

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	27/08/19
Planning Development Manager authorisation:	GN	27/8/19
Admin checks / despatch completed	ER	27/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LC	27/8/19

Application: 18/02085/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Park Holidays UK Ltd

Address: Seawick Holiday Village Beach Road St Osyth

Development: Construction of Multi-Use Games Area (MUGA).

1. Town / Parish Council

St Osyth Parish Council No objections.

2. Consultation Responses

Environment Agency

No objection the proposal as planned we have taken this opportunity to provide advice around Emergency Flood Plans.

Our map shows the site lies within tidal Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for Multi-Use Games Area, which is classed as "highly/more/less" vulnerable development in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance".

We note that a Flood Warning and Evacuation Plan has been submitted as part of this application.

Guidance for Local Council

Safety of Inhabitants - Emergency Flood Plan

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. The Planning Practice Guidance to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in

accordance with the guiding principles of the Planning Practice Guidance (PPG).

ECC Highways Dept

The Highway Authority does not object to the proposals as submitted.

Informative 1: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Informative 2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

3. Planning History

00/00406/OUT	Demolition of existing prefabricated chalets and erection of two storey holiday units	Refused	18.05.2000
02/01611/FUL	Change of planning condition to allow occupation of caravans and chalets between 1 March and 5 January (variation of condition 1 of planning permission TEN/93/1284)	Approved	15.03.2006
04/02130/FUL	Extension to provide lobby to Emperors Leisure Zone building.	Approved	05.01.2005
06/01745/FUL	New entrance porches, tiled surround roof, internal and external alterations.	Approved	12.02.2007
07/00245/ADV	Fascias, pictorial and amenity board.	Approved	18.05.2007
07/01519/FUL	Change of use of part supermarket to amusement arcade (retrospective application)	Approved	07.11.2007
09/00461/FUL	Proposed new heated outdoor swimming pool with surrounding walkway landscaping and perimeter fencing.	Approved	02.07.2009
12/01207/FUL	Variation of Condition 3 of planning permission 02/01611/FUL to allow occupation of caravans and chalets	Approved	04.11.2013

between 1st March and 31st
January in the following year.

14/00170/DISCON	Discharge of condition 03 (Detailed scheme of flood risk mitigation and flood evacuation plan) of planning permission 12/01207/FUL	Approved	08.04.2016
15/01356/FUL	Construction of new clubhouse complex incorporating use classes D2, A1, A3, A4 and B8 and amusement arcade, together with associated facilities and subsequent demolition of existing clubhouse complex.	Approved	15.12.2015
16/00142/FUL	Use of land as recreation area.	Approved	29.04.2016
16/00809/FUL	Variation of seasonal occupancy period to allow occupation of caravans between 1st March and 15th February in any calendar year.	Approved	24.01.2017
16/01620/DEMCO N	Demolition of 16 chalets and entertainment centre.	Determinati on	02.11.2016
16/01719/DEMCO N	Demolition of office/administration building.	Determinati on	08.11.2016

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM8 Provision and Improvement of Outdoor Recreational Facilities

ER18 Caravan and Chalet Parks

ER19 Extensions to Static Caravans and Holiday Parks

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

PP8 Tourism

PP11 Holiday Parks

PPL1 Development and Flood Risk

SPL3 Sustainable Design

HP5 Open Space, Sports and Recreational Facilities

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

This application refers to Seawick Holiday Village, Beach Road, St Osyth. The proposed application site is located within the existing recreation area of the Seawick Holiday Park, which itself is situated on the Essex coastline at St Osyth Beach approximately 5km west of Clacton on Sea. Access is gained through the holiday park only via Beach Road from the village of St Osyth to the north.

The land comprises of an open grassed area, formerly containing a menage, for which planning permission was approved as recreation space for the park under planning reference 16/00142/FUL. The piece of land lies within land that is bounded to the south, west and north by low earth bunds and dykes with some limited trees and shrub growth.

The current use of land is for recreational purposes including dog walking and general activities.

Proposal

This application seeks planning permission for the construction of a multi-use games area (MUGA) comprising of an all weathered surfaced play area marked out for different sports.

Assessment

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 facilities, they are readily accessible and the proposal is not materially detrimental to residential amenity, highway and pedestrian safety, the town space and landscaping and biodiversity. The provision of a multi-use games area is in accordance with Policy HP5 of the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) which aims to deliver and maintain a range of new community facilities as well as the siting of sports and recreation facilities which are accessible.

The proposed leisure/recreational use is considered to be compatible use given that the site is in a rural location adjacent to an established holiday village.

Saved Policy ER19 concerns extensions to static caravan holiday parks. The policy states proposals will be granted providing;

- material improvements to the overall layout, amenity and appearance of the site will be secured;

The proposed MUGA will secure additional amenity land for the park and its holiday makers representing an improvement to the existing facilities on site.

- a landscaping scheme is proposed

The land is currently enclosed by bunds and vegetation. As such a comprehensive landscaping scheme is not considered to be necessary.

- the site is not an area of high flood risk

The site is located in a Flood Zone 3. The application site is an established existing use which is used by the holiday village residents and therefore the multi-use games area will be used ancillary to the holiday village. The proposal will therefore have a neutral impact on flood risk.

A well-established FWEP has been developed and provides effective control in the event of an anticipated flood event.

The Environmental Agency have been consulted on this application have raised no objection to the proposal.

Impact upon neighbouring amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed multi use games area will replace the existing football goal posts on the application site which is used as amenity to the caravan park. The games area proposes high fencing to the east and west which will help to screen the area from neighbouring amenities. There is also fencing to the north and south of the site to ensure that the area is secure. Whilst it is noted that concern has been raised with regard to an increase in noise level due to the use of the multi-use games area. It is considered that due to the current use of the area as a playing field a certain level of noise would be expected. If there was to be an increase in the use of the area any

increase in noise would be for a limited period of time and as a result would not result in material harm to the immediate neighbours to the north east, east and south east of the site.

Highway Safety

Essex County Highways have been consulted on this application and do not raise any objections.

Other Considerations

St Osyth Parish Council have no objections.

5 letters of representation have been received raising the following concerns:

-close proximity to caravan in terms of damage, privacy and noise

The concerns above have been addressed within the report.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Planning Statement dated December 2018, Dwg No. 007.02.14, Site Plan dated 19 Dec 2018, MUGA Details dated 19 Dec 2018, Flood Warning and Evacuation Plan Ref: Enzygo Ltd Ref: SHF.201.003.HY.R.02 F scanned - 19 Dec 2018.

Reason - For the avoidance of doubt and in the interests of proper planning.
- 3 No external lighting shall be installed unless details of an illumination scheme have been submitted to and approved, in writing, by the Local Planning Authority. Development shall only be carried out in accordance with the approved details and retained in the approved form.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area.
- 4 The hereby approved development shall only be implemented in full accordance with the agreed Flood Risk & Evacuation Plan (prepared by Enzygo Ltd Ref: SHF.201.003.HY.R.02 F scanned - 19 Dec 2018). The Flood Warning Evacuation Plan shall remain in force for the duration of the occupation period and shall remain a live document and be updated where required.

Reason - The site is at risk from flooding and a detailed evacuation plan is essential to safeguard future occupiers of the development.
- 5 The Multi-Use Games Area hereby permitted shall not be used for any pre-arranged competitive matches.

Reason - For the avoidance of doubt and due to the fact that no parking facilities are available in this location for vehicles associated with visiting teams.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways

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Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO