

5i **3/11/1874/FP – Construction of car park at Buntingford Reservoir, Baldock Road, Buntingford SG9 9DW for Veolia Water Central**

Date of Receipt: 26.10.2011

Type: Full - Other

Parish: ASPENDEN

Ward: MUNDENS AND COTTERED

RECOMMENDATION:

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

1. (IT12) Three year time limit
2. (2E10) Approved plans (16370/1; layout plan)
3. (4P05) Tree/hedge retention and protection
4. (4P12) Landscape design proposals
5. (4P13) Landscape works implementation

Directive:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.

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, ENV2, ENV11, BUN4, EDE1, TR8) and the National Planning Policy Framework. The balance of the considerations having regard to those policies and the need to resolve local parking congestion in the interests of highway safety is that permission should be granted.

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1.0 Background:

- 1.1 The application site is shown on the attached OS extract. It comprises an open green space immediately to the south of the 'covered' Buntingford Reservoir within the designated employment area of Buntingford Business Park.
- 1.2 The site lies on the western edge of Buntingford Business Park, formerly Sunnyside Nursery site as defined on the Proposals Map, and is reserved for industry comprising B1 Business and B2 General Industrial Uses in accordance with policies EDE1 and BUN4 of the East Herts Local Plan.
- 1.3 The proposal is to construct a car park with 28 car parking spaces. The car park will form only part of the level site adjacent to the covered reservoir, allowing for the site to remain relatively open on its northern side.
- 1.4 The purpose of the proposal is to provide additional parking for the employees of the Councils waste collection and recycling contractors, Veolia Environmental, at the adjacent Buntingford Service Centre. Access will be from the existing vehicular access to the reservoir and no new access to the A507 will be created.
- 1.5 The application site is owned by Veolia Water.

2.0 Site History:

- 2.1 There is no relevant planning history directly related to the site. The use proposed has a relationship with the use of the buildings to the east of it and the planning history of that part of the business park can be summarised as follows:
 - 3/03/1159/FP - B1(C) B2, and B8 units with associated offices and welfare facility, with car parking and external works for ehdc waste management facility – Approved.
 - 3/04/1416/FP - Erection of B1(C)/B2/B8 unit with associated offices and welfare with service yard and car parking – Approved.

3.0 Consultation Responses

- 3.1 County Highways do not wish to restrict the grant of permission but advise that the principle of providing car parking without additional

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development to justify further provision is contrary to policies seeking to reduce dependency on the car. The Local Transport Plan puts the onus on organisations to develop travel plans to promote alternative means of travel rather than simply provide extra parking. The County Council are looking to improve foot and cycleway links in Buntingford and they consider an accessibility contribution of £14,000 is justified in this case as a result of the proposed development. It is acknowledged that it is not always possible to rely on public transport in a rural location such as this.

In addition, the Hertfordshire Highways Programmes and Strategy Manager adds that the County Council is funding a feasibility study to improve cycle and pedestrian routes and would welcome additional contributions to improve the scope of any future scheme.

- 3.2 Environmental Services at East Herts District Council have written to explain the background to the proposal and the health and safety issues associated with parking congestion on the access roads at the Business Park spilling onto the verges of the A507. They consider that the proposal would improve the safety of operations at the site and avoid the need for additional parking provision elsewhere.
- 3.3 With regard to the accessibility contribution sought (£14,000) the applicant has advised that they are not prepared to contribute more than the budget they have allocated for the works. As a result, the Environmental Services team request that consideration be given to proceeding with the development without an accessibility payment on safety grounds and they indicate that the development is most unlikely to proceed at all if that additional funding is required.
- 3.4 The Landscape Officer has recommended approval in that the proposal is non contentious in landscape terms. Any additional planting of native species is acceptable in terms of mitigation for the development. No planting proposals have been shown on the drawing although the applicant has agreed to some native planting along the western boundary hedgerow/trees at the site meeting.

4.0 Parish Council Representations:

- 4.1 Aspenden Parish Council has raised no objection to the proposal.

5.0 Other Representations:

- 5.1 The application has been advertised by way of site notice and neighbour notification.
- 5.2 No other letters of representation have been received.

6.0 Policy:

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

- ENV1 Design and Environmental Quality
- ENV2 Landscaping
- ENV11 Protection of Existing Hedgerows and Trees
- TR8 Car Parking – Accessibility Contributions
- EDE1 Employment Areas
- BUN4 Existing and new Employment Areas

6.2 In addition, the National Planning Policy Framework (NPPF) is of relevance in the determination of the application.

7.0 Considerations:

7.1 The application site is included within the area of land allocated for employment use as part of the Buntingford Business Park. In principle then, the land is reserved for B1 and B2 uses. However, it is common for parking provision to be made in association with employment uses and it would be unlikely that the Council would wish to withhold permission in the normal circumstances where the car parking use came along at the same time as an employment use. In this case, effectively, the uses have come forward separately. However, that is not seen as a basis on which the matter should be unacceptable in principle.

7.2 The main issues to consider then, in detail, in the determination of the application is whether the proposal is acceptable, having regard to

- its impact on the appearance of the site and wider landscape, and
- its impact on any neighbour amenity
- the provision of funds to encourage the use of sustainable transport modes rather than the use of the private motor vehicle

Impact on Surrounding Area/Design

7.3 Policy ENV1 requires that development proposals will be expected to consider the impact of any loss of open land on the character and appearance of the locality and minimise the loss or damage of any important landscape features.

7.4 Under Policy ENV2 development proposals will be expected to retain and enhance existing landscape features. Where losses are unavoidable,

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compensatory planting or habitat creation will be sought within or outside the development site.

- 7.5 Under Policy ENV11 the Council will endeavour to ensure maximum retention of existing hedgerows and trees and their reinforcement by new planting of native broad-leaved species.
- 7.6 The site is well contained within the Buntingford Business Park complex. It is bordered on its western side by a belt of trees which conceal the site from public view from the A507 Baldock Road. The long access drive from the Business Park itself precludes views from the south. The site is bordered on its eastern side by existing development within the Business Park.
- 7.7 Taking into account the existing natural screening and the topography of the landscape, it is unlikely that the car park and cars parked on it, will be significantly visible from outside the site.
- 7.8 There are trees and hedges predominantly on the southern and western boundaries of the site. Although a certain amount of cutting back of upper branches will be required on the western boundary, no trees will need to be removed. Since no additional planting has been proposed it is recommended that any grant of approval should be subject to conditions relating to additional planting in support of the hedge boundary and the trees on the western edge of the site. The trees on the southern boundary are not within the ownership of the applicant and fall outside the application site.
- 7.9 The layout will take the form of two parallel rows of parking bays on an east/west axis approached by an access road from Buntingford Business Park. It is proposed to designate each parking bay, allowing for control over the number of cars to be parked.
- 7.10 I consider the impact of the proposal within its surroundings to be acceptable.

Impact on Neighbour Amenity

- 7.11 Policy ENV1 requires development proposals to respect the amenity of occupiers of neighbouring buildings.
- 7.12 Buntingford Business Park lies in open countryside on its northern, western and southern sides and is bordered by the A10 on its eastern side. In view of the fact that there is no residential occupation in close proximity to the site, no loss of neighbour amenity will arise as a result of

the proposal.

Car Parking – Accessibility Contributions

- 7.13 Policy TR8 (Car Parking – Accessibility Contributions) states that, using a formulaic approach, accessibility contributions, based directly on the number of on-site car parking spaces provided, will be applied to all new developments that generate a need for new parking provision. Such contributions will be used towards investment in schemes within the Local Transport Plan to improve passenger transport, cycling and pedestrian facilities in the travel catchment of the development.
- 7.14 Policy TR8 also advises that the Council may require measures to be implemented to ensure the protection of existing residential areas and traffic routes from displacement parking.
- 7.15 Under the requirements of Policy TR8 and the Council's Planning Obligations SPD, the Council will seek a standard accessibility contribution of £500 per on-site car parking space at new development. The potential contribution in the case of the current application is therefore calculated as £14,000.
- 7.16 However, this is an other than ordinary case. Effectively this application seeks to address an issue that should possibly have been grasped when the proposals for the built development at the Business Park first came about. As indicated, the parking provision is to be associated with the Councils waste contractor operations in the adjacent building. When the proposals for that building and operation came forward (3/03/1159/FP), the original intention was that the waste contractors' operatives would park in the yard enclosed by the buildings on the 'footprint' of the refuse collection vehicles, while these were in use. As a result only limited parking external to the building (14 spaces) were provided. Of these, three are provided for the contractor Veolia Environmental, which has a staff complement of 105.
- 7.17 In hindsight, this would always have seemed to be an impractical proposition. Operationally it would be inefficient for operatives to arrive at the site, park their private vehicles and then move them once the refuse vehicles had been driven from the yard. In safety terms this would also seem to pose significant issues as a range of refuse and private vehicles would be parking and manoeuvring around the service centre and adjoining access roads with no dedicated space in which to do so. It is no surprise then that this practice has not endured and that all parking takes place external to the building spilling out onto the adjoining service roads and potentially the A507. This has caused disruption for other

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occupiers of the overall site and, it now seems, the landowner may indeed impose private parking controls over the site which will potentially exacerbate the situation.

- 7.18 Since the building came into operation the Council has significantly expanded its recycling collection services, thereby increasing the number of operational vehicles at the site and therefore providing less space for the parking of waste contractors' private vehicles. In addition, Members will be aware that the Council's parking service is also located in the building resulting in additional staff numbers at the site.
- 7.19 The Highway Authority has acknowledged the rural nature of the site. It is at some distance from public transport provision. The nature of the operations undertaken at the site – in particular the early start time of the service – means that the use of public transport as an option for staff transport is very limited indeed. The applicant has indicated that a requirement to provide a financial contribution will render the scheme unviable.
- 7.20 The balance to be considered then is the unusual circumstances of the operation of the site weighed against the aspirations that the additional funding would seek to achieve. In terms of unusual circumstances, the very limited and number of spaces provided and the operational difficulty of using them leads one to the view that the provision now proposed is 'relocating' that previously anticipated at the site. There would be no policy requirement for the financial provision had this matter been addressed at the time that the building proposals came forward initially.
- 7.17 In addition, it is clear that the current parking arrangements are leading to clear safety and operational implications. Vehicles are parked on the access road to the site and spill out onto the verges of the A507. That road, whilst close to the town, carries a significant volume of traffic often travelling at high speeds. There is the clear potential for parking here to lead to unsafe road conditions.
- 7.18 Officers are of the view that significant weight can be attached to these issues. In addition, whilst the collective impact of payments of this nature is recognised, it is considered that the sum required in this case will be unlikely to lead to improvements to the parking conditions at this site. As a result, it is considered that the weight that can be given to the matters which favour development is such that they outweigh the normal policy aspiration for financial contributions to sustainable transport measures to come forward. It is recommended then that permission can be granted in the absence of those contributions.

8.0 Conclusion:

- 8.1 Concluding from the above, the recommendation is contrary to the Councils adopted planning policy, which is the reason the application is presented to the committee for determination.
- 8.2 Taking into account the significant shortage of parking at the site, the congestion problems being experienced within and beyond the site, the safety issues that are arising as a result, together with the fact that the scheme is most unlikely to proceed if the requirement for an accessibility contribution is maintained, it is recommended that planning permission be granted in this case on the basis of the proposals as they stand.