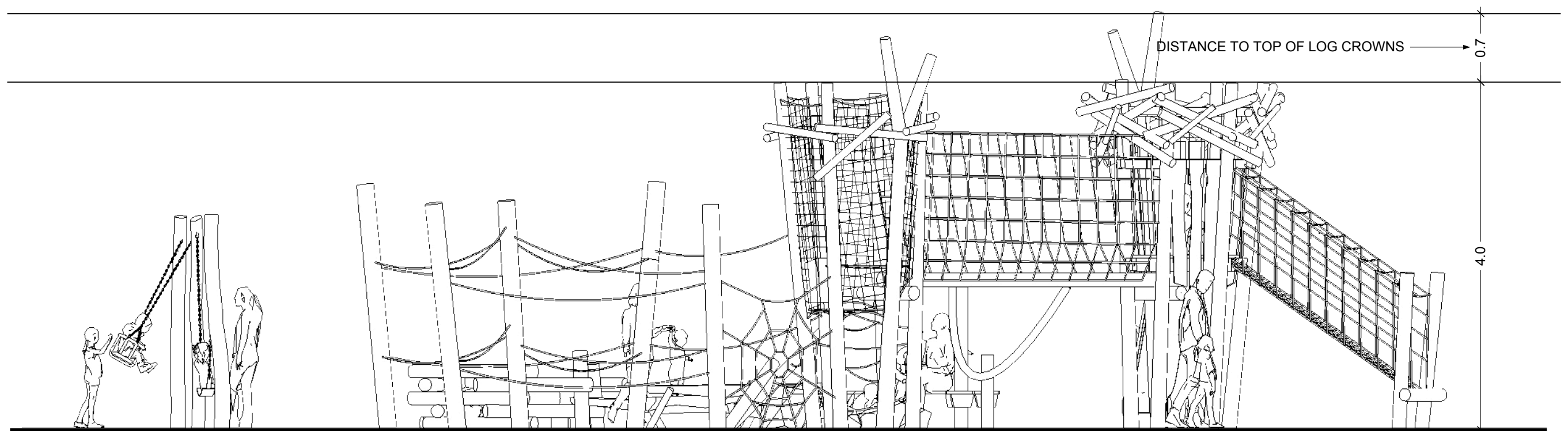


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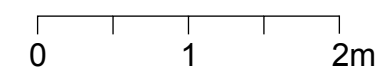
ELEVATION C

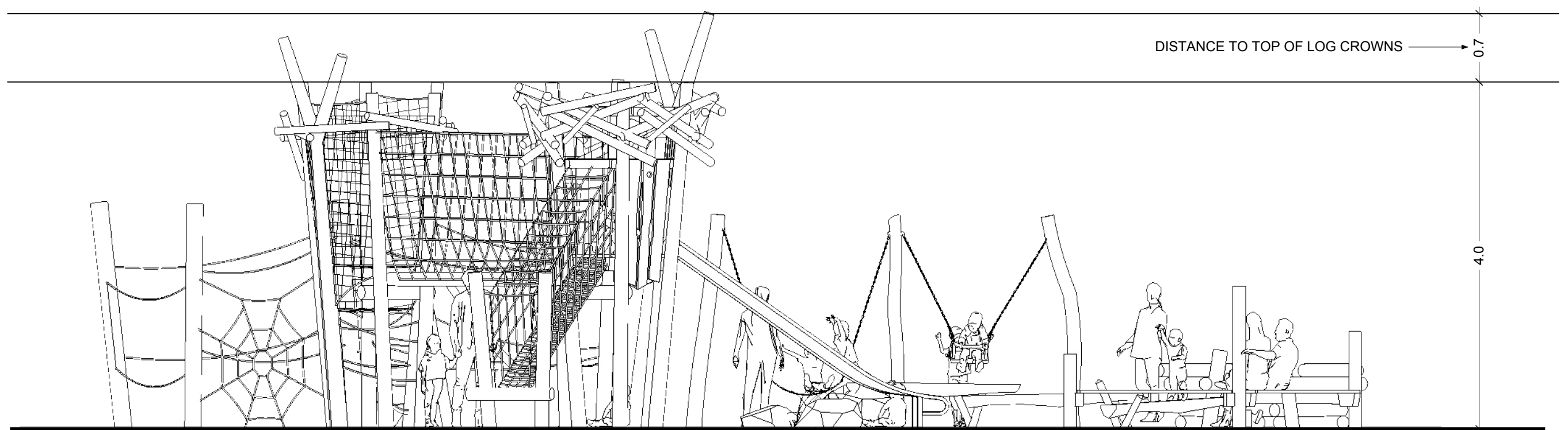


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Title:	ELEVATION C	Drawn by:	TR		


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ELEVATION D

	Project:	<b>Queen Elizabeth Park - play area proposal</b>	Date:	29/10/21	Checked by:
	Element:	<b>Equipment elevations.</b>	Revision:	-	
	Title:	ELEVATION D	Drawn by:	TR	

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