



**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:

**P0037.11 – Ingrebourne Links,
Rainham, Essex (Application received
5th January 2011)**

**Temporary construction plant and
vehicle learning centre, with site
buildings for classroom, welfare and
car parking.**

Report Author and contact details:

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Policy context:

**London Plan; Local Development
Framework**

Financial summary:

No financial impact to the Council.

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	[X]
Excellence in education and learning	[X]
Opportunities for all through economic, social and cultural activity	[]
Value and enhance the life of every individual	[]
High customer satisfaction and a stable council tax	[]

SUMMARY

The application relates to a 3.4 hectare area within the site that is currently being developed as a new 27 hole golf course (Ingrebourne Links) at Moor Hall Farm.

The application was deferred from the 19th May Committee meeting at the request of staff to enable further review of the applicant's case for very special circumstances. A copy of the previous report is appended.

Staff recommend that temporary planning permission should be granted subject to conditions.

RECOMMENDATIONS

That temporary planning permission be granted subject to the planning conditions below:

CONDITIONS:

1. This permission shall be for a limited period only expiring on 19th May 2016 on or before which date the use hereby permitted shall be discontinued, the buildings and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority or in accordance with P0319.09.

Reason: The nature of the use would not be acceptable as a permanent use in the Green Belt.

2. SC32 - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. The use hereby permitted shall only be carried out between the hours of 0700 – 1800 Monday to Friday and 0700 – 1300 Saturday and not at all on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To ensure that the minimum harm is caused to the amenities of the area and that of local residents.

4. The development hereby permitted shall only be carried out in accordance with the approved non-mains drainage assessment including the following specific mitigation measures detailed therein:
 - Surface water collection system design to include an oil interceptor prior to entry into pond.

Reason: To ensure the proposed activity does not discharge hazardous substances which would enter groundwater.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the Applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Significant archaeological remains may survive on the site. Accordingly the Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPS5.

6. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority:

a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

- 7 Prior to the commencement of the use hereby permitted a scheme for any new plant or machinery shall be submitted to the Local Planning Authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed $L_{A90} - 10\text{dB}$ and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendation of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

- 8 The maximum number of trainees on the application site shall not exceed 30 at any one time.

Reason: In the interests of safety.

- 9 Prior to the commencement of the use hereby permitted a scheme for the management and control of dust shall be submitted to, and approved in writing by, the Local Planning Authority to control the adverse impact of the development on the amenity of the public and nearby occupiers and the approved scheme shall be implemented and in place throughout the period of the temporary consent.

Reason: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

Archaeology

The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

Community Safety

In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Police Crime Prevention Design Advisor through Havering Development and Building Control or Romford Police. He is able to provide qualified designing against crime advice, taking account of local conditions and risks. You are strongly advised to contact him at the earliest opportunity.

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP3, CP14, CP15, CP16, DC13, DC45, DC52, DC53, DC55, DC58, DC70 of the Core Strategy and Development Control Policies Development Plan Document.

REPORT DETAIL

1.0 Background

- 1.1 This application was deferred from consideration at the meeting of 19th May Regulatory Services Committee at the request of staff. The deferral was requested to enable the applicant's case for very special circumstances to be further investigated and to ensure that the report accurately reflected them. A copy of the previous report is appended

2.0 Reasons for the Deferral

- 2.1 The applicants have been invited to further expand on the very special circumstances that they consider apply to the proposal which make it acceptable as an exception to the normal presumption against inappropriate development in the Green Belt. The following matters have been raised as providing the very special circumstances.
- The development would be temporary for the duration of the golf course construction so does not conflict with any of the five main purposes of the Green Belt (set out in the main report);

- The practical training of operatives in the safe use of a range of construction plant requires a large secure area which are rarely available within built-up areas;
- There are no similar facilities within the North and East London catchment demonstrating a strong demand/need for the project;
- The site is accessible for potential trainees as it is easily accessed by car and there will shortly be a new bus stop as part of the golf course scheme;
- The location well within the overall golf course development site means that a potentially noisy and disruptive use can be accommodated with little or no risk of disturbance to neighbouring properties;
- Construction Skills Learning is encouraged and supported by Government and will help ensure a supply of properly trained personnel to the construction industry;
- A large part of the training will use the same plant that is being used to construct the golf course so the temporary training activities will be far less noticeable than they would otherwise be and will only marginally increase the impact of the overall golf course construction.
- The site would be recontoured and landscaped during the final phase of the golf course development and incorporated into the course. The use would not be acceptable as a permanent facility nor would it be an acceptable neighbour for the golf course.

3. Conclusion

- 3.1 Staff consider that the particular circumstances of this application are quite unique. The overall golf course development site is large enough for the proposed site and its use to be well contained such that would be remote from residential properties. At the same time position of the main entrance to the site on the A1306, the availability of adequate parking and the prospect of a new bus stop offer good accessibility for potential trainees. This accumulation of factors are unlikely to be repeated elsewhere in the foreseeable future and offer the opportunity to provide a necessary training facility without causing significant harm to the Green Belt or other acknowledged interests.
- 3.2 Staff are satisfied that there is no significant conflict with Green Belt Policy and that the above constitute sufficient very special circumstances to justify the grant of a temporary planning permission. The recommendation for approval remains unchanged.

IMPLICATIONS AND RISKS

Financial implications and risks:

No financial implications or risks.

Legal implications and risks:

None.

Human Resources implications and risks:

There would be no human resource implications or risks.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equalities and diversity.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.