

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

Date: **17 March 2009**

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

Subject: **Application for S.106 Funding: Relocation and renewal of Children's Play Area at Seaham Town Park, Seaham**

Ward: **Seaham North Ward**

### **The Application Site**

The area of land that is the subject of this application lies in the northern area of Seaham. The land forms part of an established recreational area comprising of several facilities including the Clubhouse, bowling greens, football ground, cricket pitch, tennis courts, play area and general open space.

### **The Proposed Development**

The aim of the project is to relocate and renew the play opportunities for 0-12 year olds in Seaham Town Park. Ultimately, Seaham Town Council would like to develop the park into a 'honey pot' area providing challenging and exciting play opportunities for all attracting visitors from across Seaham and further a field, in line with a master plan that has been developed for the area.

### **Site History**

A master plan of Seaham Town Park has been produced by Groundwork East Durham and a relocation of play opportunities were identified through this. Seaham also has a local playground strategy which identifies Seaham Town Park as an important site in the town and would benefit from investment. The equipment is coming to the end of its life and is in need of replacement. Seaham Town Council has also experienced pressure and requests from the public to improve the children's play area in the Town Park.

### **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.

### **Consultations and Publicity**

Not Applicable

### **Planning Consideration and Assessment**

#### Background

Planning approval has been granted recently for eight large housing development schemes within Seaham in which the respective developers 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 £72,260 from these developers and there is currently another £44,740 that is due to be received in the future when development commences on the remaining sites. Members may recall that a request for funding was recently improved in the Dawdon Area of Seaham. A children's play park was installed and a contribution of £34,500 was made from Section 106 monies.

### The Proposal

The funding for the project will be spent on the costs of purchasing and installing equipment, installing surfacing and carrying out any landscape improvements necessary (i.e. boundaries) and required seating and bins. The exact costs are not yet known, as the detailed consultation has not taken place.

Seaham Town Council will cover costs for any planning permission, costs associated with the consultation etc. It is not anticipated that there will be any legal or professional fees as it will be done on a design and build contract focused on a fixed budget.

It is anticipated that the works will cost around £217,000.00. It is anticipated that the funding will be secured from the following sources;

<b>TOTAL FOR ALL WORKS</b>	<b>£</b>	<b>217,000.00</b>
Big Lottery (not yet secured)	£	50,000.00
District of Easington Capital works programme (secured on the basis of receipt of other funding)	£	50,000.00
Seaham Town Council (secured on the basis of receipt of other funding)	£	50,000.00
Playbuilder Programme (not yet secured)	£	50,000.00
<b>Shortfall</b>	<b>£</b>	<b>17,000.00</b>

A request has been received from Seaham Town Council to fund the shortfall in the budget which is outlined above to be met from the Section 106 monies currently held for community 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 in relation to this scheme that have been secured for the Seaham area. The current proposal is considered to accord with the terms as laid out in the Agreement.

### **Conclusion**

It is considered that the upgrading works at Seaham Town Park will result in an important and valuable asset for local residents and visitors to the area. It is further

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 Seaham. Accordingly the request for funding to help ongoing works in this area is considered reasonable and should be supported.

Certain aspects of the proposed works may be subject to a planning application which is yet to be determined. At this stage it is not considered that there are any problems or issues with the application 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 £17,000.00 from the Section 106 Agreement monies to fund the relocation and renewal of Children's Play Area at Seaham Town Park, Seaham once planning permission has been granted if required 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 Seaham Town Council

Documents produced by Easington District Council Regeneration Department

District of Easington Local Plan