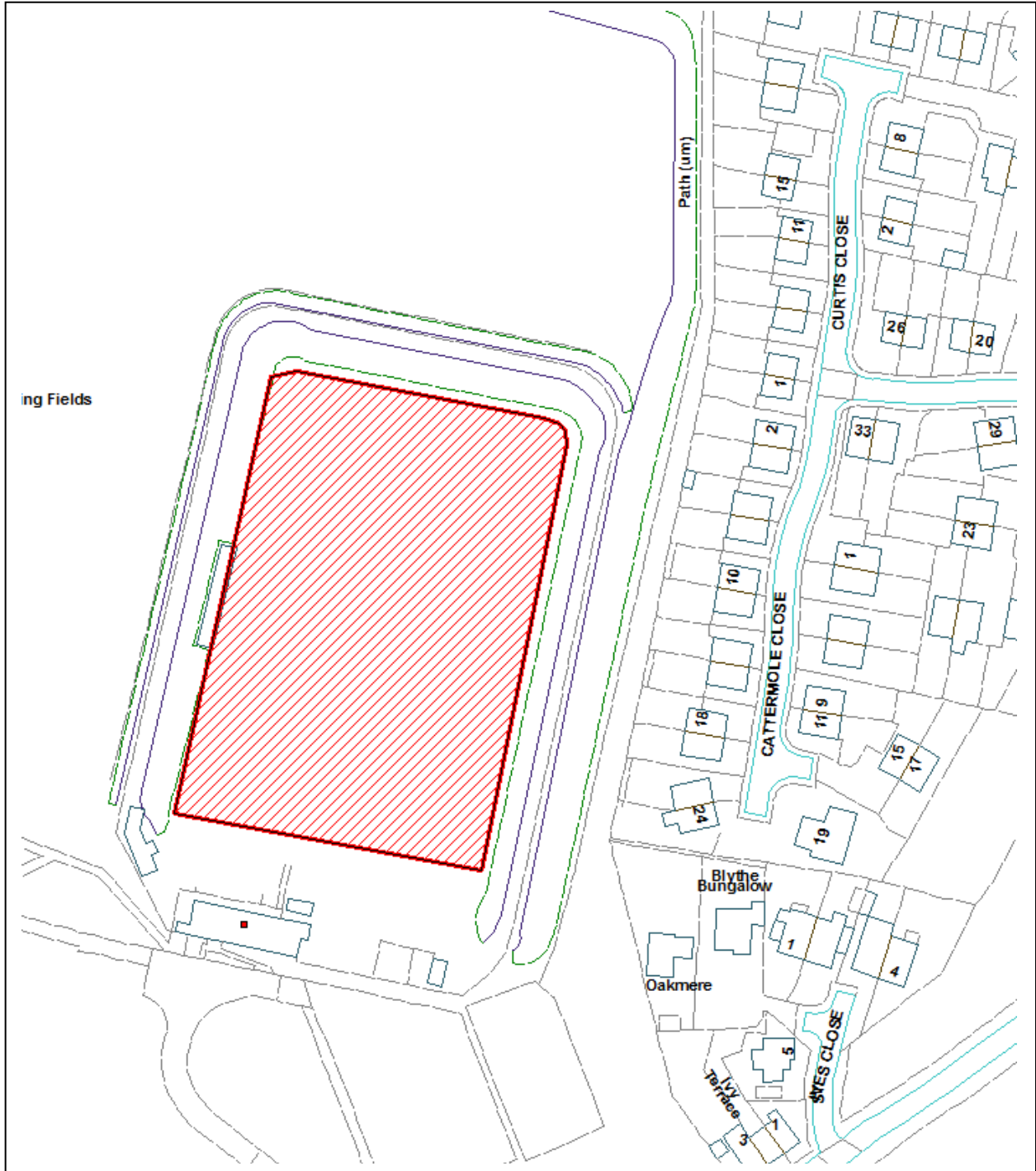


PLANNING COMMITTEE

9 April 2019

REPORT OF THE HEAD OF PLANNING

A.6 PLANNING APPLICATION - 19/00235/FUL - RUSH GREEN BOWL RUSH GREEN ROAD CLACTON ON SEA CO16 7BQ



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Application:	19/00235/FUL	Town / Parish: Clacton Non Parished
Applicant:	Mr Stephen Andrews - FC Clacton Community Society	
Address:	Rush Green Bowl Rush Green Road Clacton On Sea	
Development:	Proposed replacement floodlights and spectator rail.	

1. Executive Summary

- 1.1 This application is before Members as the land is owned by Tendring District Council.
- 1.2 The application seeks full permission for the replacement of the 8 flood lighting columns and the spectator rail within the grounds of the Rush Green Bowl, home to Clacton Football Club, a well-established and protected recreational facility.
- 1.3 The delivery of these essential upgrades is being partly funded through a grant from the Football Foundation with the majority being funded by way of a Community Share issue.
- 1.4 The neighbouring dwellings to the east of the site have been notified of the application, the submission date for comments expires on the 18th April 2019. However, the commencement of the funding application process is subject to planning permission and due to application deadlines it is imperative that Members consider the application at this meeting.
- 1.5 The application is accompanied by a Flood Lighting Report to which the Council's Environmental Protection Department raise no concerns.
- 1.6 There is nothing to suggest that the proposal would result in any additional harm or impact. The development will upgrade a well-used and protected community and tourism facility.
- 1.7 The application is therefore recommended for approval subject to conditions as set out below.

That the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development subject to:-

- a) The expiration of the neighbour's consultation period which expires on 18th April 2019.
- b) Planning conditions in accordance with those set out below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning (or the equivalent authorised officer) in their discretion considers appropriate).

Conditions:

1. Standard Time Limit
2. Approved Plans
3. In accordance with Flood Light Report specifications
4. Time limit for flood lighting usage – not later than 10pm daily.

2. Planning Policy

National Planning Policy Framework 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007

QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses
COM1	Access for All
COM4	New Community Facilities (Including Built Sports and Recreation Facilities)
COM7	Protection of Existing Recreational Open Space Including Children's Play Areas and Pitch and Non-Pitch Sports Facilities
COM7a	Protection of Existing Playing Fields, Including School Playing Fields
COM8	Provision and Improvement of Outdoor Recreational Facilities
COM21	Light Pollution
EN2	Local Green Gap

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3	Sustainable Design
HP2	Community Facilities
HP3	Green Infrastructure
HP4	Safeguarded Local Greenspace
PPL6	Strategic Green Gap

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

TEN/742/87	Eight floodlighting columns	Approved	16.06.1987
91/00370/FUL	Retention of garage for use as	Approved	08.05.1991

	store for Archery Club equipment (Renewal of permission TEN/1003/89).		
91/00807/FUL	Use of land for car boot sales every Wednesday 4pm to 8pm	Withdrawn	15.04.1992
93/01057/FUL	(Rush Green Bowl, Rush Green Road, Clacton on Sea) Proposed toilet block	Approved	02.11.1993
95/00007/FUL	Extension to existing clubhouse and erect 2 No. portacabins	Approved	16.02.1995
99/00822/FUL	Electric lighting to youth training pitch	Approved	26.08.1999
99/00823/FUL	New football stand	Approved	26.08.1999
99/01134/FUL	New entrance porch to existing clubhouse	Approved	15.09.1999
01/01946/TELCOM	Mobile telephone base station with a 15m high monopole mast, incorporating 3 no. antennas providing 3 no. sectors of cover, two 400mm and 1 no 600mm microwave dish, new equipment cabinet, compound	Determination	17.12.2001

4. Consultations

Environmental Protection I have reviewed the application and have no adverse comment to make.

5. Representations

5.1 The site is located within the non-parished are of Clacton on Sea.

5.2 At the time of writing this report, no letters of representation had been received. Members will be informed of any comments received via the Planning Committee Update Sheet on the day of the meeting.

6. Assessment

The main planning considerations are:

- Site Context;
- Proposal;
- Principle of Development;
- Design/Impact, and;
- Impact on Neighbouring Amenities.

Site Context

- 6.1 The application relates to the Clacton Town Football Club ground within the Rush Green Bowl to the north of Rush Green Road, Clacton on Sea.
- 6.2 Rush Green Bowl is located within the extensive public open space and play space facility with the only neighbouring properties being those to the east within St Ives Close and Cattermole Close.
- 6.3 The site is identified as a Protected Recreational Facility and within the Local Green Gap as defined within the adopted Tendring District Local Plan 2007.

Proposal

- 6.4 This application seeks full planning permission for the like-for-like replacement of the existing 8 floodlighting columns and lights originally approved in 1987 and the replacement of the spectator rail (currently a post a rail design) with a 1.2 metre high powder coated mesh style fence.

Principle of Development

- 6.5 Saved Policy COM8 relates to the provision and improvement of outdoor recreational facilities. This policy states that proposals for new outdoor recreational facilities will be permitted where; they meet the needs of the residents, the size and location of the site is capable of accommodating a viable outdoor recreational facility, they are readily accessible and the proposal is not materially detrimental to; residential amenity, highway and pedestrian safety and the landscape.
- 6.6 Furthermore, saved policy EN2 states that only minor development and compatible uses will be permitted in local green gaps. These include leisure and recreational uses.
- 6.7 The site forms part of an established leisure use. The provision of an upgrade to the existing floodlighting and spectator fencing is in accordance with the aims and aspirations of the aforementioned policies.

Design/Impact

- 6.8 The development comprises a like-for-like replacement of the floodlighting columns with no material change in height or appearance.
- 6.9 The new spectator fencing is low level, well contained within the facility and will not be visible beyond the grounds.
- 6.10 The overall impact of the proposals upon the landscape character of the area would be acceptable.

Impact upon neighbours

- 6.11 The low level spectator fencing will not be visible from neighbouring properties or harmful to their amenities in any way.
- 6.12 The floodlighting columns are a like-for-like replacement and their siting retaining in excess of 20metres from the rear boundary of neighbouring gardens.

- 6.13 The application is accompanied by a Flood Lighting Report to which the Council's Environmental Protection Department raise no concerns.
- 6.14 There is nothing to suggest that the proposal would result in any additional harm or impact.
- 6.15 Conditions will be applied to ensure the operating times for the floodlight use accords with the information provided and time restriction condition as set out within the original approval TEN/742/87.

Background Papers

- 6.16 None.