

5e 3/11/1943/FP – Demolition of existing stage and outdoor auditorium and erection of new stage, changing areas and public seating areas at Paradise Wildlife Park, White Stubbs Lane, Bayford, Broxbourne, Herts, EN10 7QA for Mr Peter Sampson

Date of Receipt: 09.11.2011

Type: Full – Minor

Parish: BRICKENDON LIBERTY

Ward: HERTFORD HEATH

RECOMMENDATION:

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

1. Three Year Time limit (1T121)
2. Approved plans (1T102; (PWP-1015/10, PWP-1015/11, PWP-1015/12)
3. No external lighting shall be installed or affixed to the building without the prior written consent of the Local Planning Authority.

Reason: To protect the habitats of bats which are a protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with 'saved' Policy ENV16 of the East Herts Local Plan Second Review April 2007.

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, ENV16, LRC10, GBC1 and GBC4 and Planning Policy Guidance 2 – Green Belts. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background:

- 1.1 The application site forms part of Paradise Wildlife Park which lies within the Metropolitan Green Belt and is shown on the attached OS extract.

3/11/1943/FP

- 1.2 The proposal is for the erection of a new stage, seating area and changing area, in place of an existing outdoor stage and auditorium. These facilities would be used as part of the educational programmes available at the Park and would form part of an on-going renovation of the children's area that comprises much of the western side of the park.
- 1.3 The proposed stage would be of simple timber framed construction with enclosed changing areas and a projecting roof area to provide some protection to the audience in poor weather conditions.

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 here; but the following current applications are considered to be relevant as they relate to the ongoing development of the park's facilities:
 - 3/11/1918/FP – Retention of covers over sand pit, play area and ride area – Under consideration
 - 3/11/1943/FP – Retention of extension to speedway museum and adjacent covered picnic area – Under consideration

3.0 Consultation Responses:

- 3.1 The Hertfordshire Biological Records Centre has chosen not to comment on the application.
- 3.2 The Herts and Middlesex Wildlife Trust has recommended a condition relating to the control of external lighting at the site due to the presence of bats in the surrounding area.
- 3.3 Hertfordshire County Council's Historic Environment Unit have commented that the proposal is unlikely to have an impact upon significant heritage assets. Therefore no comment has been made.
- 3.4 The Council's Environmental Health Unit does not wish to restrict the grant of permission.

4.0 Parish Council Representations:

- 4.1 Brickendon Liberty Parish Council has no objections to this proposal.

3/11/1943/FP

5.0 Other Representations:

- 5.1 The application has been advertised by way of site notice, press notice and neighbour notification.
- 5.2 No comments have been received at the time of writing 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
- GBC4 Major Developed Sites
- ENV1 Design and Environmental Quality
- LRC10 Tourism
- ENV16 Protected Species

- 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 be permitted except in very special circumstances. The proposed development constitutes an inappropriate form of development as it does not involve a structure used for a purpose which falls within the categories defined as appropriate 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 by very special circumstances. This national policy approach is replicated in policy GBC1 of the Local Plan.
- 7.2 The main issue to consider in the determination of this application then is whether there are 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.
- 7.3 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

3/11/1943/FP

in general is considered to be a valuable and beneficial tourism facility. In practice, several recent applications at the Park have been considered favourably on these grounds and Officers consider that the proposed development in this case would also support the tourism and educational facilities provided by the Park. This is a material consideration which weighs in favour of the proposal.

- 7.4 In addition, it should be noted that the proposed stage, seating and changing area replaces an existing stage at the site and would be of a simple timber construction with a single aspect sloping metal roof. Its design and appearance is considered to be appropriate in the Green Belt and the timber-clad exterior in particular would be similar to other structures on the site.
- 7.5 It would be located in the central area of the Park, away from any boundary and would be surrounded by play equipment and other objects of a form and design that would be expected in a tourist attraction such as the Park.
- 7.6 Given its design and location, Officers are of the view that little other harm is caused by the structure in its 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.
- 7.7 The structure would be around five metres high at its highest point, with the roof sloping down to an eaves height of around three metres. It would be a single storey structure of comparable scale to other buildings on the site, with the higher roof dictated by the need to provide cover for the audience. It would be much lower than other buildings elsewhere on the site such as the two-storey buildings approved for use as a ticket office (ref: 3/08/1402/FP) and education centre (ref: 3/08/1402/FP) in 2008.
- 7.8 Officers consider that the development would not represent a major increase in the developed area of the site. There would be limited impact on the openness of the Green Belt as a result of the development. 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. These considerations are felt to be of such weight that they constitute 'very special circumstances' which clearly outweigh any harm caused to the Green Belt by reason of inappropriateness and any other harm.

8.0 Conclusion:

- 8.1 Given the limited visual impact of the development beyond its immediate

3/11/1943/FP

locality; its value to the Park's operations and the enhancement it represents to the operation of the Park, it is considered that any harm in this case is clearly outweighed and that very special circumstances therefore exist to justify the demolition of the existing stage facilities and its replacement with a new building containing a stage, changing area and audience seating.

- 8.2 It is therefore recommended that planning permission be granted subject to the conditions suggested at the head of this report.