Agenda Item 4

Report to: **Elsea Park Community Trust Board**

Date: **Wednesday 2 April 2014**

Subject: **Management Report**

From: **Sally Waltham – Community Trust Manager**

1.0 Planning Applications on Elsea Park

1.1 I am pleased to report that, on the Trust's request, South Kesteven District Council, have agreed that the Trust will be automatically notified of planning applications at Elsea Park. I assume that it will be for the Trust to research the application on-line through the SKDC website

1.2 The notification will set out the period in which a response is required. Generally this is between 3 – 8 weeks. The Board needs to determine how it wishes to consider applications and make a response.

1.3 There are several options available including those set out below:

- Place on the Board agenda – this has the advantage of round table discussion but is unlikely to fit with the required timescale for response. For instance, Bourne Town Council's Highways & Planning Committee
  deals with planning applications and meets twice within the council's six weekly cycle.
- Establish a small sub-committee, say of Resident Directors, to consider planning applications on an as-and-when basis, initially through an email and meeting if required. The restriction to Resident Directors is suggested for a number of reasons including local knowledge, some of the other Directors can have input to the planning process through their Councils, and developer and landowning Directors are perhaps more likely to represent different interests than residents
- Circulation of all Board Directors – not recommended for the reasons outlined in the paragraph above

1.4 If circulation is the preferred method, there needs to be a way of determining split views, as was the case with McDonalds, since this leaves the Manager in an onerous position when responding to the Council on behalf of the Trust.

1.5 Finally, to assist the Board in determining the process I have set on some guidance on the planning application process

- Planning applications are decided by the local planning authority in line with its development plan for the area – unless there are very good reasons to not do so
- A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

- Material considerations can include (but are not limited to):
  - Overlooking/loss of privacy
  - Loss of light or overshadowing
  - Parking
  - Highway safety
  - Traffic
  - Noise
  - Effect on listed building and conservation area
  - Layout and density of building
  - Design, appearance and materials
  - Government policy
  - Disabled persons' access
  - Proposals in the Development Plan
  - Previous planning decisions (including appeal decisions)
  - Nature conservation
- However, issues such as loss of view, or negative effect on the value of properties are not material considerations.

1.6 More information on the process can be found at:

www.planningportal.gov.uk/general/faq/faqapplyprocess#HowdoIobjecttoaplanningapplicationandcanIdosoonline

Recommendation

Board decision required

2.0 Variation of S.106 Agreement

2.1 I am pleased to report that Buckles solicitors are able to provide the services of a planning lawyer. Aside from existing resources, from early April they are to be joined by a specialist planning lawyer from a large international law firm with its headquarters in London.

Recommendation

None – for information

3.0 Drainage – update

3.1 An update on the drainage project being carried out by the Working Group is to be found below:

The Elsea Park Drainage Review is progressing.

I have attached the brief which was agreed by the Trust Chair, Trust Manager and the "Working Group" dated 29th January2014. See below

Elsea Park Drainage Review

- *Current Position - Presentation by Wormald.*
- *Future Strategy - Kier report.*

The current position and the future strategy are defined in the two recent reports provided by Wormald. One presented to the board dated 4th December 2013; the other commissioned by Kier dated September 2013.

- *Check the status of the Kier report in the planning process.*
- *Confirm responsibilities for Foul Water Drainage.*
- *Explore Options the Trust may take for obtaining specialist information on drainage.*

- *Implications for the Trust - Will be covered in the report as follows:*

(a). Identifying the Authority responsible for the Drainage area covering Elsea Park and its role and responsibilities.

(b). Source of information regarding changes to drainage with rationale for changes in legislation.

(c). Role and responsibilities of the trust in managing the drainage system.

(d). The process required to ensure the drainage system is maintained at it's designed capacity.

(e). Cost to the Trust of maintaining the Drainage system.

Bryan Summers
David Forrest
29th January 2014

We planned to undertake 3 meetings with relevant groups to research and gather information on drainage. Namely SKDC, Local IDB and the Consultant Engineers Wormald.
Two have been undertaken and one to complete. (see below).

Meeting with SKDC Project Officer Mr C Maw. 19th February 2014
The Working Group/Trust Manager and Trust Groundskeeper had an informative meeting with Mr Chris Maw - Project Officer (Land Drainage and Flood Prevention) for SKDC on the 19th February. Following the meeting a walk around the main drainage areas took place where Mr Maw gave good practical advice on maintenance.

Meeting with Welland & Deeping Internal Drainage Board. 17th march 2014
The Working Group attended a meeting with the Welland and Deeping Internal Drainage Board (IDB) at their offices in Spalding with Mr Nick Morris - Operations Engineer, and Mr Julian Boden - Engineer. This was a well spent afternoon where we received information on the roles and responsibilities of an IDB and their links with other groups.
Mr Boden is a member of the "Drainage Group" which is an integrated body comprising LCC, SKDC, Environment Agency, IDB and Anglian Water.

Planned items
The meeting planned with Wormald will take place when we can confirm dates.
We are also looking at the Hamptons development near Peterborough (advice from W&D IDB). to see how they manage their drainage.
Mr Boden (W&D IDB).has agreed to pay a visit to Elsea Park to view the drainage and to give advice to the Trust Working Group.

We cannot yet advise on a completion date as we have much still to review.

Dave Forrest

Recommendation

None – for information

4.0 Issues Log

Issues from the past month are reported below:

Type	Issue	Comment
ASB	Outdoor activity by the Cubs received hassle from youths	Reported to the police at the time but offenders had left. Follow up viewing of CCTV provided insufficient quality footage to identify the offenders
Graffiti	Graffiti to bins on linear park	Graffiti cleaned off. Reported to police as possible link to similar incident in the locality

Recommendation

None – for information