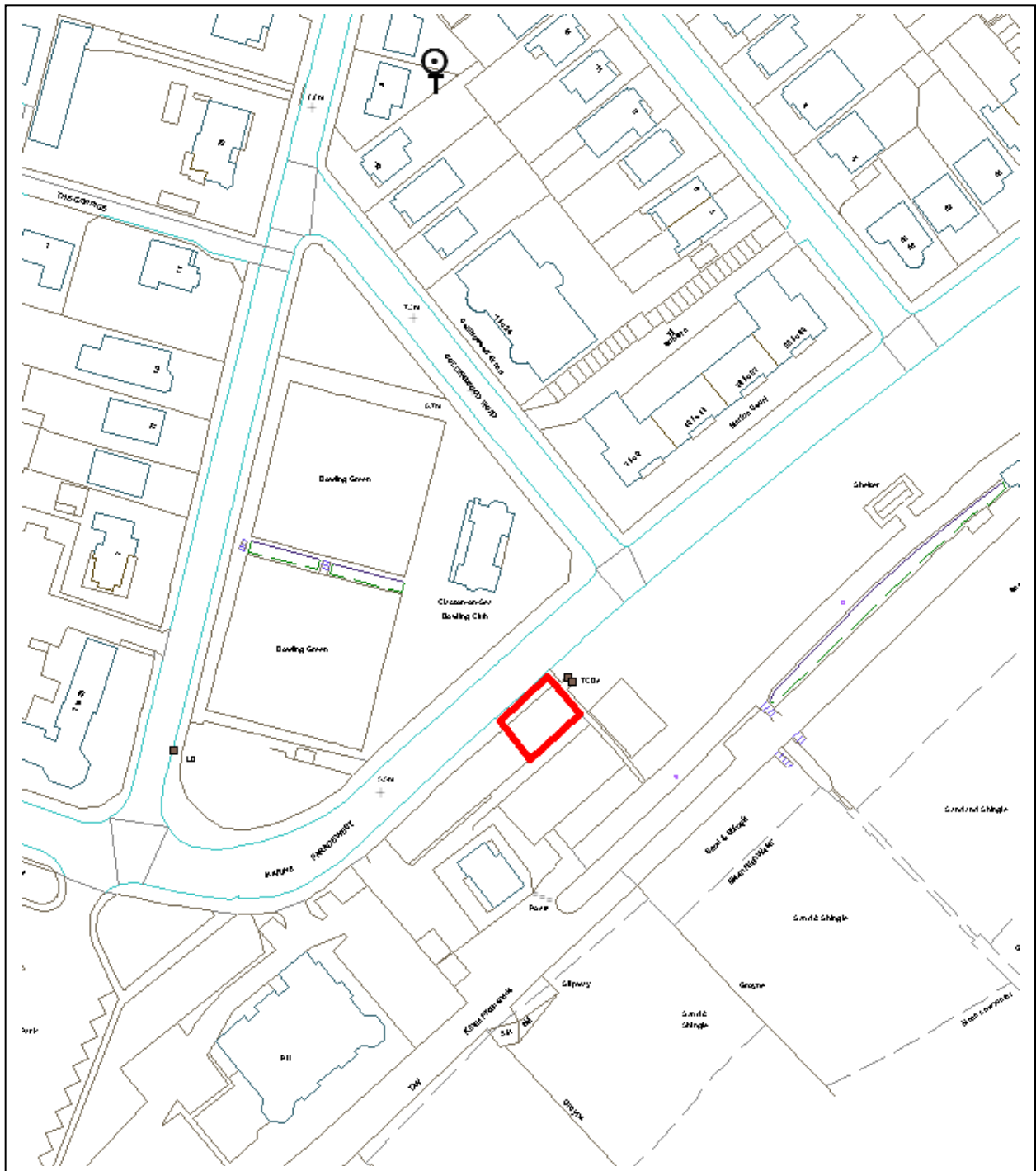


PLANNING COMMITTEE

1 APRIL 2014

REPORT OF THE HEAD OF PLANNING

A.6 PLANNING APPLICATION – 14/00130/FUL – WESTERN END OF GREENSWARD MARINE PARADE WEST, CLACTON-ON-SEA, CO15 1XB



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Application:	14/00130/FUL	Town / Parish: Clacton Non Parished
Applicant:	Tendring District Council - Mr David Hall	
Address:	Western End of Greensward Marine Parade West Clacton On Sea CO15 1XB	
Development:	Erection of a new children's play area.	

1. Executive Summary

- 1.1 This application has been referred to Committee because the applicant and landowner is Tendring District Council.
- 1.2 The proposal is for the construction of a children's play area including a piece of multi-functional play equipment in the form of a Helter Skelter.
- 1.3 It is considered that the proposal results in no material harm to either residential or visual amenity.
- 1.4 The proposals are in accordance with the Development Plan.

Recommendation: Approve

Conditions:

1. Standard 3 year time limit for commencement.
2. Development in accordance with submitted plans.

2. Planning Policy

National Policy

National Planning Policy Framework (2012)

Local Plan Policy

Tendring District Local Plan (2007)

QL1	Spatial Strategy
QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses
ER16	Tourism and Leisure Uses
COM7	Protection of Existing Recreational Open Space Including Children's Play Areas and Pitch and Non-Pitch Sports Facilities

COM8	Provision and Improvement of Outdoor Recreational Facilities
EN11B	Protection of National Sites SSSI's, National Nature Reserves, Nature Conservation Review Sites, Geological Conservation Review Sites
CL3	Tourism Related Facilities Along Clacton Seafront
<i>Tendring District Local Plan: Proposed Submission Draft (2012)</i>	
SD1	Presumption in Favour of Sustainable Development
SD8	Transport and Accessibility
SD9	Design of New Development
PRO7	Tourism
PEO19	Green Infrastructure
PEO23	Children's Play Areas
PLA4	Nature Conservation and Geo-Diversity
PLA8	Listed Buildings

3. **Relevant Planning History**

13/01447/FUL – Erection of a new children's play area – Withdrawn

4. **Consultations**

- 4.1 **Natural England** – state that the site is in close proximity to the Clacton Cliffs and Foreshore Site of Special Scientific Interest (SSSI). However are satisfied that the proposed development will not damage or destroy the interest features for which the site has been notified and therefore advise that the SSSI does not represent a constraint in determining the application.

5. **Representations** *(with officers comments in brackets)*

5.1 One letter of objection has been received which raises the following concerns:

- The proposed location is completely inappropriate with the structure of the helter-skelter dominating the immediate area, historically an Edwardian seafront and positioned in the front of the iconic early 1920's thatched roof bowling club pavilion. The new location adversely impacts on the character of the immediate area. *(Addressed in report below)*
- The proposed development is over-bearing, out of scale and character in terms of its appearance with existing development in the vicinity. *(Addressed in report below)*
- The extremely close proximity of the proposed play area will adversely affect the saleability and possibly value of nearby properties. *(Not a material planning consideration)*
- The visual impact from neighbouring properties will be significant. *(The impact on a private view is not a material planning consideration)*

- Overlooks adjoining properties (*addressed in report below*)
- Increased noise and disturbance in very close proximity (*addressed in report below*)
- Likelihood of unsociable behaviour in the evenings and an area encouraging the congregation of young teenagers taking part in anti-social behaviour (*addressed in report below*)
- The height of the proposed helter-skelter is disproportionate and excessive, and does not fit in with the immediate conservation area. (*The application side does not fall within a designated Conservation Area*)
- The disproportionate size of the helter-skelter spoils existing contours and introduces unnatural features to the immediate area, and is in conflict with the character of the area. (*Addressed in report below*)
- The play area is unsupervised, not within a locked secure compound, which as a result unsociable hours of use of the facility will be uncontrolled. (*Addressed in report below*)
- There are other more suitable locations for the development of the play area which are within the immediate area. (*Each application has to be considered on its own merits and how it has been submitted; in this case, the application cannot be refused just because there may be a more suitable location*).
- If the scheme is to go ahead it is asked that consideration is given to the following:
- It would be favourable to local residents if the park can be located as near to the Martello Pub as possible, with the Helterskelter positioned in line with the front of the Greenward Café. (*The application has to be determined as submitted*).
- The security of the park in the evenings, particularly the impact of unsociable behaviour on local residents. It is assumed that the park will attract youths in early teenage years and inherent problems associated with a park of this nature.
- Securing the park overnight, ensuring the park fencing is adequate to deter entry.

6. Assessment

6.1 The main planning considerations are:

- Planning Policy;
- Design and Appearance;
- Residential Amenity; and,
- Impact on Setting of Listed Structure.

Proposal

6.2 This application seeks planning permission for a new children's play area. The proposed play area includes two items of multifunctional play equipment; one reflecting the design of a Helter Skelter and the other a boat. The 'boat' does not require planning permission as it is not more than 4 metres high. It is just the Helter Skelter that requires planning permission.

- 6.3 The Helter Skelter is an item of multifunctional play equipment; it measures at its base approximately 5 metres square and has a height of 7.3 metres.

Site Location

- 6.4 The application site is situated to the southwest of the Greensward along Marine Parade West, to the north of the putting area and the Greensward Café. The site currently forms part of the grassed public amenity area and has a footpath/cycleway running through it which will be realigned.
- 6.5 To the east of the site is the greensward which includes a shelter. On the opposite side of Marine Parade West is the Bowling Club, which is a single storey building and Marine Court which is a three storey block of flats. To the south east of the application site is the Promenade, on which there are lamp posts which are Grade II Listed.
- 6.6 The area is allocated as Open Space within the Tendring District Local Plan 2007 and the Tendring District Local Plan Proposed Submission Draft 2012.

Policy

- 6.7 The site is designated as within the Tendring District Local Plan (2007) as Recreational Open Space and in the Tendring District Local Plan Proposed Submission Draft (2012) as a Local Green Space.
- 6.8 Policy COM7 of the Local Plan (2007) states that 'development proposals will not be permitted that would prejudice the use or involve the loss of recreational open space'. Furthermore, Policy PEO19 of the Proposed Submission Draft (2012) states that 'the district's existing network of green infrastructure and local green spaces will be maintained, enhanced and protected against redevelopment. Development proposals that would prejudice the use or lead to the loss of any area defined as Local Green Space will not be permitted'.
- 6.9 Whilst the proposal will result in development on Open Space, it is still in accordance with the above policies, as the use of the site as a play area is still considered to fall within the category of Open Space.

Design and Appearance

- 6.10 The proposed Helter Skelter is 7.3 metres in height, which will mean that it will be prominent in the surrounding area. However as it is a Helter Skelter is iconic to the seaside, it is considered that it would not be out of keeping with the surrounding area. Especially as it is location adjacent to existing built form and is not in an area which is designated for its special character.

Residential Amenity

- 6.11 The proposed Helter Skelter is situated approximately 45 metres from the nearest residential properties which are on the opposite side of Marine Parade West, which is a well used highway. It is considered that this is a sufficient distance for the proposal not to result in any direct overlooking or noise and disturbance. Furthermore, the site is adjacent to an area of open space which could be used for purposes of play which would create noise.

Impact on Setting of Listed Structures

- 6.12 The street lights to the on the south side of the Esplanade to the south of the application site are Grade II listed as part of a row of 16 street lights between Beach Road and West Road.
- 6.13 The proposed Helter Skelter is approximately 25 metres from the nearest Listed Street Light. It is considered that in this case this distance is sufficient not to result in any adverse impact on the setting, as the proposal would not alter the existing character of the Esplanade and the immediate surrounding area.

Other Issues

- 6.14 With regards to anti-social behaviour, there is nothing to suggest that the proposed Helter Skelter would result in such behaviour any more than other facilities in the area such as the adjacent open space and nearby shelter. In addition, the site is in an area where natural surveillance occurs with the nearby facilities which would reduce the risk of any potential anti-social behaviour.
- 6.15 It has been confirmed by the application that there are no plans to lock the play area at night, as anti-social behaviour is not a common problem at any other Council play areas and it is not expected that this site would be any different.

Background Papers

None.