

DEVELOPMENT MANAGEMENT COMMITTEE - 13 FEBRUARY 2019

Application Number	3/18/1922/FUL
Proposal	Landscape redesign of the town centre park, including protective conservation work to Waytemore Castle (Grade 1 listed and designated Scheduled Monument), cladding the steps up the side of the castle mound, removing concrete capping on well and replace with glass cover, new paths and revised path network, removal of existing bridge and 2 footbridges, construction of new bridge and footbridge, refurbishment of the buildings, demolition of garages, relocation of the tennis courts, expansion of the teenage recreation space, riverbank re-grading, relocation of a Victorian drinking fountain, changes to trees and shrubs, implement new lighting scheme. Partial demolition and change of use of community building to cafe (A3 use class) with an associated community room, construction of associated terrace and change of use of toilet block to a community room.
Location	Castle Gardens, Waytemore Castle, The Causeway, Bishop's Stortford, CM23 2EL
Parish	Bishop's Stortford Town Council
Ward	Bishop's Stortford Meads

Date of Registration of Application	20 September 2018
Target Determination Date	20 December 2018
Reason for Committee Report	Major Application and application submitted by East Herts Council
Case Officer	Jill Shingler

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report and that the Head of Planning and Building Control be given delegated authority to add any further conditions, as may be required, with regard to Flood Risk and land drainage as a result of further response from the Local Lead Flood Authority.

1.0 Summary of Proposal and Main Issues

- 1.1 The application is submitted by the Council and sets out proposals for comprehensive improvements to the Castle Park and the facilities within the park, with particular emphasis on improving the setting of Waytemore Castle (which is a Grade 1 Listed Building and Scheduled Ancient Monument). The proposals include upgrading the community facilities and providing a café, relocating the tennis courts away from the setting of the castle, improving the facilities for teenagers at the northern end of the park, altering pathways within the park to make it a more usable space and removing some trees and vegetation to improve accessibility to the river. In addition a new bridge across the river is proposed, together with a small landing stage to enable easy access to the river for canoes and kayaks. There will be new landscaping, including tree planting and a further new bridge, replacing two existing pedestrian bridges across the loop, is also proposed.
- 1.2 The proposals are the culmination of a lottery funded project which has involved Bishop's Stortford Town Council, East Herts Council and Hertfordshire County Council.
- 1.3 The proposals can be split into the following sections
- Improvements to the setting and interpretation of the Scheduled Ancient Monument
- 1.4 These include the removal of the hedging around the base of the castle mound, opening up of views of the castle. The hedge will be replaced with simple estate fencing. The existing steps up the mound would be improved to encourage people to access the castle and reduce the secluded nature of the space. In addition it is proposed to repair and consolidate existing castle wall remnants and where appropriate apply a soft capping in order to prevent further erosion.

- 1.5 The existing well at the top of the mound, which is covered by a concrete cap, is proposed to be made more of a feature by removing the cap, and replacing it with a glass cover, raising the well wall by about 30cm with modern brick material and covering with a metal grill to prevent damage to the glass.
- 1.6 An interpretation board would be placed at the top of the mound to explain the history of the castle. The proposals include the installation of a lighting scheme around the outside of the castle mound to provide a gentle wash of light over the mound at night. The small sections of intact wall on the southern side would be lit in white light to increase their prominence. It is proposed to plant ornamental wildflowers around the outside of the mound and alongside the riverbanks removing existing shrub beds

Improvements to the War Memorial and Garden

- 1.7 The war memorial is Grade II listed, no alterations are proposed to the memorial itself but a new landscape design and reconfiguration of pathways is proposed to improve its setting. The Victorian drinking fountain, which is currently not prominently located, is proposed to be moved into this garden area.

Relocation of the Tennis Courts

- 1.8 The 3 concrete tennis courts, currently located between the war memorial and the castle mound, are to be relocated some 300 metres to the north within the currently wooded area. This is to the north of the teenager's recreation area. In its place an open grassed area will be created for informal recreation and events.

Buildings

- 1.9 The existing single storey detached disused toilet block, at the western side of the park adjacent to The Causeway, is proposed to be converted to provide a community hall with a small kitchen and a single accessible WC. The proposals involve external alterations, including timber cladding, and new door and window openings.

- 1.10 The existing community hall building (Markwell Pavilion) which lies behind the toilet block and contains two halls with associated kitchen and toilet facilities, is proposed to be partially demolished to create two separate buildings. The larger element would provide a small café with north facing bifold doors opening out onto a patio area; a kitchen and store area and a hall area. The smaller remaining element would become a detached publicly accessible toilet block providing 6 toilets and a "Changing Places" facility providing a toilet and changing facility for disabled people.
- 1.11 It is proposed to timber clad both buildings. An extensive raised terrace area is proposed that will link all three buildings. To the south of the café/hall building a new community garden is proposed with raised planting beds, designed to enable disabled volunteers to plant and maintain the garden.
- 1.12 Cycle parking facilities are also proposed in this area. The existing garage storage buildings adjacent to the toilet block are to be removed.

Bridges

- 1.13 At present within the site area there are 3 bridges across the River Stort. It is proposed to retain the two to the north of the castle and to enhance the footpath links to them in order to improve access and circulation within and through the park. The third bridge crosses from the footpath to the north of the current tennis courts, into the field to the east where there is no linking footpath. The intention is to remove this bridge and carry out bank softening in this area, and provide picnic tables on the western side of the river in this location.
- 1.14 A new bridge is proposed to be located about 30m south of the current position, where it will provide a more obvious link between the formal garden and splash pool areas to the west and the bandstand and children's play area to the east. This will link to a new circular pathway around the eastern events field and up to the

teenage play area to the north. The bridge has been designed to be a feature in its own right with ramps to enable wheelchair access, as well as stepped access (the current bridge does not enable access for the less able).

- 1.15 The bridge would be linked to a pontoon within the river that would act as a landing stage for canoeists and kayakers and a place for people to interact with the river. The bridge is proposed to be constructed of galvanised steel and concrete but would be finished with timber balustrading.
- 1.16 There are two small footbridges at the western side of the park over the narrow loop channel which runs around this side of the park, which provide access to the redundant toilet block and into the park from the Causeway. It is proposed to remove these bridges and provide a single wider access footbridge creating a better entrance to the park and leading directly to the proposed café terrace area with level access.

Adventure Play Area

- 1.17 The proposals here include the remodelling of the existing play area/skate park area. Some features such as the half pipe and basketball area are to be retained and refurbished, but an expansion of the skate facility is proposed together with the introduction of a timber adventure play features, zip line, parkour area and tree and boulder climbing features. A central open sided shelter and seating area is proposed. The individual elements are to be linked by crushed stone pathways.

Landscaping and planting

- 1.18 A major element of the proposals are works to improve the visibility and accessibility of the river as a feature of the park and enhance its ecological value by reducing the tree cover adjacent to it and softening the bank areas, and providing marginal planting and making improvements to the loop channel to soften its appearance and provide marginal planting.

1.19 The main issues and considerations relate to the impact of the proposals on the Green Belt and the Scheduled Ancient Monument, the visual impact of the development on the character and amenity of the park and the surrounding area (given its location in the Conservation Area), the impact on the ecology within and around the park and the whether the proposals accord with policies with regard to community and sports facilities.

2.0 Site Description

2.1 The Castle Park is located close to the town centre of Bishop's Stortford with the River Stort running through it roughly north south. It is bounded by the railway line to the east and the A 1250 (The Causeway) wraps around the south and west boundaries. There is a pay and display car park at its western side.

2.2 The park has three distinct areas, the central castle gardens which is the formal element of the park. This contains the remains of Waytemore Castle, the war memorial, a masonic memorial and a Victorian drinking fountain, together with three tennis courts. The buildings at the western entrance to the park include the Markwell Pavilion, which comprises two community rooms with associated kitchens and toilets, garage buildings used for storage and, alongside the causeway, a toilet block which is currently disused and boarded up. At the southern end of the gardens is the children's splash pool which was renovated a few years ago.

2.3 Sworders Field runs to the east of the Gardens on the opposite (east) side of the River Stort and contains, at its southern end, the young children's play area. The main area however is an open field which provides an amenity area for informal recreation and events. At the northern end of Sworders Field there is an adventure play area with skate facilities, interspersed with more traditional children's play equipment. To the east of the field and forming the boundary of the park is the railway line. There is an existing footbridge over the railway which allows access to the park and

more direct routes to the town centre for residents of the housing areas to the east.

- 2.4 The third element of the park is Town Meads which lies to the north and is an area of natural scrub and woodland with footpath access through it to the Leisure Centre site to the north (Grange Paddocks).
- 2.5 The Castle Park is within a green finger of greenspace connecting the town centre with the wider countryside to the north. The river Stort flows through and connects the greenspaces providing an important wildlife corridor within the town. The park is within the Green Belt and substantial parts of the park are within Flood Zones 2 and 3.
- 2.6 It is identified as a Locally Important Historic Park and Garden in the Councils Historic Parks and Gardens SPD. Its history is briefly set out in that document, along with current use. It is also located in the Conservation Area.

3.0 Planning History

There is no recent relevant planning history with regard to this site.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) the adopted East Herts District Plan 2018 (DP), and the Bishops Stortford Silverleys and Meads Neighbourhood Plan (NP).

Main Issue	DP Policy	NPPF	NP
Green Belt	GBR1	Paras 143-146	
Heritage and Archaeology	HA1, H2A, H3A, H7A	Paras 189, 190, 192, 193, 197, 199, 200	HDP8, HDP9

Community Facilities leisure and Recreation	CFLR1, CFLR3, CFLR4, CFLR7, CFLR9	Paras 92, 96, 98	HDP7, GIP2, SP1, SP2
Ecology and Green Infrastructure	NE2, NE3, NE4, WAT3	Para 175	GIP1, GIP4
Design, Landscaping and visual amenity	DES2, DES3, DES4, DES5, EQ3	Paras 127, 128, 130	
Flood Risk	WAT1, WAT5	Paras 163	GIP7

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority comments that it does not wish to restrict the grant of planning permission subject to a condition requiring a construction management plan. This is because of the extensive nature of work in the park.
- 5.2 Lead Local Flood Authority raised objection to the proposal as no flood risk assessment or surface water drainage assessment has been submitted. Since then modelling has been undertaken and updated comments are awaited from the LLFA.
- 5.3 Environment Agency does not have any objection to the development but points out that the applicant will have to provide additional information to them in order to gain a flood risk activity permit in connection with some elements of the work. It welcomes the tree work to let more light to the channel and in channel habitat improvements are encouraged. It advises that additional information will be required with regard to the proposed pontoon.
- 5.4 EHDC Conservation and Urban Design Advisor is in principle content with the works proposed. Whilst concerned about lack of detailing with regard to the works to the Scheduled Ancient Monument, there is support for the improvements proposed to the setting of the castle and the war memorial.

- 5.5 Historic England welcomes and supports the proposals commenting that the proposals for the scheduled ancient monument meet the aims and objectives of para 192 of the NPPF seeking to conserve and enhance the monument. Scheduled Monument Consent is required in addition to planning permission. Overall Historic England welcomes and supports the proposals subject to agreement of details and materials.
- 5.6 HCC Historic Environment Unit advise that the site is in an area of archaeological significance as identified in the District Plan. Castle Park is an area of known high archaeological significance and it is highly likely that intrusive works undertaken during redevelopment of the park will reveal evidence of medieval occupation associated with the castle, of local and possibly, regional significance. The unit considers that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and therefore recommends a condition requiring a programme of archaeological work.
- 5.7 EHDC Landscape Advisor notes a number of welcome improvements as part of the proposals. These include the removal of the tennis courts from their current location, the extension of the footpath/ cycleway from the north, the new footbridge and the retention of the existing bridge which is proposed. Hedge removal around the mound is welcomed, it is considered that the community garden could be successful and the improvements around the memorial are considered to be a major enhancement.
- 5.8 Less welcome is the tree removal for the relocated tennis courts. The trees are considered to have landscape value and contribute to green infrastructure. The advisor is also concerned that, in the new location, the courts will require regular maintenance to overcome the impact of the adjacent trees (leaf fall, root growth etc). The tarmac paths in the teenage area are considered to have an unnecessary urbanising impact, along with those across the site generally. The removal of the southern footbridge is questioned.

- 5.9 The advisor comments that a large number of trees are proposed to be removed. This should be done in a sensitive way with phased removal and replanting.
- 5.10 Lastly, the advisor comments that more detail in relation to planting schemes and treatment is required. At this stage the advisor recommends refusal of the scheme.
- 5.11 Hertfordshire Ecology generally supports the development which will improve important aspects of the ecology particularly around the river valley but raises some concerns at the increase in formal activity and particularly the introduction of the tennis courts into a less disturbed area.
- 5.12 Advises that formal lighting of the castle motte is an intrusive aspect at odds with maintaining a dark environment along the river corridor which is used by bats for foraging, but concedes that surveys indicate that bat activity around the castle is limited and that it is not unreasonable to conclude that the lighting of the motte is unlikely to cause unacceptable impact on bats.
- 5.13 EHDC Environmental Health Advisor advises that any permission should include conditions with regard to contaminated land remediation and validation, kitchen extraction and odour control and construction management to safeguard neighbouring residents and users of the park.
- 5.14 Canal and Rivers Trust comments that there are opportunities to link the recreation area with its network south of the causeway. This should be achieved through the Waterside Stortford signage project. Another key improvement would be an improved pedestrian crossing at the Causeway. This would make the area more coherent and realise more health and wellbeing benefits for local residents who will be able to walk and cycle to and from the town park.

- 5.15 The HCC Growth and Infrastructure Team comments that it will not be seeking any funding toward infrastructure improvements as part of the proposals.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

- 6.1 The Town Council commented that it would like clarification on which particular bridges are proposed to be removed and replaced.

7.0 Summary of Other Representations

Three representations have been received, including those of the Civic Federation, providing the following comments;

- The Civic Federation agrees that the proposals provide a welcome opportunity to enhance the castle and surrounds;
- The Federation commends the project team on the efforts they have made to secure local engagement;
- Better external pedestrian links would make the most of the project;
- The concerns of the Landscape Advisor are noted by the Federation, but it is considered these are to matters of detail rather than principle.

The remaining two submissions are in objection:

- Object to demolition of Elsie Barrett Room and partial demolition of Markwell Pavilion. The demolitions result in a big reduction in useful community hall space and damage to valuable community facilities.
- Object to loss of number of toilets from toilet block adjacent to Link Road.
- Position of new kitchen on the south facing side and external seating on north side. However, it would be better to retain

current kitchen on north side and put outside seating on the sunny side.

- The toilet block should serve not only the park but people using the surrounding roads.
- Would be better to take opportunity to build new zero carbon buildings rather than substandard refurbishment which will not be energy efficient.
- Would like to see better pedestrian links between the site and the Town Centre.

8.0 Consideration of Issues

Principle

- 8.1 The principle of enhancing the park, and the sporting, recreational and community facilities provided within it, together with improving the setting of the Ancient Monument accords with national and local planning policy. Enhancements of this nature, seeking to increase the use of the park and its attractions, can be given significant positive weight.
- 8.2 It is necessary of course to fully assess the details of the proposals to ensure that there is no harm to the Green Belt, the Conservation Area, ecology or heritage assets, or any increased flood risk.

Green Belt

- 8.3 Having regard to Policy GBR1 of the District Plan and the NPPF it is considered that the conversion of the existing buildings to create a café and community rooms and toilets does not comprise inappropriate development. The works constitute the provision of appropriate facilities (in connection with the existing use of the land) for outdoor sport and recreation. The removal of garaging will result in a small increase in openness. The new bridge would comprise an engineering operation and again will have limited impact on openness which will be offset by the removal of the existing bridge. Again it is considered to comprise the provision of appropriate facilities.

- 8.4 The relocation of the tennis courts from the central area, to the more peripheral area of the park, which has not previously been developed could be argued as having an impact, but the open mesh fencing will be seen against a backdrop of trees. In addition, the impact, so far as it is in Green belt terms, is the relocation of the use from one part of the park to another. Again, this element of the proposal is considered to comprise the provision of appropriate facilities.
- 8.5 The new and enhanced skate facilities and adventure playground are clearly facilities related to outdoor recreation and are therefore not inappropriate development in the Green Belt.

Heritage and Archaeology

- 8.6 Waytemore Castle is a Scheduled Ancient Monument and the war memorial is a Grade II Listed Building. The area has also been identified as likely to be particularly rich in archaeological remains. The NPPF and the policies of the District Plan and Neighbourhood Plan seek to preserve and enhance heritage assets of this kind. The whole site also lies within the Conservation Area.
- 8.7 The current setting of the castle is poor, with inappropriate hedging and landscaping around it and access to it is restricted. The proposals will significantly improve its setting, make it more visible from outside the park, highlighting it as an important asset within the Town Centre. The intention is to encourage people to visit it and learn about it. The alterations proposed are intended to ensure that increased visitor numbers do not result in harm or erosion of the mound and remaining castle walls. The proposals have been drawn up in consultation with Historic England and it supports the proposals subject to details of materials being agreed. The detailing will in any event need to be the subject of an application for Scheduled Monument Consent which Historic England will determine.

- 8.8 The proposed amendments to the formal gardens will also enhance the setting and visibility of the listed war memorial, and as a result, will enhance the Conservation Area. Overall it is considered that the proposals accord with the requirements of policy HA1 of the District Plan.
- 8.9 With regard to archaeology HCC Historic Environment Unit recommend conditions to ensure that appropriate measures are in place for the protection, excavation and recording of any archaeological remains and it is considered that such conditions are necessary in accordance with policy HA3 of the District Plan.

Community Facilities Leisure and Recreation

- 8.10 The proposals will significantly enhance the provision, quality and accessibility of the open space and recreational facilities and will introduce/encourage a small level of water based activity; the development is therefore in accordance with the intentions of policies CFLR1 and Policy CFLR4 of the District Plan.
- 8.11 The proposed alterations and re-use of the existing community facilities and toilet block to provide updated facilities related to the park, including a small community café facility and replacement hall facilities and the community garden, is considered to be in accordance with policy CFLR7 of the District Plan. The location is suitable and served by sustainable travel options, the spaces will be flexible and suitable for multiple use and the use of timber cladding enables the development assimilate well into the park setting. (The design issues are covered in more detail below).
- 8.12 Whilst the concerns identified by the members of the public who have commented are noted, it is not considered that the proposals represent a significant detrimental reduction in the public facilities available in the park, and actually result in their enhancement.

Ecology and Green Infrastructure

- 8.13 The proposals are supported by an extended phase 1 habitat survey, a Bat Activity Survey an Ecology Survey focussing on bats and an aquatic survey of the River Stort. In addition a full arboricultural report was submitted.
- 8.14 The works have been designed to help improve and encourage biodiversity within the park, by providing a more natural landscape around the river and the castle. Whilst a large number of trees and hedges are proposed to be removed in order to open up areas of the park and more specifically the river bank, the intention is to create a more varied habitat, with enhanced wildflower, wetland and marginal planting to the benefit of the ecological value of the park.
- 8.15 The proposals have the potential to have some impact on bats, which were found to utilise the area, particularly along the river and and the woodland to the north for foraging. Care needs to be taken with regard to the way the works are carried out and to ensure that lighting does not disrupt flight routes. The recommendations set out in the submitted Ecology Survey Focusing on Bats, need to be followed in order to ensure that suitable mitigation is provided and that there is no net loss of roosting sites. This can be required by condition. It should be noted that the existing toilet block was found to be a roosting site for common pipistrelle and a European Protected Species bat Licence will need to be issued by Natural England prior to refurbishment of the block,
- 8.16 Overall, it is considered that the development, subject to conditions, accords with the requirements of Policies NE2 and NE3 and NE4 of the District Plan and subject to appropriate safeguards and management will enhance the ecology and value of the green infrastructure in the locality.

Design, Landscaping and Visual Amenity

- 8.17 The proposals utilise existing buildings, but propose alterations to improve their functioning, and alter their appearance by timber cladding, so that they fit more appropriately within their setting. The success of this will be very much dependent on the nature of the timber cladding. The existing toilet block, which it is intended to convert to a hall use, is not an unattractive building it is a well-proportioned, brick and rendered with a tiled roof. It presents a rendered frontage to the road and the two gables have an attractive brick quoin feature. The building sits with a backdrop of trees that are more than twice its height and as such is felt to sit well within its setting. The only adverse feature is the maze of utilitarian grey metal balustrades that are related to the bridge and ramped access.
- 8.18 The proposed road facing elevation would be entirely timber clad and the proposed large bifolding door openings in the gables appear somewhat incongruous, however the intention is that when the building is closed these openings will be covered by specially designed timber shutters, which will be visually appealing and reference the park. No details of these shutters have been provided but this can be required by condition, and will ensure that even at night the building remains an attractive feature in the street scene. In addition due to the proposed removal of the two existing bridges the unattractive balustrading will be removed and therefore, subject to an appropriate timber cladding material being used, there will be a net visual improvement, which will enhance the Conservation Area.
- 8.19 The splitting of the existing community hall building into two separate units works quite well in design terms, resulting in two relatively simple structures. The use of timber cladding will unify the group of buildings and make it clearer that they are all related to the park. The extensive area of steps, terracing and sitting out area works as a design feature, but may not be very attractive as a sitting area due to its north facing orientation and the significant shading of the surrounding trees. The proposed new bridge is intended to follow through with similar timber treatment to that utilised on the buildings and again this helps to unify the different elements of the park.

- 8.20 The comments of the Landscape Officer are noted. The proposals include the removal of a significant number of trees and the planting of new trees and hedgerows in more appropriate locations. The tree removal is proposed to take place over a number of years so the impact will not be so stark.
- 8.21 It is proposed to relocate the concrete tennis courts to an area that is currently covered by trees and scrub. It is acknowledged that this will change the character of this part of the park and that their siting, so close to trees, is not ideal. However, the Leisure and Parks Development Manager has made it clear that the courts would be subject to regular inspection and maintenance and he does not consider that there is cause for concern.
- 8.22 The trees that are to be lost as a result of the relocation are not of sufficient quality to be worthy of protection and those that will be retained to the north of the new courts will ensure that the courts are not visually intrusive from outside the park and that the more natural woodland feel is maintained to the north. On balance, it is considered that the benefits of the removal of the existing courts from the setting of the Castle and the formal gardens and the re-provision of the important sporting facility are sufficient to outweigh the issues of concern.
- 8.23 The proposed changes to the teenage play area include the provision of significant hard structures and an interlinking network of pathways, creating a more urban feel to the area, but there will also be visual improvements to what is currently a somewhat tired and outdated facility. On balance it is considered that there will be a neutral impact on the Conservation Area and visual amenity from this element of the scheme.
- 8.24 The Landscape Advisor is concerned in relation to the layout of the pathways in the formal area of the park, considering them unnecessarily complex. Having considered the character of this part of the park, it is not felt that the pathway layout is harmful and,

given the linkages to the other adjacent parts of the park, is not a harmful layout.

- 8.25 It is considered that the proposed gentle floodlighting of the castle mound will have a positive impact on the character and visual amenity of the area after dark.
- 8.26 Overall in terms of landscape and visual amenity impact, the proposals are considered to be positive. In the Conservation Area assessment, the use and value of the space is identified. The assessment sets out that, other than small scale development associated with the use of the park, development should be restricted. The document sets out a range of possible improvement works, many of which will be implemented by these proposals. With regard to the Conservation Area then, it is considered that it will be both preserved and enhanced in both character and appearance terms, by the implementation of these proposals.

Flood Risk

- 8.27 Policies WAT1, WAT3 and WAT5 of the District Plan seek to ensure that developments incorporate sustainable drainage proposals and do not increase the risk of flooding on the site or elsewhere. The works proposed include treatment to the River and to the Causeway Loop to provide a more naturalistic environment. This is supported by policy.
- 8.28 No new buildings are proposed but there is an increase in the amount of hard surfacing and the relocation of the hard surfaced tennis courts, which could impact on flood risk from increased run off. The Local Lead Flood Authority (LLFA) have been consulted on the proposals and initially raised objection as no Flood Risk Assessment or drainage details were submitted with the application. These matters are being addressed and updated comments from the LLFA are awaited.
- 8.29 The Environment Agency has raised no objection to the proposed works to the river.

Other issues

- 8.30 Concern has been raised that there is a lack of connectivity between the park and the town centre, however it is recognised that this is not an issue that can be addressed through this application, which is restricted to the area of the Park only. However, the scheme does take into account the future proposals for development to the west and north of the site by improving the north-south and east-west footpath links through the park.
- 8.31 Concern has also been raised regarding the reduction in toilet facilities as a result of the development and their relocation inside the park rather than on its periphery. However given that the current public facility is closed, the proposals provide a significant improvement in provision. In addition they will provide a toilet and changing facility that enables people with disabilities to use the toilet in safety and comfort.
- 8.32 It has been suggested that it would be better to build new zero carbon buildings to reduce energy consumption in the future rather than to convert the existing inefficient buildings. However, the retention of existing buildings rather than demolition and new build has its own sustainability benefits. In addition the alterations proposed will ensure improvements over the existing energy efficiency of the buildings which is to be welcomed.

9.0 Planning Obligations

- 9.1 None required.

10.0 Planning Balance and Conclusion

- 10.1 The proposals will result in significant improvements to the setting of the Scheduled Ancient Monument and will enable the history of this important site to be more readily understood; in addition the development provides for improved community facilities and accessible toilet facilities close to the town centre. Landscape and

ecological enhancements, will improve the biodiversity within the park and outdoor play facilities and tennis courts will be improved.

- 10.2 It is considered that the proposals are not inappropriate within the Green Belt. Whilst there will be some limited adverse impact on the current woodland at the northern end of the site, by the introduction of tennis courts, it is considered that the benefits of the scheme are sufficient to outweigh this relatively limited harm.
- 10.3 Overall, the development will provide significant benefits to the town and make better use of an important asset. It is considered that subject to conditions, the development will have a very positive impact on the character and amenity of the area and that it accords with the policies of the District Plan, the Neighbourhood Plan and the NPPF.

RECOMMENDATION

That planning permission be **GRANTED**, subject to the following conditions and that the Head of Planning be given delegated authority to add any further conditions as may be required with regard to Flood Risk and land drainage as a result of further consultation with the Local Lead Flood Authority.

Conditions

1. Three year time limit
2. Approved Plans
3. Prior to commencement of development details of landscaping shall be submitted and approved in writing and shall include full details of both hard and soft landscape proposals, finished levels or contours, hard surfacing materials, retained landscape features, planting plans, schedules of plants, species, planting sizes, density of planting and implementation timetable and thereafter the development should be implemented in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

4. Prior to any works to the Ancient monument full details of the proposed materials and finishes shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be completed in accordance with the agreed detail.

Reason: To ensure that the works do not detract from the importance of the heritage asset and in accordance with Policy HA1 of the District Plan.

5. No development or groundworks shall take place until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme, and this condition will only be discharged when the required archaeological reports are submitted to and approved in writing by the Local Planning Authority.

Reason: The programme is required to be undertaken prior to the commencement of the development to secure the protection of and proper provision for any archaeological remains in accordance with Policies HA1 and HA3 of the East Herts District Plan 2018 and the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall identify details of:
 - Phasing of the development;
 - Methods of accessing the site;

- Construction vehicle routing and numbers;
- Location and details of wheel washing facilities;
- Details of parking and storage areas clear of the highway;
- Environmental management details including hours of working, the mitigation of noise and dust and any other matters covered under BS5228.

The development shall thereafter be implemented in accordance with the approved details.

Reason: Details are required to be approved prior to the commencement of development to minimise the impact of construction on the highway network, neighbouring occupiers and the environment in accordance Policies TRA1 and TRA2 of the East Herts District Plan 2018.

7. Prior to any conversion works commencing, details of the external timber cladding and of the design of the proposed external shuttering shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

8. No development approved by this permission shall take place until a phase 3 remediation strategy to address the contamination risks identified in the previously submitted RSK Geoenvironmental Site assessment report dated May 2018 (Report no. 29583 R01) has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning

guidance set out in section 15 of the National Planning Policy Framework.

9. Prior to the first use of each part of the site that has been altered; a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 15 of the National Planning Policy Framework.

10. Prior to any café use commencing on site a scheme containing full details of arrangements for internal air extraction, odour control and discharge to atmosphere from cooking operations, including any external ducting shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be retained and maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless agreed beforehand in writing by the Local Planning Authority.

Reason: In order to minimise odours and impact on air quality and ensure an adequate level of amenity for users of the park in accordance with Policy EQ4 of the District Plan.

11. Prior to any felling of trees on site a plan setting out the phasing of the tree works and replacement planting shall be submitted and agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure that adequate appropriate new planting takes place to compensate visually for the loss of trees in the interests of

maintaining the character and landscape quality of the park in accordance with Policy DES3 of the District Plan.

12. The recommendations for bat protection during works and for compensation bat roost provision and habitat management set out in Part G of the submitted Ecology Survey Report Focusing on Bats dated 30th July 2018 shall be followed. Full details of these works shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works on any phase of the development.

Reason: To ensure that bats and their habitat are protected and in accordance with European law and Policy NE3 of the District Plan.

13. No floodlighting shall be installed at any time within the tennis courts hereby approved.

Reason: To prevent harm to the character and visual amenity of the area and to prevent harm or disruption to foraging bats in the locality In accordance with policy NE3 of the District Plan.

Informatives

1. Other Legislation

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.