



REGULATORY SERVICES COMMITTEE

29 November 2012

REPORT

Subject Heading:

**P1138.12 – Squadrons Approach,
Hornchurch Country Park**

Report Author and contact details:

**Erection of single storey visitor and
education centre (Application received
25th September, 2012)**

**Helen Oakerbee (Planning Control
Manager) 01708 432800**

Policy context:

**Local Development Framework
London Plan
National Planning Policy**

Financial summary:

None

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

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input checked="" type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This planning application proposes the erection of a visitor and education centre in Hornchurch Country Park, on land off Squadrons Approach. This application is brought to Committee as the application site is Council owned land.

RECOMMENDATIONS

That planning permission be granted subject to the conditions set out below.

1. Time limit - The development to which this permission relates must be commenced not later than 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 Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - 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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Highways 1 - The proposed alterations to the Public Highway shall be submitted in detail to the Local Planning Authority for its written approval prior to the occupation of the development hereby approved. The alterations to the Public Highway will thereafter be undertaken in accordance with the approved scheme.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

4. Highways – The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the occupation of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

5. Highways 2 - Prior to the occupation of the development hereby permitted a delivery and servicing plan shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include details relating

to the access arrangements for coaches. The approved scheme shall be implemented and retained for the life of the development.

Reason: In the interest of safe operation of the road network, public open spaces and in accordance with DC 32 and DC 36.

6. Contaminated Land - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

- a) 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 sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) 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 of 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.

- c) 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
- d) 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. Secure by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

8. Vehicle Parking – No more than one vehicle shall be parked at the site, alongside the building, at any one time.

Reason: In the interests of visual amenity and protecting the openness of the Green Belt, in accordance with Policy DC61 of the LDF and the guidance contained in the NPPF.

9. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

10. Cycle storage - Prior to the completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

INFORMATIVES

Reason for Approval

It is considered that the proposal would constitute inappropriate development in the Green Belt, but that there are very special circumstances to overcome the harm by reason of inappropriateness. Having considered the principle of development, the impacts on visual amenity, neighbouring occupiers, and the highway network, along with environmental and other considerations, the proposal is considered to be acceptable having had regard to Policies DC18, DC45, DC58, and DC61 of the LDF Development Control Policies Development Plan Document.

Mayoral CIL

The proposal may be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £8,160.00, unless an exemption is granted. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.

Highways

The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

The developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

Secure by Design

In aiming to satisfy condition 6 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises approximately 0.2ha of open grassland within Hornchurch Country Park, approximately 170m to the east of Squadrons Approach. The site's western boundary lies adjacent to an existing tarmac track leading to a public car park to the north, and also to Squadrons Approach. The site's eastern boundary abuts the Ingrebourne Marshes Site of Nature Conservation Importance. A public play area is located approximately 20m to the north. The site is located in the Green Belt, is a Borough Level Site of Nature Conservation Importance, and is also designated as Flood Zone 2.

2. Description of Proposal

- 2.1 This planning application proposes the erection of a detached, single storey building with a shallow hipped roof. The proposed building would be used as a visitor and educational centre for schools and the local community, associated with the country park and the neighbouring Ingrebourne Marshes Site of Nature Conservation Importance. It is anticipated that the proposed use would involve 2.5 (full-time equivalent) members of staff. The submitted information states that during the summer, the proposed visitor centre would open 7 days per week, including bank holidays, from 9am until 5pm, and between 5pm and 10pm, would be available for community group activities and events, subject to demand.
- 2.2 The building would be 408sqm in area, and have a height to eaves of approximately 2.8m, and a height to ridge of approximately 4m. Internally, the proposal would include educational and interpretation spaces, an observation hall overlooking the Ingrebourne Marshes, offices, store rooms, meeting rooms, a retail area, a kitchen, and toilets. Externally, the proposal would have walls constructed of vertical oak boards (treated with fire retardant); a powder coated, matt grey coloured, steel roof; stained timber doors and windows; along with steel security shutters over the windows and doors. The proposal would include openings in all of its elevations, especially in its eastern elevation, which faces towards the Ingrebourne Marshes. The proposal would also include roof lights and photovoltaic cells between the seams of the roof in the southern elevation, and lighting over the doorways.
- 2.3 The proposal would also include tarmac hardstandings connected to an existing track for use as a vehicle manoeuvring area, and for the parking of a staff vehicle during the winter months.

3. Relevant History

3.1 There are no previous planning decisions of particular relevance to this application.

4. Consultations/Representations

4.1 Notification letters were sent to 45 neighbouring properties; a site notice was placed in the vicinity of the site; and an advertisement was placed in the local press. Representations have been received from five neighbouring occupiers raising the following objections:

- a) The proposal is likely to be vandalised;
- b) The proposal will encourage further loitering in the area, along with littering, noise, and anti social behaviour;
- c) The proposal will cause further parking problems along Squadrons Approach and within the Gloster Green estate;
- d) The proposal is unnecessary;
- e) The proposal will need to be patrolled outside of openings hours.

5. Relevant Policies

5.1 The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") are of relevance:

DC18 – Protection of Public Open Space, Recreation, Sports and Leisure Facilities
DC45 - Appropriate Development in the Green Belt
DC58 – Biodiversity and Geodiversity
DC61 - Urban Design
DC63 – Delivering Safer Places

5.2 The following planning policy documents are also of relevance:

The London Plan

The National Planning Policy Framework ("the NPPF")

6. Staff Comments

6.1 This application is put before Members as it proposes development on Council land. The main issues in this application are considered to be the principle of development, the impacts upon the character of the area and local amenity, along with access, environmental, and other considerations.

6.2 Principle of Development

6.2.1 The site is designated as a public open space. Policy DC18 states that the Council will retain and enhance public open spaces, and that compensatory measures will be required where open spaces would be lost to non recreation/leisure uses. The proposal would not result in the loss of open space to a non recreation/leisure use and it is considered that the proposal

would help to enhance the country park. The proposal is therefore considered to be in accordance with Policy DC18 of the LDF.

6.2.2 The site is located in the Green Belt. In terms of the guidance contained in the NPPF, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-

a) It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF and the LDF set out the categories of development not deemed to be inappropriate.

b) If the development is considered not to be inappropriate, the application should be determined on its own merits.

c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

6.2.3 The proposal is for the erection of a new building. Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in given cases, which include:

“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it...”

6.2.4 The application proposes a visitor and education centre within Hornchurch Country Park. The submitted information states that the purpose of the proposal is to:

“Provide accessible facilities for the local and wider community to enable them to engage with the culture, history, landscape and natural environment of the country park and the Ingrebourne Valley...”

6.2.5 The very purpose of the proposal includes providing a facility associated with, and to enhance, a country park and its designation as a Site of Nature Conservation Importance. It is therefore considered that the proposal would constitute an appropriate facility for outdoor recreation. However, whilst efforts have been made to ensure a minimal building height, given the overall scale of the proposal, in particular its footprint, it is considered that the proposal would not preserve the openness of the Green Belt. The proposal is therefore considered to constitute inappropriate development in the Green Belt.

6.2.6 Very special circumstances have been submitted by the applicant in an attempt to justify the harm to the Green Belt, by reason of inappropriateness, and these are discussed later in this report.

6.3 Design Considerations

- 6.3.1 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.
- 6.3.2 The proposal is for a detached, single storey building with a shallow pitched roof. The squat design of the proposal attempts to minimise its visual impact. The impact of the proposal on the openness of the Green Belt has been considered as a matter of principle, and it is concluded that it would be detrimental to the openness of the Green Belt. In light of this, it is considered that the proposal, in terms of its overall scale, would also be detrimental to the visual amenities of the Green Belt.
- 6.3.3 It is considered that the proposed use of natural materials would not be harmful to the visual amenities of the Green Belt or the surrounding area. It is considered that sufficient information about the proposed use of materials has been submitted as part of the application, and a planning condition requiring these details is not therefore required.
- 6.3.4 The proposal would involve the parking of one staff vehicle at the site during the darker months to allow members of staff to travel more safely out of the site during the evenings. In the interests of protecting the openness and visual amenities of the Green Belt, it is recommended that a condition be imposed limiting the number of vehicles that can park at the site to a single vehicle, with the remainder of the parking being in the existing public car park.
- 6.3.5 A condition is recommended requiring the submission of details relating to refuse storage for the approval of the Local Planning Authority.
- 6.3.6 In terms of its visual impact, the overall scale of the proposal is considered to be detrimental to the amenities of the Green Belt by reason of its impact on the openness of the Green Belt, but in all other respects, it is considered that the proposal would be in accordance with Policy DC61 of the LDF.

6.4 Amenity

- 6.4.1 Policy DC61 states that planning permission will only be granted for development which does not result in significant adverse impacts on local amenity.
- 6.4.2 Given the nature of the proposal, including the proposed use, and the siting, scale, and design of the proposed building, particularly in relation to neighbouring residential properties, it is considered that the proposal would not result in any significant adverse impacts on the amenities of neighbouring occupiers, or on local amenity. In terms of its impact on amenity, the proposal is considered to be acceptable and in accordance with Policy DC61 of the LDF.

6.5 Access Considerations

- 6.5.1 Vehicular access for the proposal would be taken from the public highway at Squadrons Approach, and through the site entrance to Hornchurch Country Park. A track leading through the park would provide vehicular access directly to the site, whilst a separate track would provide access to the public car park, which would form the main parking area for the proposal. The submitted information states that a single staff vehicle would be parked outside the proposed building during the darker months to enable members of staff to access the site more safely during the evenings. The proposal would involve formalising the existing public car park, creating 60 marked parking bays.
- 6.5.2 Objections have been received from neighbouring occupiers stating that the proposal would result in vehicles being parked along Squadrons Approach, and within the neighbouring housing developments, with resultant adverse impacts on highway safety.
- 6.5.3 The Highway Authority has raised no objections to the proposal subject to the use of conditions requiring the submission of details relating to works in the highway and the submission and approval of a delivery and servicing plan. The former condition is likely to involve the approval of details relating to a coach lay by in the highway, which Highway officers have been in discussions about with the applicants. Members will be given an update about the potential locations of coach lay bys at the committee meeting.
- 6.5.4 In the interests of protecting the openness and visual amenities of the Green Belt, it is recommended that a condition be imposed limiting the number of vehicles that can park at the site to a single vehicle, with the remainder of the parking being in the existing public car park.
- 6.5.5 A condition is recommended requiring the submission of details relating to cycle storage for the approval of the Local Planning Authority.
- 6.5.6 Subject to the aforementioned conditions, it is considered that the proposal would not result in any significant adverse highway impacts.

6.6 Environmental Considerations

- 6.6.1 In terms of nature conservation considerations, the site is located within a Borough grade Site of Nature Conservation Importance (SNCI) and alongside a Metropolitan level SNCI. Policy DC58 of the LDF states that the biodiversity and geodiversity of SNCIs will be protected and enhanced. The submitted information includes a Preliminary Wildlife Assessment, which concludes that the proposal would not result in any significant adverse impacts on nature conservation interests. Natural England have raised no objections to the proposal. It is considered that the proposal would not be contrary to Policy DC58 of the LDF.

6.6.2 The site is located in Flood Zone 2 and is therefore located on an area of land at higher risk of flooding. The guidance contained in the NPPF requires that proposals in areas at risk of flooding should be subject to the Sequential Test. The objective of the Sequential Test is to divert development to areas of land with the lowest possible risk of flooding. Paragraph 101 of the NPPF states that:

“Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.”

6.6.3 The site is located on a raised area of ground that overlooks the Ingrebourne Marshes. There are other areas within the country park at lower risk of flooding than the proposed site, mainly located to the west and south. However, it is considered that these alternative locations would not be “appropriate” for the proposal as part of the reason for the proposed siting is that its users would enjoy views over the Ingrebourne Marshes, which is a Metropolitan level Site of Nature Conservation Importance. If the proposal were located further to the west, then these views would be less possible to achieve, particularly given the location of existing vegetation. If the proposal were located further to the south, then it would become more and more remote from the proposed vehicular access and parking area, making it less accessible. Given these considerations, and that the proposal would constitute a less vulnerable use in an area that is not at high risk of flooding, it is considered that the proposal passes the Sequential Test. The Environment Agency has commented on the proposal and raised no objections in relation to flood risk considerations.

6.6.4 The site is located on a restored landfill. The Council’s Contaminated Land officer has raised no objections subject to the use of a condition. The Environment Agency support the use of this condition, should planning permission be granted. A further condition has been recommended by the Council’s Environmental Health officers concerning the control of potential odours, however, this condition is not considered to be necessary given that the proposal would involve only a modest kitchen facility and the proposed use would not generally involve the preparation of cooked food.

6.7 Other Considerations

6.7.1 The proposal would be subject to a Mayoral CIL payment of around £8,260.00 but may be eligible for an exemption as the applicant, which would run the facility, is a registered charity. It would be the responsibility of the applicant to submit the relevant documentation in order to apply for an exemption, or to otherwise make the required payment.

6.7.2 Neighbouring occupiers have objected to the proposal on the grounds that it would be vandalised and encourage further anti social behaviour in the area. That the proposal might be subjected to vandalism is not considered to be a planning consideration, and in any case, the applicants are satisfied that the proposal has been designed to protect it from anti social behaviour.

There is a lack of evidence to suggest that the building would encourage additional anti social behaviour in the area. The Council's Crime Prevention Design Advisor has raised no objections to the proposal, but recommended the use of a condition, should planning permission be granted, requiring the approval of measures intended to design out crime.

Green Belt – Very Special Circumstances

6.7.3 As discussed above, it is considered that the proposal constitutes inappropriate development in the Green Belt as it would not maintain the openness of the Green Belt. Therefore, the proposal would be harmful to the Green Belt by reason of its inappropriateness and by reason of its visual impact. The applicants have submitted very special circumstances in an attempt to overcome the identified harm. They are as follows:

- a) The proposal will enhance the value of the park to the local and wider community, being open to all, 7 days per week;
- b) The building has been designed to be as small as possible, without undermining its effectiveness;
- c) The proposal has been designed to have a minimal visual impact;
- d) There is a lack of such facilities in the area at the same time as being an identified demand for them;
- e) The proposal will have educational benefits for school children and the community as a whole;
- f) Essex Wildlife Trust is a charity, which relies on volunteers and the proposed building will provide a focal point for the training of volunteers;
- g) The proposed building will be available as a meeting and event space for community groups.

6.7.4 It is considered that the proposal would involve an appropriate use in the Green Belt, but that, owing to the overall scale of the building, that it would be detrimental to the openness of the Green Belt. Other than the overall scale of the building, it is considered that, given its design, including its height, squat form, and use of natural materials, attempts have been made to make the building as unobtrusive as possible. The overall scale of the building, whilst it is detrimental to the openness of the Green Belt, is the minimal size that the applicants consider is required to provide an effective facility. The proposal would meet a demand in the area for an educational and functional community facility and has attracted Heritage Lottery funding on this basis. It is considered that the very special circumstances submitted provide sufficient justification for allowing the development to proceed in the Green Belt, despite the harm it would cause.

7. Conclusion

7.1 Subject to the use of the afore mentioned planning conditions, officers consider the proposal to be acceptable and recommend approval, having had regard to Policies DC18, DC45, DC58, DC61, DC63 of the LDF, and all other material considerations.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would facilitate access for all to a new educational and community facility, and the associated open space and nature conservation area.

BACKGROUND PAPERS

Planning application P1138.12.