

App.No: 150484 (PPP)	Decision Due Date: 23 July 2015	Ward: Hampden Park
Officer: Jane Sabin	Site visit date: 22 June 2015	Type: Planning Permission
Site Notice(s) Expiry date: 22 June 2015		
Neighbour Con Expiry: 22 June 2015		
Press Notice(s): N/A		
Over 8/13 week reason: N/A		
Location: The Old Rifle Range, Hampden Park, Hampden Park Drive		
Proposal: Formation of a BMX pump track adjacent to the skate park.		
Applicant: Clark and Kent Contractors		
Recommendation: Approve		

Executive summary:

The proposed provision of a BMX track is considered to be a suitable development for a public park, and would provide enhanced facilities for young people. The development would comply with local and national policies.

Planning Status:

Archaeological Notification Area
Willingdon Levels Catchment Area
Flood zone 3
Public amenity space

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C7: Hampden Park Neighbourhood Policy
D7: Community, Sport and Health
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE18: Noise
NE28: Environmental Amenity
UHT1: Design of New Development
UHT4: Visual Amenity

UHT8: Protection of Amenity Space
HO20: Residential Amenity
LCF2: Resisting Loss of Playing Fields
US4: Flood Protection and Surface Water Disposal

Site Description:

The application site is located on the disused rifle range in the centre of Hampden Park, along the southern boundary of the public tennis courts and immediately adjacent to the recently constructed skate park.

Relevant Planning History:

140688 Installation of a concrete plaza-style skate park including a concrete bowl
Approved conditionally 17 July 2014

Proposed development:

Planning permission is now sought to construct a BMX pump track on the remainder of the old rifle range. It would cover an area approximately 57m by 35m and would consist of a continuous, meandering and undulating track of gravel and tarmac contained within grassed berms, with a maximum height of 1.5m. No artificial lighting is proposed.

As background to the application, the following information has been provided:
As part of the 2014/15 growth bid, Cabinet agreed to fund a new BMX track. The location was originally going to be the site adjacent to St Wilfrids Hospice which already has some dirt ramps but the location was switched to the Old Rifle Range as it would (i) create an extreme play zone within Hampden Park as it would be next to the new concrete skate park (ii) it would be more central for its users, as oppose to the dirt ramps which are on the periphery of the park (iii) it would save the Council an annual rental charge from East Sussex County Council as they own the dirt ramp land. The switch in location was also mentioned by the Friends of Hampden Park at the Planning Committee for the concrete skate park as there was a wider discussion on the merits of the Old Rifle Range being used for leisure activity. There have been no complaints of noise from the skate park which is a concrete base with hard wheels. The BMX track will predominately be gravel and a few areas of tarmac but being a cycle track will only have rubber tyres using it.

The delivery of this was planned to be summer 2015 so that it could avoid clashes with the long football season and be ready for the summer holiday. The company were procured through the Council's contract procurement rules and were the same company that constructed the London 2012 Olympic BMX track.

Consultations:

Internal:

Specialist Advisor (Arboriculture) advises that the site is situated outside the root protection area of all the trees surrounding the site and therefore should have no effect on the trees adjacent to the proposed site providing conditions are attached to provide adequate protection.

Specialist Advisor (Open Spaces) – in response to the objections raised (see Neighbour Representations below):

- There is no evidence that the skaters, BMX'ers or general skate park users are committing vandalism or vandalism has increased as a result of the location of the

skate park. The incident reported to the Council was one of youths playing football on the bowling green, not bikes on the green.

- The Council has secured the outside of the top green with defensive, thorny shrubs and is currently obtaining costs to improve the fencing to the lower green so it matches the top green and tennis courts in the locality. The site is patrolled by Neighbourhood First and also has the benefit of being a well-used park, with good natural surveillance from other users.
- BMX riders are currently using the concrete skate park site and this has been observed; there is clear evidence of this from tyre marks on the concrete ramps. The tyres will not cause damage to the compacted gravel footpaths and would only cause damage to the grassed areas if a precise route was used every day over a period of time. There will be significantly more damage caused to the grassed areas by the sports of football and rugby, by the nature of these games and the winter conditions they are played in.
- The proposed site is located in a position adjacent to other sports and is more central so will benefit from greater natural surveillance. There is no evidence of significant damage or reports of conflict between other users of the park and the BMX'ers who currently use the skate park. Motorcycles and quad bikes have not used the existing site and if they were to, they have the risk having their vehicles confiscated and destroyed by the police.
- There is no current conflict as a result of BMX'ers using the skate park site. A new bound gravel footpath is being created to gain access from Ham Shaw wood to the area to create a pedestrian through route and improve natural surveillance of the area. This is as a result of the recommendations from the police when the skate park was agreed for its present site. There is already a chicane between the outdoor bowling greens and the play area, where cyclists must dismount. This was as a result of general cycling in the park many years ago and the risk of a collision between a bike and children leaving the play area. A further chicane could be installed to slow bikes where any risk was identified and/or a new footpath installed on the field side of the Indoor Bowls Club which would also improve accessibility, generally, to and around the sports pitches and link to the new footpath accessing the skate park.
- To invest Council funding heavily on land that is leased from another organisation presents some risks. There is nothing to evidence that the building and maintenance of the BMX track will add significant costs. The increase in costs of reimbursements to other users implies that the users of the facility are anti-social in their nature and will vandalise nearby facilities. The increase in facilities for other sports groups should not have a negative effect on other park users and some can be seen, elsewhere, to be watching the tricks and skills displayed by BMX riders, skate boarders, scooters and skates.

External:

Neighbour Representations:

One objection has been received from the Hampden Park Bowling Association and covers the following points:

- Security of the greens and clubhouse; there has already been an increase in vandalism and intrusion since the skate-park was formed, which will inevitably become more frequent with youngsters drawn in by the BMX track. The park is not regularly or effectively patrolled/policed. The club would be unable to fund serious damage repairs, to the detriment of the park.
- The nature of BMX is radically different from skate-boarding, and the damage from tyres more intensive and difficult to repair. They are used all year round in all weathers and on all terrain; extensive damage can be expected to paths, to Ham Shaw wood and all open areas, spoiling the enjoyment and attraction of the park for other users. Relocating this amenity from its existing site for a relatively few users will destroy the facilities enjoyed by the vast majority.
- All uses in the park are based on people coming to the park to use facilities in situ; BMX bikes will be ridden from home to the track, damaging turf indiscriminately through the park; we suggest that this will open the way to more extreme sports motor cycle jumping and quad biking for which the BMX track will be equally attractive, and EBC would have no realistic means of preventing such use.
- The track would be located in the centre of the park, close to the childrens play area, the indoor bowls club, the tennis club and the outdoor bowls club, the paths to which are heavily used; the uncontrolled riding of BMX's in these areas will make them unsafe and result in accidents and conflict.
- The reason of cost savings from relocating the track to EBC owned land would be dwarfed by the additional and permanent costs of installing and maintaining the track, and the costs caused to others from damage. The success of a community facility is the extent to which it is used; the park is extremely popular and well-used, and it would be a retrograde step to install a use which makes it less attractive, safe and pleasant.

Three representations of support have been received and cover the following point:

- It brings young people into the heart of the park and maximises their interest in the Hampden Park Community

Appraisal:

The principle of providing facilities for young people in a public park is welcomed and complies with local and national policies.

The main issues to take into account in determining the application are the impacts on visual and residential amenity, and the environment.

Visual amenity

The location of the proposed track adjacent to the skate park is considered appropriate in terms of impact on visual amenity. Although it would cover a larger area than the skate park, the relatively low heights and materials of gravel, tarmac and grass would have less of an effect than the concrete ramps. Parks comprise many different facilities which have an impact on visual amenity and Hampden Park is no exception; there are large buildings such as the bowling and rugby clubs, hard tennis courts and their associated

high fencing, the brightly coloured playground equipment, all of which assimilate into the landscape and become accepted over time.

Residential amenity

The nearest residential properties are located in Rosebery Avenue, which are in excess of 200m away. There have been no complaints in respect of the skate park facility, which would be louder in terms of noise generated by the equipment – hard wheels on concrete - compared to the proposed BMX's rubber tyres on tarmac and gravel. Any additional noise would be principally generated by the users themselves, and would be subsumed in the general noise of the park and associated facilities, playground, tennis courts and football pitches.

Impacts on the environment:

There are no trees affected by the proposal. Any protection required for adjacent trees during construction work will be safeguarded by condition.

Surveys have confirmed that there would be no impacts on the ecology of this part of the park.

The impact on the wider park environment would largely derive from the additional cycle traffic travelling to and from the proposed track. The Specialist Advisor (Open Spaces) clearly considers the impact will be minimal, as the BMX users are already in the park, and the skate park.

Impacts on highway network or access:

It is considered that there would not be any impact on highway safety. The track provided for the construction of the skate park construction traffic still in situ and will be used for this scheme.

Other matters:

As part of the skate park application, the old rifle range was assessed in respect of archaeology, contamination and noise. As a result, the whole rifle range was cleared of contamination, with no other works were deemed necessary, therefore no conditions would be required to control these issues.

No lighting is proposed as part of this application. If floodlighting is proposed at a future date, this would require planning permission, and would be assessed at that time.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposed provision of a BMX track is considered to be a suitable development for a public park, and would provide enhanced facilities for young people. The development would comply with local and national policies.

Recommendation: Approve

Conditions:

1. Commencement within three years
2. Development in accordance with approved plans
3. Tree protection
4. No changes in soil levels within the root spread of the trees
5. Submission of details of access route, site office and materials storage

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**