

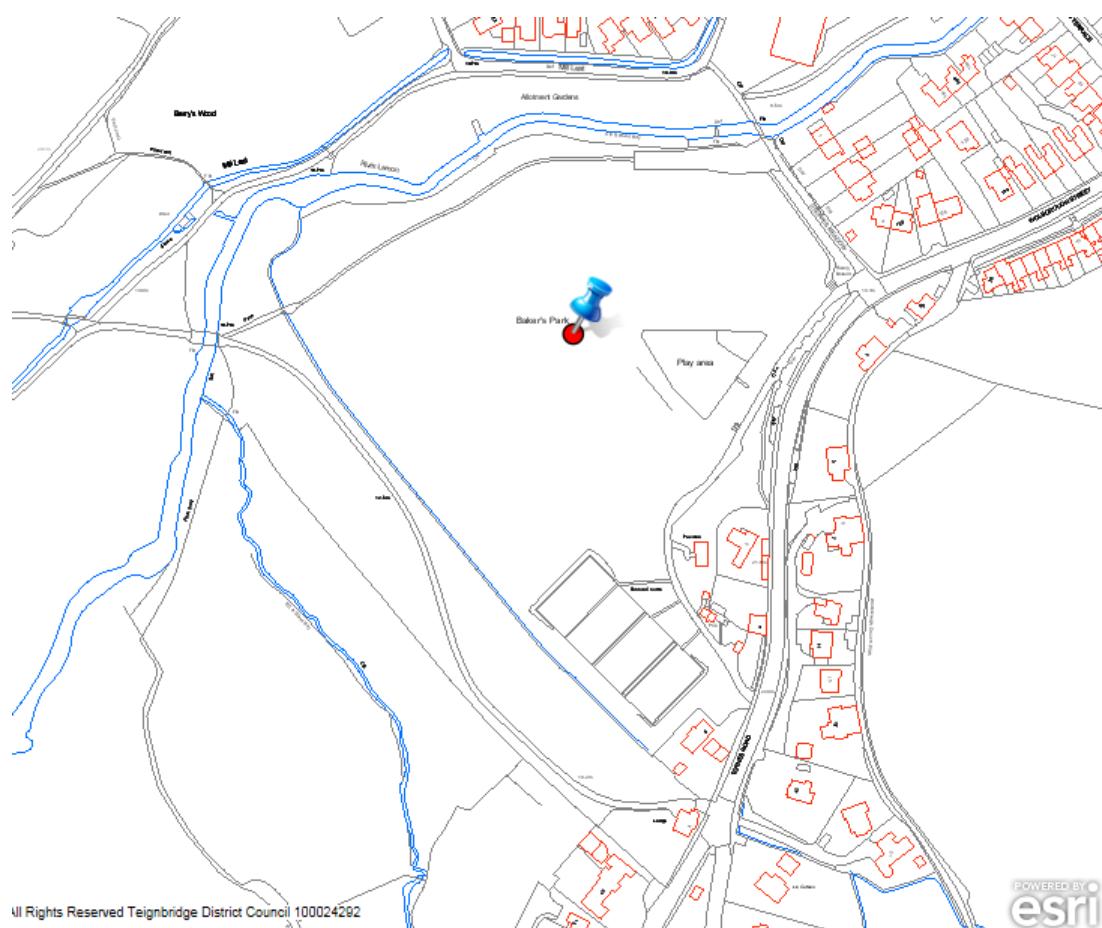
PLANNING COMMITTEE REPORT

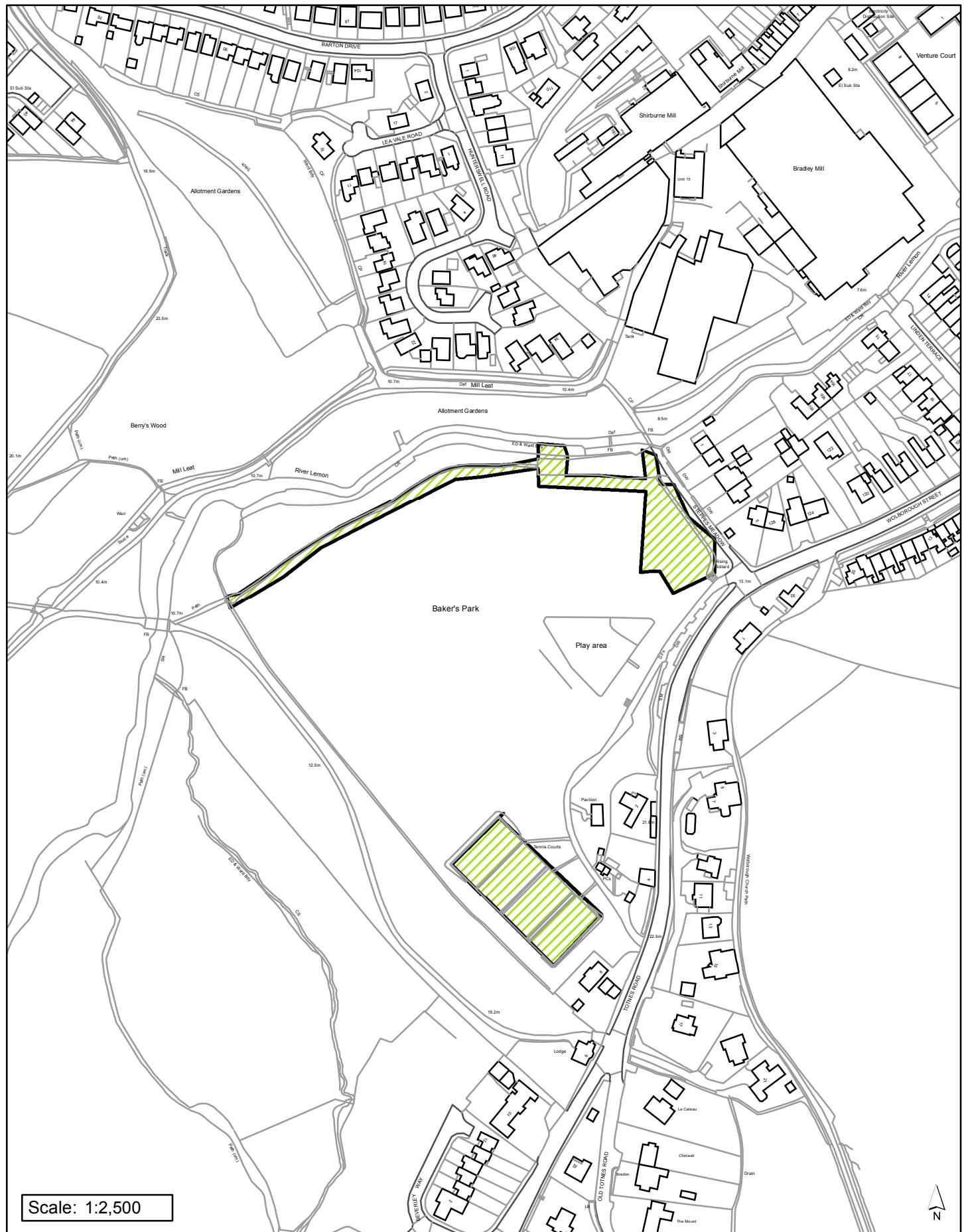
29 October 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 19/01180/FUL - Bakers Park, Totnes Road - Construct new changing room/ refreshment kiosk pavilion, expand car park from 19 spaces to 24 spaces including two electric vehicle charging points, new fencing around the tennis courts and resurface tennis courts. Two footpaths leading from the car park to be re-constructed and re-aligned. Sections of the fencing along the northern boundary to be replaced like for like with metal railings and lighting column for Devon Air ambulance.	
APPLICANT:	Mr A McCluskey	
CASE OFFICER	Gary Crawford	
WARD MEMBERS:	Cllr Janet Bradford Cllr Liam Mullone	College
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01180/FUL&MN	





19/01180/FUL Bakers Park, Totnes Road, Newton Abbot

© Crown copyright and database rights 2019 Ordnance Survey 100024292.
You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



1. REASON FOR REPORT

The application is brought to the Planning Committee because the site is owned by Teignbridge District Council.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Development to begin before the expiry of three years from the date of this permission;
2. Development to be carried out in accordance with approved plans;
3. The works shall proceed in strict accordance with the precautions and measures described in the submitted Preliminary Ecological Appraisal
4. No external lighting shall be installed on, or in association with, the new building or car park, unless otherwise agreed in writing by the planning authority. No floodlighting shall be installed or used in association with the pitch, courts or elsewhere in Bakers Park, except for the air ambulance column and light. The air ambulance light shall be installed and maintained in strict accordance with the submitted details, shall be used only for air ambulance purposes and shall be switched off immediately when it is no longer required for air ambulance purposes.
5. Prior to commencement including site clearance, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority.
6. The development shall be carried out in accordance with the submitted flood risk assessment and associated mitigation measures.
7. A buffer of at least 8m shall be retained between the top of the river bank and the proposed car parking spaces hereby approved.
8. The pavilion building hereby approved shall only be used for changing rooms and a refreshment kiosk.
9. Prior to its use on the building, a sample of the slate to be used on the pavilion building shall be submitted to and approved in writing by the local planning authority.

3. DESCRIPTION

The Application Site

- 3.1 The application site, Bakers Park, is a public park on the outskirts of Newton Abbot which contains football pitches, tennis courts and a children's play area as well as informal open space. The park is generally flat although the levels of the site slope upwards towards Totnes Road to the south. There is an existing pavilion building within Bakers Park, located opposite the tennis courts. The park is served by an existing car park which is accessed via Steppes Meadow from Totnes Road. There are three pedestrian entrances to the park; from Totnes Road, one from Bradley Lane to the north east and one from Bradley Manor to the north west.
- 3.2 The Newton Abbot Wolborough Street Conservation Area and Grade II listed Mackrell's Almshouses are located approximately 50m to the east of Bakers Park. The Grade I listed Bradley Manor is sited approximately 185m to the west of Bakers Park. The River Lemon runs to the north of Bakers Park and the northern section of the park is located within Flood Zones 2 and 3.

The Application

3.3 The application seeks full planning permission for the construction of a new changing room/ refreshment kiosk pavilion, an expansion of the existing car park from 19 spaces to 24 spaces including two electric vehicle charging points, new fencing around the tennis courts and resurfacing of the tennis courts. In addition, a new footpath leading from the car park to the new pavilion will be constructed, the existing footpath from the car park towards Bradley Manor will be improved and a passing bay in Steppes Meadow will be created. Furthermore, sections of the fencing along the northern boundary of the site are proposed to be replaced like for like with metal railings and a lighting column for the Devon Air Ambulance is also proposed.

Planning History

3.4 Relevant site history:

- 82/00222/DCC: Extension to car park. Approved 8/4/1982.
- 83/01474/DCC: Refurbishment and alterations to existing public W.C.S. Approved 20/7/1983.
- 19/00511/FUL: Construction of a new pavilion, replacement fencing, extension to car park, new fencing around the tennis courts and resurfacing, and creation of two footpaths and installation of one lighting column for the Devon Air Ambulance Trust. Withdrawn 14/6/2019.

Main issues

3.5 The main issues for consideration are:

- The principle of the development/sustainability;
- Impact of the development upon the character and visual amenity of the area and the setting of Listing Buildings and Conservation Area;
- Impact of the development on the residential amenity of the occupiers of surrounding properties;
- Impact on trees;
- Flood and drainage impact of the development;
- Impact on ecology/biodiversity;
- Highway safety;
- Impact on the playing field.

The principle of the development/sustainability

3.6 The site falls within the settlement limits of Newton Abbot, where the principle of development is acceptable subject to compliance with other policies and provisions of the Local Plan.

3.7 Policy S5 (Infrastructure) of the Teignbridge Local Plan details that the provision of new and improved infrastructure, such as education, health, transport, recreational facilities and green infrastructure will form a key issue in planning for the growth of sustainable communities. Policy S5 specifies further that the Council will use the

Community Infrastructure Levy and other mechanisms to bring infrastructure forward. Policy S14 (Newton Abbot) states that the Plan will seek to upgrade existing pitches. Policy WE13 (Protection of Recreational Land and Buildings) notes that development involving the loss of public or private open space, sports and recreational buildings and land, including playing fields, to an alternative use will not be permitted unless:

- a) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- b) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss; and
- c) it can be demonstrated that the proposed development is in a location that will not affect the integrity of the South Hams SAC.

3.8 The proposal is considered to accord with these arms of the policy and as such, the principle of development is considered to be acceptable.

Impact upon the character and visual amenity of the area and the setting of Listed Buildings and Conservation Area

3.9 The proposed pavilion building would be single storey in height with a hipped roof and a gable end facing towards Totnes Road. The materials of the building would be rendered walls, a slate roof, steel doors and aluminium windows. Whilst the design of the proposed pavilion building would be functional, the application site is not within a Conservation Area and given the public benefits that the building would provide, on balance, it is deemed that the design of the pavilion building is acceptable. The proposed expansion of the car park, new fencing around the tennis courts, re-construction of two footpaths and replacement fencing are considered to be acceptable alterations which would not adversely affect the character and appearance of the area.

3.10 The introduction of the lighting column for the Devon Air Ambulance would result in a change to the character and appearance of Bakers Park. However, the benefits of the lighting column combined with its occasional use are considered to outweigh the likely harm, and as a consequence there is no objection on visual amenity grounds to the proposal.

3.11 Due to the single storey nature of the proposed pavilion building, its position set down from Totnes Road and the distance of over 50m between the proposed pavilion and the Newton Abbot Wolborough Street Conservation Area and Grade II listed Mackrell's Almshouses, it is deemed that the proposal would not result in a harmful impact upon the setting of the Conservation Area or the Grade II listed Almshouses. Due to the significant distance between the proposed pavilion building and the Grade I listed Bradley Manor, it is considered that this element of the proposal would not have an adverse impact upon the setting Bradley Manor. The proposed lighting column for the Devon Air Ambulance would be 10m in height and it would be positioned approximately 380m from Bradley Manor. Given the distance between the proposed lighting column and Bradley Manor, it is deemed that the proposal is unlikely to result in any adverse impacts upon the setting of the Grade I listed building. Furthermore, the lighting column would only be used in the event of an emergency and it would provide a public benefit.

Impact of the development on the residential amenity of the occupiers of surrounding properties

- 3.12 Due to the distance between the proposed pavilion building and the residential properties in Steppes Meadow, and, given the single storey nature of the proposed building, it is considered that the proposed development would not have any significant impacts upon the amenity currently enjoyed by the occupiers of the neighbouring residential properties.
- 3.13 The Police Designing Out Crime Officer has commented that Bakers Park experiences existing high levels of anti-social behaviour. In his consultation response to the current application, the Police Designing Out Crime Officer has noted that the installation of CCTV on the new pavilion is welcomed and this would deter vandalism and Anti-Social Behaviour. As such, it is considered that the proposal would not result in any significantly worse impacts upon the amenity of nearby residential properties in terms of anti-social behaviour than the existing situation.
- 3.14 Due to the separation distance between the proposed lighting column for the Devon Air Ambulance and the neighbouring dwellings within Steppes Meadow and Totnes Road, and given that the lighting column would be only in operation sporadically by the air ambulance as required, it is not considered that this element of the proposal would give rise to any unacceptable impact on residential amenity.
- 3.15 A condition is recommended to be imposed to ensure that the lighting column is only utilised when necessary and by the air ambulance only.

Impact on trees

- 3.16 TDC's Senior Arboricultural Officer initially objected to the proposed development as the pavilion was located within the root protection area of a mature horse chestnut tree. The Senior Arboricultural Officer also raised concerns with regards to the proposed passing place and the proposed lighting column. Following the submission of revised plans which amended the footprint of the pavilion building and the submission of additional information regarding the proposed passing place and lighting column, the Senior Arboricultural Officer has withdrawn his objection to the proposal. As such, it is deemed that the proposed development would not result in any adverse impacts on trees.

Flood and drainage impact of the development

- 3.17 The site falls partly within Flood Zones 2 and 3 in accordance with the Environment Agency flood maps. The Environment Agency (EA) objected to the proposed development initially, however, following the submission of a revised Flood Risk Assessment (FRA), the EA withdrew their objection, subject to the inclusion of a condition in any planning permission which states that the development shall be carried out in accordance with the submitted FRA and appropriate mitigation measures. In addition, the EA have requested that conditions are included with any permission regarding a buffer between the top of the river bank and the proposed car parking spaces, and the future use of the building.

Impact on ecology/biodiversity

- 3.18 The application site is identified as being within a landscape connectivity zone in association with the South Hams Special Area of Conservation for Greater Horseshoe bats. An Ecological Report was submitted with the previously withdrawn application 19/00511/FUL at Bakers Park and this report recommended a suite of protective measures to avoid harm to protected species during works and it noted the need to minimise light spill in the area. TDC's Biodiversity Officer has raised no objections to the proposed development, subject to conditions regarding external lighting, the submission of a Landscape and Ecological Management Plan and the proposal proceeding in strict accordance with the precautions and measures as set out in the submitted Ecological Report.

Highway Safety

- 3.19 The proposal includes the formation of 5 additional parking spaces, including two electric vehicle charging points. In addition, the proposal also involves the formation of a passing bay in Steppes Meadow. It is noted that objections have been received with regards to highway safety impacts from the proposed development, however, DCC Highways have raised no objections to the proposal. It is considered that the formation of the passing bay within Steppes Meadow would be an improvement on the existing situation of cars accessing the car park at Bakers Park.

Impact on the playing field

- 3.20 The proposed pavilion would be located to the east of the existing football pitch closest to the car park, adjacent to the embankment which slopes upwards towards Totnes Road. Sport England has raised no objections to the proposal and they have commented that they are satisfied that the proposed development meets exception 2 of their playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

- 3.21 The proposed plans detail that the minimum safety run off 3m would be provided around the perimeter of the football pitch and a 4m high fence would be installed behind the goal closest to the proposed pavilion building.

Other matters

- 3.22 Some of the objections received have commented on the impact the proposed refreshment kiosk would have on the existing business which trades within Bakers Park. There is no requirement to test whether a new development is 'needed' within national or local planning policy. It is therefore considered that there would be no planning policy basis for the Council to refuse this application on the grounds of an additional refreshment facility not being required on consumer needs grounds.

Conclusions

- 3.23 It is deemed that the proposed development would not adversely affect the character and appearance of the surrounding area or adversely affect the amenity of neighbouring properties. The proposed development is considered to be

acceptable and therefore it is recommended that planning permission be granted subject to conditions.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S5 Infrastructure

S6 Resilience

S7 Carbon Emission Targets

S14 Newton Abbot

S21A Settlement Limits

S23 Neighbourhood Plans

WE11 Green Infrastructure

WE13 Protection of Recreational Land and Buildings

EN4 Flood Risk

EN5 Heritage Assets

EN8 Biodiversity Protection and Enhancement

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

National Planning Policy Framework

National Planning Practice Guidance

Newton Abbot Neighbourhood Development Plan 2016-2033

NANDP2 (Quality of Design)

NANDP3 (Natural Environment and Biodiversity)

NANDP4 (Provision of Cycle/Walkways)

NANDP5 (Provision of Community Facilities)

NANDP6 (Use of Community Infrastructure Levies)

NANDP11 (Protection of Designated and Non Designated Heritage Assets)

5. CONSULTEES

TDC Biodiversity Officer:

Comments received 1 August 2019

Please clarify that the ecological report from 19/00511 is intended to be carried over to the present re-application.

Rewards to parking spaces are noted. Please refer to previous biodiversity comments for 19/00511 (copied below), and to the Tree Officer's present consultation response: it would appear there remains unacceptable risk of adverse impacts on trees.

Regarding other ecological matters, should concerns about trees be resolved so that consent may be granted, I would advise carrying over previously recommended biodiversity conditions for 19/00511 to the present application.

Comments received 23 September 2019

I note that a passing bay, electric vehicle charging space and footpath are still proposed within tree root protection zones. If the Tree Officer is happy with this I no longer have a biodiversity objection.

Ecological Report

An Ecological Report was submitted with the previous application 19/00511. It recommends a suite of protective measures to avoid harm to protected species during works and it points out the need to minimise light spill in the area (especially for bats). These measures should be secured by condition. The report also recommends various enhancement measures which would increase the biodiversity value of Baker's and create a more varied and attractive open space. These should be provided and maintained in accordance with a Landscape and Ecological Management Plan, secured by condition.

Flood Lighting

I am in agreement with the ecological consultant that floodlighting should not be install or used, except for night landings of the air ambulance. A condition should be attached.

TDC Senior Arboricultural Officer:

Comments received 3 July 2019

There is an Arboricultural objection to the proposal.

Pavilion:

The application is supported by a tree protection plan and arboricultural method statement. The pavilion is located within the root protection area of an A category mature horse chestnut tree referred to as tree 207. Owing to significant change in levels there is a requirement to undertake excavation and/or filling to construct the pavilion. The arboricultural method statement seeks to explain the above process, but singularly fails to explain why or how the proposal could be acceptable and would not cause significant root loss to the tree.

A plan will be required to show the position of all new services to the relocated pavilion.

Proposed passing place:

The construction of the proposed passing place will require either the excavation of the ground within the root protection area of two mature trees, or the use of no-dig construction, which would significantly raise the level of the passing place in relation to the adjacent drive.

The passing place would also require the removal of a lighting column

Lighting column within car park:

A plan is required showing the proposed route of the power cable serving the above

Comments received 5 September 2019

Following the submission of the revised plans I confirm there are no arboricultural objections to the proposal.

DCC Highways:

Bakers Park is accessed via Steppes Meadow which is not public highway maintained at public expense, although it is a Public Right Of Way, Footpath No 48.

The County Highway Authority has no objection to this proposal.

Environment Agency:

Comments dated 18 September 2019

We have reviewed the updated design, which shows two different finished floor levels for the pavilion on drawing 8750-1846-12-d; 10mAOD on Section A-A and 10.5mAOD on Section B-B. We request that this is clarified and that the Flood Risk Assessment updated accordingly; until this is done we would object to the proposal. Further advice setting out the reason for this position is set out below.

Reason – Flood Risk

A proposed finished floor level of 10mAOD would mean that there is little or no freeboard offered as part of the proposed development, because the LiDAR data indicates that the edge of FZ2 (which in this instance we would accept as representing the design fluvial event) in this location is approximately 9.7mAOD - 10mAOD. Given the uncertainty regarding the levels over the lifetime of the proposed development, we would normally expect up to 900mm of freeboard to be provided (in line with the updated fluvial freeboard guidance), however, in this instance we have previously accepted that a lower amount of freeboard could be acceptable, and that the finished floor level of the pavilion could be 10.5mAOD.

Because the most vulnerable purpose of the proposed pavilion, the kiosk, is classified as 'less vulnerable', the proposed development would establish a 'less vulnerable' lawful use and we would find it difficult to object if a future application was made to repurpose or extend the building for other 'less vulnerable' uses which may introduce a greater level of risk (greater numbers of occupants or time spent using the facilities, etc). For this reason, it would be difficult for us to accept no freeboard at all; we would expect consideration of provision of some amount of freeboard above the expected flood level (resulting in a finished floor level between 10mAOD and the 10.5mAOD previously agreed). If the finished floor level is set below 10.5mAOD, we would expect flood resistance and resilience measures to be incorporated into the building to a minimum level of 10.5mAOD.

Advice to the LPA

We will maintain our objection until the applicant has supplied information to demonstrate that the flood risks posed by the development can be satisfactorily addressed. We would like to be re-consulted on any information submitted to address our concerns and we will provide you with bespoke comments within 21 days of receiving formal re-consultation.

Comments dated 11 October 2019

We have reviewed the revised Flood Risk Assessment (FRA) (Teignbridge District

Council, September 2019) and we are able to withdraw our objection subject to inclusion of the following condition in any planning permission.

We remind you of our previous request for a condition that an adequate buffer (at least 8m) is retained between the top of the river bank and the proposed car parking spaces. This now appears to be reflected in the revised master plan drawing (06).

CONDITION: The development shall be carried out in accordance with the submitted flood risk assessment (Teignbridge District Council, September 2019) and the following mitigation measures it details:

1. The finished floor level of the pavilion will be no lower than 10.25mAOD.
2. Flood resilience and flood barriers to openings in the pavilion will be provided to a minimum design level of 10.5mAOD.
3. Compensatory flood storage will be provided.
4. The Devon Air Ambulance Trust light column will be flood resilient.

These mitigation measures shall be retained and maintained throughout the lifetime of the development.

REASONS:

1. To reduce the risk of flooding to the proposed development and future occupants.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To prevent increased flood risk elsewhere.
4. To ensure the light column remains operational after a flood.

RECOMMENDATION: In addition to the above condition, we recommend that your Authority includes in any planning permission a suitably worded condition to ensure that the pavilion building can only be used for changing rooms and a kiosk, so that it cannot in future be converted for any other less vulnerable use which could increase the overall flood risk to the building occupants.

Sport England:

Comments dated 26 September 2019

Having assessed the application, Sport England is satisfied that the proposed development meets exception 2 of our playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

This being the case, Sport England **does not wish to raise an objection** to this application. Sport England advise that some showers are in cubicles.

The Football Foundation (FF), on behalf of The FA do not object to this proposal.

1. They have no further comments on the current two football pitches, the revised plan confirms that there is no impact to the existing pitch sizes. A reminder that a minimum safety run off 3m must be provided.

2. The Teignbridge PPS highlights that Bakers Park is prone to flooding in prolonged periods of wet winter weather. The site has also been identified as having drainage issues. The FF would encourage Teignbridge District Council to make contact with the Devon FA to find out further information surrounding the FA Pitch Improvement Programme; via the CFA, the Council can arrange a pitch visit through the IOG Regional Pitch Advisor. On the back of this visit, the FF would advise that an appropriate maintenance programme is agreed in-line with the recommendations of the report.
3. As the project has not been identified as a priority project within the Teignbridge Local Football Facilities Plan and therefore not seeking funding from the Football Foundation, the FF have no further technical comments on the ancillary facilities – please see our previous design comments to the application that was withdrawn.

Sport England recommend that there are some showers in cubicles and the FF comments are taken on board.

Additional comments received from Sport England on 27 September 2019 on behalf of the Football Foundation:

The proposal is a simple two changing room pavilion. It has the minimal facilities we would expect with two changing rooms, two official's rooms, spectator wc's, a small kitchen and ancillary space for plant room and storage. There is no Clubroom included so it is a basic changing room provision. It is a bit of a bunker of a building with no real Club facilities other than a small kitchen and not an inspiring elevation treatment but I assume this is cost driven and it does use the most cost effective approach with access to all facilities direct from the outside removing the need for any internal circulation. It does meet our minimum criteria.

Police Designing Out Crime Officer, Devon and Cornwall Police:

The area experiences high levels of anti-social behaviour (ASB), unauthorised encampment and associated crime, particularly the existing Len Coldwell changing rooms, and the now disused kiosk and public toilets that the application proposes to demolition. Therefore please consider the recommendations below as an opportunity to design out some of the measures that can contribute to crime and ASB, as well as the fear of crime and ASB at this location.

Access and Movement

I note that a vehicle height restriction barrier, with a maximum vehicular height of 2.2m will be installed at the entrance of the car park. A robust entrance barrier is vital to protect against unauthorised encampment of the site and a physical barrier to restrict all vehicular access should a lock down be needed or in response to an escalating incident, should be considered.

Additionally, to supplement a suitable barrier at the entrance to the car park, an appropriate robust boundary treatment/landscaping is required along the border with Steppes Meadow. If left permeable by vehicle, it will simply be used to negate the barrier at the car park entrance.

Footpaths

The two paths leading from the car park that are being reconstructed should be wide, devoid of hiding places, well maintained and encourage legitimate use. Planting next to a footpath should be arranged with the lowest growing varieties adjacent to the path and larger shrubs, trees etc. planted towards the rear. Planting immediately abutting such paths should generally be avoided as shrubs and trees have a tendency to grow over the path creating pinch points, places of concealment and unnecessary maintenance.

Surveillance

It is noted and welcomed that security lighting and CCTV cameras will be installed on the new pavilion to deter vandalism and ASB. I appreciate that this will be designed by the contractor. Appropriate anti-vandalism luminaries and cameras should be utilised. A Passport to Compliance document should be in place detailing the purpose of the CCTV system and each camera, to ensure that the system is effective at fulfilling its purpose. For CCTV to be fully effective it needs to be adequately monitored. What monitoring provision will be in place?

The following advice is given in respect of any CCTV installed:

- Cameras, wiring and recording or monitoring equipment should be secured. CCTV should be designed in co-ordination with external lighting and landscaping.
- The CCTV must have a recording format that is acceptable to the Police. Recorded images must be of evidential quality if intended for prosecution.
- Any CCTV is advised to be installed to BS EN 50132-7: CCTV surveillance systems for use in security applications.
- CCTV systems may have to be registered with the Information Commissioners Office (ICO) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available via www.ico.gov.uk
- For guidance on the use of CCTV images as legal evidence see also BS 7958:2005 CCTV Management and Operation Code of Practice.

To maximise natural surveillance opportunities the tree canopies bordering the site and car park need to be maintained to ensure a 2.5m surveillance gap from the highest form of planting to the lowest tree canopy. Planting and landscaping should not conflict with lighting or CCTV coverage.

Additionally, whilst I appreciate that it does not fall under the boundary of this application, it is important that the foliage bordering Totnes Road is well maintained (to 1m) in order to optimise surveillance opportunities.

Pavilion - Physical Protection

I note that the client's brief was to provide a '*low maintenance vandal resistant pavilion*'. Graffiti can attract more graffiti and lead to an increase in crime and ASB in the area as well as increasing the fear of crime and ASB to legitimate users of the site. Graffiti should be removed as soon as possible, therefore wall finishes that enable this more easily should be considered. Surfaces should be coated with either an anti-graffiti glaze or sacrificial coating, or alternatively be designed for ease of maintenance e.g. painted in the event of a graffiti attack. Alternative measures for reducing or eradicating graffiti may also be considered such as growing an appropriate non-invasive climbing plant up the wall or 'buffer zones' protecting vulnerable aspects of the building.

External rainwater pipes can be used as climbing aids and should be either square or rectangular in section, flush fitted against the wall or contained within a wall cavity or covered recess.

Doors and windows are advised to be tested and certified to a nationally recognised security standard which is independently assessed by an approved 3rd party certification body. For example external doorsets should meet one of the following standards as a minimum or equivalent:

- PAS 24:2106
- LPS 1175: Issue 7, SR2
- STS 201 or STS 202: Issue 3, BR2

Windows should be certificated to a minimum or equivalent:

- PAS 24:2016 or
- STS 204 Issue 3: 2012, or
- LPS 1175 Issue 7:2010 Security Rating 1 or
- LPS 2081 Issue 1:2014 Security Rating A

Any roof light apertures should be protected by roof lights certificated to LPS 1175 Security Rating 1 or STS 202 Burglary Resistance 1.

The roller shutters should be certified to one of the following standards as long as an alarm is installed at the pavilion:

- LPS 1175: Issue 7 Security Rating 1 or
- STS 202: Issue 3, Burglary Rating 1

If an alarm is not installed, which is not recommended, then higher security rating is recommended.

Any key cabinets used must be attack tested to LPS or Sold Secure standards.

Alarms

The pavilion should be fitted with a monitored intruder alarm. For police response, the system must comply with the requirements of the Security Systems policy, which can be found at www.securedbydesign.com under the 'Group Initiatives' tab.

Security Glazing

All easily accessible glazing should incorporate glass successfully tested to BS EN 356:2000 *Glass in building. Security glazing – resistance to manual attack* to category P1A.

Toilets

Drug use is evident in the vicinity and the public toilets within the pavilion will likely be targeted for drug use, particularly if they are open to the public when the rest of the pavilion is not in use. Newton Abbot has suffered with needle finds and drug use in public toilets which obviously has an adverse effect on the area and poses a risk to the public. Therefore sharps bins should be considered at the design stage as retrospective installation can prove costly and less effective. '*Sharps chutes and sharps disposal bins should be secured to walls at a height which deters children from tampering with the disposal facility and injuring themselves. Clear signage, including a safety pin pictogram, will make the bin less threatening to toilet users and more user friendly.*'

Structure

Replacing the chain link fencing with weld mesh fencing around the tennis courts is preferable. Consideration should also be given to using weld mesh as opposed to chain link for the fencing around the football pitch. Chain link can be more prone to damage and harder to maintain which could potentially have a negative impact on the setting of the park.

I note that the picnic benches will be bolted to the ground. These are likely to attract crime, ASB and congregation, especially at times when legitimate use at the park is low and the kiosk closed. It would be preferable if these benches could be stored internally when not in use or be replaced with a form of seating that can be easily erected and secured in the kiosk when not needed.

Management and Maintenance

Will the new public toilets within the pavilion be open to the public when the pavilion is not in use? If so, what provision will be in place to safeguard them from being misused? I appreciate that CCTV will provide some guardianship of the site but such areas have shown to attract ASB, drug use etc. so robust management and maintenance is essential to ensure public safety. Without it, the proposed pavilion is likely to be subjected to the same damage and crime that the existing changing rooms and the now disused kiosk and public toilets are exposed to.

The area needs to be well maintained as a pleasant facility that appears welcoming, safe, well used and catering for as many legitimate users as possible in order to reduce the potential for crime and ASB.

6. REPRESENTATIONS

Five site notices were erected. 22 letters of objection, 4 letters of comment and 3 letters of support have been received.

The letters of objection raised the following planning issues:

1. Impact on trees.
2. Anti-social behavior.
3. Impact on Steppes Meadow.
4. Loss of park area.
5. Location of the proposed pavilion.
6. Highway safety.
7. Impact of floodlight for Devon Air Ambulance Service.
8. Impact on biodiversity.
9. Reduction in air quality.

The letters of comment made the following representations:

1. The parking & changing rooms seem like a good idea, but the kiosk seems a waste of money. Perhaps the money saved on a kiosk could be spent elsewhere.
2. One of the tennis courts should be converted to a multi-sports court.
3. The proposal could include a skate park.
4. A turning circle should be added to the far end of the car park.
5. A more traditionally designed building on the site of the former changing rooms and toilets would be more acceptable.

The letters of support made the following comments:

1. The park needs toilets.
2. The proposal will encourage more families to the park which will lead to people getting more exercise.
3. Improvements to the tennis courts is great.

7. TOWN / PARISH COUNCIL'S COMMENTS

The committee raised no objections (by majority decision) and noted the balance between the benefit of a portable refreshment van and a fixed kiosk in the park. The committee made the following recommendations for consideration:

1. That one of the four existing tennis courts be converted to a multi-use court;
2. That CCTV be installed on the extended light post with direct link to the town's security system as managed by NAST;
3. Welcomed the additional five car parking spaces and particularly those for electric vehicles but would recommend a few more to encourage family use of the park and enhanced facilities;
4. Welcomed the new pavilion design to 'design out crime' as suggested by Devon and Cornwall police team; and
5. Would welcome an enhancement to the children's' play area as the positive effects have been seen in other parks within Teignbridge.

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

10. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Business Manager – Strategic Place