

5n 3/11/0544/FP – Re-surfacing of existing car park at Grange Paddocks; temporary car park; new footbridge beside vehicle bridge; pedestrian and cycle path along River Stort with link to Grange Paddocks; links to existing bridges and installation of lampposts along the route from Rye Street to Castle Gardens at Land adjacent to the River Stort (East side from Grange Paddocks to Castle Gardens), Bishop’s Stortford for East Herts Council

Date of Receipt: 30.03.11

Type: Full – Minor

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - MEADS

RECOMMENDATION

That, subject to no new substantive issues being raised during the consultation period, authority be delegated to the Director of Neighbourhood Services to **GRANT** planning permission subject to the following conditions:-

1. Three Year Time Limit (1T12)
2. Programme of archaeological work (2E03)
3. Approved plans (2E10) 4156/01D, 4156/02D, 4156/03A, 4156/04A, 4156/05D,
4. Notwithstanding the details shown on the submitted plans, any external lighting at the site shall be provided in accordance with a detailed scheme, including hours of operation, that shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. No external lighting shall be provided without such consent.

Reason: In the interests of ecology and the visual amenities of the area in accordance with policies GBC1, ENV1, ENV16 and ENV23 of the East Herts Local Plan April 2007.

5. Tree retention and protection (4P05)
6. The use of the temporary car park as shown on plan no. 4156/05 shall cease upon the completion of the approved works to the car parks and the temporary surfacing shall be removed and the land reinstated within 1 month of that date.

Reason: This part of the proposed development is contrary to the provisions of the East Herts Local Plan Second Review April 2007 and is a temporary expedient only.

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7. Prior to the commencement of development details of crime prevention measures for the car parks shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be implemented, retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of crime prevention in accordance with Policy ENV1 and ENV3 of the East Herts Local Plan Second review 2007.

8. No removal of trees, scrub or hedgerow shall take place within the bird breeding season (1 March – 31 August), unless otherwise agreed in writing by the Local Planning Authority. If breeding birds are found during site clearance, work must stop immediately and a statutory authority or suitably qualified ecologist informed.

Reason: To protect the habitats of breeding birds under the Wildlife and Access to the Countryside Act 1981, and in accordance with policy ENV16 of the East Herts Local Plan Second Review April 2007.

9. The soffit level of the new pedestrian and cycle bridge shall be set no lower than that of the existing vehicle bridge.

Reason: To prevent an increased risk of blockages occurring during flood events in accordance with policy ENV19 of the East Herts Local Plan April 2007.

Directives

1. Groundwater protection zone (28GP)

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 East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV2, ENV3, ENV16, ENV19, ENV23, LRC1, LRC5, BH1, BH2, BH3 and BH6. The balance of the considerations having regard to those policies and other material considerations is that permission should be granted.

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1.0 Background

- 1.1 Members will recall that at the last Development Control committee meeting it was resolved to defer this planning application to enable further details to be submitted in relation to the proposed lighting (including hours of operation), route of the footpath and timescale for the provision of the temporary parking.
- 1.2 Since that meeting the applicant has submitted additional information and plans in an attempt alleviate the concerns raised. In summary the applicant has advised that:
- a) It is estimated that the proposed works to the car park will take approximately 3 months and will be undertaken early in the overall works. The temporary car park will be removed immediately afterwards;
 - b) The route of the path was chosen to reflect the existing desire line of leisure centre and car park users either walking or cycling to the town centre. If an alternative route was taken following the river more closely this would take the path away from the existing desire line and place it closer to existing dwellings on the opposite side of the River Stort which could adversely impact occupiers;
 - c) After further consideration it has been accepted that the use of column lighting may create the impression of false security whereby users may not appreciate the potential hazards posed by the immediately adjacent partly wooded surroundings. Amended plans have been submitted now proposing only 5 column lights located at key junctions such as the existing footbridges along the path. It is proposed to supplement these with in ground lights along the path to mark the way. The lights could be subject to time control whereby they could be extinguished between pre-set hours.
- 1.3 In addition the Council's Leisure Centre Manager has confirmed that two barriers restricting vehicular use of the car parks will be provided, one at the bridge and one on the entrance road to the smaller car park. These will both be locked at 10pm Monday to Friday and at the weekends the barrier to the smaller car park will be locked at 6pm and the barrier at the bridge will be locked at 10pm.
- 1.4 The original committee report and draft minutes can be found in Appendix A and B respectively. This matter has been brought back to the committee as an urgent item as the applicant has indicated that it would be operationally very practical to undertake these works during the forthcoming school holiday period.

2.0 Site History

2.1 The site history is set out in the original committee report.

3.0 Consultation Responses

3.1 The Council's Landscape Officer now recommends that planning permission be refused on the grounds that the proposed route will result in conflict between users and will reduce the playing area on the field. This may affect the number of pitches that can be marked and thus reduce the Council's ability to meet demands for football on this site.

3.2 The Council's Environmental Manager comments that *'the provision of facilities to play football in East Herts is in considerable demand and that it is important to make the best use of the grass areas at our three sports venues. The proposed route for the footpath compromises the best use of the space by infringing onto the grass area. My view is that the path would serve customers travelling from the town centre to Grange Paddocks better by continuing a route along the riverside. This is a more direct route across the space and benefits from an attractive riverside outlook. It would also provide a pedestrian link to any future open space improvements that might utilise the attractive "glade" areas that lie adjacent.'*

3.3 Hertfordshire Biological Records Centre does not offer any more comments however it is advised that the Natural England Publication 'Impact of Outdoor Lighting on Insect Populations' provides guidance with respect to lighting in vulnerable areas.

4.0 Town Council Representations

4.1 No further comments have been received from Bishop's Stortford Town Council.

5.0 Other Representations

5.1 No further third party representations 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
- ENV1 Design and Environmental Quality

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ENV2	Landscaping
ENV3	Planning Out Crime- New Development
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood
ENV23	Light Pollution and Floodlighting
LRC1	Sports and recreation Facilities
LRC5	Countryside Recreation
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in Conservation Areas

6.2 In addition, the following National policy guidance is relevant:-

Planning Policy Statement 1: Delivering Sustainable Development,
Planning Policy Guidance 2: Green Belts
Planning Policy Statement 15: Planning for the Historic Environment

7.0 Considerations

7.1 As outlined in Section above Members previously resolved to defer the application to enable officers to seek further details of the proposed lighting (including hours of operation), route of the footpath and timescale for the provision of the temporary parking. I will consider each of these matters in turn.

Lighting

7.2 First with regards to the proposed lighting; the applicant has acknowledged that the provision of column lighting along the length of the new footpath may create an impression of false security whereby users may not appreciate the potential hazards posed by the immediately adjacent wooded surroundings which have no natural surveillance. As set out in the original report I consider, in principle, that the provision of lighting may be acceptable, although concerns were raised regarding the nature of the lighting and the impact this could have on the unspoilt character of the area and local ecology. The amended scheme significantly reduces the amount of lighting and limits the provision of column lights to 5 located in key areas and introduces more subtle in ground lighting between. The reduction of column lights and the use of in ground lighting, in my view, satisfactorily overcomes previous concerns regarding the impact the lighting may have on the character and appearance of the area and the ecology of the area. It remains important to ensure that the level and direction of the luminance as well as the hours of operation are restricted to counter any undue light pollution and I therefore consider it is reasonable and appropriate for the

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Council to include a condition requiring further details of lighting, including hours of operation, to be agreed in writing.

- 7.3 For the above reasons I consider, subject to further details of the lighting being submitted and agreed in writing that the proposed lighting accords with the provisions of the local plan and is therefore acceptable.

The Route of the Footpath

- 7.4 In general the route of the footpath is considered to be appropriate. Concerns have however been raised by the Landscape Officer and the Environmental Manager with regards to the section running from Grange Paddocks to the edge of the playing fields which will run adjacent to the existing playing fields. In their view this could result in a conflict between different users, will reduce the amount of playing field and may affect the number of pitches that can be marked and thus reduce the Council's ability to meet demands for football on this site.

- 7.5 However this section, which is located next to a bank of trees, would, in fact, follow the route of the existing trim trail footpath. A distance of between approximately 4 and 20 metres would remain between the new footpath and the edge of the nearest football pitch. I would also comment that the primary purpose for the proposal is to improve access from the town to Grange Paddocks and the car parks and re-aligning the footpath nearer the river could result in an adverse impact to properties on the opposite side of the River Stort in Stane Close. I consider therefore that the proposed route, which is more direct, would not unduly conflict with existing users of the playing fields nor would it have an impact on the playfields and therefore the route proposed remains acceptable.

The Temporary Car Park

- 7.6 The applicant has confirmed that the temporary car park will be required for approximately 3 months whilst the works to the main car park take place and the land will reinstated immediately upon its completion. The temporary car park is required to ensure that alternative parking will be available during construction works for users of Grange Paddocks and the playing fields without parking spilling out onto nearby roads. I consider that the additional information submitted provides the necessary assurance that the car park will only be in place for a short period of time, which can be further controlled by condition and therefore for the reasons set out in the original report I consider the provision of a temporary car park is acceptable.

Other Matters

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7.7 A number of residents have raised concerns regarding the possible removal of the existing security gate which restricts the use of the car parks to when Grange Paddocks is open. As outlined above the Leisure Services Manager has now confirmed that two security gates are to be provided albeit in different locations. The submitted plans however do not show any gates and I therefore consider it reasonable, to include a condition requiring details of crime prevention measures to be submitted.

8.0 Conclusion

8.1 Having regard to the above considerations and those set out in the original report, it is considered that the proposed development is acceptable and accords with local and national planning policy. It is therefore recommended that, subject to the conditions set out at the head of this report, planning permission should be granted.