

 Havering LONDON BOROUGH	Planning Committee 3 June 2021
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Application Reference: P0245.21

Location: Harrow Lodge Park
Hornchurch Road

Ward: Hylands

Description: Regrading of land using spoil from the adjacent Hornchurch Leisure Centre development with associated landscaping.

Case Officer: Habib Neshat

Reason for Report to Committee:

- A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1. BACKGROUND

- 1.1. Planning permission has been granted for the erection of leisure centre which has recently been completed. The construction works have so far resulted in significant degree of spoil earth from the site. The application is submitted pursuant to approval of application P 1487.19 for new landscape mounds, together seeking to re-use spoil from the adjacent leisure centre development in the most efficient and suitable way possible.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

The proposed work would have an acceptable impact upon the visual amenity and would not cause significant amenity issues to the occupiers of the neighbouring properties, nor would it result in any ecological or flooding issues.

3 RECOMMENDATION

- 3.1. That the Committee resolve to GRANT planning permission subject to the suggested planning conditions.

Conditions

(Accordance with plans)

1. The development hereby permitted shall not be carried out otherwise than in accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

(Preserved trees) (Pre Commencement Condition)

2. Within 60 days of the date of this permission, a detailed landscape management plan that will set out the measures to be undertaken following the soil re-profiling and SuDS engineering in relation to the seeding and planting works and chosen species and their provenance, including the timing of initial works and the ongoing vegetation management (and any replacements) on a seasonal basis for a period of 5 years, shall be provided for approval by the Council in writing. The landscaping proposals should maximise the opportunities to benefit biodiversity, e.g. low-nutrient soil of adequate depth should be used within the areas where wildflowers are to be encouraged.

Reason:-

To ensure enhancement of biodiversity and help preserve the eco-system.

Landscaping

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

Reason:-

To ensure that the appearance of the development is satisfactory and to safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

Landscaping

4. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any way during the development phase and thereafter within 5

years from completion of development, other than in accordance with the approved plans and particulars.

Reason:-

To safeguard and enhance the character and amenity of the area

(External lighting) (Pre Commencement)

5. No floodlighting or other forms of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall follow the Institute of Lighting Engineers Guidance and include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

Reason:-

To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

(Hours of working)

6. All operations in connection with site excavation or other external site works; works involving the use of plant or machinery; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's 'Development Plan Document' 2008.

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Informatives

- 1) Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

5 PROPOSAL AND LOCATION DETAILS

- 5.1 Planning permission is sought for operational development involving landscaping, regrading and upgrading of the surrounding land of the new Hornchurch Leisure Centre.
- 5.2 The proposal includes the spreading of the existing mounds (excavated soil during construction of the new leisure centre) located to the west and south west of the new Leisure Centre and to the south east of the newly formed permanent car park. The landscaping mounds would increase the existing ground by a maximum of 0.1m to 1.5m, although on average the increase is around a metre.
- 5.3 No removal of trees is proposed. Re-soiling and new planting works on the existing ground is also proposed.

Site and Surroundings

- 6.1 The approximately 4.68ha irregular shaped application site is located within Harrow Lodge Park on the southern side of Hornchurch Road, which is located to the west of Hornchurch Town Centre.
- 6.2 The site comprises the existing Hornchurch Sports Centre to be demolished and the new leisure centre (granted permission in November 2018) recently completed, an existing 195 space car park, which is split over two car parking areas and an area of land to the west of the main car park within Harrow Lodge Park, and; an area of landscaped parkland to the east of the Leisure Centre.
- 6.3 The wider application site is immediately surrounded by parkland. Beyond this to the north is Hornchurch Road (A124), a Council Depot and two-storey residential dwellings, to the east by the River Ravensbourne and to the west by two storey residential dwellings. Harrow Lodge Park extends further south of the site and connects with Chase Nature Reserve at its very south. The site generally slopes down with plateau stages from west to east towards the Ravensbourne River.
- 6.4 The land subject to this application lies to the south west of the new leisure centre site and to the north of a block of woodland and Hornchurch High School. Residential development neighbours the site to the north and west, comprising predominantly two storey detached dwellings in Pett Close, Creasey Close and Henderson Close. These boundaries are marked by existing fencing, hedgerow and tree planting. The site is relatively flat, grassed and publicly accessible, used for informal recreation.
- 6.5 The site does not fall within the Green Belt or Metropolitan Open Land, however it is designated locally as 'parks, open space, playing fields and

allotments'. The site has no other local planning policy designations and it does not fall within a flood zone.

Planning History

- 7.1 On 21st September 2018, planning permission Ref; P2048.17, (subject to conditions and legal agreement) was granted for the "Erection of a new Leisure Centre with access, landscaping and ancillary work together with the demolition of existing Hornchurch Sports Centre and construction of new permanent and overspill car parks. Construction of temporary car park for 36 month period.
- 7.2 On 5th November 2018, planning permission Ref; P1458.18 (subject to conditions and legal agreement) was granted for, "the erection of a new Leisure Centre with access, landscaping and ancillary work together with the demolition of existing Hornchurch Sports Centre and construction of new permanent and overspill car parks. Construction of temporary car park for 36-month period. Application for a variation of P2048.17 Conditions(s) 2, 4, 13 and 20 to enable a reconfiguration of the proposed permanent, overspill and temporary car parks."
- 7.3 On 12th January 2021, conditional planning permission Ref; P1487.19 was granted for the "Landscaping (regrading & upgrading) Approved formation to the surrounding area of the new Hornchurch Leisure Centre.
- 8 Consultation;
- 8.1 A total of 21 neighbouring properties were notified about the application and invited to comment. A total of 21 objections were received.
- 8.2 It must be noted that officers can only take into account comments that concern relevant material planning considerations and not those based on personal dislikes, grievances, land disputes, values of properties, covenants and non-planning issues associated with nuisance claims and legal disputes, etc. As such, the comments on the application can be summarised below:
- Fear of Lack of Security & Safety,
 - Fear of Flooding,
 - Fear of Loss of Privacy,
 - Fear of Anxiety & Mental Health, for residents of Petts, Creasey & Henderson Close, as already experienced by residents of Wallis Close. Creating gully between mounds resulting in further potential flood risk to Wallis Close residents.
 - Loss of views,

- Adverse impact upon the value of the properties
- The drawings are not clear – there is no artistic impression as how exactly the proposal will work.
- There does not seem to be an indication of how long it will take for landscaping to be completed. How long will it be before the area is landscaped?
- Not enough consultation some residents have not received letters of notification.
- Errors in drawings; from the drawings, it looks like the waste land fill will be 'slope' with the highest point in the middle of the field. Looking at the existing landfill, this does not seem to be the case. It seems to be a steep incline immediately at the edge of the field concerned. This makes the field practically inaccessible. Is this what will happen with this waste land fill.
- The area is the habitat to a number of foxes and other animals – which probably would be adversely affected by the proposed development.
- The proposal would make the use of the park inaccessible for every day users; football teams, dog walkers and families.
- Probably the council will receive money
- Money saving exercise, disregarding the local residents interests, a totally corrupt application

Cllr Maggie Themistocli has called-in the application for the following reasons;

1. Residents are fearful that the location of the spoil will create a gully, thus causing flooding and damage to their properties.
2. Residents are concerned that this development will present anti-social behaviour due to the increase in land height thus enabling pedestrians to overlook and see into their homes more easily. This in turn leads to loss of privacy from their gardens.
3. The scale of the landscaping, dominance, appearance and design is also of huge concern and residents and another reason they would like this application to be reconsidered.

9. MATERIAL PLANNING CONSIDERATIONS

9.1 The main planning issues raised by the application that the committee must consider are:

- Principle of the Development
- Landscaping Design and Layout
- Impact to Neighbouring Amenity
- Flood risk

- Biodiversity

- 9.2 The NPPF and Policy CP7 support the increase in access to recreation and leisure opportunities.
- 9.3 The proposal does not alter the status of the site as a park nor would it prevent the open recreational use continuing. The changes to levels are over a wide area and therefore limited in terms of impact on the usability of the space.
- 9.4 The applicant stated in the submitted planning statement that "due to the sheer volume of cut material the site has generated since construction on the new Hornchurch Leisure Centre begun, the landscape mounds are required to retain arising's from excavations on site. Retaining the material on site is considered more beneficial to the environment than removing the material off site which would result in significant HGV movements, noise, pollution etc"
- 9.5 The proposal is to regrade and upgrade some of the land surrounding the new Leisure Centre. As stated above the proposed landscaping and its associated ancillary uses fall within the designation of the site and therefore acceptable subject to other material considerations such as highways, biodiversity, design, drainage and landscaping details.

Landscaping Design and Layout

- 9.6 The London Plan (2021) policy D5 states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.
- 9.7 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area and the proposal must harness the topographical and ecological character of the site, including the retention of existing trees and landscape features while providing appropriate landscaping
- 9.8 Due to the design and appearance of the proposed landscaping mound located away from the street and the site level changes covering a large area, it is considered that it would not cause detrimental harm visually to the site itself or the surrounding area. The works in terms of land level works would allow for the fields to be usable over a long period of time. The changes would not cause undue harm in terms of the character and appearance of the area but instead creating a well landscaped area of land surrounding the leisure complex, creating a more inviting and usable space for the local community.

- 9.9 In terms of appearance, no additional floodlighting is proposed.
- 9.10 Taken together, the proposals are considered to be acceptable and would not significantly harm the character and appearance of the area. The proposal is therefore considered to be in accordance with policy CP7, DC18, DC21 and DC61 of the Core Strategy, D5 of The London Plan and the NPPF.

Impact upon the amenities

- 9.11 Policy D11 of the London Plan (2021) seeks to ensure that new developments do not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate.

Policy DC61 of the of Havering Core Strategy requires all development to achieve a high standard of privacy and amenity and sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers.

- 9.12 In this case the nearest residential properties to the application site are the two storey dwellings set back from the western and northern boundaries.
- 9.13 The most significant rise in levels (up to 1.5 m, but generally circa 1 metre) is proposed to be furthest away from any residential boundary. The height increase would be gradual but the greatest extent of the increase closest to residential boundaries is to the rear of 7, 9, 11 Pett Close and to some extent number 18 Creasey Close, where the rise would be 0.7m at a distance of 31m from the boundary.
- 9.14 The proposed mound is closest to the boundary to the north west and west, where the existing screening is greatest and which will have an effect even in winter months.
- 9.15 Taking the above into account, it is considered that there are limited residential amenity issues to consider with regards to overlooking, loss of light or overbearing development to existing residential uses surrounding the site.
- 9.16 With regards to the adjoining properties, 12, 14, 16 Henderson Close and 9 and 10 Creasy Close the nearest property is set approximately 14 m from the proposed mound. The proposed regrading in this area would increase the existing ground level by 0.1m from +22. to +22.1 datum. Given the separation distance, and the marginal increase in the height, it is considered that the proposed development would not have a detrimental impact on the residential amenities of those adjoining occupiers respectively.

- 9.17 With regards to 18, 20, 22 Creasey Close, the adjacent proposed landform would be set 20m away from the boundaries of the adjoining properties. It is noted that the existing datum at boundary of the site is +22 .1 which falls to +22 within 5 to 18m of the site. The height of the proposed mound at the distance 20m would rise to +22.1. There are shrubs/hedgerow along the boundaries of these properties, although it is thin/has gaps in places. Again given the distance with the marginal increase in height, the proposal would not be likely to result in any significant amenity issues to these neighbouring buildings.
- 9.18 The buildings at number 9 and 11 Pett Close would witness the land to rise from +21.4m (existing level) to +22.1m, i.e 0.7m increase in height at the distance of 31.1m. Here, in particular with respect to number 9, the shrub covers is very thin. However, given the distance of 31m and the relatively small rise of 0.7m, it is considered that the proposal would not result in significant harm to the amenity of the occupiers of these building. Nevertheless, in order to ensure there would be no overlooking on these gardens, mitigation measures to remedy any potential loss of privacy would be required as part of landscape strategy through a condition. The mitigating measure would be through landscaping strategy in particular planting additional shrubs where the existing hedge does not provide sufficient cover to prevent over-looking effectively screen potential views from the top of the mound.
- 9.19 The proposed mound would have the greatest gradient to the south and east, where the existing land datum is at the lowest level. However, the boundary of the site on these sides are formed by coverage of thick trees and shrubs, beyond which lies open fields. Hence, the proposal would not result in amenity issues to the southern and eastern boundaries.
- 9.20 In order to safeguard the residential amenities of adjoining occupiers, conditions have been included requiring details of tree species, planting and landscaping management strategy to be submitted and agreed in writing by the Local Planning Authority.
- 9.21 For these reasons and subject to conditions, it is considered that the proposal would accord with the relevant policies with regards to safeguarding residential amenity.

Trees

- 9.22 The proposal will not involve any loss of trees nor protected species. Instead new biodiversity grass area are proposed, which will enhance the ecology of the area, As such, the application is considered to accord with Policy DC58 of the Havering Core Strategy, relevant London and national policies.

Flood Risk

- 9.23 The Flood Risk Assessment submitted for the new Leisure Centre application concluded that the application site falls within Flood Zone 1 or an area not at risk of flooding. The report states that the existing risk of groundwater flooding to the site is low.

The applicant has further explained that

“The field to the south of Henderson Close, Creasy Close & Petts Close, pre construction was broadly flat at a level of 22.00m AOD. From approximately in line with 7 Petts Close in the east west plane, the land begins to fall away to the south at a gradient of approximately 1:60. On this basis, it is considered that surface water would drain via soakage to the vegetated topsoil and evapotranspiration. There would also be some surface water runoff to the south towards the area of mature trees and vegetation.

The proposed levels for the mounded arisings from construction in this area are to a plateau level of 22.40m AOD. Whilst the plateau is increased in area than the preconstruction levels, it is still considered that the areas will drain as per the preconstruction arrangement, soakage to vegetated topsoil and evapotranspiration. It is not considered that there would be an increase in pluvial flood risk to the neighbouring properties as a result of the proposals.”

- 9.24 Therefore, it is considered that the proposal would not be likely to result in adverse impact upon the flooding or drainage issue with respect to the adjacent dwellings.

10 Legal and financial

- 10.1 Because the proposal would not create any building the proposal would not be liable to Community Infrastructure Levy.

Conclusions

- 2.01 Taken on balance and with consideration of the site context; development proposal and mitigation measure; consultation responses; and planning policies, it is decided to recommend approval of the proposed development.
- 20.2 It is considered that the siting and orientation of the dwellings have been carefully considered during the design process to ensure that the proposed mounds would; :
- Maintain sufficient privacy;
 - Prevent overlooking; and

- Prevent any impacts upon sunlight and daylight to the nearby properties; whilst the existing boundary vegetation will remain and maintain a screen to prevent any overlooking.

- 20.3 The proposed mound is closest to the boundary to the north west and west, where the existing screening is greatest and which will have an effect even in winter months.
- 20.4 It is considered that the use of the proposed mound/landform would not cause harm to the amenity of any neighbouring occupiers or visual amenity of the surrounding area. The proposal is acceptable, subject to further details relating to the conditions as set out above.