

MC/16/4687

Date Received: 18 November, 2016

Location: Queen Elizabeth Fields Castlemaine Avenue Gillingham ME7  
2QE

Proposal: Construction of a BMX pump track and pathway with fencing,  
gates, motorbike restrictors and CCTV camera on new column

Applicant: Medway Council

Ward Gillingham North

Case Officer Karen Cronin

Contact Number 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 15 February 2017.**

**Recommendation - Approval with Conditions**

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

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

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

Application Form; Design and Access Statement; Land Contamination Report; Acoustic Assessment; Drawing MC-1100-002A; Drawing 4L310-101; Drawing 4L310-102; Drawing 4L310-100; Drawing 4L310-200; Drawing 4L310-500; Drawing 4L310-700; received 8th December 2017

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to first use of the BMX pump track the safety signage, rubbish bin and CCTV as described on the approved plans shall be installed and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 No lighting shall be installed on site in connection with the development hereby permitted, unless submitted to and approved in writing by the LPA.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

The proposal is for the construction of a BMX pump track and pathway with fencing, gates, motorbike restrictors and CCTV camera on new column.

The facility would cover an area of around 0.4 hectares, within the wider 10 hectare open space of Queen Elizabeth Fields, which is designated as playing fields in the Local Plan Proposals Map. It would consist of 3 interlinked pump tracks with rollers (mounds) of varying heights from 600mm to 900mm, berms (banked corners) and flat top jumps. The pump track will be constructed from recycled stone to create the mounded form with tarmac on the berms and crushed binded stone for the jumps. The site would be enclosed with 1.5 metre high fencing and a self closing gate with motorbike restrictors at the entrance to the site and the entrance into the pump track. A 3 metre wide maintenance vehicle gate will be included in the fence line to allow regular maintenance to the field and the pump track.

The proposal also includes a new 2.5 metre wide x 243 metre long path way to connect the site to the existing footpath next to the scout hut, column mounted CCTV, a litter bin and signage about the correct use/rules of the track.

## **Relevant Planning History**

No relevant planning history

## **Representations**

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. Environment Agency, Kent Police and Environmental Protection have also been consulted.

**4 letters** have been received raising the following objections:

- Noise
- Danger to road users and pedestrians
- Increased traffic
- Anti social behaviour and safety concerns
- It will be a really big unit and stand out
- Concern for wildlife

Any other comments not listed are not material planning matters.

**2 letters** have been received raising the following comments of support:

- The pump track will not be high enough to be noticeable from nearby housing
- The noise will not be excessive
- CCTV should curb antisocial behaviour
- Improves facilities for younger residents

**Environment Agency** have not made any comments on this application.

**Kent Police** have made the following comments:

Kent Police were consulted regarding crime prevention at the pre-application stage and all recommendations have been incorporated into the final design. No objection.

**Environmental Protection** have made the following comments:

Environmental Protection are satisfied with the Land Contamination Report that the proposal will not create risks to human health or the environment. They are also satisfied with the Acoustic Assessment which concluded that the proposal will have a low impact on the nearest noise sensitive receptors. No further noise mitigation measures will be required. No objection.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

## **Planning Appraisal**

The main issues in the determination of this application are:

- The principle of the development;
- Design and appearance;
- Impact on the amenity of neighbours;
- Security and personal safety
- Contamination

### *Principle*

The development would be located within Queen Elizabeth Fields, which is a designated playing field under Policy L7 of the Medway Local Plan 2003. The proposed development would not alter the use of the playing field for recreation purposes and whilst the proposal would designate an area of this field for special groups and members of the community, the majority of the open space would be retained and the development would not result in the loss of the field, as such the proposal would comply with Policy L7 of the Local Plan. The proposal would cater for a user group that is not currently catered for in the locality. The only comparable facilities

are skate parks in Jacksons field and Cozenton Park. This would result in the open space being used and enjoyed by a wider segment of the community and providing much needed facilities for young people in the area. The proposed BMX pump track is considered to be a suitable development for a playing field, and would provide enhanced facilities for young people. The development would comply with local and national planning policies.

### *Design and appearance*

The pump track will be a man made closed circuit with 3 interlinked pump tracks designed to loop back on itself that will be constructed from recycled stone to create the mounded form and finished with tarmac. Due to the nature of the site being a former landfill site no excavations will take place but it will be built up from the existing ground level and sat upon a geogrid. Queen Elizabeth Fields is currently an entirely grassed area of public open space with mature, established trees around the boundaries. There will still be a very large area of playing field retained for other activities and no trees affected by the proposal. The proposed development has been located at the rear of the playing field next to the railway line so that it is sited furthest away from the nearest residential properties. The materials proposed whilst functional and user friendly would result in an attractive space. The site would be monitored by CCTV mounted on a column in the corner of the site. No artificial lighting is proposed as part of this scheme.

The application is considered to be in accordance with Policies BNE1 and BNE8 of the Medway Local Plan 2003.

### *Impact on the amenity of neighbours*

The nearest residential properties are located in Woodlands Road, approximately 120 metres east of the site and Speedwell Close, approximately 150 metres west of the site. The railway line is to the south of the site with a scout hut and sports centre over 200 metres north of the site. There have been objections from some of the properties adjacent to Queen Elizabeth Fields, particular with regards to noise and anti social behaviour. An Acoustic Assessment has been submitted as part of the application which showed that based on the sound recordings at nearby residential properties and at two existing pump tracks that noise from the proposal will result in a low impact on the nearest residential properties. It is considered that this facility is located a sufficient distance not to cause undue impact on the amenities of the occupiers of these properties in terms of noise, outlook or privacy. Furthermore as the facility would not have artificial lighting the opening hours would be controlled by day light hours and help reduce the impact on surrounding properties from light pollution. Environmental Health and Kent Police raise no objections to this scheme with regards to noise or anti social behaviour. Fencing, gates and motorbike restrictors will be erected around the pump track to prevent unauthorised access by motorbikes.

The application is considered to be in accordance with Policies BNE2 and BNE3 of the Medway Local Plan 2003.

### *Highways*

The facility would attract mostly children and young people, as such it is considered that most users would access the facility by bicycle rather than by car so the generation of vehicle movements and car parking would be limited, however it is accepted that some will drive. Parking is currently provided for the playing field in front of the scout hut on Castlemaine Avenue and this proposal would rely on this for additional parking. The site is near to Gillingham railway station and a number of bus stops; as such it is easily accessible by public transport.

It is considered that there would be no detrimental impacts on the highway network and the application would be in accordance with Policies T1, T2 and T13 of the Medway Local Plan 2003.

### *Security and personal safety*

Concerns have been raised by neighbouring residents about safety and anti social behaviour. Kent Police were consulted at a pre-application stage to advise on crime prevention and their recommendations have been incorporated into the scheme to make it as safe as possible. Kent Police raise no objection to the proposal. The facility would provide much needed facility for children and young people in the area.

It is considered that the development has been designed to prevent crime and the installation of CCTV camera as a means of incorporating security measures into the scheme, as such the application would be in accordance with Policy BNE8 of the Medway Local Plan 2003.

### *Contamination*

The facility would be located on a former landfill site and as such would be likely to be affected by contamination, as a result of this a Land Contamination Report has been submitted and there are no excavations planned. Environmental Protection raise no objections to the proposal.

It is considered that there would be no risks to human health or the wider environment and the proposal would be in accordance with Policy BNE23 of the Medway Local Plan 2003.

## **Conclusions and Reasons for Approval**

The BMX pump track would be located within an existing playing field available for recreation and leisure activities. The principle of the development would be acceptable as it would be for recreation purposes and would not result in the loss of a playing field. The proposed BMX pump track is considered to be a suitable development for a playing field, and would provide enhanced facilities for young people. It has been designed to provide an attractive, functional and user friendly space. The facility would be located sufficient distance from residential dwellings as not to result in a detrimental impact on their amenity and there would be no detrimental impact on the highway network. The development would be in accordance with local and national planning

policy.

This application would normally fall to be determined under officers' delegated powers, but it is being reported for Members' consideration due to the number of letters of representation received expressing a view contrary to officers recommendation.

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### **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>