**Executive Summary**

The application for the proposed skate park follows an extensive period of consultation and a review of the different options available for a skatepark to be provided within Hampden Park.

At the Cabinet Meeting of 10 July 2013, the Cabinet were presented with two site options, Cross Levels Way and The Old Rifle Range, other sites had been examined but discounted for various reasons. The Cabinet resolved that a formal planning application be submitted proposing a new facility be located within the Old Rifle Range.

The proposal is deemed to be an appropriate use in this location and is recommended for approval.

**Constraints:**
- Archaeological Notification Area
- Willingdon Levels Catchment Area

**Relevant Planning Policies:**
- National Planning Policy Framework
- Eastbourne Core Strategy Local Plan Policies 2013
- B2 Creating Sustainable Neighbourhoods
- C7 Hampden Park Neighbourhood Policy
- D7 Community, Sport and Health
**Site Description:**
During the 1930’s the site was established as a miniature rifle range and this continued until approximately 10 years ago after which the buildings were demolished and the area was made into an openly accessible grassed area.

Due to the long-standing nature of the miniature rifle range, it is locally referred to as The Old Rifle Range.

The site is located to the rear of the tennis courts and in close proximity of the playground and café off Hampden Park Drive, to an open grassed area which is used as public amenity space.

**Relevant Planning History:**
None specifically relevant to this application.

**Proposed development:**
The installation of a concrete skate park covering an area approximately 600m², in the area previously as the Rifle Range adjacent to the existing and retained rifle range wall.

The skate park will be similar to the facility in Manor Gardens (Gildredge Park) in that it is to be formed from concrete and will include ramps/gradients and a bowl. The height of the ramps is approximately 1.8m above existing surrounding ground level.

Around the concrete skate park area the ground level will be remodelled to incorporate banking. All of the banking will be lower than the proposed ramps.

**Consultations:**

**Internal:**
Specialist Advisor (Arboriculture) – No objections as the site of the proposed development is outside of the root protection area of any of the trees surrounding, and therefore should have no impact on trees. Conditions requested in relation to tree protection during construction.

Specialist Advisor (Environmental Health) No response received

Specialist Advisor (Planning Policy) – No objection, the application would not have an adverse impact on the protection of the amenity space, and the proposal would make a strong contribution towards meeting the neighbourhood vision for the Hampden Park neighbourhood. Therefore, there are no planning policy objections to this application.

**External:**
County Archaeologist
Although the application site is situated within an Archaeological Notification Area, it is not considered that the works would affect any significant archaeological remains.

East Sussex County Council Ecologist – No objections, the proposed development is unlikely to impact on any sites designated for their nature conservation interest. Provided the agreed mitigation measures are implemented, the proposal is unlikely to have a detrimental impact on biodiversity and can be supported from an ecological perspective.

The Friends of Hampden Park – raised no objection to the application but raised a number of questions in relation to the cost and maintenance of the skate park which have been passed to the applicant for comment.

Highways ESCC – No comments.

Hampden Park Bowling Association:- raised the following issues, facility may detract from the ability to attract new members, potential concerns over indiscriminate access to club facilities, potential vandalism to green, potential risk of flooding from storm water run off. The concerns have/will be addressed by EBC and as such they do not wish to enter a formal objection to the proposal.

Neighbour Representations:
An objection has been received from 18 Rosebery Avenue, in relation to noise impacts.

Appraisal:
Principle of development:
The application site is located within the Hampden Park neighbourhood as identified in the Eastbourne Core Strategy 2006-2027 (adopted 2013). The Core Strategy Policy C7: Hampden Park Neighbourhood Policy specifically mentions ‘Increasing provision for facilities for children and young people’ in order to meet the vision for the neighbourhood.

The site is located within an area of ‘amenity space’, which is defined by Eastbourne Borough Plan as any space that offers benefit to the locality, this may be by way of relief to the built environment or useful as a playing space. Policy UHT8: Protection of Amenity Space states that ‘Development which would result in the loss of important areas of public amenity space shown on the Proposals Map will not be permitted’. However, as the definition of amenity space includes reference to playing space, and a skate park is a form of playing space, it is not considered that this proposal would result in the loss of amenity space.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:
The site is located in a predominantly residential area, the site of the proposed skate park is however relatively secluded in terms of surrounding residential properties being in a large open space adjacent to the tennis courts, Bowls Club and playground of Hampden Park.

Surrounding the site are educational facilities to the south of the park and the St Winifreds Hospice to the south east. The nearest residential properties to the application
site are those on Roseberry Avenue north of the site, over 150m from the rear boundary to the site of the proposed skate park.

A Noise Impact Assessment was submitted as part of the application which has found that the proposed skate park in this location was unlikely to generate adverse impact at nearby residential dwellings given the distance and the existing features which would provide noise mitigation such as the wooded area and Old Rifle Range Wall which would act like a buffer.

No lighting is proposed to the skate park so in general use will be limited to daylight hours, therefore minimising impact on residential properties.

Given the findings of the Noise Impact Assessment and given the context of the site it is not considered that the proposed skate park will have a significant impact on surrounding residential properties to warrant the refusal of the application.

**Design issues:**
The design is typical of a skate park, occupying approximately a third of the Old Rifle Range allowing the rest of the land to be used as accessible grassed area.

**Impact on character and setting of a listed building or conservation area:**
The site is not situated within a conservation area or within the setting of a conservation area.

**Impacts on trees:**
The location of the proposed skate park within the Old Rifle Range site is outside of any root protection areas of the surrounding trees. The Specialist Advisor for Arboriculture has confirmed therefore that the proposed works will not have any impact on surrounding trees.

**Impacts on highway network or access:**
It is not considered that the installation of the skate park in this location would have a significant impact on the highway network in the area, or on the demand for on street parking.

To construct the development temporary access arrangement will need to be provided. The Applicant has provided some detail in relation to the construction in the application documents which states that construction is anticipated to take approximately 10 weeks with between 2 and 4 vehicular visits a day and the construction will operate normal construction working hours.

**Other matters:**
The application site is located within the Willingdon Levels Catchment Area. Borough Plan Policy US4: Flood Protection and Surface Water Disposal states that all development should make adequate provision for floodplain protection and surface water drainage, in order to ensure that no overall reduction in flood storage capacity and flood waterway area occurs; and measures are provided to manage increased surface water runoff to minimise the risk from flooding, whilst not increasing the risk of flooding elsewhere.
The application proposes to mitigate any impact on flooding with the installation of a suitable drainage pipe in the bowl of the skate park which will take the surface water to a nearby existing drainage ditch, which is the current method of flood control in the open space area and is considered to overcome any concern in relation to flooding.

A Geo-environmental Assessment was submitted as part of the application to investigate onsite potential contamination sources. The site has potential for contamination given the previous use as a firing range. This report identified that remediation of part of the site adjacent to the firing wall would be required in order for it to be suitable for use which would involve excavating the contaminated materials. The findings of the Assessment and recommendations in terms of contamination can be controlled by condition.

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:
It is not considered that the installation of the proposed skate park given the context of the site would result in any significant impacts on surrounding residential properties in terms of noise and/or disturbance. The design, size and location within the site is considered acceptable and any impacts in terms of flooding can by mitigated by surface water drainage works to the site; therefore it is recommended that planning permission is granted.

Recommendation:
Grant planning permission subject to the following conditions;

Conditions:
1. Time for commencement
2. In accordance with approved plans
3. Development shall be carried out in accordance with findings of approved documents, Biodiversity Survey and Report, Geoenvironmental Assessment and Ground Conditions Desk Study
4. Unsuspected contamination
5. Surface water drainage as stated in Planning Statement.
6. Hours of operation during construction
7. Tree protection fencing
8. Tree protection Earthworks
9. Method and access statement in relation to site offices, access routes and storage in relation to trees

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.