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16/01117/FUL
Land North of M3, Thames Side, Laleham

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Planning Committee

16 November 2016



Application Nos.	16/01117/FUL		
Site Address	Land north of M3, Thames Side, Laleham		
Proposal	Retention of existing pontoon to service canoeing centre		
Applicant	Ms Panagiota Angelopoulou		
Ward	Laleham and Shepperton Green		
Call in details			
Application Dates	Valid: 31.05.2016	Expiry: 30.08.2016	Target: Over 8 weeks
Officer	Matthew Clapham		
Executive Summary	<p>This application is for the retention of a pontoon that is attached to the riverbank alongside the River Thames north of the M3 bridge. It is constructed of rubber/plastic and has a small recess on the downstream side to allow canoes from the adjacent Canoeing Club, to be accessed from both sides to aid safety and accessibility. The site is located within the Zone 3b functional flood plain, the Green Belt and the river is designated as a Site of Nature Conservation Importance.</p> <p>It is considered that the design and limited size of the pontoon is acceptable and also is considered to be appropriate development within the Green Belt. There would be no significant flooding concerns and the pontoon would not result in any adverse impacts upon the landscaping and biodiversity of the surrounding area.</p>		
Recommended Decision	This application is recommended for approval.		

MAIN REPORT

1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

SP1 (Location of Development)

LO1 (Flooding Implications of Development)

SP5 (Meeting Community Needs)

SP6 (Maintaining and Improving the Environment)

EN1 (Design of New Development)

EN8 (Protecting and Enhancing the Landscape and Biodiversity)

EN9 (River Thames and its Tributaries)

EN10 (recreational Use of the River Thames)

'Saved' Local Plan (2001) Policy GB1 – Green Belt.

2. Relevant Planning History

2.1 The planning history relates to the actual site of the Canoe Club which is located a small distance away on the other side of the Towpath to the side of the Pontoon.

13/01009/RVC	Variation of Condition 1 of Planning Permission 12/01498/FUL for the formation of a canoeing centre, to allow the temporary 5 year permission to be extended by an additional 2 years (7 years in total)	Granted 8.03.2016
12/01498/FUL	Formation of a canoeing centre with the installation of an equipment storage container, toilet block and mesh boat store. Creation of new access and provision of associated parking area. Installation of new palisade fencing to Thames Side boundary, all for a temporary period of 5 years.	Granted 26.2.2013

12/00592/FUL

Formation of a canoeing centre with the installation of an equipment storage container and a prefabricated boat store. Creation of new access and provision of associated parking area, all for a temporary period of 5 years.

Granted
9.8.2012

3. Description of Current Proposal

- 3.1 This application relates to a riverside location on the eastern side of the River Thames and to the west of Thames Side in Laleham. Immediately to the south is the M3 Motorway. The site serves the Surrey Canoe Club which is located just to the east of the pontoon site on the opposite side of Thames Side. . The land lies within the Green Belt. It is also within the 1 in 20 year functional flood plain.
- 3.2 In February 2013 planning permission was granted for the formation of a canoeing centre with the installation of a storage container, toilet block, boat store, parking area and fencing. (12/01498/FUL). This was originally granted for a temporary period of 5 years although this was subsequently amended to 7 years expiring on the 5th September 2020.
- 3.3 This application is referred to Committee because the pontoon is attached to land under the ownership of Spelthorne Borough Council. The pontoon, which has already been installed onsite, is small in size and measures 30 square metres in total and is made of black rubber/plastic. The pontoon has a small safety fence erected around it comprising of 8 support posts with safety ropes.
- 3.4 A copy of the site location and block plans are provided as an Appendix.

4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
Environment Agency	No objections. They advised that the pontoons should be licensed under Section 60 of the Thames Conservancy Act.
Environmental Health (Contamination)	No comments.
Surrey Wildlife Trust	No response to date.
Environment Services	No objection.
Runnymede Borough Council	No response to date – no objections were made to the application for the actual canoe club site.

5. Public Consultation

3 neighbouring addresses were notified of the planning application.

One letter of support from the Spelthorne Disability Sports Club stating without the pontoon, safe access for some members would be impossible, recessed area enables paddlers to be assisted in to a canoe or kayak, pontoon visually discreet..

6. Planning Issues

- Green Belt
- Design and impact upon the Riverside and the River Thames
- Noise
- Flooding
- Ecology and Landscaping

7. Planning Considerations

Green Belt

- 7.1 Guidance contained within the National Planning Policy Framework (NPPF) and Saved Local Plan Policy GB1 states that the Green Belt will be permanent and within it development will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness. The NPPF states that development will not be permitted except for a limited number of appropriate uses in the Green Belt. One of these specified appropriate uses is the provision of "appropriate facilities for outdoor sport, outdoor recreation.....as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it".
- 7.2 When planning permission was granted in February 2013 it was considered that the proposed Canoe Centre was an acceptable form of development in the Green Belt, as the use was regarded as an appropriate facility for outdoor sport and recreation in accordance with the NPPF and 'saved' policy GB1. The retention of the pontoon allows users of the Canoe Club to safely access the canoes and to utilise the River for recreational purposes. The pontoon is small in scale and would not have any adverse impact upon the openness of the Green Belt and is genuinely required in connection with the operation of the Canoe Centre and therefore regarded as acceptable. However, it is necessary to impose a temporary period condition to run alongside the temporary period for the Canoe Centre activity to ensure that the pontoon is removed at the same time as the use of the Canoe Club is to be discontinued (5th September 2020).

Design and impact upon the Riverside and the River Thames

- 7.3 The pontoon is small in size and measures 30sqm. It is made of black rubber/plastic and floats to reflect river conditions. It has a small safety fence around it comprising 8 support posts with safety ropes attached. In usual river conditions the pontoon is no higher than the riverbank. The pontoon facilitates the recreational use of the River Thames which is

supported by Policies EN9 and EN10 which encourage improvements to public access to the River Thames and is considered to respect the setting of the River Thames. It therefore complies with Policies EN1, EN9 and EN10 of the CS&P DPD.

Noise

- 7.4 The pontoon is used in association with the existing Canoe Club and allows safe access to the River Thames for members of the club. The site adjoins the M3 motorway and Chertsey Weir to the South which is a generator of significant background noise although the nearest residential properties are some distance away. It is not considered that the use of the small pontoon to facilitate the recreational use by existing members of the Canoe Centre would give rise to any significant noise issues.

Flooding

- 7.5 By definition, the pontoon is located within a high risk flood zone and is specifically designed to float on the River Thames. The Environment Agency (EA) have not raised any objections on flooding grounds. The EA have noted that a Licence is required to locate a pontoon on the River and the applicant as part of the submission has included documentation to confirm that the pontoon is already licensed. It is therefore not considered that the pontoon would result in any significant flood risks that could justify the refusal of planning permission.
- 7.6 In terms of safety, the pontoon is used by members of the Canoe Centre. It is considered likely that the users of the club will act responsibly and will adhere to flood warnings such as Environment Agency 'red boards' which are displayed to prohibit use of the River in flood events and it is not considered that the pontoon would give rise to any safety concerns for River users.

Ecology and landscaping

- 7.7 The Surrey Wildlife Trust did not raise any objections to the actual Canoe Centre itself when the use was under consideration with a previous application. In addition, the Council's own Biodiversity Officer has not raised any objections or concerns in respect of the submission. It should be noted that no trees or significant landscaping features are affected by the pontoon and the pontoon will only be located on the river for a temporary basis. Therefore it is not considered that there would be any adverse impacts upon the landscape and Biodiversity and complies with Policies EN8 and EN9 of the CS&P DPD.

Conclusion

- 7.8 In policy terms, the pontoon is considered to be appropriate development within the Green Belt and complies with policies relating to the River Thames, Landscaping and Biodiversity. There would be no flooding concerns. The retention of the pontoon for the lifetime of the canoe club operating on the adjoining site is acceptable

8. Recommendation

8.1 GRANT subject to the following conditions:-

- 1) That this permission be for a limited period of 5 years only, expiring on 05 September 2020 when the pontoon shall be removed in its entirety and the riverbank be restored and reinstated in accordance with a scheme of works and timescale to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the pontoon is used only in association with the adjoining Canoe Club. _

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan and drawing no's: JH/SCC/01; JH/SCC/02 and JH/SCC/03 received 07.07.2016

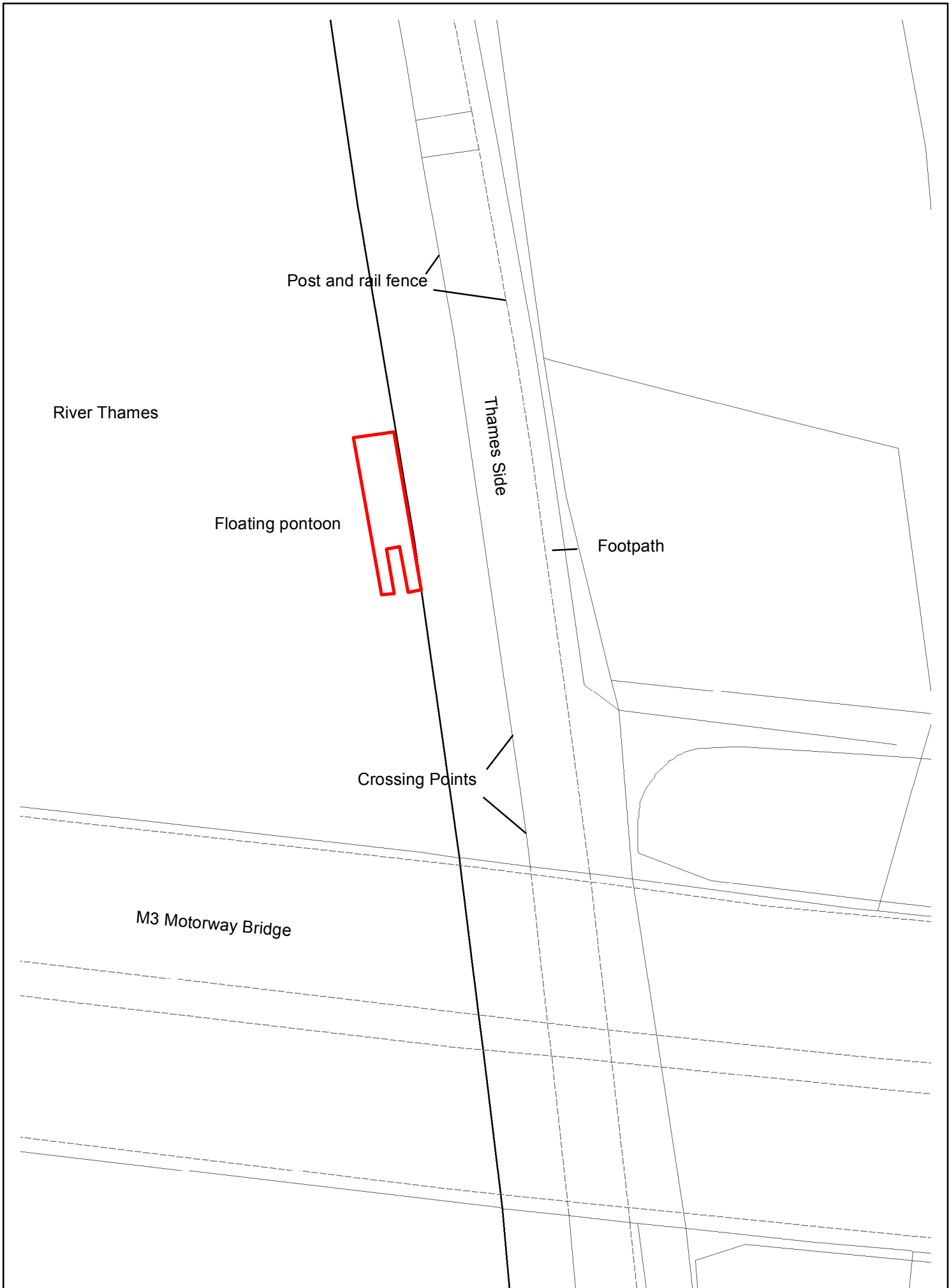
Reason:- For the avoidance of doubt and in the interest of proper planning.

INFORMATIVES

Decision Making: Working in a Positive and Proactive Manner

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

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) 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;
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



River Thames

Post and rail fence

Floating pontoon

Thames Side

Footpath

Crossing Points

M3 Motorway Bridge



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