



# REGULATORY SERVICES COMMITTEE

27 June 2013

# REPORT

**Subject Heading:**

**P1555.12 – Spring Farm Park, Lambs Lane North, Rainham**

**Report Author and contact details:**

**Cricket nets enclosure to existing batting, coaching and practice area with sub base, matting and gates (Application received 4<sup>th</sup> March 2013)**

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

**Policy context:**

**Local Development Framework**

**Financial summary:**

**None**

**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	[x]
Value and enhance the life of every individual	[ ]
High customer satisfaction and a stable council tax	[ ]

## SUMMARY

This matter is brought before committee as the application site is Council owned. The application seeks full planning permission for a cricket nets enclosure to an existing batting, coaching and practice area with sub base, matting and gates. Staff conclude the proposal to be acceptable. The application is recommended for approval subject to conditions.

## RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

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.

### **Reason for Approval**

The proposal is considered to accord with the aims and objectives of Policies CP7, CP17, DC18 and DC61 of the LDF Development Core Strategy and Development Control Policies DPD.

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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.

### **Informative**

Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of any land contamination throughout the construction works. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified to the satisfaction of the Local Planning Authority.

Reason: To ensure that risks from any unexpected land contamination to the future users of the land and neighbouring land are minimised, together

with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Development Control Policies Development Plan Document Policy DC53.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site comprises of Rainham Cricket Club in Spring Farm Park. There are neighbouring properties located north of the application site. The site is located in Metropolitan Green Belt.

### **2. Description of Proposal**

- 2.1 The application seeks permission for a cricket nets enclosure to an existing batting, coaching and practice area with sub base, matting and gates. The cricket nets enclosure is required to enclose an open outdoor cricket facility with two outdoor artificial cricket strips. One of the strips has a scaffolding frame so that the nets can be erected to make it a safe environment to practice cricket. The cricket net enclosure would improve the safety of park users and prevent vandalism.
- 2.2 The cricket nets enclosure would have a depth of 15 metres, a width of 9 metres and a height of 4 metres. The enclosure would have two gates and be constructed from sports rebound fencing.

### **3. Relevant History**

- 3.1 No relevant planning history.

### **4. Consultations/Representations**

Notification letters were sent to 22 neighbouring properties. One letter of support was received together with another letter which raises no objections providing that the nets are only used in compliance within the park bylaws regarding opening times.

### **5. Relevant Policies**

- 5.1 Policies CP7 (Recreation and Leisure), CP17 (Design), DC18 (Protection of public open space, recreation, sports and leisure facilities), DC45 (Green Belt), DC53 (Contaminated land) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations.

5.2 Policies 3.6 (Children and young people's play and informal recreation facilities) and 3.19 (Sports Facilities) of the London Plan 2011 are relevant.

5.3 Chapters 8 (Promoting Healthy Communities) and 9 (Protecting Green Belt Land) of the National Planning Policy Framework are relevant.

## **6. Staff Comments**

6.1 This proposal is put before the Committee owing to the land being Council owned. The issues arising in respect of this application will be addressed under the headings principle of development, impact on the Metropolitan Green Belt, impact on the streetscene, amenity issues and parking and highways implications.

## **7. Principle of Development**

7.1 The application site falls within the Metropolitan Green Belt. Chapter 9 of the National Planning Policy Framework (NPPF) sets out the circumstances whereby development within the Green Belt can be considered appropriate. This list includes facilities for outdoor sport and recreation, which the proposal comprises. In this instance therefore, the cricket nets enclosure with sub base, matting and gates constitutes appropriate development in the Green Belt and is deemed to be acceptable in principle. It is still necessary however to consider whether any other harm arises from the scheme and this is assessed below.

## **8. Impact on the character and appearance of the Green Belt**

8.1 It is considered that the cricket nets enclosure would not be harmful to the open and spacious character of the Metropolitan Green Belt, as its overall proportions are relatively modest and it would replace an existing scaffolding frame. It is considered that the green cage fence would allow a significant degree of visual permeability, which would minimise its visual impact and help to preserve the openness of the Green Belt.

## **9. Design/impact on street/Garden scene**

9.1 It is considered that the cricket nets enclosure to the existing batting, coaching and practice area with sub base, matting and gates would not be harmful to the streetscene, as it would be set back approximately 105 metres from Lambs Lane North and would be partially screened by Rainham Cricket Club Pavilion. The nets enclosure, matting and gates are considered to be of an acceptable appearance.

## **9. Impact on amenity**

9.1 It is considered that the proposal would not be harmful to residential amenity, as it would be set back approximately 105 metres from the nearest residential properties in Lambs Lane North and would be partially screened by Rainham

Cricket Club Pavilion. In addition, the proposal should help to increase the safety of park users.

## **10. Highway/parking issues**

10.1 It is considered that the proposal would not create any highway or parking issues.

## **11. Conclusion**

11.1 Having regard to all relevant factors and material planning considerations staff are of the view that this proposal for a cricket nets enclosure to the existing batting, coaching and practice area with sub base, matting and gates would be acceptable. Staff are of the view that the proposal would comprise appropriate development in the Green Belt and would not harm its open and spacious character, have an impact on the street scene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

This application is considered on its own merits and independently from the Council's interest as owner of the site.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity.

## **BACKGROUND PAPERS**

Application form and plans received on 4<sup>th</sup> March 2013.