

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1692.24

WARD: Gooshays **Date Received:** 23rd December 2024

ADDRESS: Maylands Golf Club Colchester Road
Romford

PROPOSAL: To demolish existing stable blocks and erect new stables, sixteen containers, 30x16m menage and eleven parking spaces.

DRAWING NO(S): 201-02
201-03a
201-04
201-05
BNG ecology assessment

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

SITE DESCRIPTION

The proposal relates to a parcel of land approximately half a hectare (5,308 sqm or 1.3 acres). The site straddles across an access way to the golf clubhouse and golf course, which is accessed from the A12, approximately half a mile from junction 28 of the M25.

To the east of the access way, the site comprises a permeable hard standing and grassed area (disused area). To the west of the access way, until recently, the land was generally laid in grass but accommodates two small stable blocks, a storage unit and a barn.

The Stable block 1 measuring 9.8m wide by 4.1m deep and 3.6m high.

Stable block 2 1 measuring 17.5m wide by 4.1m deep and 3.6m high.

A storage unit is 5.3m wide by 9.3m deep and 3.2m high.

A barn building is 5.8m wide by 3.4m deep and 2.9m high .

The entire footprint of the buildings on the site is 181 sqm. It would appear these were largely disused and in poor condition.

However, the site to the west of the access way is currently comprise an area of land for "scaffolding area", "vehicle storage - for sale" and "and shipping containers / double stack- used for commercial storage to other businesses)

The site is located in a designated green belt and Havering Historic Forest and Parklands. The site is also surrounded by Site of Important for Nature Conservation.

DESCRIPTION OF PROPOSAL

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To demolish existing stable blocks and erect new stables, 16 containers, menage to the east and eleven parking spaces. (Part retrospective).

The proposed stable block would comprise of 310qm and a height of 4.0m. The containers would be provided on two sections of the site 13 to the site covering 198sqm and 3 to the north of the site covering an area of 45sqm.

The proposal also includes erection of fencing and gates. The drawings indicate that two of the existing structures - a barn type building and a shed would be retained.

It should be noted that the land is subject to unauthorised use (please see below), where there is a scaffolding and car storage for sale business. The applicant has confirmed that these uses would not form part of this application, as according to the applicant, there would be no chance of securing approval for such uses.

RELEVANT HISTORY

RELEVANT HISTORY:

There is no relevant planning history on the site. However, recently an enforcement file (ENF/304/24) has been opened alleging several unauthorized activities:

1. Without planning permission, the material change of use of the land for the storage of containers;
2. Without planning permission, the laying of a hard surface in the Green Belt;
3. Without planning permission, the material change of use of the land to a scaffolding yard;
4. Without planning permission, the material change of use of the land for vehicle storage (and sales);
5. Without planning permission, the erection of metal boundary treatments resulting in enclosed areas.

The site until recently comprised a large area of permeable hardstanding on one side and three sheds (with one significantly derelict) on the other side (west side). However, as identified above, the land has been subject to significant degree of unauthorised works. And therefore the application site would appear to be in breach of planning regime. Given the unauthorised works, there need to be a thorough assessment to establish the lawful use of the site to consider whether the site falls within the definition of Grey Belt. The supporting statement claims that the site has been a commercial yard, but only has 2 snapshot aerial photos which are inconclusive. Therefore, currently there could be no formal conclusion with respect to the lawfulness for commercial use. It is clear that part of the site comprises some built structures and considered as previously developed land. This issue will be discussed below in more detail.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 35 properties. A site notice was also displayed. Two letters of objection have been received concerning; impact upon highways, noise / disturbance and impact upon Duck Wood's ecology.

TfL has provided the following comments;

The proposal would provide 11 additional car parking spaces for the use of the stable blocks. There is not sufficient clarity for the use of the shipping containers. The Transport for London officers

have made representation indicating a degree of concern over the lack of appropriate information as follows;

-As per London Plan Policy T4, it is important that the impacts and opportunities which arise as a result of development proposals are identified and assessed so that appropriate mitigations and opportunities are secured through the planning process. Transport assessments are therefore necessary to ensure that planning applications can be reviewed and assessed for their specific impacts and for their compatibility with the Healthy Streets Approach. The applicant should submit a Transport Assessment as well as other supporting documentation (Travel Plan, Delivery and Servicing Plan and Construction Logistics Plan) to allow a robust assessment of the development's impact.

-Considering the location, we need the information required as per our guidance, including vehicle trip generations, to demonstrate the potential impact of the proposed development to TLRN for our review.

-Further clarification is required regarding the proposed car parking. Provision of 11 parking spaces is proposed according to the application description, but it appears this has not been reflected in the application form as it indicates that there are no existing/proposed vehicle parking spaces. As per London Plan Policy T6, car parking provision for use class B2 should be in line with office parking standards; therefore, the provision should be a maximum of four parking spaces only with at least one of these spaces being a Blue Badge space. 20 per cent of the spaces should have active EV charging provision, with the remaining provided with passive provision as per Policy T6. Amendments should be made to the car parking provision in line with the London Plan.

-TfL requests extra information to be submitted to allow us to review the impact of the proposed development on our network. Amendments should also be made to address the points outlined above. Should you have any enquiries, please do not hesitate to get in touch.

The proposal does not include any highways information. Therefore insufficient information has been provided to assess the impact of the proposal upon highways condition.

Greater London Archaeology Advisory Services have advised the proposal would be likely to harm the archaeological interest and hence recommend condition to ensure the historical asset are safeguarded.

RELEVANT POLICIES

The Development Plan
Planning Policy

In accordance with Section 38 (6), the following forms the adopted Development Plan.

The Local Plan (2016-2031) adopted 2021, along with the Mayor of London's, London Plan, (adopted 2021).

The National Planning Policy Framework 2024 (NPPF) is a material planning consideration. The relevant chapters with respect to the pre application schemes;

- 2 - Achieving sustainable development
- 9 - Promoting sustainable transport
- 12 - Achieving well-designed places
- 13 - Protecting Green Belt land

- 15 - Conserving and enhancing the natural environment

The adopted planning policies;

- Policy 7 Residential Amenity
- Policy 12 Healthy communities
- Policy 18 Open space, sports and recreation
- Policy 19 Business Growth
- Policy 23 Transport Connections
- Policy 24 Parking provision and design
- Policy 26 Urban design
- Policy 27 Landscaping
- Policy 30 Biodiversity and geodiversity
- Policy 33 Air quality
- Policy 34 Managing pollution

Other relevant development plans includes;

The London Plan (2021) where the relevant policies include;

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG5 Growing a good economy
- D4 Delivering good design,
- G2 London's Green Belt,
- S4 Play and informal recreation
- S5 Sports and recreation facilities
- T5 Cycling,
- T6 Car parking

STAFF COMMENTS

The main issues to Green Belt are as follows;

- Whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework and any relevant development plan policies
- Whether any substantial harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so, would this amount to the very special circumstances necessary to justify the proposal
- Is it in an sustainable location
- Also impact upon highways, ecology and trees

GREEN BELT IMPLICATIONS

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The Council's Green Belt policies follow the most recent government advice with regards to the protection of the Green Belt. Therefore, for assessment of the proposal the criteria set out in the December 2024 NPPF will form the basis of the consideration for the application.

The NPPF provides that construction of new buildings should be regarded as inappropriate save for certain limited exceptions set out in paragraph 154 sub paragraphs (a)-(g). The NPPF also includes provisions for land to be considered "grey belt" under certain circumstances.

The proposal includes the erection of eight stables for horses, three tack rooms and hay barn storage. The information provided suggests that this would be in accordance to the British Horse society standards as one horse per acre. It is claimed that "The 9.32 Arce paddock south of the site is big enough for the number of horses staying in the stables."

The use of land for paddock / or menage could be argued to form outdoor recreational use and considered appropriate use in Green Belt (criterial h (v)) of Paragraph 154. However, the application site does not contain a paddock. A paddock might have been located historically on land to the south of the side. Currently there is no paddock, and even if there were a paddock in close proximity to the application site, this would not form part of the application site. Consequently the proposed stable blocks would have no association with any paddock / and would be considered as purely storage facilities. In any event the proposal also includes formation of storage facilities (shipping containers), i.e. a mix of commercial storage and stable blocks would be regarded as a sui generis use - not corresponding to any of the criteria (i to vi) set in sub paragraph h of 154.

The NPPF exceptions to inappropriate development, inter alia include criteria "g" in paragraph 154 which state, "limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt."

Officers note the higher "substantial harm" bar contained in the revised NPPF in comparison to "material harm" in the previous version.

The applicant has set out that it considers that the site is previously developed and the proposed development would not cause substantial harm to the openness of the Green Belt, therefore exception (g) is met and the development is not inappropriate.

Until recently the site only comprised two disused stables and two dilapidated shed structures. As such, the site could be considered "previously developed land". However the vast part of the application site was largely laid to grass and it did not accommodate any significant buildings that have a spatial or significant visual impact.

As it has been established by courts; "Openness can be defined as the lack of built form. The proposed built form would have significantly greater degree of built form in terms of the formation of an L shaped continuous block and equally a significant number of shipping containers (16 containers), eleven parking spaces and new fencing and timber gates. The proposal also include the provision of a menage (30x16m). The proposed stable block would comprise of 310sqm and a height of 4.0m. The containers would be provided on two sections of the site 13 to the site covering 198sqm and 3 to the north of the site covering an area of 45sqm. (total area 553 (proposed) + 69.01 (existing retained) = 622 sqm)

It is considered that the construction of buildings and the positioning of significant degree of structures that would cover a large part of the site (i.e. substantially greater than the footprint / volume of the previous structures) would amount to a substantial difference in openness from a spatial perspective. It is therefore considered that the proposal would causes substantial harm to the openness of the Green Belt and that the proposal does not meet this exception to inappropriate development. As no other exceptions are considered to apply, the proposal is inappropriate development in principle.

The revised NPPF has introduced provisions relating to "grey belt" which is defined as land which does not perform strongly against Green Belt purposes a), b) and d) (as set out in paragraph 143 of the NPPF), and where any designations contained in Footnote 7 do not provide strong reasons to

refuse or restrict development.

Excluding the Green Belt, there is no other designation that applies to footnote 7, therefore, the assessment would be principally subject to clauses a) and b) of the paragraph 143.

The site except on one corner (golf club building - beyond a heavy tree lining) is generally surrounded by open fields. In this regard, the site is considered to have an important function in terms of checking unrestricted urban sprawl. Whilst until recently the site contained a small area of permeable hardstanding and some insignificant structures, it was otherwise largely free of any incongruous physical structures. Therefore, the introduction of largely alien features and incompatible structures and engineering operations for formation of hard surfacing and fencing covering significant area of the site in such manner as proposed would result in an incongruous pattern of development (such as an extended "finger" of development into the Green Belt). Consequently, the development of the site in such manner would result in intrusion onto verdant landscape failing to comply with criterion a) of para 143 which seeks to check the unrestricted sprawl of large built-up areas.

Even if it was concluded that the land did not contribute to the purposes for inclusion in the Green Belt and therefore the land was Grey Belt, the criteria set out in Paragraph 155 of the NPPF is relevant, which states:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework and
- d. Where applicable the development proposed meets the Golden Rules' requirements set out in paragraphs 156-157 below. Considering the above criteria;

The site covers over half hectare of land. The proposal would introduce new buildings and structures with associated car parking spaces as well as hard surfacing. Therefore, the proposal would result in a significant change in characteristics and one that would have a greater impact upon the countryside. There is no indication as to whether there is an unmet need for the type of development proposed. The site is not located in a sustainable location. And finally, the proposal would not apply to any criteria under the "Golden Rule" provision.

The overall conclusion is that the proposal would not meet the criteria of NPPF paragraph 155 and for this reason also should be regarded as inappropriate development in the Green Belt and as discussed above it would result in substantial harm to the openness of the green belt.

Very Special Circumstances

For the above reasons the development is considered to be 'inappropriate development' within the Green Belt and VSC need to be demonstrated. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposal would provide stables, as well as storage facilities. Currently there is no paddock to serve the proposed stable blocks. The site is far too small to cater for grazing for the number of horses that could be accommodated in the proposed stables. The paddock referred to does not exist and if it did, it lies outside of the application site and out of the demise of the applicant. Further, there is no demonstrable need for any of the uses. The applicant has not provided any detailed needs assessment of if there were such need, and if it did then demonstrate that it could

not have been provided on an alternative site - in particular outside of the designated green belt area.

In summary, it is considered that the proposal would be inappropriate development on Green Belt and the site is not considered to meet the definition of grey belt. As such, very special circumstances need to be demonstrated that clearly outweigh the harm caused by inappropriateness, and any other harm. There is no identified need for storage facilities in the Local Plan, nor there is any establish need for stables. In particular given

The proposal is also contrary to London Plan Policy G2 states that the Green Belt should be protected from inappropriate development and, unless Very Special Circumstances (VSC) exist, development that would harm the Green Belt should be refused. Given the above analysis the proposal would also fails to meet the G2 policies of the London Plan.

The impact upon the character / appearance

The site until recently has a pleasing rural and verdant character. The proposed development covering significant portion of the application site, comprising alien features such as containers and provision of significant degree of hardstanding would be in stark contrast to the verdant and rural character of the site. The proposed containers would be particularly incongruous feature that together with the hardstanding and other bulky structures would have harmful impact upon the visual amenities.

Thus the proposal would be contrary to policy 26 of the Local Plan, Policy D4 of the London Plan and the policy Advice in NPPF which all seek to ensure any new development would have a positive impact upon the visual amenity whilst seeking to enhance the character and appearance of an area.

The Development Plan and National Planning Policy Framework in particular, states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated

IMPACT ON AMENITY

The access road passes two residential properties along the access road to the golf club (about 140m from A12. The comings and goings of commercial vehicles during quiet periods (i.e. late in the evening or early morning) would be likely to result in adverse impacts upon the amenities of these residential dwellings. A number of complaints have been received with particular reference to the unauthorised use of scaffolding and the use of the existing shipping containers from local residents.

Although conditions could probably be secured to prevent the use of the site in quiet period, or other mitigating measures, given the refusal of the scheme in other respect it is also recommended to refuse the scheme on continued harm to the amenities of the residential occupiers within vicinity of the site.

HIGHWAY/PARKING

Highways safety and parking are material considerations. The proposal would provide 11 additional

car parking spaces for the use of the stable blocks. It is not clear, how the proposed storage units would be used. The TfL officers have explained that there is no information with respect to trip generation to fully consider the impact of the development upon the highways safety and the free flow of traffic upon A12 a busy and important classified thoroughfare. Hence, a reason for refusal on the ground of highways safety is also recommended.

OTHER ISSUES

the proposal's impact on the biodiversity and ecology of the area;

Ecology;

The council's ecological consultant have explained that there is insufficient ecological information available for determination of this application and recommend that details of bat survey results, mitigation & enhancement measures are required to make this proposal acceptable.

It is noted that the existing stables contains features that are associated with a risk to roosting bats during the work and these features are due to be lost through demolition. Hence, it is recommend a Preliminary Roost Assessment (PRA) for bats should be undertaken by a suitably licensed ecologist. This type of inspection can be undertaken at any time of year and will inform the need for any further bat surveys and mitigation measures. A thorough survey would need to be carried out prior to the determination of the application.

The advisers have also explained that a habitat map of the pre-development baseline has not been supplied in line with the Biodiversity Net Gain PPG. This should ideally be in line with UK Habitats Classification v2 criteria. It is recommended one should be provided. In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, at this stage no significant on-site enhancements are proposed in the proposals.

CIL

the proposal would result in net addition of 510sqm of floor space which would be liable for Mayors CIL.

KEY ISSUES/CONCLUSIONS

The proposed development would result in a visually intrusive form of development, detrimental to the open character of the Green Belt. No special circumstances have been submitted, and the proposal is therefore contrary to policy advice in the NPPF and the London Plan.

RECOMMENDATION:

It is recommended that planning permission be REFUSED for the following reasons:

1. Inappropriate Development & No Very Special Circumstances
2. Harm to character
3. Noise and Disturbance
4. Insufficient Information on Highways Impact
5. Insufficient Ecological Information

RECOMMENDATION:

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

1 Inappropriate Development & No Very Special Circumstances

The proposed development comprising the erection of buildings, installation of shipping containers, the formation of significant degree of hardstanding and car parking spaces would result in development that is detrimental to the openness of the Green Belt, and would conflict with the purposes of including land in the Green Belt. The proposal would constitute inappropriate Green Belt development, and in the absence of very special circumstances that clearly outweigh the substantial harm to the Green Belt, by reason of inappropriateness and substantial harm, the proposal is considered to be contrary to the guidance contained in the National Planning Policy Framework NPPF 2024 and policy G2 of the London Plan.

2 Landscape & Special Character Area Harm

The proposed buildings and structures, in particular the proposed containers, would appear as alien feature that together with the extensive hard standing and car parking spaces would result in significant harm to the verdant and the rural character of the area, thereby having adverse impact upon the visual amenities of the area. The proposal is therefore considered to be contrary to Policies 26 and 27 of the Local Plan 2021, the Policy D4 of the London Plan and the Policy advice in National Planning Policy Framework 2024.

3 Reason for refusal - Noise and Disturbance: A3 Use

The proposal would, by reason of noise and disturbance caused by coming and going on vehicles on the access way in the early hours of morning or late in the evening be unacceptably detrimental to the amenities of occupiers of nearby residents, contrary to policies 7 and 34 of Local Plan Policies.

4 Refusal non standard

Insufficient information has been provided to assess the impact of the proposal upon the free flow of traffic and the safety of highways users. In particular there is no information with respect to trip generation or highways assessment. In these regards the proposal are considered contrary to policies T4 and T6 of London Plan and policy 24 of the Local plan and the policy advice in National Planning Policy Framework 2024.

5 Refusal non standard

Insufficient ecological information is available for determination of this application. In particular it would appear that that the existing stables contains features that are associated with roosting bats and that these features are due to be lost through demolition, without any mitigating and enhancing measures for bat protection, thereby potentially causing undue harm to protected species contrary to policy 30 (Biodiversity and geodiversity) and the policy advice in National Planning Policy Framework 2024.

INFORMATIVES

1 Refusal and CIL

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £12,750. Further details with regard to CIL are available from the Council's website.

2 Non Standard Informative 5

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

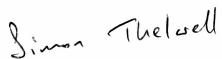
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this proposal, should planning permission be granted at appeal, would be the London Borough of Havering.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this proposal is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Authorising Officer:



Simon Thelwell

11th April 2025