

**5e 3/12/0245/FP – Proposed covered roof areas to existing children's play area and adjacent rabbit world area at Paradise Wildlife Park, White Stubbs Lane, Bayford, Broxbourne, Herts, EN10 7QA for Mr Peter Sampson**

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**Date of Receipt:** 17.02.2012

**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 (2E103; RW/02, RW/03, RW/04, PWP 12/001, PWP 12/002 and PWP 501/003B)
3. Materials of construction (2E114)

**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, LRC10 and GBC1) and guidance in the National Planning Policy Framework. 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 and is shown on the attached OS extract. The site lies within the Metropolitan Green Belt.
- 1.2 The proposal is for the construction of two roofed structures providing shelter for a children's play area and a rabbit petting area.
- 1.3 The structures would be of timber construction, with dark green sheet

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roofs in a mix of opaque and translucent materials.

- 1.4 The structure to be constructed over the play area would be 12m x 12m in area. The structure over the rabbit petting area would be 6m x 18.5m

### **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 applications are considered to be relevant, as they relate to the ongoing development of the Park's facilities:

- 3/11/1918/FP – Retention of single-storey buildings over sand pit, play area and ride area – Approved January 2012
- 3/11/1943/FP – Demolition of stage and outdoor auditorium and erection of new stage, changing area and public seating area – Approved January 2012
- 3/11/1941/FP – Retention of extension to speedway museum and adjacent covered visitor picnic area – Under consideration

### **3.0 Consultation Responses:**

- 3.1 The Herts Biological Records Centre has stated that there are no ecological constraints regarding the proposed development
- 3.2 The County Council's Historic Development Unit considers that the development is unlikely to have an impact on significant heritage assets

### **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 press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received at the time of this report.
- 5.3 The consultation period is not due to expire until after the deadline for this report. Any further representations received will be reported to Members with any appropriate amendments to officers' recommendation.

**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 National Planning Policy Framework is of relevance to the consideration of the application.

**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 involves the construction of two structures for a purpose which does not fall within the categories defined as appropriate in policy GBC1 of the Local Plan.

7.2 Whilst it is not part of the development plan, paragraph 89 of the recently published National Planning Policy Framework (NPPF) is now a material planning consideration for applications. This states that development within the Green Belt may be appropriate where it would involve.

- *"limited infilling ... of previously developed sites (brownfield land) ... which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development"*.

7.3 The main issue to consider in the determination of the application then is whether there are other matters to which such weight can be assigned that the harm by way of inappropriateness and any other harm is clearly outweighed by other planning benefits.

7.4 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 19<sup>th</sup> November 2008) and 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 development in this case also supports the tourism and educational facilities provided by the Park. This is a material consideration which weighs in favour of the proposal.

- 7.5 The structures would be of generally lightweight construction, although with solid roofs. They would be set away from the boundaries of the site and not visible from beyond the Park. Their appearance would be functional rather than attractive but in view of their limited visibility from outside the site, Officers consider their impact to be acceptable. The drafting of the NPPF suggests a more relaxed approach to new building on established brownfield sites and, while the openness of the Green Belt would be affected to some extent in this case, its impacts outside the site will be modest.
- 7.6 Given their design and location, Officers are of the view that little other harm would be caused by the structures' appearance or in terms of their impact on the openness of the Green Belt or character of the area. They are considered to be acceptable in terms of the requirements of policy ENV1 of the Local Plan, and guidance in the NPPF.
- 7.7 Furthermore the proposed development would not represent a major increase in the developed area of the site. The structures are comparatively modest additions to the existing facilities available to visitors to the Park and would not cause a material impact on the openness of the Green Belt.
- 7.8 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 clearly outweigh any harm caused to the Green Belt by reason of inappropriateness and any other harm such as to constitute the 'very special circumstances' required to justify the development.

## **8.0 Conclusion:**

- 8.1 Given the limited visual impact of the development beyond their immediate locality, the value to the Park's operations and the enhancement they represent to the operation of the Park, it is considered that the harm by inappropriateness in the Green Belt is clearly outweighed by wider planning benefits and that very special circumstances therefore exist to justify the construction of the covered structures. The considerations of the newly published NPPF also appear to give some further support to the principle of building on an established developed site in the absence of any wider harm to the purposes of the Green Belt.
- 8.2 It is therefore recommended that planning permission be granted for the construction of these structures.