

HANKERTON PLAYGROUND – SUMMARY OF OBJECTIONS AND THE PC STATED POSITION

	Problem Heading Raised by Opposers	Problem Detail	Answer with Evidence	Answer without Evidence Yet
	(a)	(b)	(c)	(d)
1	Legal	<p>Children’s Playground</p> <p>Some objectors do not accept that this area is meant to be a children’s playground.</p>	<p>The original outline planning permission for Old Farm Close required that this area be a children’s playground. Subsequent detailed planning permissions on the design of the houses and the landscaping confirmed this requirement. The PC holds copies of all these documents.</p>	
2		<p>Public Open Space</p> <p>The deeds for this area designate it as a Public Open Space.</p> <p>Objections believe that a playground does not meet this definition.</p>	<p>A play area is defined by legislation as a Public Open Space and does therefore match the requirements of the deeds. (Reference: PPG17, Annex, para 2vi)</p>	

3		<p>Nuisance and Annoyance</p> <p>The deeds of the area require that nothing be done that may be or grow to be a nuisance or annoyance to the occupants of Old Farm Close or adjoining properties. Objections suggest that a playground will constitute a Nuisance and Annoyance to neighbouring properties.</p>	<p>It is acknowledged that this issue is subjective and can be argued both ways.</p> <p>Notwithstanding this, the PC has received clear legal advice that the planned playground would not in law constitute a nuisance and annoyance to a neighbour. To justify this, legal examples have been given.</p>	<p>The Playground Committee is aware of the need to plan sensitively and to take account of the neighbours' natural concerns when designing the playground.</p>
4		<p>Change of Use/Planning Permission</p> <p>Objections believe that a playground would constitute a change of use and therefore need planning permission.</p>	<p>There would be no change of use. Wiltshire Council confirmed as recently as 2015 that the designated land use of this area is as a children's playground..</p>	
5	Safety	<p>Risk Assessment</p> <p>Objections have contended that the PC knows nothing of risks and that the area is unsafe.</p> <p>Objections have demanded a professional risk assessment.</p>		<p>A risk assessment has been conducted in a thorough and professional manner by members of the committee.</p> <p>There has been no evidence found to confirm that this approach does not meet the requirement.</p> <p>A 'professional risk assessment' is not needed.</p>

6		<p>Road Safety</p> <p>Objections have contended that families walking or bicycling to the playground will be at risk on the road.</p> <p>Car parking if users travel by car.</p>		<p>It is not assessed that this is a major concern; residents already walk/ride along this stretch of road and the creation of a playground does not materially change this.</p> <p>However, for other reasons work to consider a speed limit for the whole village is underway. The work includes a road survey.</p> <p>Additional warning signs could be erected.</p> <p>To be considered by the Committee. Possible solution – park on road. No better way of slowing the passing traffic.</p>
7	Other Legislation and Procedures	<p>Safety Legislation</p> <p>Objections have listed numerous references to legislation which it is claimed precludes the construction of a playground unless surveys are carried out, many of which would probably bear a cost.</p> <p>Such legislation can be found on the RoSPA website.</p>		<p>It is acknowledged that the PC has not looked in detail at every single piece of legislation quoted in the objections.</p> <p>Notwithstanding this, following a review of the RoSPA website it is assessed that for a small play area like this nothing other than the Risk Assessment is needed.</p> <p>It is further noted that organisations including Play England clearly articulate that a degree of risk must be accepted in all forms of play.</p>
8		<p>Wildlife</p> <p>Objections have claimed that the playground will damage wildlife, etc.</p>		<p>The PC believes that what is envisaged for the play area will not harm wildlife any more than cutting the grass, controlling the weeds and cutting back shrubs will do. It may be possible to run the area jointly as a small wildlife interest area...</p>

9	Residents' Opinion	<p>Residents Opinion</p> <p>Objections claim that a playground is not supported by the majority of the village.</p>		<p>The 2015 survey of residents' views saw 3 clear favourites for the area – wildlife area, allotments and playground. (Allotments was the only one of the 3 offered as an idea on the questionnaire.)</p> <p>It is assessed that the support expressed at the 2018 initial public meeting discounts this objection.</p> <p>Notwithstanding this, it is considered that a survey of all residents' views is now needed.</p>
10	Cost to Residents	<p>Cost</p> <p>Objections have raised concerns that the playground will cost the Parish money.</p>		<p>Though the grant was rescinded, there is a good likelihood that the grant can be successfully applied for again. It is noted that the Council will require the Parish to match the funds through other means.</p> <p>Once reinvigorated, means for raising money can be considered. In the interim, it is advisable for the PC to consider what initial and ongoing costs it may be willing to provide in support of the playground.</p> <p>The PC needs to review the running cost and confirm what proportion it is willing to pay from the PC budget and what proportion requires fund raising.</p> <p>Current rough estimates show that the annual additional precept cost to a Band D householder to meet the running costs (more or less to other bands in proportion) would be £6.46 per year if no fundraising took place.</p>