

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0689.24

WARD: Upminster **Date Received:** 15th May 2024

ADDRESS: Bush Farm Back Lakes, Aveley Road
Upminster

PROPOSAL: Replacement of existing ancillary structures on site with a single storey building containing administration office, tea room and wcs/shower facilities and single storey storage building, in connection with the existing use of land for outdoor recreation.

DRAWING NO(S): 2024-887/01
2024-887/02
2024-887/03
2024-887/04
2024-887/05
2024-887/06
2024-887/07
2024-887/09 A
2024-887/10 A
2024-887/11

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The application site is accessed by Aveley Road, opposite Damyns Hall Aerodrome and near Delta Force Paintballing grounds, and has fishing lakes, woodland, hardstanding and various cabins and outbuildings ancillary to the recreational fishing lakes use.

The site has the following constraints:

- Green Belt;
- Thames Chase Community Forest.

The site is located in a landfill buffer zone and a condition should be applied to any approval requesting gas migration information.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the following:

- removal of the existing cabins and outbuildings.
- construction of one single-storey building for use as equipment store, utility area for washing equipment, bait preparation area, fridge unit for storing bait, office for administration, toilets and shower and a tea bar for anglers to make drinks.
- decking and pergolas outside the building.
- construction of a small storage building for large equipment such as driveable mower and weed boat.

RELEVANT HISTORY

P0577.20	CHANGE OF USE OF LAND FOR THE SITING OF 10 X TEMPORARY FISHING LODGES
Refuse	23-06-2020

CONSULTATIONS/REPRESENTATIONS

Surrounding neighbours were notified of the proposal, a site notice was installed at the site and a newspaper notice was published. No comments were received in response.

The following consultees were also notified:

Highways - raised no objection to the proposal.

Waste - No domestic waste associated with this location.

Council's Ecology Advisor - more ecological information was required and subsequently submitted by the applicant. Recommend approval subject to conditions.

RELEVANT POLICIES

Chapter 13 of the NPPF

London Plan

Policy G2

Policy D4

Policy S5

Havering Local Plan

Policy 7

Policy 18

Policy 26

Policy 28

MAYORAL CIL IMPLICATIONS

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £3275 (subject to indexation), based on 131 square metres of floorspace.

PRINCIPLE OF DEVELOPMENT

The NPPF notes that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 states that exceptions to inappropriate development includes:

- 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.

The site is within the Metropolitan Green Belt and the proposed development would not align fully with any of the exceptions set out at Section 13 of the NPPF. The applicant has not demonstrated that the use of the site for recreational purposes is lawful and accordingly whether any incidental use of the building proposed would be appropriate. The existing structures on the site may also be unlawful and furthermore, the 'red line' on the site plan submitted with this application does not include the lake(s) and is shown as a stand-alone piece of land not linked to a recreational use. No Very Special Circumstances have been demonstrated which would outweigh the in principle harm identified and the proposed development is therefore in conflict with the objectives of the NPPF and Policy G2 of the London Plan 2021.

GREEN BELT IMPLICATIONS

Section 13 of the National Planning Policy Framework, together with Policy G2 of the London Plan seek to protect and enhance the essential characteristics of the Green Belt, by protecting its openness and permanence.

Paragraph 153 states - "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

Paragraphs 153 - 160 of the NPPF deals with proposals affecting the Green Belt. It advises that a Local Planning Authority should regard the constructions of new buildings as inappropriate in the Green Belt. Exceptions to this are, inter alia, (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Planning Policy also states that outdoor recreation facilities are an acceptable use within the Green Belt. It also states that planning permission for new buildings will only be granted if they are essential for an acceptable use (outdoor recreation).

The NPPF and Planning Policy therefore allow for new buildings in the Green Belt provided they are essential for the use and preserve the openness of the Green Belt. The proposed buildings are summarised as follows:

- removal of the existing cabins and outbuildings.
- construction of a single- single-storey building for use as equipment store, utility area for washing equipment, bait preparation area, fridge unit for storing bait, office for administration, toilets and shower and a tea bar for anglers to make drinks. It would be 21.7m long and up to 7.9m wide with a height of 4.6m with a pitched roof. The materials would be black composite cladding, slate look roof tiles and aluminium windows and doors.
- decking and pergolas outside the building. The decking would be 3.7m in depth.
- construction of a small storage building for large equipment such as driveable mower and weed boat. It would be 6.3m long, 4.2m wide with a height of 4.25 with a pitched roof. The materials would be black composite cladding, slate look roof tiles and aluminium windows and doors.

Cumulatively these new buildings will contribute approximately 131 square metres of built form to the site with the removal of various cabins and storage units with a total floor area of 88.3 square metres.

Whilst there is scope for buildings which support outdoor recreation uses, the NPPF does require that new works are minimised so not to have a substantial impact on the openness of the Green Belt. The scale, height and amount of development would be inappropriate in this location and the provision of a building of the combined scale, bulk and mass proposed along with the material change in character through its permanence, in contrast to the existing structures which may have been installed unlawfully would form an unwanted urbanisation of the site which would have a profound and material impact on the openness of the Green Belt in this location and would conflict with the purposes of including land within it. There proposed development is therefore in conflict with the objectives of the NPPF and Policy G2 of the London Plan 2021.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy 26 of the Havering Local Plan states that the Council will promote high quality design that contributes to the creation of successful places in Havering and that development should respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context.

Due to the siting of the buildings, it is unlikely that they would be visible from street boundaries and therefore would not result in harm to the street scene. Accordingly the proposal would accord with the objectives of Policy 26.

IMPACT ON AMENITY

The application site is situated in an isolated location away from neighbouring properties, and is therefore not considered to result in any adverse impacts on neighbouring amenity.

HIGHWAY/PARKING

The proposal was referred to the Highways department would raised no objections to the proposal from an access, highways and parking perspective.

15 car parking spaces would remain on the site as shown on Plan 2024-887/11.

OTHER ISSUES

In terms of ecology considerations, an Ecological Assessment and Biodiversity Net Gain Metric Calculation report (both by GS Ecology and dated 29 November 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain has been submitted by the applicant.

The Council's Ecology Advisor is satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the Local Planning Authority of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Appraisal (GS Ecology, 29 November 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

It is welcomed that the new development would be brought further from the existing hedge line, which is Priority habitat. Although the site itself comprises hard standing, it is in very close proximity to the neighbouring habitats (including the tree line and hedgerow). Therefore, it is recommended that precautionary mitigation measures during the construction phase should be provided in a Precautionary Method Statement which should be used to prevent mobile species such as Badgers, reptiles (Protected species) and Hedgehogs (Priority species) being injured or killed on site during the construction phase as well as to ensure that the existing hedge line is not damaged in the deconstruction or construction process. This includes appropriate fencing and demarcation of the whole of the construction site; covering any trenches at night, or leaving a plank leant against a side as a means of escape; storing materials off the ground to prevent animals using them as places of shelter; and removing litter from site. Open pipework greater than 150 mm outside diameter should be blanked off at the end of each working day. The site manager is to ensure that any litter, chemicals, tools, and machinery that could potentially cause harm to the species are appropriately stored overnight.

With regard to mandatory biodiversity net gains, the submitted Biodiversity Net Gain Metric Calculation report (GS Ecology, 29 November 2024) is supported. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy

and should be secured by a condition of any consent.

KEY ISSUES/CONCLUSIONS

For reasons discussed above, the proposal is considered to fail to comply with relevant planning policy with respect to the green belt. Accordingly it is recommended that the application is refused.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Refusal non standard

The site is within the Metropolitan Green Belt and the proposed development would not align fully with any of the exceptions set out at Section 13 of the NPPF. The applicant has not demonstrated that the use of the site for recreational purposes is lawful and accordingly whether any incidental use of the building proposed would be appropriate. No Very Special Circumstances have been demonstrated which would outweigh the in principle harm identified and the proposed development is therefore in conflict with the objectives of the NPPF and Policy G2 of the London Plan 2021.

2 Refusal non standard

The provision of a building of the combined scale, bulk and mass proposed along with the material change in character through its permanence, in contrast to the existing structures which may have been installed unlawfully would form an unwanted urbanisation of the site which would have a profound and material impact on the openness of the Green Belt in this location and would conflict with the purposes of including land within it. The proposed development is therefore in conflict with the objectives of the NPPF and Policy G2 of the London Plan 2021.

Authorising Officer:



Raphael Adenegan 30th April 2025