

DEVELOPMENT MANAGEMENT COMMITTEE – 8 JANUARY 2020

Application Number	3/19/2313/FUL
Proposal	Refurbishment of play area including alterations to railings, proposed new paths, play equipment, safety surfacing and signage.
Location	Hartham Common Play Area, Hartham Lane, Hertford, SG14 1QR
Parish	Hertford Town Council
Ward	Hertford Bengo

Date of Registration of Application	15 November 2019
Target Determination Date	19 December 2019
Reason for Committee Report	EHDC application
Case Officer	David Snell

RECOMMENDATION

That planning permission be **GRANTED**, subject to conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposes the refurbishment of existing Hartham Common children's play area with new and replacement play equipment, associated works and landscaping.
- 1.2 Members are advised that the majority of the proposed works constitute permitted development under Part 12, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. The Order permits small scale development by local authorities, including the installation of play equipment and associated works up to a maximum height of 4.0 metres.

- 1.3 Planning permission is therefore deemed to be granted for the majority of proposal by the Order.
- 1.4 Planning permission is only required for one item of play equipment identified as A21 on the proposed layout plan drawing No. 3033-GA-004 (because it exceeds 4.0m in height) and for the demolition of the existing public toilet building which is to be replaced with landscaping.
- 1.5 The play equipment A21 comprises a timber framed multiple climbing structure. The structure would be 4.5m deep, 9.8m wide and 6.8m high.
- 1.6 The main issues for consideration are the impact of the proposed equipment A21 on the openness of the Green Belt and the character of Hertford Conservation Area.

2.0 Site Description

- 2.1 The existing children's play area is situated within the wider Hartham Common public open space. The site lies within the Green Belt and Hertford Conservation Area and it is also designated as Local Green Space – Hertford Green Finger.

3.0 Planning History

- 3.1 There is no relevant planning history.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the East Herts District Plan and the National Planning Policy Framework (NPPF). The Emerging Bengeo Area Neighbourhood Plan is relevant to this site.

Main Issue	DP policy	NPPF	NP
Green Belt	GBR1	Section 13	
Design	DES3, DES4	Section 12	HBC3
Heritage impact	HA1, HA4	Section 16	
Open space and recreation	CFLR1, CFLR7, CFLR9	Section 8	HBC2
Local Green Space	CFLR2	Section 8	HBC1
Health and wellbeing	CFLR9	Section 8	HBC2

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

5.0 Summary of Consultee Responses

- 5.1 EHDC Conservation Officer considers that there would be no adverse impact on Herford Conservation Area.
- 5.2 No other responses from consultees have been received.

6.0 Parish Council Representations

- 6.1 Bishops Stortford Town Council – no response.

7.0 Summary of Other Representations

- 7.1 Two responses have been received in support the proposal.

8.0 Consideration of Issues

Green Belt – principle of the development

- 8.1 The site lies within the Green Belt wherein Policy GBR1 and paragraph 145 of the NPPF provide that the provision of facilities for outdoor sport and recreation is not inappropriate in the Green Belt,

providing the openness of the Green Belt is preserved and there is no conflict with the purposes of the Green Belt.

8.2 The proposed equipment A21 is a relatively high structure at 6.8m however, it is an open timber frame structure and it is considered that it would not conflict with the openness or purposes of the Green Belt. The proposal would also be compatible with the Local Green Space designation.

8.3 Therefore the proposal is considered to be acceptable in principle.

Design

8.4 It is considered that the overall design of the refurbished play area is of a good standard. The proposed landscaping and materials are of good quality. The design will provide a good sense of place contributing to local distinctiveness.

Heritage impact

8.5 It is considered that the proposal would serve to preserve the character of Hertford Conservation Area thereby according with Policies HA1 and HA4 of the District Plan.

8.6 The existing public toilet building is not of architectural merit and it does not contribute to the character of the conservation area. The loss of this building and its replacement with landscaping is therefore considered to be acceptable.

Open space and recreation

8.7 District Plan Policies CFLR1, CFLR7 and CFLR9 and Neighbourhood Plan Policy HBC2 support the provision and enhancement of community recreation facilities and the promotion of community health and wellbeing.

9.0 Conclusion – the planning balance

- 9.1 The proposal amounts to appropriate development in the Green Belt.
- 9.2 The proposal is of satisfactory design and it therefore accords with Policies DES3 and DES4 of the District Plan.
- 9.3 The proposal would not result in harmful impact on the character and setting of Hertford Conservation Area or Local Green Space.
- 9.4 The proposal to enhance the children’s play space is supported by District Plan policy for the provision of community facilities and the promotion of community health and wellbeing.
- 9.5 The proposal is therefore considered to be acceptable and the application is recommended for approval.

RECOMMENDATION

That planning permission be **GRANTED**, subject to the conditions set out below.

Conditions

- 1. Three year time limit (1T12)
- 2. Approved plans (2E10)

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 (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the East Herts District Plan, the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The

balance of the considerations having regard to those policies is that permission should be granted.