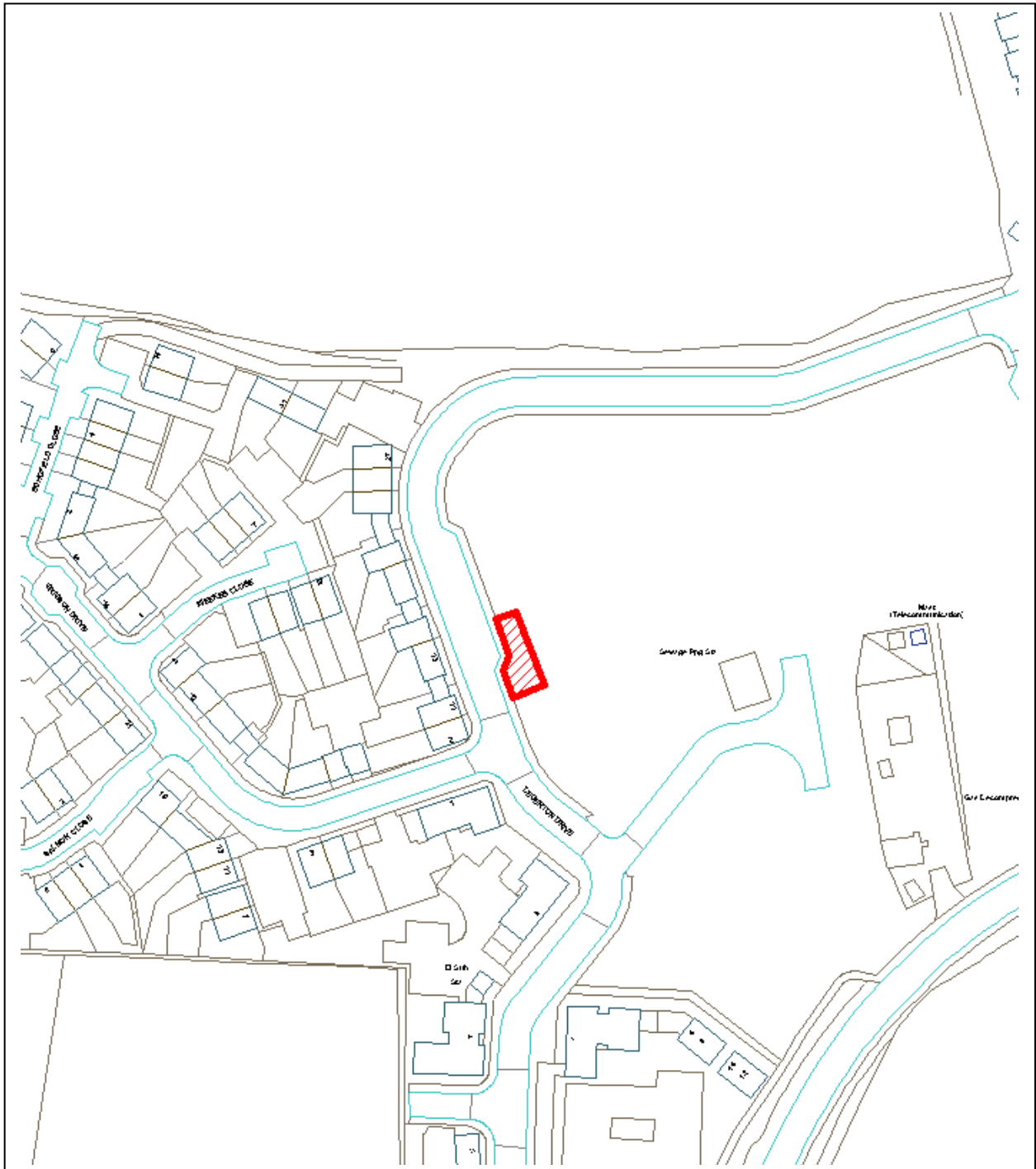


**PLANNING COMMITTEE**

**4 MARCH 2014**

**REPORT OF THE HEAD OF PLANNING**

**A.6 PLANNING APPLICATION - 14/00023/FUL - PHASE 1 OPEN SPACE  
LEGERTON DRIVE, CLACTON ON SEA, ESSEX, CO16 8AR**



DO NOT SCALE

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<b>Application:</b>	14/00023/FUL	<b>Town / Parish:</b> Clacton Non Parished
<b>Applicant:</b>	Tendring District Council - Mrs Gill Burden	
<b>Address:</b>	Phase 1 Open Space Legerton Drive Clacton On Sea CO16 8AR	
<b>Development:</b>	Positioning of temporary Portacabins for use as a community facility and office space.	

## 1. **Executive Summary**

- 1.1 This application has been referred to the Planning Committee as the application is submitted by Tendring District Council.
- 1.2 The application site forms part of the wider Bloor Homes and Taylor Wimpey development marketed as Blenheim Gate and St Johns Gate and lies between Little Clacton Road and St Johns Road and is within the Settlement Development Boundary for Clacton on Sea. This wider development site is under construction and predominantly residential. It includes almost 400 houses and apartments with outline planning approval for public open space, retail space and a community facility.
- 1.3 The principle of a community and ancillary office use at this location would accord with the Council's Saved Local Plan (2007) and Focused Changes Local Plan (2014), as well as the Council's corporate objectives and the National Planning Policy Framework (NPPF).
- 1.4 The proposed two portacabins are temporary in their nature and are therefore acceptable taking into account other material planning considerations. These include the fact that the context for the wider site already includes temporary portacabins in use with the wider construction site. Furthermore, a planning condition can be attached to ensure that the Portacabins only remain on site for a certain number of years, whilst a permanent community building can be approved and constructed. Finally, the local and national policy support for community facilities, mentioned above, also helps to offset any harm.

**Recommendation:** Approve

**Conditions:**

1. Time limit for commencement
2. Development in accordance with the plans
3. Temporary planning permission for five years
4. Restrict number of portacabins located on site to no more than two
5. Restrict use of portacabins to community and office use only

## 2. **Planning Policy**

National Policy:

National Planning Policy Framework (2012)

Local Plan Policy:

Tendring District Local Plan (December 2007)

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

COM4 New Community Facilities (including Built Sports and Recreation Facilities)

TR7 Vehicle Parking at New Development

Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the  
Tendring District Local Plan: Pre-Submission Focussed Changes (2014)

SD8 Transport and Accessibility

SD9 Design of New Development

PEO18 Community Facilities

Other guidance:

Essex Parking Standards (2009)

**3. Relevant Planning History**

- 3.1 09/00886/OUT - Hybrid application seeking detailed planning permission for 157 no. one, two, three and four bedroom apartments and houses, access from St. Johns Road and public open space on the Southern Phase and outline planning permission for 235 no. two, three and four bedroom houses, public hall, health facility, retail units to meet local needs, access from Little Clacton Road and public open space on the Northern Phase. Refused by the Local Planning Authority, but allowed at appeal.
- 3.2 Reserved matter applications have been approved in relation to the design, layout, external appearance and landscaping of the site.

**4. Consultations**

- 4.1 Not applicable.

**5. Representations**

- 5.1 None.

**6. Assessment**

- 6.1 The main planning considerations are:
  - Community function

- Impact on streetscene
- Access and parking

### **Context and Background**

- 6.2 The application site amounts to 0.01 hectares, but forms part of the larger Blenheim Gate / St John's Gate development site, predominately for residential use, between Little Clacton Road and St John's Road. The site is located within the Settlement Development Boundary for Clacton on Sea as established in the saved (2007) and focused changes (2014) Tendring District Local Plans (TDLP).
- 6.3 The site is currently mown grass and forms part of a larger parcel of open space associated with the wider residential development for almost 400 houses and apartments. This open space was included as part of the outline approval for this wider site, along with the provision of a community facility. On the opposite side of Legerton Drive there are three-storey apartments associated with the southern phase of the afore-mentioned residential scheme.

### **Proposal**

- 6.4 The application proposes two temporary Portacabins on the edge of an area of land off Legerton Drive. Portacabin 1 measures 14.27m in length, 4.25m in width and has a ceiling height of 2.5m. Portacabin 2 measures 6.08m in length, 3.27m in width and has a ceiling height of 2.3m. The external design is typical for such a Portacabin and has an aluminium frame raised upon four foundation pads and includes appropriate alarms and security shutters.
- 6.5 The proposal would be a temporary measure to provide as a base for the Residents Association and would be used to deliver youth activities and some Early Years services through Barnardo's. The proposal is made in advance of a planning application for a permanent community facility on the wider site, which is the subject of a Section 106 obligation.

### **Planning History**

- 6.6 Outline approval for a permanent community facility is set out in the afore-mentioned planning decision (ref: 09/00886/OUT), with reserved matter yet to be submitted. However, in advance of those details being submitted a temporary facility is required.

### **Policy Context**

- 6.7 The National Planning Policy Framework (NPPF) seeks to promote healthy communities. Through planning policies and decisions this is sought to ensure that local services enhance the sustainability of communities. This includes social sustainability. The NPPF also requires that an integrated approach is taken in consideration of the location of housing and community facilities and services. A similar approach is taken in Saved TDLP Policy COM4 and Focused Change TDLP Policy PEO18.
- 6.8 The NPPF also promotes the principles of sustainable development through high quality design. Proposals should ensure high standards of design and respond to local character, whilst being visually attractive as a result of good architecture and appropriate landscape design. In the Saved (2007) and Focused Changes (2014) versions of the TDLP, these aspects are considered under Saved Policies QL9, QL10 and QL11 and Focused Changes Policy SD9.

### **Community Function**

- 6.9 The proposal will provide a valuable resource to local residents in advance of a permanent community building being provided. Saved TDLP Policy COM4 states that permission will be granted for redevelopment of land appropriate for community use provided that four criteria are met. Firstly, criterion (a) requires the site is readily accessible to local people. In this instance, the site's location within the wider site and proximity to bus routes along St Johns Road mean that this criterion will be met. Secondly, criterion (b) requires that the proposal is not detrimental to the character and amenities of the area. Whilst the proposal, with its boxy aluminium frame, would appear out of character with the area, it is recognised that this is a temporary structure. This issue is discussed in greater detail under "impact on streetscene" below. Thirdly, criterion (c) requires that it will not lead to unacceptable parking or traffic problems. No off-street car parking is provided within the application site. However, there are no on-street parking restrictions on Legerton Drive and upon the planning officer's site visit there did not appear to be any local parking or traffic problems within the vicinity of the site. Finally, criterion (d) requires that the proposal does not comprise a site with overriding planning or infrastructure constraints. No such constraints are evident with this proposal. Focused Changes (2014) TDLP Policy PEO18 states that new community facilities will be judged on their own merits.

### **Impact on Streetscene**

- 6.10 The proposal is for two single-storey Portacabins. Whilst the scale of these buildings is acceptable because of their temporary nature they will be of a low design quality. Notwithstanding this, it is not unusual for Portacabins to be present in and around construction sites, which, as is the case here already includes temporary Portacabins. However, a Portacabin would not be appropriate in this instance as a permanent building, by virtue of the harm it would cause to the streetscene over the lifetime of the development. As such a planning condition will be necessary to restrict the use of the building to an appropriate timescale. In this instance a timescale of five years will be sufficient during which details of a permanent building can be approved.

### **Access and Parking**

- 6.11 The application site includes no off-street car parking. However, it is intended for a temporary period and the site has access to public transport connections along St Johns Road to the south. Furthermore, given the site's role as a community facility, it is likely that most users will be from the local area and therefore more likely to arrive by sustainable means. Additionally, there are no on-street parking restrictions on Legerton Drive and upon the planning officer's site visit there did not appear to be any substantial parking or traffic issues. As such, the requirements of Saved TDLP Policy TR7 and Focused Changes TDLP Policy SD8 will be met.

### **Conclusions**

- 6.12 Considering the policy requirements of the local development plan and the NPPF, as well as the wider corporate objectives of the Council, the proposal for a community facility is supported. Furthermore, the proposal would raise no issues in terms of highway safety. Whilst the Portacabins would appear out of character with the surrounding area, a suitable condition can be attached restricting their use for a sufficient time period. This will allow time for the approval and construction of a nearby permanent community facility, in line with that given outline approval in 2010.

### **Background Papers**

None