Representations

Objections have been received from 13 households, the Street Cobham Conservation Group, the Cobham Conservation and Heritage Trust and the Cobham and Downside Residents Association concerned with:

- The impact that the proposed emergency vehicle only access route via Matthew Arnold Close would have on the amenities of local residents including the safety of residents and the ability to park on a highway not subject to parking restrictions.
- That alternative access via the rear of the Cobham Club would be preferable
- The siting of an industrial type building on land in Green Belt
- The enclosure of the field with a fence impacting on the openness of the Green Belt
- Risk of damage to a locally important London Plane tree

A letter of support has also been received.

*** This application qualifies for public speaking ***

Report

Description

1 A 1.214 ha site formerly used by the Cobham Cricket Club located within Green Belt behind Cooper BMW and the Cobham Club. The residential curtilage to the north east of the proposed building is Worlds End Cottage a Grade II Listed Building.

History

2 Relevant to the determination of this application is application ref 2012/2505 which was a lawful development certificate application as to whether planning permission is required for the proposed use of the land as sports pitches for Cobham Free School. The certificate was granted on the basis that from the evidence submitted by the applicant and from the council’s own records that the land had been used as a cricket pitch from 1962 to 2005 (when the cricket pavilion was destroyed by fire).
Proposal

3 Cobham Free School having secured a long lease on the land are now applying for planning permission to erect a demountable ‘portacabin’ type building for a period of up to three years on the former cricket pavilion foundation slab and to provide an emergency vehicle only access from Matthew Arnold Close. This application relates to the temporary accommodation required to provide a toilet and changing facility to meet OFSTED requirements, together with the provision of an emergency access for ambulance and fire fighting vehicles.

4 The proposed demountable building would measure 3.05 m wide by 9.75 m long by 2.51 metres high and will have one central entrance on the southern elevation, with 3 WC’s (one disabled) and store cupboard to one side and perimeter bench seating. There would also be a demountable wooden access ramp to the cabin in order to meet DDA regulations. Pupil, staff and visitor access to the field would be via Anvil Lane, the existing public footpath across ‘Godstone Field’ and the existing track as shown on the site plan extract below:

Consultations

5 Head of Environmental Health & Licensing – No objection

6 Head of Planning Services (Trees) – no objection to the proposal dependent on the submission of a detailed arboricultural method statement relating to the design and construction of the driveway within the RPA of T6 London Plane.

7 Head of Leisure and Cultural Services (Green Spaces) – No objection. Leisure and Cultural Services support this application for the following reasons:

   i. Cobham Free School currently uses Cobham Recreation Ground for school use. The School requires, toilets, changing facilities and shelter for the children. The Cobham Recreation Ground currently does not provide the range and level of facilities required by
the school, which the school sports ground could provide, if planning permission is granted.

ii. The new improved facilities would also benefit the pupils of the school and offer a potential future community benefit when fully established, as an additional leisure/recreational facility to be shared/hired with other local sports clubs, local organisations and schools. The intention to provide playing pitches would also help to meet in part the identified shortfall in playing pitches (Playing Pitch Strategy Refresh 2013) which identifies a 2013 shortfall across the borough of 33.3 Youth Football pitches and 24.6 mini soccer pitches. This position is projected to worsen by 2026 to a shortfall across the borough of 37.3 Youth Football pitches and 27.6 mini soccer pitches.

8 Surrey County Council (Transportation Development Planning) – Following a site inspection, the Highway Authority has assessed the impact of the proposal on highway safety and capacity and raised no objections subject to conditions and informatives. The development is considered to be in accordance with Elmbridge Core Strategy Policy CS28, Policies MOV4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000 and the National Planning Policy Framework.

Positive and Proactive Engagement

9 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF. Officers have:

   - Provided or made available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

   - Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

   - Suggested/accepted/negotiated amendments or advised the applicant of identified problems with the proposal to seek to foster sustainable development.

   - Proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Planning Considerations

10 In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 this application falls to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this area consists of the Elmbridge Core Strategy and the Replacement Elmbridge Borough Local Plan 2000. Due to the site's location in Green Belt regard needs to be had to national policy contained in the NPPF and saved Policy GRB17 within the Replacement Elmbridge Borough Local Plan 2000. Due to the issues raised by local residents and amenity groups in respect of the use of Mathew Arnold Close as an emergency vehicle access regard also needs to be had to saved Policies ENV2 (Standard of Design) and MOV4 (Traffic Impact of Development Proposals).

11 In terms of green belt, due to the Lawful Development Certificate establishing in law that the land has a lawful use as a playing field, both national and local policy confirm that built development associated with outdoor sport and recreation will be acceptable. The NPPF states, paragraph 89, that provision of appropriate facilities for outdoor sport and recreation is not inappropriate development in the Green Belt provided that it preserves the openness and does not conflict with the purposes of including land within it.

12 In this case it is considered that the siting of a demountable building on the floor slab of the former cricket pavilion for use by the Cobham Free School as a changing room facility is an 'appropriate facility' as defined in the NPPF and is therefore not inappropriate development. Whilst concern has been raised with regard to the physical appearance of the building, it is
considered that due to its physical size and location in the south east corner of the field on the slab of the former cricket pavilion and the fact that permission is being sought for a temporary three year period whilst a more permanent solution is looked at, that this is not considered to have a significant detrimental impact on openness or on the setting of the adjacent listed building. This location combined with the physical dimensions of the building also accords with the requirements of saved Policy GRB17.

With regard to the concerns raised by local residents regarding the proposed use of a gate off the end of Matthew Arnold Close for emergency vehicles, it has been confirmed by the applicant that this is their intention and that users of the field will be required to access the field from the south via a track of Anvil Lane. As such the highway authority has assessed the application and has no objection to the proposed use of Matthew Arnold Close for emergency vehicles. It has been noted that an original access to the sports field was provided through the Cobham Club car park, but that this has since been closed off. Matthew Arnold Close is considered to have suitable sightlines, at the junction, with Portsmouth Road for emergency vehicles. The Highway Authority comment that the proposed access from Matthew Arnold Close should be kept locked and used only by emergency vehicles as the site has not been adapted for vehicular parking and turning and could lead to a highway safety concern. Pedestrian access is achievable from Anvil Lane.

The South East Coast Ambulance Service have commented that the proposed emergency access via Matthew Arnold Close would be preferable to using the proposed pedestrian access route via Anvil Lane due to it being public highway and providing hard standing to the field boundary. The route via Anvil Lane would not be suitable due to the height restriction in place at the entrance gate adjacent to Portsmouth Road and also the track across Godstone Field not being of hard standing construction.

With respect to impact on trees, saved Policy ENV12 states that planning permission will be refused if the proposal results in the loss of trees that make or are capable of making a significant contribution to the character or amenity of the area. In this case the proposed emergency vehicle only access route passes within the root protection area of a significant London Plane Tree (T6 on the survey plan) and in this case the Council’s Tree Officer is raising no objection dependent on the submission of a detailed arboriculture method statement relating to the design and construction of the driveway within the RPA of T6 London Plane.

Matters raised in Representations

The concerns raised by the Cobham Conservation and Heritage Trust, the Cobham & Downside Residents Association, the Street Cobham Conservation Group and local residents on respect of the type of building proposed and the use of Matthew Arnold Close as an emergency vehicle only access to the field are covered in the above report.

The suggestion made that access should be via the rear of the car-park serving the Cobham Club is not available as the Village Club have entered into a commercial lease with BMW Coopers for the storage and parking of vehicles to the rear of the club during the day. Furthermore, the fire brigade and ambulance authority have stated that access needs to be direct from a public highway, rather than through a private car park.

Conclusion

This application for a demountable portable cabin (29.7 sq.m) together with provision of emergency vehicle access and route from Mathew Arnold Close on land at the Cricket Ground, Anvil Lane, Cobham is after careful assessment considered to be not inappropriate development in the Green Belt and also would not have an adverse impact on the amenities of neighbouring residents or the character of the area including the setting of Worlds End Cottage, a listed building. It has been considered saved Policies GRB17, ENV2, MOV4 of the Replacement Elmbridge Borough Local Plan 2000, national policy and guidance contained in the NPPF and other material considerations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.
Sub-Committee Delegation: Yes

<table>
<thead>
<tr>
<th>CASE OFFICER CHECKLIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbour Notifications</td>
</tr>
<tr>
<td>Consultations</td>
</tr>
<tr>
<td>Drawings</td>
</tr>
</tbody>
</table>

Recommendation: Grant Permission

Conditions/Reasons

1 TEMPORARY TIME LIMIT
The temporary building hereby permitted shall be removed and the land restored to its former condition on or before the expiration of 3 years from the date of this permission.

Reason: A permanent permission would be unacceptable because the buildings design and location which would not be in accordance with saved Policy ENV2 of the Replacement Elmbridge Borough Local Plan 2000.

2 LIST OF APPROVED PLANS
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans:

Reason: To ensure that the development is carried out in a satisfactory manner.

3 TREE PROTECTION
In this condition 'retained tree' means an existing tree or hedge, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the Borough Council.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision.

e) this permission shall lapse if any retained tree is felled, pruned or relocated prior to the commencement of development unless otherwise agreed in writing by the Borough Council.
Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.

4 ADDITIONAL TREE INFORMATION AND PRE-COMMENCEMENT INSPECTION
A) NO DEVELOPMENT SHALL TAKE PLACE UNTIL FURTHER ARBORICULTURAL DETAILS HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE BOROUGH COUNCIL AND THESE WORKS SHALL BE CARRIED OUT AS APPROVED. THIS SCHEME SHALL BE IN THE FORM OF A DETAILED AND SITE SPECIFIC ARBORICULTURAL METHOD STATEMENT (SEE ARBORICULTURAL METHOD STATEMENT INFORMATIVE) AND INCLUDE DETAILS OF THE DESIGN AND CONSTRUCTION OF THE DRIVeway WITHIN THE RPA OF TREE T6 LONDON PLANE.

B) NO DEVELOPMENT SHALL TAKE PLACE UNTIL TREE PROTECTION MEASURES ARE INSTALLED AND ANY FURTHER INFORMATION PROVIDED IN ACCORDANCE WITH THE SUBMITTED ARBORICULTURAL INFORMATION. THE APPLICANT SHALL ARRANGE A PRE-COMMENCEMENT MEETING AFTER THE INSTALLATION OF THE TREE PROTECTION BETWEEN THE BOROUGH COUNCIL AND THE APPLICANT'S PROJECT ARBORICULTURIST TO ALLOW INSPECTION AND VERIFICATION OF THE PROTECTION MEASURES.

Reason: This permission is granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.

Informatives

1 REASONS FOR PERMISSION
Summary of reasons for grant of permission: This application for a demountable portable cabin (29.7 sq.m) together with provision of emergency vehicle access and route from Mathew Arnold Close on land at the Cricket Ground, Anvil Lane, Cobham is after careful assessment considered to be not inappropriate development in the Green Belt and also would not have an adverse impact on the amenities of neighbouring residents or the character of the area. It has been considered saved Policies GRB17, ENV2, MOV4 of the Replacement Elmbridge Borough Local Plan 2000, national policy and guidance contained in the NPPF and other material considerations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.

2 LICENCE: WORKS ON HIGHWAY
The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

3 ARBORICULTURAL METHOD STATEMENT
It is advised that where an arboricultural method statement is required to satisfy a condition of planning consent it must be submitted prior to demolition or development works and be detailed, site specific, prepared by a qualified and experienced arboriculturist and in line with BS5837:2012 - ‘Trees in relation to design, demolition, and construction - Recommendations’. The statement should include:

a) method of demolition of structures and removal of surfaces within protected zone around retained trees and hedges,

b) method of driveway construction and hard surfacing within protected zone around retained trees and hedges,
c) locations, dimensions, and methods of installation of new drains, ditches, soakaways, utility runs and other excavations within protected zone around retained trees and hedges,
d) site set up including the position of all site huts, material storage areas, cement mixing and plant and equipment storage areas,
e) design and construction of building foundations within protected zone around retained trees and hedges,
f) arrangements for supervision by the project arboriculturist which shall include timing and methods of site visiting and record keeping, including updates and procedures for dealing with variations and incidents,
g) method of stump removal of trees to be removed within protected zone around retained trees and hedges
h) method of protection of proposed tree planting areas during construction and prior to landscape operations.