

**5f 3/11/1941/FP – Retention of extension to speedway museum and adjacent covered visitor picnic area at Paradise Wildlife Park, White Stubbs Lane, Bayford, Broxbourne, Herts, EN10 7QA for Mr Peter Sampson**

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**Date of Receipt:** 08.11.2011

**Type:** Full – Minor

**Parish:** BRICKENDON LIBERTY

**Ward:** HERTFORD HEATH

**RECOMMENDATION**

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

**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.

\_\_\_\_\_ (194111FP.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 extension to the site's speedway museum, and a roofed structure providing a covered seating area adjacent to the picnic area.
- 1.3 Both structures have already been constructed. The extension to the museum is approximately 40m<sup>2</sup> in area, and is attached to the west end of the museum building. Its exterior is sheet metal, matching the exterior of the original building.
- 1.4 The shelter is around 300m<sup>2</sup> in area, rising to a ridge height of approximately 4m. The framework is of timber construction, with a sheet

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metal roof.

### **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.

### **3.0 Consultation Responses:**

3.1 Natural England have no objections to the retention of the buildings

3.2 Herts and Middlesex Wildlife Trust have no objection to the development in terms of impact on the adjacent Wildlife Site

3.3 The County Council's Historic Development Unit considers that the development is unlikely to have had an impact on significant heritage assets

3.4 Environmental Health have no objections to the retention of the buildings

### **4.0 Parish Council Representations:**

4.1 Brickendon Liberty Parish Council has no objections to the application

### **5.0 Other Representations:**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 No letters of representation have been received

### **6.0 Policy:**

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

GBC1 Appropriate Development in the Green Belt

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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 development is an inappropriate form of development as it involves the retention of buildings and structures for a purpose which does not fall within the categories defined as appropriate in policy GBC1 of the Local Plan.

7.2 Whilst not forming 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 the:

- *“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 In this application, the development comprises two separate elements; the extension of the Speedway Museum and a Covered Picnic Area. The extension infills a narrow gap between existing buildings on the site and in the terms of the new National Planning Policy Framework officers consider it could be considered as appropriate development in the Green Belt. However it does not comply with adopted Local Plan Policy GBC1 which remains the adopted development plan and, for the purposes of this application, remains inappropriate development in the Green Belt.

7.4 Members will be aware that, for permission to be granted contrary to Green Belt policy, the harm by way of inappropriateness and any other harm caused by the development must be clearly outweighed by other planning benefits.

7.5 The main issue to consider in the determination of the application for the buildings 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.

7.6 Policy LRC10 of the Local Plan states that the Council will encourage

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suitable tourism proposals in appropriate locations. Paradise Wildlife Park has previously been recognised as a “major educational attraction that provided local employment” (Development Control Committee - November 2008) and in general is considered to be a valuable and beneficial tourism facility. 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 proposals.

- 7.7 The Museum extension is a modest addition to the previously approved structure, with minimal impact on the openness of the Green Belt and the considerations of the NPPF give additional weight to support the application. The appearance is in keeping with the general appearance of the building, and as a facility it enhances the park.
- 7.8 The shelter for the picnic area is of generally lightweight construction, although with a solid metal roof. It is set away from the boundaries of the site and is not readily visible from beyond the Park. Its appearance is functional rather than attractive, but in view of the limited visibility from public views outside the site, Officers consider its impact on the Green Belt to be acceptable.
- 7.9 Given its design and location, Officers are of the view that little other harm is caused by the Picnic Area Structure’s appearance or in terms of its impact on the character of the area; the retention of the building would not represent a major increase in the developed area of the site.
- 7.10 Officers consider the extension and covered structure to be acceptable in terms of the requirements of policy ENV1 of the Local Plan. They are comparatively modest additions to the facilities available to visitors to the Park and from outside the site and public view do not cause an adverse impact on the openness of the Green Belt.
- 7.11 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 constitute the ‘very special circumstances’ for permitting the development.

### **8.0 Conclusion:**

- 8.1 The buildings subject of this application are inappropriate development within the Metropolitan Green Belt and contrary to Local Plan Policy

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GBC1. The policy guidance in the National Planning Policy Framework which indicates an appropriateness for infilling on previously developed land gives support to the extension of the speedway museum although the picnic cover area does have an impact on openness of the Green Belt.

- 8.2 Significant weight can be given to the value in promoting the tourist activity of Paradise Park; the limited visual impact of the development beyond its immediate locality, and the enhancement it represents to the operation of the Park. It is considered that the harm by inappropriateness and any other harm is clearly outweighed by wider planning benefits and that “very special circumstances” therefore exist to justify the retention of the buildings.
- 8.3 It is therefore recommended that planning permission be granted for the retention of the structures.