

4.2 – SE/13/00702/FUL Date expired 20 June 2013

PROPOSAL: Installation of an extra metal container on site

LOCATION: Chipstead Recreation Ground, Chevening Road, Chipstead
TN13 2SA

WARD(S): Brasted, Chevening And Sundridge

ITEM FOR DECISION

This application has been referred to the Development Control Committee by Councillor London for the following reasons:

Very special circumstances exist due to the need for shelters as a consequence of the football club being promoted to a higher league.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposed development would have a detrimental impact upon the openness of the Metropolitan Green Belt. This conflicts with the National Planning Policy Framework.

The land lies within an Area of Outstanding Natural Beauty. The proposal would detract from the character and appearance of that area. This conflicts with the National Planning Policy Framework and policy LO8 of the Sevenoaks District Core Strategy.

The site lies within the Chipstead Conservation Area. The proposed development would neither enhance nor protect the character or appearance of this area. This conflicts with the National Planning Policy Framework, policy EN1 and EN23 of the Sevenoaks District Local Plan and policy SP1 of the Sevenoaks Core Strategy.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by:

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.aspx),
- By providing a regular forum for planning agents,

- Working in line with the NPPF to encourage developments that improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Description of Proposal

- 1 Installation of an extra metal container on site
- 2 The container will measure 12.2m by 2.44m with a height of 2.6m, will be painted dark green and rest on wooden sleepers.

Description of Site

- 3 Chipstead Recreation Ground is located to the west of the Chevening Road on the northern side of Chipstead village with the site bounded by the M25 on its western boundary. On the southern boundary of the site is located a pavilion serving the recreation ground and a car park accessed from Chevening Road is located to the east of Pavilion. Mature trees are located on the northern, western and southern sides of the site whilst the eastern boundary north of the access to the car park is bounded by a row of houses. Adjacent to the main access is a children's playground. The area around the site already possesses two metal containers and a wooden shed clustered together on the southern boundary approximately 70m to the west of the Pavilion. The application site itself relates only to the footprint of the proposed third container.

Constraints

- 4 Adjacent to an Area of Archaeological Potential
- 5 Area of Outstanding Natural Beauty
- 6 Conservation Area
- 7 Adjacent Flood zone 2 and 3
- 6 Metropolitan Green Belt
- 7 Public Right of Way

Policies

Sevenoaks District Local Plan

- 8 Policies – EN1, EN23, H6B, H14A

SDC Core Strategy

9 Policies – L08, SP1, SP10

Other

10 National Planning Policy Framework

11 Kent Downs Area of Outstanding Natural Beauty Landscape Design Handbook

12 Chipstead Conservation Area Assessment and Management Plan 2011

Planning History

13 74/00474/HIST The erection of a practice wall. Granted 19/12/1974.

81/00584/HIST Erection of a practice wall approximately 8' 6" high (Renewal of planning permission SE/74/474). Granted 13/05/1981.

89/00137/HIST Alterations to existing sports pavilion. Granted 20/02/1989

99/00316/HIST Raising the level of the ground in the NE corner of the recreation ground by a maximum of 1.2 m. Granted 10/05/1999.

03/02385/FUL Demolition of existing sports pavilion (75m sq) and replaced with new pavilion (175m sq). Granted 28/11/2003.

04/02640/FUL Replacement sports pavilion. Amendment to SE/03/02385. Granted 06/12/2004.

05/02442/CONVAR Variation of condition 3 of planning permission SE/04/02640/FUL for replacement sports pavilion. Granted 01/11/2005.

07/02321/FUL Tarmac surface to car parking area. Granted 26/09/2007.

08/00720/FUL Change of use from agricultural to recreational. Granted 01/05/2008.

Consultations

Chevening Parish Council

14 'Support - Chevening Parish Council (CPC) confirmed that it had no objection to this planning application when the proposal was considered at PC meetings prior to its submission to SDC. (CPC resolutions passed under Minutes 138e/12 and 151e/12, refer.) Furthermore, CPC's views on the criticality of providing this additional facility are reflected in para. 3f of the Justification attached to the planning application.'

SDC Arboricultural Officer:

15 'Following my visit to assess the container located at Chipstead recreation Ground, I can confirm that there are no tree issues.'

Representations

16 No representations received

Chief Planning Officer's Appraisal

Principal Issues

- Impact upon the Green Belt and Area of Outstanding Natural Beauty
- Impact upon local amenities
- Impact upon the Conservation Area and street scene
- Impact upon Flooding
- Impact upon adjacent Public Right of Way
- Impact upon Trees

Background

- 17 Currently there is one wooden shed and two metal shipping containers located in this part of Chipstead Recreation Ground. The shed is owned by Chevening Amblers Cricket club storing cricket equipment and an 8" roller with the other containers, owned by Chipstead Cricket Club containing a John Deere tractor, ground maintenance equipment, floodlights, goal posts and footballs. In reviewing the planning history for the site planning permission has not been sought for these three containers although the container closest to the pavilion does appear on the Councils mapping system dating back to 1995. The applicant has asserted that the shed has been on site for 20+ years (owned by Chevening Amblers Cricket Club). Of the other two containers (both owned by Chipstead Football Club) one according to the applicant was purchased 8 years ago whilst no information is available as to how long the second container has been on site.
- 18 The proposal would result in a third container to the west of the existing containers to contain two mobile team shelters to be used by home and away clubs on match days.

Impact upon the Green Belt and Area of Outstanding Natural Beauty

- 19 The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence.
- 20 A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- buildings for agriculture and forestry;
 - 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 extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
 - limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 21 The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development.
- 22 The NPPF paragraph 115 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.
- 23 Policy L08 states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. The distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings, will be conserved and enhanced.
- 24 In assessing the size, permanence and physical attachment of the container it would in my view constitute a building for planning purposes in that it provides a large useable space. It is clearly not intended to be moved and whilst not physically attached to the ground, by nature of its weight it would not be moveable without the use of machinery.
- 25 In reviewing the exceptions as listed above as the proposed container would incorporate equipment for outdoor sport it would represent a facility for outdoor sport and recreation and accordingly it would represent appropriate development within the Green Belt.

Impact upon Openness

- 26 The proposed container would be situated adjacent to other containers on the recreation ground located approximately 70m to the southeast of the pavilion and approximately 170m from Chevening Road. The container through being longer than the existing containers on site would be clearly visible from the recreation ground and from the allotments to the southeast. The proposal would increase the bulk of the overall storages structures on site from three to four and accordingly would further erode the openness, which is the essential characteristic of the Green Belt.

- 27 The applicant has stated that Chipstead Football Club's first team was promoted to the Premier Division of the Kent County Football League at the end of the 2011-12 season. A requirement of the league is that 2m x 4m team shelters for the home and away team are located on the side of the pitch during match days. Due to the cricket club using the site during the summer months, permanent shelters according to the applicant are not deemed to be acceptable and due to their size the shelters would not fit within the existing three shelters on site. . In order to avoid theft or vandalism the applicant argues that the shelters need to be safely stored when not in use.
- 28 The proposed container would fail to preserve the openness of the Green Belt which would cause harm to the Green Belt. The NPPF makes clear that substantial weight should be given to harm to the Green Belt.
- 29 The NPPF however states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The applicant has argued that the shelters are needed as a requirement to allow them to play within the Premier Division of the Kent County League for the reasons set out above, has clarified that the shelters cannot be permanently fixed to the ground and that they need to be contained within a structure.
- 30 In weighing up the benefits of the proposal in facilitating sport and creating healthy communities and the need for the proposal I consider that the harm to the openness of the Green Belt would be justified in this case, but I do have concerns about the impact on the public footpaths that runs across it.

Impact upon the Area of Outstanding Natural Beauty

- 31 The proposed container situated to the rear of the existing shed and the other two containers on the site would lead to a further proliferation of shipping containers on the site. This additional larger container would be clearly visible from the recreation ground, the public footpath that runs across it and from the allotment gardens to the south east of the site. From those properties along the western side of Chevening Road and from the pavilion, playground and adjacent to the car park the proposed container, which would extend a further 3.05m into the field than the largest container presently on site, would further increase the bulk of the existing structures in place and accordingly would lead to further harm to the Area of Outstanding Natural Beauty.
- 32 The proposed container would be painted green however the metal container would add an additional utilitarian feature incorporating an incongruous structure which would fail to respect the distinctiveness of the locality. Whilst the container would be set against the backdrop of mature trees, located on the boundary of the site, this has a minimal affect in terms of screening the containers from within the recreation ground whilst the loss of leaf during autumn and winter will enhance the visibility of the containers as viewed from the allotments to the south east.
- 33 The addition of a further shipping container would therefore neither conserve or enhance the distinctive natural beauty of this Area of Outstanding Natural Beauty, contrary to the provisions of the Countryside and Rights of Way Act 2000, Policies SP1 and LO8 of the Core Strategy and the National Planning Policy Framework.

Impact upon local amenities

- 34 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 states that the form of the proposed development, including any buildings or extensions should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Criteria 3) of policy EN1 of the SDLP states that the proposed development must not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- 35 The proposed container would be located on the south western corner of Chipstead Recreation Grounds approximately 170m from Chevening Road located upon ten wooden sleepers. The container would be located behind three other containers of which the longest container presently on site measures 9.15m. Accordingly 3.05m of the proposed container would be visible when viewing the group of containers from the north east as this proposal would be larger than the one it would be adjacent to.
- 36 The closest building to the container would be the Chipstead Pavilion approximately 80m to the north east. This building would largely screen views of the container from Chevening Road. The closest properties to the container would be those on the western side of Chevening Road at a distance of approximately 150m however due to the other containers on site and the distance of the dwellings from the containers the impact would be minimal.
- 37 The container would be located beneath a mature oak tree with further mature trees extending along the south western boundary of the grounds. To the west of the site the site is bounded by the M25 motorway whilst to the southeast is located Chipstead allotments. Whilst the container would be partially screened from the allotments by the oak tree during summer during winter it would be clearly visible from the allotments approximately 120m distant and would be visible from within the recreation grounds and the Public Right of Way. Whilst the direct impact on the street scene, from the road would be minimal, the container would be widely visible from within the recreation ground and other public viewpoints.

Impact upon the Conservation Area and Street Scene

- 38 The Planning (Listed Buildings and Conservation Area) Act 1990, states that it is the duty of the Local Planning Authority to ensure that the character of the Conservation Area should be preserved or enhanced. Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area cannot only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 39 Policy SP1 of the Sevenoaks District Councils Core Strategy states that the District's heritage assets and their settings, including listed buildings, conservation areas, archaeological remains, ancient monuments, historic parks and gardens, historic buildings, landscapes and outstanding views will be protected and enhanced.

- 40 Policy EN23 requires proposals for development or redevelopment within or affecting conservation areas should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and of its setting. The design of new buildings should reflect local character.
- 41 Policy EN1 of the SDLP identifies a broad range of criteria to be applied in the consideration of planning applications. Criteria 1 states that the form of the proposed development, including any buildings or extensions should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 42 The Chipstead Conservation Area Appraisal and Management Plan states that the built and natural heritage of Chipstead will be conserved and any change should protect and enhance these cherished assets of local architectural, cultural, historical and conservation importance and the character of the surrounding landscape. Local distinctiveness is an important aspect of character to be assessed both in the context of the whole Conservation Area and its immediate surroundings, when designing any development proposal. All new development in the Conservation Area, should respond to its immediate environment and context, in terms of scale, density, form, materials and detailing. Areas on the edge of the village have an open rural character and long views of and from the site must be taken into account. It is also vital to respect the agricultural and parkland character of the surrounding area.
- 43 The proposed container would measure 2.4m by 12.2m rising to a height of 2.6m. This part of the site presently comprises of two containers and a shed of increasing lengths with the proposed metal shipping container exceeding the length of the existing containers. The proposed container possesses no architectural benefit comprising of a metal rectangular box. It fails to respect the local historic character of the area with the proliferation of an additional utilitarian structure further detracting from the open rural character of this part of the Conservation Area.
- 44 The proposal would neither preserve or enhance the character of the area, and whilst grouped with other containers the addition of yet another larger container would simply lead to additional harm within the Chipstead Conservation Area detracting from the wider distinctive character of the village contrary to the provisions of the Planning (Listed Buildings and Conservations Area) Act 1990, the National Planning Policy Framework, policy SP1 of Sevenoaks District Councils Core Strategy and policies EN1 and EN23 of Sevenoaks District Councils Local Plan

Impact upon trees

- 45 The proposed container would be located on ten wooden sleepers adjacent to mature trees. Sevenoaks District Councils Arboricultural Officer had no concerns in respect to the impact of the container upon the adjacent trees.

Impact upon public right of way

- 46 A public right of way runs east to west across the site however this is located approximately 120m to the north of the container. Whilst the container would not

impact upon use of the right of way the container would be clearly visible from the footpath.

Impact of flooding

- 47 Parts of Chipstead Recreation Ground lies within flood zones 2 and 3 however the site of the proposed container would lie outside of the flood zone.

Impact upon the Area of Archaeological Potential

- 48 Parts of Chipstead Recreation Ground lies within an Area of Archaeological Potential however the site of the proposed container would lie outside of this area.

Conclusion

- 49 The proposed container would provide a facility for outdoor sport in the Green Belt. This can be regarded as appropriate under Green Belt policy, but only if it preserves openness. In this case it is considered that there will be a harmful impact on openness and the proposals should therefore be regarded as inappropriate. In considering whether very special circumstances exist it is relevant to consider the needs of the football club, but it is not clear there is an additional requirement for a structure of the size proposed and an exception to the presumption against development in the Green Belt is not considered justified.
- 50 The proposal would not have a detrimental impact upon local amenities or the street scene, would lie outside of the adjacent Flood Zone and Area of Archaeological Potential and would not impact upon access upon the Public Right of Way.
- 51 It would however fail to either preserve or enhance the Conservation Area or the Area of Outstanding Natural Beauty contrary to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Countryside and Rights of Way Act 2000, the National Planning Policy Framework, policy SP1 and policy L08 of Sevenoaks District Councils Core Strategy and policies EN1 and EN23 of Sevenoaks District Councils Local Plan.

Background Papers

- 52 Site and Block plans

Contact Officer(s): Guy Martin Extension: 7351

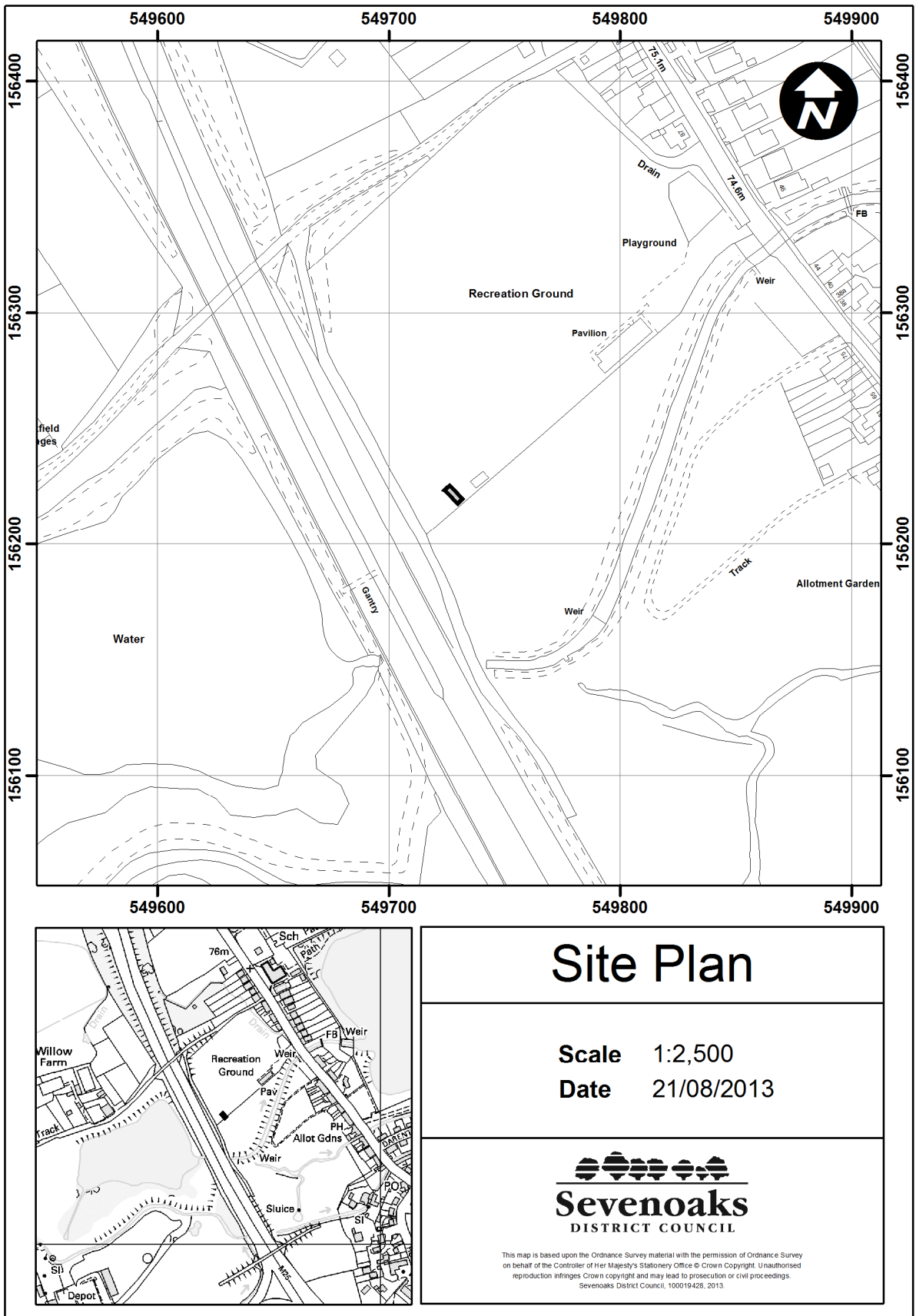
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MJ8WJ9BK0L000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MJ8WJ9BK0L000>



Site Plan

Scale 1:2,500
 Date 21/08/2013



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BLOCK PLAN

