

5g 3/11/1637/FP – Retention of elevated pedestrian walkway at Paradise Wildlife Park, White Stubbs Lane, Bayford, Broxbourne, Herts, EN10 7QA for Mr Peter Sampson

Date of Receipt: 19.09.2011

Type: Full – Minor

Parish: BRICKENDON LIBERTY

Ward: HERTFORD HEATH

RECOMMENDATION:

That planning permission be **GRANTED** subject to the following condition:

1. Approved plans (1T102; Plan 01, Plan 02, PWP 501/003A, PWP 521/01)

Directive:

1. Other legislation (01OL1)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1 and GBC1 and Planning Policy Guidance 2 – Green Belts. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (163711FP.MC)

1.0 Background:

- 1.1 The application site forms part of Paradise Wildlife Park and is shown on the attached OS extract. The site lies within the Metropolitan Green Belt.
- 1.2 The proposal is for the retention of an elevated walkway along the side of the entrance road to the Park from White Stubbs Lane. The walkway commences at a point 90m north of the main entrance to the park. It passes over a controlled crossing point on the entrance road at which pedestrians pass from the west side of the park to the east.
- 1.3 Elevated walkways and an observation platform were created on the east side of the site to provide observation areas for the wildcat enclosures. These were granted permission in July 2010 (ref: 3/10/0981/FP).

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- 1.4 This elevated walkway has already been constructed. It measures approximately 80m in length. It rises in stages to a maximum walkway base height of 2.4m above ground level, with handrails of 1.1m along each side. Over the crossing point there is a tiled canopy of 4m in length and a maximum 5.2m height above ground level. The walkway is otherwise uncovered. It is a substantial structure, constructed for a specific purpose within the Park. The balustrade is wood clad with a fence rising above the western side of the northern ramp. The area underneath the walkway is also enclosed by timber similar to that used for the cladding.
- 1.5 The applicant has stated that the walkway is necessary to safely manage pedestrian traffic entering the park and to prevent conflict with park users crossing the road at the designated crossing point.
- 1.6 Pedestrians using the elevated walkway are also directed towards the payment office, reducing the chance of unauthorised entry to the park at the crossing point.

2.0 Site History:

- 2.1 There is a lengthy planning history for this site, of which Members may be aware. It is not intended to repeat the full history at this time, but the following applications are considered to be relevant:
 - 3/08/1402/FP – Two-storey ticket/office building – Approved November 2008
 - 3/10/0683/FP – Retention of enclosed observation platform – Approved July 2010
 - 3/10/0981/FP – Retention and extension of elevated walkway – Approved July 2010

3.0 Consultation Responses:

- 3.1 County Highways have no objection to the retention of the walkway
- 3.2 The County Council's Historic Development Unit considers that the development is unlikely to have had an impact on significant heritage assets.
- 3.3 No further comments have been received at the time of this report

4.0 Parish Council Representations:

4.1 Brickendon Liberty Parish Council has no objections to the application

5.0 Other Representations:

5.1 The application has been advertised by way of site notice and neighbour notification.

5.2 One letter of support has been received at the time of this report

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC1 Appropriate Development in the Green Belt
ENV1 Design and Environmental Quality
LRC10 Tourism

6.2 In addition, the following National policy guidance is relevant:

Planning Policy Guidance 2 – Green Belts (PPG2)

7.0 Considerations:

7.1 The site lies within the Metropolitan Green Belt wherein inappropriate development will not generally be permitted. The proposed development is an inappropriate form of development as it is a building/ structure for a purpose which does not fall in the categories defined as acceptable in PPG2. Members will be aware that, when this is the case, for permission to be granted, the harm by way of inappropriateness and any other harm caused by the development, must be clearly outweighed. The national policy approach is replicated by policy GBC1 of the Local Plan.

7.2 The walkway is of similar construction to the previously approved walkways within the animal area to the east side of the park. It is also substantially lower, with much of its length comprising ramped sections rising in stages. It is of predominantly timber construction, and in general appears broadly in keeping with other structures on the site.

7.3 It is sited away from the north, east and west boundaries of the site. It is visible from the south boundary, particularly from the area around the entrance to the site, but still at some distance from the public road. Given

its design and location, officers are of the view that little other harm is caused by the structure in appearance or in terms of the impact on the character of the area. It is considered to be acceptable in terms of the requirements of policy ENV1 of the Local Plan. It does however have a reasonably significant impact on openness. Whilst it has the potential to be a structure lightweight in appearance and design, this is not the case in practice. Timber cladding, the attached fencing and the underside enclosure all serve to ensure that structure therefore has a more significant impact on openness than many buildings.

- 7.4 The main issue to consider in the determination of the application then is whether there are very other matters to which such weight can be assigned that the harm by way of inappropriateness and the other harm, if any, is clearly outweighed.
- 7.5 Policy LRC10 of the Local Plan states that the Council will encourage suitable tourism proposals in appropriate locations. Paradise Wildlife Park has previously been recognised by the Committee as a “major educational attraction that provided local employment” (Development Control Committee minutes for the meeting of 19th November 2008) and in general is considered to be a valuable and beneficial tourism facility. Given this, it is felt that some considerable weight can be assigned to the development of facilities that enable the potential of the attraction to be enhanced.
- 7.6 The applicant also points out that the walkway provides safer pedestrian access into the park from White Stubbs Lane, segregating pedestrians from vehicular traffic and other crossing pedestrian flows.

8.0 Conclusion:

- 8.1 Given the limited visual impact of the development beyond its immediate locality, its value to the park’s operations and the enhancement it represents to the operation of the Park, it is considered that harm in this case is clearly outweighed and that very special circumstances therefore exist to justify the retention of the elevated walkway.
- 8.2 It is therefore recommended that planning permission be granted.