

# Item no.

Report to: **Development Control and Regulatory Panel**

Date: **24 February 2009**

Report of: **Head of Planning and Building Control Services**

Subject: **Application for S.106 Funding: Upgrading of fencing at Welfare Park, Eleventh Street, Blackhall**

Ward: **Blackhalls Ward**

## The Application Site

The area of land that is the subject of this application lies to the north of Eleventh Street, Blackhall on the boundary of Welfare Park. The park forms part of an established recreational area comprising of several facilities including a football pitch, bowling green, cricket pitch, general open space and a play area. The recreational site lies in the northern part of Blackhall situated within close proximity to nearby residential areas.

## The Proposed Development

There is an existing concrete boundary wall at the site however despite continuous repairs it is a potential safety risk due to the nature of the structure. It is therefore proposed that the 240 metre long section of wall is replaced by new fencing. Given the wall is constructed from concrete and looks worn and outdated it is considered that the new proposed fencing will be much more attractive to the benefit of the street scene. The fence would be 2 metres in height of metal construction and finished in a green colour.

## Site History

Monk Heseldon Parish Council is aiming to encourage increased use of the facilities by enhancing a substantial community asset that will enhance the leisure provision that is available. This particular phase of improvements to the area is envisaged to be followed by a further Section 106 funding request to provide additional play provision.

The Parish was originally asked to consider railings of a more decorative design. Monk Heseldon Parish Council commissioned quotes on this basis however found the railings would cost considerably more leaving less available funding for the forthcoming play area scheme. The fence as proposed would match that of the nearby school fencing and would still represent a significant improvement on the current situation. On balance the proposal is therefore considered acceptable.

## Planning Policy

The Section 106 funding has been acquired through compliance with Policy 66 of the District of Easington Local Plan, which requires provision of children's play space on housing developments of ten or more dwellings, or a financial contribution as an alternative.

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## Consultations and Publicity

Not Applicable

## Planning Consideration and Assessment

### Background

Planning approval has been granted recently for one large housing development scheme within Blackhall in which the developer opted to provide a cash sum through a legal agreement made under Section 106 of the Town and Country Planning Act 1990 instead of providing a recreational facility within the development. The aim of this arrangement is to fund the provision or enhancement of other recreational facilities within the area.

At present the Council has received £32,000 from the developer which is the total amount secured for the area.

### The Proposal

The budgets for these works are given as;

Dismantling current wall	£	3,503.96
New fencing (240 metres)	£	12,909.60
New gates	£	1,140.39
New gates	£	448.14
Padlock	£	55.15
Upgrade footpath into the park	£	9,096.00
<b>TOTAL FOR WORKS</b>	<b>£</b>	<b>18,057.24</b>

A request has been received from Monk Heseldon Parish Council for the sum which is outlined above to be met from the Section 106 monies currently held for their use.

Each Agreement is individual to the site and specifies the type and the location of development which would be suitable under its terms. As highlighted the District of Easington is in receipt of the amount of Section 106 monies requested by the Parish that have been secured for the Blackhall area. The current proposal is considered to accord with the terms as laid out in the Agreement.

The request for funding will not utilise all the funds currently available for the Blackhall area. It is anticipated that another request will be submitted to utilise the remaining £13,942.76 to provide additional play provision at Blackhall Rocks. The Parish is currently consulting with residents to gain their views and suggestions on what improvements/provision they wish to see in their area.

## Conclusion

It is considered that the replacement fencing will result in an improvement upon the existing situation to the benefit of local residents and visitors to the area. It is further

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considered that the proposal is in accordance with the specific requirements for the release of Section 106 monies, which are identified as being made to help towards the cost of the enhancement of a recreational facility within Blackhall. Accordingly the request for funding to help fund works in this area is considered reasonable and should be supported.

The proposed works will need to be subject to a planning application which is yet to be received. At this stage it is not considered that there are any problems or issues with the proposed development however if planning permission were not granted funding would not be released and a new funding request would need to be made to the Local Authority.

## **Recommendation**

That the Panel conditionally agrees to the release of the sum of £18,057.24 from the Section 106 Agreement monies to fund the enhancement of the established recreational area of Welfare Park, Blackhall once planning permission has been granted and the works have been implemented.

## **Background Papers**

The following background papers have been used in the compilation of this report.

Section 106 Register

Letters from Monk Heseldon Parish Council including plans of the proposed development

District of Easington Local Plan