

SECTION '1' – Applications submitted by the London Borough of Bromley

Application No : 19/01984/FULL1

Ward:
Hayes And Coney Hall

Address : Norman Park Hayes Lane Hayes
Bromley

Objections: Yes

OS Grid Ref: E: 541122 N: 167424

Applicant : Mr Ian Jackson

Description of Development:

The erection of a shipping container to be used for storage purposes (equipment for litter collecting, park maintenance and enhancements) within the ground of Norman Park

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application seeks consent for the erection of a shipping container to be used for storage purposes, including equipment for litter collecting, park maintenance and enhancement within the grounds of the park.

The container will measure 6.06 x 2.43 metres (20ft x 8ft) and will be painted green.

Location and Key Constraints

The site is a small area of hardstanding situated just to the west of the main car park accessed from Hook Farm Road. Norman Park represents a significant area of open parkland and recreation grounds. The property is located within Green Belt.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and the following representations were received: -

- A shipping container is a huge and ugly thing to have in a community park that has been managed without one for many years.
- This is essential for the safe storage of equipment. The location is discreet with trees around it. Once painted it will blend nicely.

- Friends and other environmental groups are doing a fantastic job improving Norman Park and need a secure place to store their equipment and this is ideal.
- As the shipping container will be painted green to blend into the surrounds and be placed underneath trees in an inconspicuous place I don't feel it will stand out.
- The Friends of Normal Park are a relatively new group and have nowhere to store litter picking equipment, tools and event paraphernalia - all of which has been bought by their own fundraising to help keep the park clean and tidy as well as install a park community.

Parks and Greenspaces -

The Friend's container for Norman Park will be used for the storage of manual labour equipment only, such as hoes, spades and planting equipment for routine maintenance and weeding purposes.

The housekeeping and security of the container will be under the supervision of the idverde Community Manager who oversees the Friends Group grounds maintenance of the site and works closely with the volunteer members in their ancillary capacity to the contractual service. This arrangement affords a clear efficiency to the service as a contractual requirement of idverde and allows for routine grounds maintenance to take place at other priority locations across the Borough.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

Local Plan

21	Opportunities for Community Facilities
37	General Design of Development
49	The Green Belt
73	Development and Trees

London Plan Policies

7.16 Green Belt

Planning History

98/02758/LBB BLOCKING UP OF EXISTING CONCRETE CULVERT PIPE AND CREATION OF NEW CHANNEL FOR THE RIVER RAVENSBOURNE. Permission

01/02824/FULL1 Detached portable building for Norman Park Athletic Track. Permission

05/02669/FULL1 Use of public car park for bus park and ride scheme for the months of September, October, November, December, January and February and security hut (renewal of permission ref: 00/01191). Permission

06/03417/FULL1 Two single storey detached buildings for land adjacent to athletic track. Permission

18/01660/FULL1 Demolition of the existing pavilion and construction of a new two storey multi-sports facility with changing, sports training, hospitality and community room accommodation. Pending.

Considerations

The main issues to be considered in respect of this application are the principle of development within Green Belt, design and any impact on neighbouring amenities.

Principle

The fundamental aim of Green Belt policy is outlined in Paragraph 143 of the NPPF. This is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.

As with previous Green Belt policy, the 2019 NPPF explains that inappropriate development is, by definition, harmful and should not be approved except in very special circumstance.

At paragraph 145, the NPPF says that a local planning authority should regard the construction of new buildings inappropriate in Green Belt unless it falls within a short closed list of exceptions. These are as follows:-

- agriculture and forestry

- appropriate facilities for outdoor sport and recreation and cemeteries which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
- extension or alteration of a building that does not result in a disproportionate addition over and above the size of the original building;
- limited infilling of villages
- limited infill or 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.

If a proposal does not meet one of the exceptions for development in Green Belt, paragraph 144 applies. This says that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' (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 main Green Belt issues for consideration are therefore: the appropriateness of this development in the context of the Green Belt; its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by other considerations so as to amount to very special circumstances.

The proposal is to erect a detached single storey shipping container to the west of the existing car park accessed via Hook Farm Road. The site is partly on area of hardstanding, which sits adjacent to a path and is opposite a small single storey detached Pavilion. There are various trees and shrubs partially surrounding the proposed site and which would suitably screen the development from long views over the parkland and playing fields.

The container would be used by the 'The Friends of Norman Park' a local community group to store equipment for litter picking, park maintenance and park enhancements. In relation to appropriateness the erection of new buildings is considered to be inappropriate and in this specific case, it is not considered that this development would fall within the one of listed exception, including the use for 'outdoor sport and recreation'. As such, the development is considered to represent an inappropriate form of development in Green Belt.

However, it is not considered that the development would significantly harm the openness of the Green Belt as a result of its scale and location, which is screened by trees and shrubs, and which is also adjacent to other development including the car park and small pavilion. Similarly, the container will be painted green to blend with the soft landscaping surrounding it, which would further help screen it from wider vantage points and ensure it will be in keeping with the appearance of the wider park.

The issues therefore, are whether Very Special Circumstances exist, which would weigh the harm by reason of inappropriateness.

In this specific case, the applicant has provided a short supporting statement which clarifies that the community group works closely with the Borough to maintain and enhance the park for the wider community benefit. The container is considered to be essential for this group to be able to store necessary equipment to help maintain the park, which it states, is used by thousands of people for a wide range of activities.

The community group's website explains that 'The Friends of Norman Park are a non-profit community group with a shared love of the park and neighbouring Elmfield Wood. Together we aim to support sporting activities, protect wildlife and improve amenities.'

The group therefore have a wider community benefit, which brings local people together to support their local green space and overall their work to improve and maintain the park for the benefit of the wider community is considered to hold significant weight. The container itself is more of a pre-fabricated structure and would not be permanently fixed to the ground, rather than a building, and a condition could be imposed restricting the development to 5 years, which would enable a further consideration of the structure at a later stage and whether it is used still required for use by the group and wider community. Therefore, in this specific case, the wider community and public benefits arising from the proposal are considered to constitute VSC, which would outweigh the harm by reason of inappropriateness and the limited harm to openness.

There would be no harm to neighbouring amenities as a result of the location of the development.

Conclusion

Having regard to the above, it is considered that the proposal would constitute inappropriate development in Green Belt, but the wider community and public benefits arising from the proposal are considered to constitute VSC, which would outweigh the harm by reason of inappropriateness.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The building hereby permitted shall be removed and the land reinstated to its former condition on or before the 26th September 2024**

Reason: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area in accordance with Policies 37 and 49 of the Bromley Local Plan

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3** The container hereby approved shall be painted green and the RAL colour shall be submitted to and approved in writing by the Local Planning Authority prior to use of the development.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.