

8 week date	Application No.	Date of meeting	Report No.
24.08.11	20110059	27.07.2011	

Northfleet Urban Country Park, Thames Way, Northfleet

Re-contouring and enhancing of existing public open space including establishing new woodland planting areas, car parking, pathways, areas for informal recreation and surface water arrangements

Deacon Landscape

Recommendation:

Permission subject to conditions, to be set out in a supplementary report

1. Site Description

Northfleet Urban Country Park is a rectangular parcel of land north of Thames Way and running between Springhead Road in the west and Vale Road in the east.

It has an area of 10.5 hectares (25 acres)

It was formerly a chalk pit and used as a waste disposal site and civic amenities tip and has been used as a country park since 1996. It has been planted and footpaths provided but there are no toilets or interpretation information.

It is made up of sloping ground the highest part in the north being about 16m higher than in the south where the site adjoins Thames Way.

It is used mainly by walkers and dog walkers but suffers from problems of access, maintenance and water logging. It is nevertheless part of a network of open spaces and part of the Green Grid. There are pedestrian public access points in the corners of the park and a rough pathway around the edges.

It is bounded to the north by the North Kent railway line which is in a deep cutting.

To the south east is the Theatre Guild Building and the White Horse Surgery which has planning permission for a permanent replacement surgery (walk in centre) and extended health campus.

2. Planning History

TH/3/57/36 Details of access and method of tipping in refuse tip
Permitted 07.05.1957

TH/3/69/363 Continued use of pit for filling with house refuse to the land to be
used as open space for public and school purposes.

	Permitted 28.05.1970
TH/3/70/2	Use of land as public recreational ground Permitted 28.05.1970
19819128	Extension to waste disposal site Permitted 15.04.1981
19820107	Waste disposal site Permitted 01.07.1982
19920643	KCC Consultation in respect of the installation of landfill gas venting trenches Permitted 10.12.1992
19940656	Use of land encompassed by Springhead Road, Thames Way and west of Vale Road for the formation of an urban country park comprising of lake, woodlands, meadows, wetlands and trim trail, play area and toilets/kiosk/seating area Permitted 14.08.1996

3. Proposal

The proposals will involve

- Landform modification to provide areas for play, informal sports, walking and viewpoints
- New footpath and cycle routes and resurfaced pathways
- Access to the park improved with gateways to tie in with footpath routes
- Car parking accessible from Vale Road
- The addition of wetland swale areas to manage drainage and promote wildlife
- Planting across the park to improve wildlife, provide a sense of enclosure, enclose views in and out of the park, provide focal points and with easy maintenance.

The northern upper strip of the park will be made flatter and will be available for informal sports and play. Footpaths will be surfaced in bound natural hoggin and enhanced in gradient and width to allow for entranced access by all members of the public.

The southern lower strip of the park will be remodelled and drained to form wetland swales.

The car park will provide some 22 parking spaces.

There are no proposals in the current scheme for any children's play equipment, seating/shelter or demarcated dog free areas.

The application is accompanied by a design and access statement, landfill gas risk assessment; hydro-geological risk assessment and various plans.

The plans indicate that the site will be re-profiled by the bringing in new material raising the level of the land between two and four metres.

It is proposed that approximately 130,000m³ of certificated clean soil will be imported onto the site from local developments over a 12-18 month period, depending on availability. This would be carried out under a re-use type Environmental Permit.

No on-site material will be moved, other than any topsoil for re-use. A construction access would be constructed from Thames Way with all necessary arrangements for wheel-cleaning, and the applicants would expect to set an upper limit on vehicle movements of around 60 per day.

4. Development Plan

The Development Plan comprises:-

- *The Regional Spatial Strategy, South East Plan (2009)*
- *The Gravesham Local Plan First Review (1994)*
- *Saved Policies of the Local Plan First Review (1994)*

There are a number of other un-adopted planning documents (e.g. The Gravesham Local Plan Second Review) which are of some relevance and are a material consideration, together with national planning advice and guidance (PPG's/PPS's) and the emerging policies in the Local Development Framework.

Regional Planning Guidance

South East Plan

The following South East Plan policies are relevant:

Policy CC1: Sustainable Development
Policy CC8: Green Infrastructure

Local Planning Guidance

Gravesham Local Plan First Review

The Gravesham Local Plan First Review was adopted in November 1994. It will continue to have effect as the development plan pending the preparation of the Local Development Framework (LDF). A substantial number of policies of the Gravesham Local Plan First Review have been saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004.

In the Gravesham Local Plan First Review Proposals Map the site is shown as being subject to Proposal PM10: Vale Road and Springhead Road, Northfleet and Proposal PLT1: Additional Open Space including Public Open Space and/or Playing Fields.

A small part of the site is shown as being subject to CTRL safeguarding under policy T14.

The following additional policies are also relevant:

Policy TC0: General Townscape, Conservation and Design
Policy TC1: Design of New Developments
Policy TC10: Landscaping
Policy T1: Impact of development on the Highway Network
Policy T5: New Access onto Highway Network
Policy P3: Vehicle Parking Standards

Gravesham Local Plan Second Review Draft Deposit Version 2000

The draft Gravesham Local Plan Second Review Deposit Version 2000 (Draft Local Plan Second Review) has been adopted by the Borough Council for development control purposes but in view of the provisions of the Planning and Compulsory Purchase Act 2004, and the decision by the Borough Council to replace the Local Plan with the Local Development Framework it is not being progressed any further. The policies in the plan are therefore of only limited weight.

In the Local Plan Second Review the site is shown as being a Green Grid site and subject to Policy LT2: Green Grid Site Protection and also, as in the First Review, a small part is safeguarded under the CTRL (Policy T5).

The following other policies are relevant.

Policy NE7: New Landscaping and Wildlife Enhancement Initiatives
Policy SC1: Social and Community Strategy and Provision
Policy NE23: Tidal Flood Risk Area
Policy BE1: Townscape, Conservation and Design
Policy BE12: Design of New Development, Extensions and Alterations
Policy LT6: Additional land for Open Space or Sports Facilities
Policy T1: Location of New Development
Policy T12 : New Access on Highway and Public Transport Network
Policy T16: Car Parking Standards
Policy NE19: Noise-Generating Development

Local Development Framework

A draft Core Strategy and Development Management Policies Development Plan Document (Regulation 25 document – Issues and Options) was considered by the Council's Cabinet in December 2009 who approved the document for the purposes of public consultation.

The most relevant core strategy policies are,

Core Strategy Policy 2: Urban Area
Core Strategy Policy 5: Design and Development Principles
Core Strategy Policy 5: Green Infrastructure

The most relevant development management policies include,

Development Management Policy 3: Protecting Amenity
Development Management Policy 4: Design

Development Management Policy 6: Green Space
Development Management Policy 7: Green Grid
Development Management Policy 8: Biodiversity
Development Management Policy 10: Protection of Existing Recreation Areas
Development Management Policy 32: Transport Network and Accesses
Development Management Policy 33: Vehicle Parking Standards.

Planning Policy Guidance and Statements.

The following Government planning policy statements and guidance are relevant to the determination of this application.

PPS1: Delivering Sustainable Development (January 2005)
PPS: Planning and Climate Change – Supplement to PPS1 (December 2007)
PPS9: Biodiversity and Geological Conservation (August 2005)
PPG13: Transport (January 2011) – *revised*
PPG14: Development on Unstable Land (April 1990)
PPG17: Planning for Open Space, Sport and Recreation (July 2002)
PPS23: Planning and Pollution Control (November 2004)
PPS25: Development and Flood Risk (March 2010)

5. Reason for Report

Development on Council's own land

6. Consultations and Publicity

Consultations

Head of Regulatory Services

Environmental Pollution

Given this land is over a former landfill site and this application is for recontouring, it is likely concerns will be raised by members of the public over possible airborne contamination. This risk needs to be properly managed so that people are given accurate information on what is being done and why they are not going to come into contact with contamination from the landfill. In addition dust must be kept to an absolute minimum. The following comments are therefore made:

Works of Construction.

The commencement of the development shall not take place until a comprehensive Code of Construction Practice covering the adequate control, using best practical means, of all environmental impacts from this work including noise and dust is provided by the applicant and submitted for approval to the Local Planning Authority. No works shall commence until approval of this report has been given by the Local Planning Authority

Contamination

Based on the information submitted, it is accepted that, at present, emission monitoring indicates no significant landfill gas migrating off site. The monitoring and sampling regime proposed in 3.2.3 of the Landfill Gas Risk Assessment during and after the re-profiling appears appropriate but this Service would like to be kept informed of progress and, in particular, the following:-

Any change of monitoring points (3.2.4), the results of monitoring (3.2.6), any action being taken in the event of data showing increases in gas emissions and procedures as described in 3.2.7.

On the basis of the information submitted in the hydro-geological risk assessment, it is accepted that leachate production is minimal at present. It is also noted that the additional soil cover proposed in the re-profiling should reduce the percolation of rainwater into the underlying waste. However, I note from the Earthworks proposals submitted in the Project Proposal of August 2009 that some vegetation and soil stripping would occur. This would, presumably, reduce the protective capping on the site for a time and, therefore, increase the possibility of percolation from rainwater as well as possibly increasing surface gas emissions. There is a need to confirm if there is intended to be an increased monitoring regime at this time?

As surface stripping is to occur, it needs to be demonstrated / clarified that the planned surface strip levels will not expose the landfill materials (below 500mm-700mm depth). It is not clear from Refs. 3, 4, and 5 (above) if that is the case. In addition, a risk assessment is necessary to demonstrate that the surface soils being stripped are not likely to pose a risk to receptors through the generation of dust during the earthworks and surface strip.

Southern Water, Atkins Limited

Has provided a plan of the sewer records showing the approximate position of a public surface water sewer crossing the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised. Please note:

No development or new tree planting should be located within three metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development".

Provides advice on the use of Sustainable Urban Drainage Systems (SUDS)

Requests that should this application receive planning approval, the following condition is attached to the consent:

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Environment Agency

Views awaited

Natural England

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

It is not clear from the survey information in support of this application what the impact on protected species will be. The ecological survey provided by Roger Jones AIEEM was carried out in July 2005 which is more than 2-3 years old and therefore is not an up to date survey.

Natural England advises the authority that further survey effort is required in accordance with our standing advice for protected species and you should request additional information from the applicant that clearly describes the impact of the proposal on protected species and any proposed mitigation together with evidence to show how they concluded what the impacts will be. If it is not provided, then the application should be refused.

Natural England has published standing advice that provides guidance for local authorities on applications that affect protected species. This standing advice can be applied to all types of development and is a material consideration in the determination of applications in the same way as an individual response received from Natural England.

If protected species are using the site, and are likely to be affected by the development, then the authority should ensure that appropriate mitigation is proposed and secured through the use of conditions.

Kent Wildlife Trust

No comments received

Network Rail

No comments received

Area of Public Rights of Way Office

Public Rights of Way Footpath NU21 may be affected by the application.

The granting of planning permission confers no other permission or consent on the developer. It is therefore important to advise the applicants that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any

temporary closures be required to ensure public safety then this office will deal on the basis that:

- The developer pays for the administration costs
- The duration of the closure is kept to a minimum
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Kent Highways Services

To be set out in a supplementary report

Dartford Group Fire Safety Office

No comments received

KCC Archaeological Officer

No comments received

Kent Police Architectural Liaison Officer

No comments received

Horticultural Services Manager, GBC

1. Pleased to see the existing woodland boundary planting is being retained where possible as this although not mature has a good mix of native trees that are now well established.
2. We currently maintain the existing park with 8 visits per year using our tractor gang mowers and two further visits to cut back encroaching vegetation from the footways. We have no more resources to put into the site so please can the planting be carried out sensitively so our maintenance liability is not increased. This can be done fairly easily by grouping plantings to allow our tractor gang mowers access for mowing and also not planting immediately adjacent to paths so we don't have to cut vegetation back from them in the near future.
3. Please can you provide an assurance that the access into the park from the new car parking area will be wide enough for a standard tractor?

4. As far as can be seen, there doesn't appear to be any provision for litter bins, dog bins or benches. Are these going to be included in the scheme? We don't have a revenue budget to install these items ourselves however increased visitor numbers will mean that it's very important that we do have them on the site.
5. Has any consideration been given to signage? Interpretation and information regarding areas that have been plated up would be beneficial for visitors and also signage on the surrounding roads directing visitors to the site would be good.
6. The inclusion of an entrance further up Vale Road near the railway line is a good idea as there is obviously a desire for members of the public to access the park from this corner.

Publicity

To 48 adjoining dwellings/premises

No representations received

Expiry Date: 28.06.11

7. Service Manager Development Control Comments

The proposal was identified as part of the Government strategy for 'Greening the Gateway' and through the Council's Green Space Strategy. Public consultation exercises were undertaken in 2008 to seek local views about the Park and these have been instrumental in the design of the proposals.

The objectives of the project were to respond to the short comings identified by the public (local name, access at all corners, accessible car parking, bridge link between Springhead Linear park and the NUCP, a park building, the retention of dog walking areas, play for all ages, informal sports provision, ecology area, need for security), provide for informal play and community events, ensure low cost and low maintenance, to integrate with existing and proposed development, to contribute to the character of the area, to be a community resource, to form a green grid link and to protect and enhance biodiversity.

The proposals accord with the adopted and emerging development plan policies which show the site as being for public open space and as a green grid site and the proposals will enhance the current urban country park.

The issue for the Board to consider are the visual and environmental impact of the earth re-contouring as proposed. However it is not considered that there are any overriding environmental or other objections to the development.

The Board will note that there are no local resident objections to the development.

However the main impact is likely to arise from the construction works. Subject to satisfactory safeguards it is considered that any likely impacts can be properly controlled.

Therefore on balance it is recommended that planning permission be granted subject to safeguarding conditions.

The Board will note that there are some consultation responses still outstanding and on that basis recommended planning conditions will be set out in a supplementary report.

Planning Application 20110059

Consultation Expiry Date: 28 June 2011

Recommendation

Permission subject to conditions, to be set out in a supplementary report