Development Management Committee 20 July 2022

Item 10 Report No.EPSH2220 Section C

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	David Stevens
Application No.	22/00413/FUL
Date Valid	13th June 2022
Expiry date of consultations	5th July 2022
Proposal	Erection of a new play area incorporating natural play equipment (including a zip-line), safer surfacing, paths and 1.2 metre high picket fencing adjacent to rear of Southwood Country Park Visitor Centre
Address	Land adjacent to proposed Visitor Centre, Southwood Country Park, Ively Road, Farnborough
Ward	Cove and Southwood
Applicant	Rushmoor Borough Council
Agent	-
Recommendation	Grant

Description & Relevant Planning History

In December 2021 the Council granted planning permission for "Proposed external alterations to existing building to facilitate conversion and change of use of former clubhouse to cafe and visitors centre; and change of use of existing ancillary bungalow to storage use; both in association with Southwood Country Park SANG" in respect of the former Southwood Golf Course Clubhouse on Ively Road, 21/00844/FULPP. In May 2022 all pre-commencement conditions of this permission were approved, 22/00250/COND. Works on the alteration and refurbishment of the building have been underway for some time.

The current planning application relates to an irregularly-shaped area of land situated to the rear (east) of the proposed Visitor Centre building measuring a maximum of approximately 47 metres by 45 metres (0.214 hectares). It is proposed that this area be developed to provide a play area to be enclosed within 1.2 metre high dog-proof picket fencing and therein provided, as appropriate, with soft impact 'Durabond' rubber mulch safer surfacing. At this stage a number of options are provided for the specific play equipment to be provided, since this has yet to be finalised. Nevertheless, the submitted plans show provision of a selection of climbing frames, swings, see-saws or roundabouts designed to cater variously for children aged 6-months to 16 years. The plans also show the provision of a 30-metre aerial zip-wire for older

(8-16 years) children located beyond the fenced area. Bench seats, picnic tables and three earth bunds are also shown to be provided in this area.

The proposed equipment has a range of dimensions, with the following table setting out the dimensions of the more significant elements:-

•	Pick Up Sticks (Age 7 - 16)	Tree House (Age 7 – 16)
	 Height – 2.5m Width – 8m Length – 11.8m 	 Height – 4.85m Width – 4.6m Length – 7.8m
•	Darwin Unit (Age 2+)	Timber Swing (Age 0+)
	 Height – 3.6m Width – 6.4m Length – 10.8m 	 Height – 2.6m Width – 3.3m Length 9.2m
•	Spinney – Now Forest Unit (Age 5 – 11)	Cable Way (Age 5+)
	 Height – 3m Width – 6m Length – 10m 	 Height – 4m Width – 2.7m Length – 25 – 30m

In addition to plans and details of the proposed play equipment, which would be of natural timber construction, the application is accompanied by a Design & Access Statements and a Construction Environmental Management Plan.

Consultee Responses

Ecologist More information required. Concerns about the proposed raised earth bunds Officer and zip-line may constitute 'artificial infrastructure' due to their indicated striking visual design and, as such, may not be in keeping with the natural countryside feel of the wider SANG contrary to Natural England SANG guidelines. Additionally, concerns are also expressed about the location of the proposed site compound for the construction period and whether adequate consideration has been given to ecological impacts : more information is required in this respect with a pre-commencement condition.

> It is recommended that works for the construction phase of the proposed development be undertaken on a precautionary basis following best practice to be required by condition. Additionally, the applicants should ensure that the proposed development will result in no net increase in external artificial lighting at the development site both during construction and during operation, also in accordance with details to be required by condition.

Environmental No objections. Health

Neighbourhood No response received. Policing Team

Neighbours notified

In addition to posting a site notice and press advertisement, 10 individual letters of notification were sent to the nearest residential properties nearby at Tarn Close.

Neighbour comments

No comments have been received as a result of planning application publicity and neighbour notification.

Policy and determining issues

The adopted Rushmoor Local Plan (2014-2032) identifies the land as being 'Countryside' and 'Open Space' located outside the defined Urban Area of Farnborough where Local Plan Policies NE5 (Countryside) and DE6 (Open Space, Sport & Recreation) are relevant.

Policy NE5 (Countryside) states: "Development within countryside will only be permitted where:

a. The location is considered sustainable for the proposed use;

b. It preserves the character and appearance of the countryside; and

c. It does not lead to harmful physical or visual coalescence between Aldershot and Farnborough and neighbouring settlements.

The Council will encourage schemes that result in environmental and landscape improvement, enhance biodiversity and nature conservation, and support better accessibility."

Policy DE6 (Open Space, Sport & Recreation) states, inter alia: "The Council will support good provision of high quality and accessible open space and sport facilities to meet a wide range of recreation, sport, and open space needs in Rushmoor by maintaining and improving provision and accessibility for all.

Development will not be permitted on areas of open space used for recreation or outdoor sport or having visual amenity unless:-

1. Re-provision is made elsewhere of equivalent or better community benefit in terms of quality, quantity and accessibility; or

2. The development is for sports and recreation provision, the need for which clearly outweighs the loss; or...."

Local Plan Policies SS1 (presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN2 (Transport), DE1 (Design in the Built Environment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees & Landscaping), NE4 (Biodiversity), NE6-8 (Flood Risk) are also relevant.

The main determining issues are considered to be:-

- 1. Principle;
- 2. Visual Impact including impact on trees;
- 3. Impact on Neighbours;
- 4. Highways Considerations;
- 5. Impact on Wildlife;

- 6. Flood Risk & Drainage Issues;
- 7. Access for People with Disabilities.

Commentary

1. Principle -

The Council's Cabinet has already resolved that the proposals should proceed in principle. The proposals are for a facility to enhance the use of the proposed Southwood Visitor Centre; and, overall, to complement and support the use of Southwood Country Park as a Suitable Alternative Natural Green Space (SANG).

Accordingly, it is considered that the proposals are supported by Policy NE5 in terms of the sustainability, preservation of character and appearance of the Countryside; and because the proposals would not lead to any material visual or physical coalescence of the countryside gaps between existing open areas. With respect to Policy DE6, this policy is primarily concerned with protecting areas of Open Space from loss to development and in encouraging creation of new areas of Open Space. However, in this case, the proposals do not result in any material loss of existing Open Space since it is proposed to facilitate the continued and enhanced open use of the land for play purposes.

It is considered that the proposed development is acceptable in principle.

2. Visual Impact -

The site is located in a publicly visible location since it is part of an existing area of public open space. However, the proposed play equipment would not be particularly visible from Ively Road because it would be located to the rear of the Visitor Centre building. Although the proposed play equipment would include several structures, these would be of relative small-scale, constructed with natural materials; and it is considered that a playground would be an appropriate facility to find and see adjacent to the Visitor Centre.

The Council's Ecology Officer expresses concern about the possibility that the proposed zipline installation and accompanying earth bunds could be considered to have a 'striking visual design' and, as such, may not be an installation in keeping with the natural countryside feel of the wider SANG contrary to Natural England SANG guidelines. This concern arises because, unlike the remainder of the playground equipment, the support structures for the zip-line are indicated to be constructed with galvanised metal poles. In the submitted Design Statement, the tops of the structures are indicted to be painted yellow, although this detail is not shown on other images of the structures provided with the application. It is considered that the support structures, at 4 metres high, are not significantly taller than most of the other proposed playground structures and, indeed, one of the proposed playground structures (the 'tree house') would reach a maximum height of approaching 5 metres. Furthermore, the applicants have advised that it is possible for the zip-line structures to be painted and finished to more closely match the more muted naturalistic appearance of the remainder of the proposed playground equipment and, indeed, not to have yellow-coloured top frames. In respect of the proposed earth bunds, these would be neither particularly large nor tall and the applicants have confirmed that they would be constructed from waste earth material generated at the site and planted with an acid grassland mix in line with the grassland restoration ambitions for enhancing the ecology and biodiversity of the Country Park. In the circumstances, subject to the receipt of amended details to clarify the external finishing of the zip-line support structures, it is considered that this element of the proposed development would neither appear at all

visually obtrusive and unsympathetic, nor impinge unacceptably upon, the natural countryside feel of the Country Park and, as such, the proposed zip-wire and bund installations are considered to be development compatible with Natural England SANG guidelines.

Furthermore, no trees on and around the site are intended to be removed and the usual planning conditions in respect of tree protection measures can be imposed to ensure that none are damaged or lost as a result of the proposed works at the site.

It is considered that the proposals are acceptable and to be welcomed in visual terms.

3. Impact on Neighbours –

The nearest neighbours are a small number of houses at Tarn Close located obliquely opposite on the west side of Ively Road a minimum of approximately 80 metres distant. It is indicated that the proposed playground would be managed and open with the Visitor Centre in the morning until dusk. Given the significant separation of the proposed playground from residential neighbours on the opposite side of a busy road it is considered that no material and harmful impacts to neighbours would arise. The Council's Environmental Health Team raises no objections to the proposals.

It is considered that the proposals would have no material and harmful impacts upon the nearest neighbouring residential properties.

4. Highways Considerations -

As with the proposed Visitor Centre, the proposed playground would be served by the existing long-established car parking area off Ively Road to the north of the site. It is considered that the functional parking needs of the proposed playground would be met and that the proposals are acceptable in highway terms.

5. Impact on Wildlife –

<u>Special Protection Area</u> : The proposals relate to the provision of an additional facility to support and enhance the function of Southwood Country Park as a Suitable Alternative Natural Green Space (SANGS) as part of the Council's strategic measures to address the impact of new residential development in the Borough on the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area (SPA). As a result, the current proposals are part of the Council's overall strategy for the addressing SPA impact and are to be welcomed as an appropriate further enhancement to the facility.

<u>On-Site Wildlife</u> : The Council's Ecology Officer has confirmed that the application site does not benefit from designation as a protected habitat and does not appear to contain species diversity that would constitute a grassland Habitat of Principle Importance. Protected habitats do not, therefore, constitute a constraint to the proposed development in this location.

In terms of protected species, the site is known to host a number of protected species that could potentially be impacted during construction activities, including badgers and reptiles. Nevertheless, it is considered that any adverse impacts on such species can be adequately avoided through precautionary working methods to avoid direct killing, injuring or disturbance to foraging and commuting behaviours. In this respect the Council's Ecology Officer recommends that a condition be imposed to require that the following precautionary working methods are adopted for the duration of any site clearance and construction works in respect

of the proposed development, as follows:-

"Precautionary working methods should follow best ecological practice and should include, but not be limited to:-

- Clearance works should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period and during optimal weather conditions;
- Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day. Cutting will only be undertaken in a phased way which may either include:-

- Cutting vegetation to a height of no less than 30mm, clearing no more than one third of the site in anyone day or;

- Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles/amphibians from returning.

- Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.
- Any building materials such a bricks, stone etc. will be stored on pallets to discourage reptiles/amphibians from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.
- Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice subsequently provided.
- Should any common reptiles be discovered during construction, which are likely to be effected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.
- Mammal holes are present to the south of the development site. The applicant should ensure that construction activities on site have regard to the potential presence of badgers and other terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.
- If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species."

The applicants have confirmed that the imposition of a condition specifying these requirements is acceptable.

The Council's Ecology Officer notes that the submitted Construction and Environmental Management Plan presents two options for a construction site compound adjacent to the application site. Planning permission is not required for the temporary use of any land on or adjacent to a development site for the duration of the works being undertaken. Option 1 proposes a materials storage compound located on grassland to the north of the development area, whilst Option 2 is located to the south of the intended Visitor Centre building currently under renovation. The Ecology Officer notes that the Option 1 compound is located much closer to Cove Brook increasing the potential for adverse impacts on the Brook resulting from pollution incidents. Accordingly, the use of the Option 2 site compound is considered to be preferable, especially since it also has a smaller land area, thereby reducing the potential impacts upon ecology. However, the application does not provide any information or assessment concerning the existing ecological value of either potential compound location with which to assess potential ecological impacts. Accordingly, it is currently necessary that a

condition be imposed to require, prior to commencement of development, the submission of details relating to avoidance of ecological impacts arising from the proposed compound location choice, to be submitted to the Council for approval in writing. The applicants are aware of this concern and are seeking to submit the necessary details before the Committee meeting to avoid the need for a pre-commencement condition since this would affect the timescale for the delivery of the project.

Nocturnal species (bats) are known to be present at the development site, which are species sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 185 of the National Planning Policy Framework 2019 states that planning policies and decisions should *"limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation"*. Accordingly, the Ecology Officer advises that the applicant should ensure that the proposed development will result in no net increase in external artificial lighting at the development site both during construction and during operation thereafter. A response with additional information to address this matter is also awaited from the applicants in order to avoid the need for a pre-commencement condition to require the preparation and submission of a Sensitive Lighting Management Plan.

Subject to the receipt of some further information as set out in this section of the report Commentary it is considered that the proposals would be acceptable having regard to the requirements of Local Plan Policy NE4.

6. Flood Risk & Drainage Considerations -

Despite being in proximity to land at moderate and high risk of fluvial flooding (Flood Risk Zones 2 & 3) as a result of the nearby ordinary watercourse and confluence with Cove Brook (a main river) to the east of the site, land at the application site itself is located on land at lowest risk of fluvial flooding (Flood Risk Zone 1). Further, being non-residential and an open recreational land use, the proposed playground is uses of the site are classed as 'water compatible development'. As a result, no Flood Risk Assessment is required in respect of the proposals and, indeed, there is no issue to address having regard to Local Plan Policy NE6 (Managing Fluvial Flood Risk).

The proposals are for a predominantly open use of land and would involve provision of some new surfacing that would be permeable and, as such, would not materially affect the existing surface water drainage characteristics of the site. Accordingly, it is considered that the proposals are acceptable having regard to the requirements of Local Plan Policy NE8.

7. Access for People with Disabilities -

The proposals would provide access for people with disabilities at least in accordance with Building Regulation requirements. It is considered that adequate means and measures would be incorporated into the development to achieve a good standard of access for people with disabilities.

Conclusions – It is considered that the proposed development is to be welcomed as an appropriate and acceptable further enhancement of the facilities for the Southwood Country Park SANGS. The proposals are acceptable in principle, visual and highway terms; would have no material and adverse impact on neighbours; have no harmful impact upon the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area; subject to further details would have no material and harmful impact on ecology & biodiversity; give rise to no adverse implications for flood risk and surface water drainage; and provide

adequate means of access for people with disabilities. The proposals are thereby considered to be acceptable having regard to Policies SS1, SS2, DE1, DE6, IN2, NE1, NE2, NE3, NE4, NE5 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that planning permission be **GRANTED** subject to the following conditions and informatives:-

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:- 20.6.44_PGPA_100 REV.A; 20.6.44_PGPA_101; FAWNS PHW0272; FAWNS PHW0272_B; Design & Access Statement; Fawns Design Statement; Playground Data & details; Design Option 1 : Oblique View; Design Option 2 : Oblique view; and Construction & Environmental Management Plan.

Reason - To ensure the development is implemented in accordance with the permission granted.

3 The existing trees and hedges on and adjoining the application site which are to be retained shall be adequately protected from damage during site clearance and works in accordance with the following:-

(a) stout exclusion fencing erected and retained for the duration of the site clearance and construction period located outside the extent of the root protection area(s) of the trees/hedges as identified in the Tree Survey Report submitted with the application hereby approved;

(b) no building materials, plant or equipment shall be stored during the site clearance and construction period within the rooting zone of any trees or hedges on or adjoining the application site;

(c) no burning of materials shall take place on site; and

(d) care should be taken to ensure that any vehicles entering or leaving the site, or deliveries made to the site, do not cause damage (including ground compression within rooting zones) of any trees on or adjoining the application site.

These measures shall be put in place before any excavation, construction, vehicle parking or storage of building materials commences in the vicinity of the trees or hedges.

Reason - To preserve the amenity value of the retained tree(s) and shrubs.

4 In complying with the working methods set out in the submitted Construction & Environmental Management Plan hereby approved for the duration of the site clearance and construction period, for the sake of clarity precautionary working methods to avoid ecological harm should follow best ecological practice and should include, but not be limited to:-

• Clearance works should ideally be taken when common reptiles are likely to be fully active i.e. during the April to September period and during optimal weather conditions;

• Clearance of tall vegetation should be undertaken using a strimmer or brush cutter with all cuttings raked and removed the same day. Cutting will only be undertaken in a phased way which may either include:-

- Cutting vegetation to a height of no less than 30mm, clearing no more than one third of the site in anyone day or;

- Following removal of tall vegetation using the methods outlined above, remaining vegetation will be maintained at a height of 30mm through regular mowing or strimming to discourage common reptiles/amphibians from returning.

• Any trenches left overnight will be covered or provided with ramps to prevent common reptiles from becoming trapped.

• Any building materials such a bricks, stone etc. will be stored on pallets to discourage reptiles/amphibians from using them as shelter. Any demolition materials will be stored in skips or similar containers rather than in piles on ground.

• Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice subsequently provided.

• Should any common reptiles be discovered during construction, which are likely to be effected by the development, works will cease immediately. The developer will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.

• Mammal holes are present to the south of the development site. The applicant should ensure that construction activities on site have regard to the potential presence of badgers and other terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.

• If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.

Reason – In the interests of avoiding harm to ecology and biodiversity and in order to comply with the requirements of Local Plan Policy NE4 and Government Planning Policy & Guidance.

Informatives

1 INFORMATIVE - **REASONS FOR APPROVAL**- The Council has granted permission because:-

It is considered that the proposed development is to be welcomed as a further enhancement of the facilities for the Southwood Country Park SANGS. The proposals are acceptable in principle, visual and highway terms; would have no material and adverse impact on neighbours; have no harmful impact upon the nature conservation interests and objectives of the Thames Basin Heaths Special Protection Area; have no material and harmful impact on ecology & biodiversity; give rise to no adverse implications for flood risk and surface water drainage; and provide adequate means of access for people with disabilities. The proposals are thereby considered to be acceptable having regard to Policies SS1, SS2, DE1, DE6, IN2, NE1, NE2, NE3, NE4, NE5 and NE6-8 of the adopted Rushmoor Local Plan (2014-2032). It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 2 INFORMATIVE No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
- 3 INFORMATIVE The applicant is reminded that the development should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Equality Act 2010. This may be achieved by following recommendations set out in British Standard BS 8300: 2009 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings".
- 4 INFORMATIVE Part I of the Wildlife and Countryside Act 1981 (as amended), makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or in use.

Development activities such as vegetation or site clearance should be timed to avoid the bird nest season of March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site should be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

- 5 INFORMATIVE All species of bat and their roosts are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017, as amended. They are afforded additional protection under the Wildlife and Countryside Act 1981, as amended, making it an offence to kill, injure or disturb an individual; damage, destroy or obstruct access to a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, regardless of whether a bat is present at the time of roost removal. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works could constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England in order to avoid breach of the above referenced legislation.
- 6 INFORMATIVE The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 7 INFORMATIVE The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or

amendments both before and after submission, in line with the National Planning Policy Framework.







