

5e 3/11/2216/FO – Variation of condition 6 of LPA reference 3/11/0544/FP which states "The use of the temporary car park as shown on plan no. 4156/05 shall cease upon the completion of the approved works to the car parks and the temporary surfacing shall be removed and the land reinstated within 1 month of that date" to allow the temporary car park to be used until end of April 2012 at Land adjacent to the River Stort (East side from Grange Paddocks to Castle Gardens), Bishop's Stortford CM23 2HH for East Herts Council

Date of Receipt: 03.01.2012

Type: Full – Minor

Parish: BISHOP'S STORTFORD

Ward: BISHOP'S STORTFORD - MEADS

RECOMMENDATION:

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

1. The use of the temporary car park as shown on plan no. 4156/05 Rev A shall cease on 30 April 2012 and the temporary surfacing shall be removed and the land reinstated within 1 month of that date.

Reason: This part of the proposed development is contrary to the provisions of the East Herts Local Plan Second Review April 2007 and is a temporary expedient only.

2. Approved plans (2E10) 01, 4156/05 A.

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 East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV2, ENV3, ENV16, ENV19, ENV23, LRC1, LRC5, BH1, BH2, BH3 and BH6. The balance of the considerations having regard to those policies and the temporary nature of the development is that permission should be granted.

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1.0 Background:

- 1.1 Members may recall that planning permission was granted by the Development Control committee meeting on 20th July 2011, under LPA reference 3/11/0544/FP for the re-surfacing of the existing car park at

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Grange Paddocks, a temporary car park, new foot bridge beside vehicle bridge; pedestrian and cycle path alongside the River Stort with link to Grange Paddocks; links to existing bridges and installation of lampposts along the route from Rye Street to Castle Gardens. That development has now started to be implemented and the re-surfacing of the Grange Paddocks car park has now been completed.

- 1.2 Members will note that, within the above permission, a temporary car park was granted planning permission. The purpose of that temporary car park was to ensure that appropriate levels of parking were provided during the re-surfacing works to the existing car park. A condition was attached within that permission requiring the cessation of that temporary car park within one month of the completion of the resurfacing works, and the reinstatement of the land. This application seeks an extension of the use of the temporary car park until 01 April 2012.
- 1.3 The application site is shown on the attached OS extract. Grange Paddocks is the Council's leisure centre in Bishop's Stortford. It comprises a swimming pool, gym and studio within the main building, sports pitches, two large surface car parks and ancillary facilities. The site is accessed over the River Stort from Rye Street by a bridge. The temporary car park is located to the north of the existing leisure complex and parking area. It is rectangular in shape and has some 126 parking spaces.
- 1.4 The site lies within a green finger, an area of open land extending northwards from the town centre, bounded by the railway line to the east and Rye Street to the west, which is designated Green Belt. There is a significant amount of existing landscaping and an existing unmade footpath which runs along the River Stort from the skate park to the edge of the playing fields. Residential properties lie to the west of the River Stort and are separated from the site by the River Stort and landscaping. To the east, beyond the playing fields and the railway line are more residential properties.

2.0 Site History:

- 2.1 In 2000 outline planning permission was refused under LPA Ref: 3/00/1176/OP for the construction of an extension to the existing pool and gym building together with the provision of all weather sports pitches (2no.), floodlighting and extended car parking facilities.
- 2.2 In 2002 an amended scheme, which did not include the all weather pitches or floodlighting, was granted under LPA Ref: 3/01/2284/OP for the erection of an extension to the existing pool and gym building along

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with additional car parking. This scheme was not implemented.

- 2.3 In 2009 planning permission was granted under LPA Ref: 3/08/2090/FP for extensions to Grange Paddocks in the form of a single storey link extension and first floor extension over the existing ground floor changing room and gym area to extend and improve the facilities available.
- 2.4 The only other relevant planning permission is that mentioned above, LPA reference 3/11/0544/FP which granted planning permission for re-surfacing of the existing car park at Grange Paddocks, temporary car park, new foot bridge beside vehicle bridge; pedestrian and cycle path alongside the River Stort with link to Grange Paddocks; links to existing bridges and installation of lampposts along the route from Rye Street to Castle Gardens.

3.0 Consultation Responses:

- 3.1 No comments have been received from any statutory consultees.

4.0 Town Council Representations:

- 4.1 Bishop's Stortford Town Council comment that the application will result in the loss of a recreation area and Green Belt land.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Two letters of representation have been received. One letter seeks clarification that this will be a temporary expedient only, the other advising that the recreational area has become muddy as a result of the temporary car park.

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
ENV2	Landscaping
ENV3	Planning Out Crime- New Development
ENV16	Protected Species

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ENV19	Development in Areas Liable to Flood
ENV23	Light Pollution and Floodlighting
LRC1	Sports and recreation Facilities
LRC5	Countryside Recreation
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in Conservation Areas

7.0 Considerations:

- 7.1 The main planning consideration in respect of this application is whether the extended use of the land as a temporary car park is acceptable.
- 7.2 The site lies within the Green Belt wherein there is a presumption against inappropriate development. Policy GBC1 of the Local Plan does set out some exceptions to this presumption – however the provision of a temporary car park does not fall within any such exception and represents inappropriate development in the Green Belt. The Council must therefore consider whether there are any other material planning considerations to which such weight can be attached that they clearly outweigh any harm to the green belt and constitute the very special circumstances that warrant a departure from Green Belt policy in this case.
- 7.3 Furthermore, the site is located within an area designated for sport and recreational facilities – policy LRC1 of the Local Plan sets out that proposals which result in the loss of public recreation and open space will be refused unless it can be demonstrated that the facility is no longer needed and that suitable alternative facilities are provided for. The Council must therefore consider whether the requirements of that policy will be met or whether there are any material considerations to outweigh the presumption against the loss of recreational land.
- 7.4 The applicant sets out that the temporary car park has only been used at weekends and provides car parking facilities for the football teams which use the site on Saturdays and Sundays. This, the applicant indicates, has provided relief to the nearby residential streets to the west of the application site which, during a Saturday and Sunday often suffer from congestion from people parking on those streets to use the playing fields.
- 7.5 The applicant indicates that the Council is currently consulting on a residents parking scheme for this area (known as the “Chantry” scheme), which has received strong public support. An Order to implement the scheme will be published and it is hoped to implement the scheme from

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the 02 April 2012. It is envisaged that the parking scheme will provide continued relief to those residential streets from people using those areas for parking for the leisure centre and recreation playing fields.

- 7.6 In accordance with the above considerations there are two matters which must be balanced against the inappropriateness of the use of the land for parking in the Green Belt and the loss of recreation land. Firstly, that the applicant seeks an extension of the use of the land as a car park for a temporary period only. This extends the use of that area until April, at which time a planning condition can be imposed requiring the land to be reinstated to its previous former condition. Secondly, that the proposal will add continued relief to nearby residential streets until a residents parking scheme is implemented to restrict on-street parking within those areas.
- 7.7 Having regard to those considerations, Officers are of the opinion that special circumstances do arise in this case which clearly outweigh any harm to the green belt by allowing the continued, temporary use of the land as a car park until the end of April. The proposal does result in the loss of playing field provision and an inappropriate form of development within the Green Belt – however this will be for a temporary period only, after which time the land will be reinstated. In accordance with those considerations, the harm associated with the development will be temporary and there will be no long lasting impact on the openness or rural character of the Green Belt or the loss of playing field provision. Furthermore, it should also be noted that the temporary grant of permission does not convey any indication that a permanent car park would be viewed favourably in this location.

8.0 Conclusion:

- 8.1 Having regard to the above considerations it is considered that the proposed variation of the planning condition attached to LPA reference 3/11/0544/FP is acceptable and Officers therefore recommended that, subject to the conditions set out at the head of this report, planning permission should be granted.