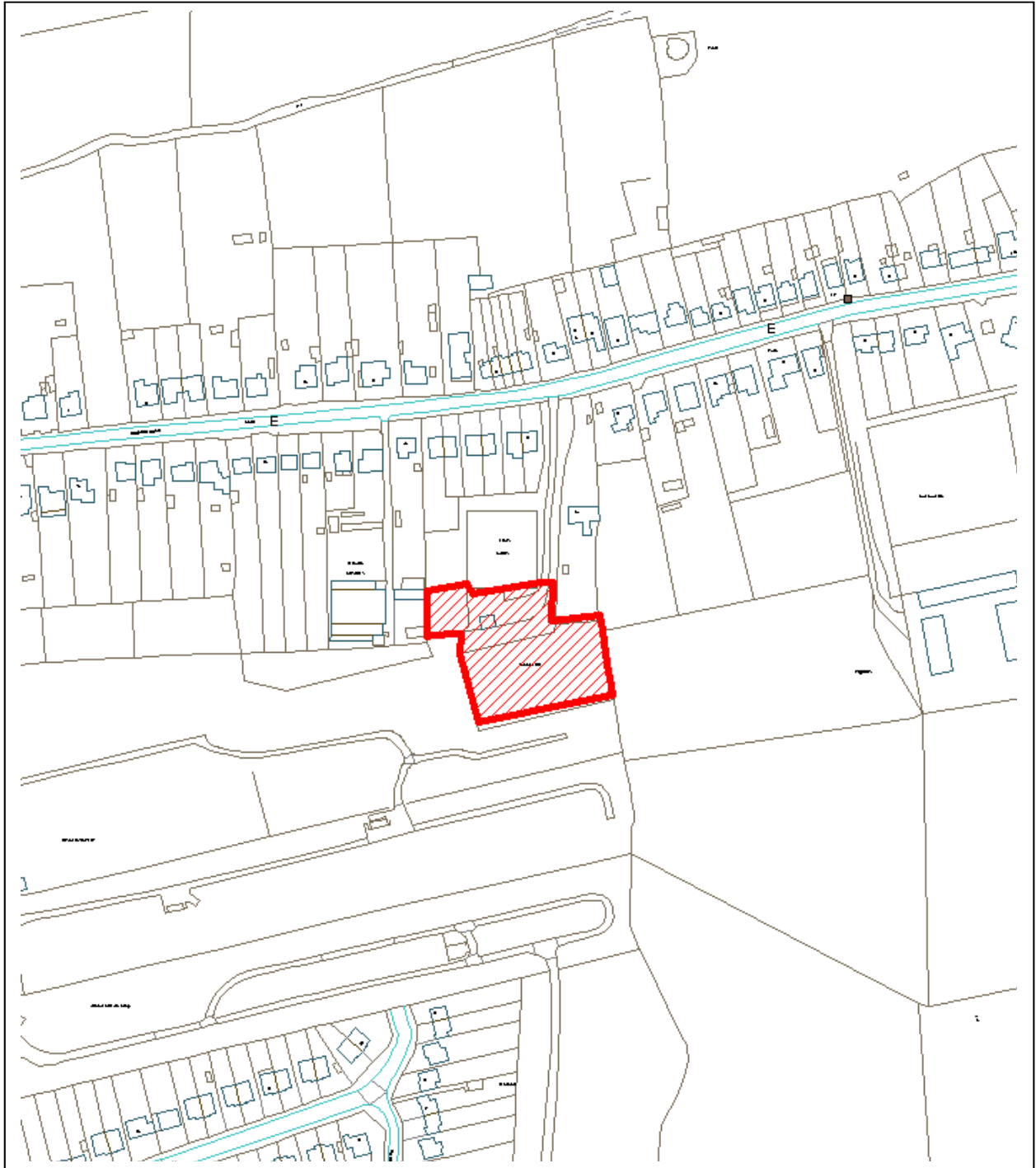


PLANNING COMMITTEE

11 NOVEMBER 2014

REPORT OF THE HEAD OF PLANNING

**A.5 PLANNING APPLICATION - 14/01281/FUL - LITTLE CLACTON TENNIS CLUB,
52 HOLLAND ROAD, LITTLE CLACTON, CLACTON ON SEA, CO16 9RS**



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Application:	14/01281/FUL	Town / Parish: Little Clacton Parish Council
Applicant:	Little Clacton Tennis Club	
Address:	Little Clacton Tennis Club, 52 Holland Road, Little Clacton CO16 9RS	
Development:	Formation of four hard surfaced tennis courts with related fencing and floodlighting.	

1. Executive Summary

- 1.1 The application has been referred to the Planning Committee at the request of Councillor De-Vaux Balbirnie on the grounds that the proposal will have:
- a negative impact on the character and appearance of the area having regard to the countryside location,
 - an adverse impact in terms of highway safety and other traffic issues
 - a negative impact on neighbours with extra noise, disturbance and floodlight issues.
- 1.2 The application site extends to 0.37 hectares and lies on the southern side of Holland Road at the Little Clacton Tennis Club. The site straddles the Settlement Development Boundary for Little Clacton as established in the saved (2007) and draft (2014) Tendring District Local Plans, with the existing courts being outside the boundary and the existing parking area and clubhouse sited within the boundary.
- 1.3 National planning policy is contained within the National Planning Policy Framework (“the Framework”). The Framework 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. The Framework also states that existing sports land should not be built on unless, amongst other things, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 1.4 Saved plan Policy COM8 sets out criteria for the provision and improvement of outdoor recreational facilities. This policy requires consideration of issues such as provision for all residents, the size of the facility, accessibility, considerate floodlighting and that there is no material harm to, amongst other things, surrounding residents, highway safety and the landscape.
- 1.5 Whilst the proposal would be for members of the tennis club only, and not for the general public, this would be a continuation of the existing arrangement and therefore no worse in planning terms. Furthermore, given the existing use of the site for tennis, the reprovision of enhanced facilities will not have any material impact on the amenity of neighbouring properties. Any increased usage of the site would be effectively offset by the substantial separation distance between nearby properties and the courts and existing boundary treatments. Floodlighting usage will not have a material impact on neighbouring amenity and its hours of use can be controlled by condition. The enhanced facilities would also result in increased sports participation, with ensuing benefits for public health.

Recommendation: Approve

Conditions:

1. Time limit for commencement - three years

2. Development in accordance with the plans
3. Floodlights shall only be used between 8am – 10pm (Mon – Sat), 8am – 6pm (Sun)
4. Site shall only be used between 8am – 10pm (Mon – Sat), 8am – 6pm (Sun)
5. Floodlighting shall only be directed towards the tennis courts
6. Parking spaces shall be at least 5.5m by 2.9m in size

2. **Planning Policy**

National Policy:

National Planning Policy Framework (2012)

Local Plan Policy:

Tendring District Local Plan (December 2007)

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

COM8 Provision and Improvement of Outdoor Recreational Facilities

TR1a Development Affecting Highways

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)

SD1 Presumption in Favour of Sustainable Development

SD5 Managing Growth

SD8 Transport and Accessibility

SD9 Design of New Development

PEO19 Green Infrastructure

PEO20 Playing Pitches and Outdoor Sports Facilities

Other guidance:

Essex Parking Standards (2009)

3. **Relevant Planning History**

93/00134/FUL – (52 Holland Road, Little Clacton) Change from domestic rear garden to fenced tennis court. Approved.

06/01403/OUT – Residential development. Refused. Dismissed at appeal

06/01407/FUL – Change of use of land to include new access, tennis courts and car parking. Refused. Dismissed at appeal.

07/01830/FUL – Use of land for the function of 6 no. tennis courts, revised access and provision of car parking, including location for new clubhouse, plus landscaping. Refused.

07/01868/OUT – Proposed residential development including access. Refused.

4. Consultations

4.1 The Highways Authority have raised no objection to the proposal.

5. Representations

5.1 14 letters of support have been received. The material planning considerations raised are as follows:

- Need to improve facilities to encourage others to play there (11 mentions)
- New facilities will encourage greater sport participation (4 mentions)
- New facilities will allow longer playing times

5.2 1 letter of objection has been received. The material planning considerations raised are as follows:

- The proposed floodlights would cause light pollution and nuisance to neighbouring properties

6. Assessment

6.1 The main planning considerations are:

- Context and Background;
- Proposal;
- Planning History;
- Policy Context;
- Improved Sports Facilities;
- Impact on Residential Amenity; and,
- Impact on Landscape.

Context and Background

6.2 The application site extends to 0.37 hectares and lies on the southern side of Holland Road at the Little Clacton Tennis Club. The site straddles the Settlement Development Boundary for Little Clacton as established in the saved (2007) and draft (2014) Tendring District Local Plans, with the existing courts being outside the boundary and the existing parking area and clubhouse sited within the boundary.

6.3 The site includes 3 No. outdoor grass tennis courts with associated chainlink fencing alongside a small clubhouse and parking area. There is an existing means of vehicular access to the site onto Holland Road with an unmade track providing access into the site. The site is bounded by a mixture of close-boarded fencing, open wire fencing and hedgerow.

6.4 To the north of the application site, but forming part of the wider tennis club site (and subject to a separate outline planning application for 4 No. bungalows – ref:

14/01280/OUT), are 2 No. hard-surfaced tennis courts with associated fencing. To the south of the application site is Firs Caravan Park.

Proposal

- 6.5 The proposal is for the formation of 4 No. hard-surfaced tennis courts with related fencing and floodlighting. The 4 No. courts are sited where presently there are grass tennis courts. The proposed fencing is a polyester coated chainlink fence of 4m height. Floodlighting is provided by 10 No. lamp columns of 8m height sited around the edge of the tennis courts.
- 6.6 The submitted layout shows parking spaces and a clubhouse. However, the clubhouse will remain as existing and the parking does not incorporate any hardsurfacing and will remain as existing.

Planning History

- 6.7 Outline planning permission (ref: 06/01403/OUT) was refused in November 2006 and dismissed at appeal in September 2007 for residential development of the site. The main issues identified by the Planning Inspector were the effect of the proposed development on the character and appearance of the area, having regard to the countryside location, and the effect on highway safety.
- 6.8 Outline planning permission (ref: 06/01407/OUT) was also refused in November 2006 and dismissed at appeal in September 2007 for an adjacent site for change of use of land to include works to form new access, tennis courts and car parking areas for relocation of tennis club. The main considerations identified by the Planning Inspector matched those identified above for residential development.
- 6.9 In December 2007 planning permission (ref: 07/01830/FUL) was refused for the adjacent site for use of land for the function of 6 no. tennis courts, revised access and provision of car parking, including location for new clubhouse, plus landscaping. The site overlapped with this current application only insofar as the access road. The remainder of the site lies to the east of the application site. This refusal differs from this application in that the site by way of its specific location (which is not designated as a "local green gap) and that this application is on a site that already provides tennis courts.
- 6.10 In December 2007 outline planning permission (ref: 07/01868/OUT) was refused for residential development including access. The extent of this refused site encompassed the current application site and the northern (front) part of the tennis club site (currently subject to application ref: 14/01280/OUT). The reasons for refusal focused on non-sustainable location, harm to the countryside, incongruous backland development, with a lack of information relating to alternative sites for a new tennis club. This decision was not appealed against. However, this refused application differs from the current application in that it was for residential development.

Policy Context

- 6.11 National planning policy is contained within the National Planning Policy Framework ("the Framework"). The Framework 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. The Framework also states that existing sports land should not be built on unless, amongst other things, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

- 6.12 Saved plan Policy COM8 sets out criteria for the provision and improvement of outdoor recreational facilities. This policy requires consideration of issues such as provision for all residents, the size of the facility, accessibility, considerate floodlighting and that there is no material harm to, amongst other things, surrounding residents, highway safety and the landscape. These criteria are addressed in more detail in the assessment below.
- 6.13 The latest version of the draft local plan “Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014)” includes changes to the Proposals Map. Focused change PM10.3 includes a change that is material for this application. This change draws the Settlement Development Boundary for Little Clacton tightly around the existing built form of this part of Little Clacton and now excludes the Firs Holiday Park to the south from the village boundaries. It also extends the area protected by draft plan Policy PEO19 to cover the whole of Little Clacton Tennis Club.

Improved Sports Facilities

- 6.14 At present the site provides 3 No. grass courts. They are currently unlit. By virtue of the lack of artificial lighting and playing surface, use of the grass courts is normally restricted to summer months (May to September). Outside of these months, use is restricted to daylight hours on the adjacent hard-surfaced tennis courts, which often realistically limits usage to weekends only for most patrons.
- 6.15 The proposal will provide 4 No. hard-surfaced courts, a net increase of 1 No. tennis court. By virtue of its playing surface and floodlights it will allow year-round use of the site.
- 6.16 Saved plan Policy COM8 sets out the criteria by which new and improved outdoor recreational facilities will be considered. The criteria are as follows with officer comments in relation to the existing proposal alongside in italics.
- 6.17 Proposals for the provision of new and extended outdoor recreational facilities will be permitted where:
- i. they meet the needs of all residents for a range of sporting and recreational opportunities, in terms of quality, accessibility, choice and value;
The proposal would be for members of the tennis club only. However, this is a continuation of the existing arrangement and would therefore be no worse in terms of this criterion.
 - ii. the size and location of the site is capable of accommodating a viable outdoor recreational facility;
The proposal is sited where existing tennis courts are in place. The extra court is accommodated by virtue of unused space to the side of the existing courts.
 - iii. they are accessible by a choice of means of transport including cycles and pedestrians;
The proposal would be outside of, but adjacent to, the Settlement Development Boundary for Little Clacton. The site is served by a pavement along Holland Road for pedestrians, a road which also grants access for cycles too. As the tennis club already exists at this site, the proposal represents a continuation of the current level of accessibility.
 - iv. they do not have a materially detrimental affect on:
 - a) the amenity of surrounding residents and occupiers;

Whilst issues of light are addressed under criterion (vi) below, the fact that the site is currently in use as a tennis court will ensure that there is no material increase in harm to the amenity of neighbouring properties by way of disturbance, loss of light, or overlooking. Whilst the club envisage that the proposal will lead to an increased use of the site, the neighbouring properties benefit from a separation distance of approximately 50m for 54 Holland Road and in excess of 90m for other residents along Holland Road as well as existing boundary treatment of mature hedgerows, which provide an effective screen. Whilst the occupants of the neighbouring holiday park are much closer to the tennis courts, the existing touring caravans are restricted by planning condition in their usage so as to not form a person's sole or main place of residence. Therefore, it is considered that any increase in site usage will be effectively offset by these characteristics so as to not result in any material increase in harm to neighbouring amenity.

- b) highway and pedestrian safety;
There would be no material increase in traffic to and from the site. Furthermore, the proposal has raised no objection from the Highways Authority.
- c) vehicular and pedestrian access into the site;
Vehicular and pedestrian access into the site would remain as existing. The proposal would have materially detrimental affect on such access.
- d) townscape; and
The proposal is sufficiently set back from Holland Road so as to not materially affect townscape. Any affect is offset by the fact that the site is currently in use as tennis courts. Issues of floodlighting are addressed below.
- e) landscape and biodiversity;
The existing tennis courts are currently sited on land which is adjacent to, but outside of the Settlement Development Boundary of Little Clacton and is therefore considered to form part of the countryside. Adjacent to the site is currently sited an electricity pole and several mature trees. There are also lighting columns within the adjacent holiday park. Within this context the proposed replacement fencing and floodlighting will not have a material impact on the character and appearance of the landscape and when viewed from the wider countryside will be framed by the existing built form of Little Clacton. In terms of biodiversity, the existing grass courts are of negligible biodiversity value. Therefore the replacement of grass courts with hard-surfacing will not represent a material loss of biodiversity.
- v. built development and structures are restricted to those facilities essentially required to functionally serve the facility; and
The proposal includes fencing and a clubhouse, which are facilities essential to functionally serve the facility. Whilst floodlighting could be considered to be non-essential (as the club currently operates without these), the floodlighting allows a much greater use of the site throughout the year with the benefits for sports participation this entails.
- vi. floodlighting will only be permitted where no undue harm will be caused to neighbouring amenity or wildlife.
The submitted luminance report gives details of the lighting from the proposed floodlighting. Details of light spillage to neighbouring properties is modelled to be relatively low and would not cause material harm. Similarly, as the light is directed towards the tennis courts with relatively little light spillage, the proposal would have a less than material impact on local wildlife. However, to ensure that floodlighting is

suitable controlled in the evenings, a planning condition will be attached to restrict the hours of use.

Impact on Residential Amenity

- 6.18 This issue is addressed as part of “Improved Sports Facilities” above, under criteria (iv – a) and (vi) of saved plan Policy COM8.

Impact on Landscape

- 6.19 This issue is addressed as part of “Improved Sports Facilities” above, under criteria (iv – e) and (vi) of saved plan Policy COM8.

Background Papers

None.