

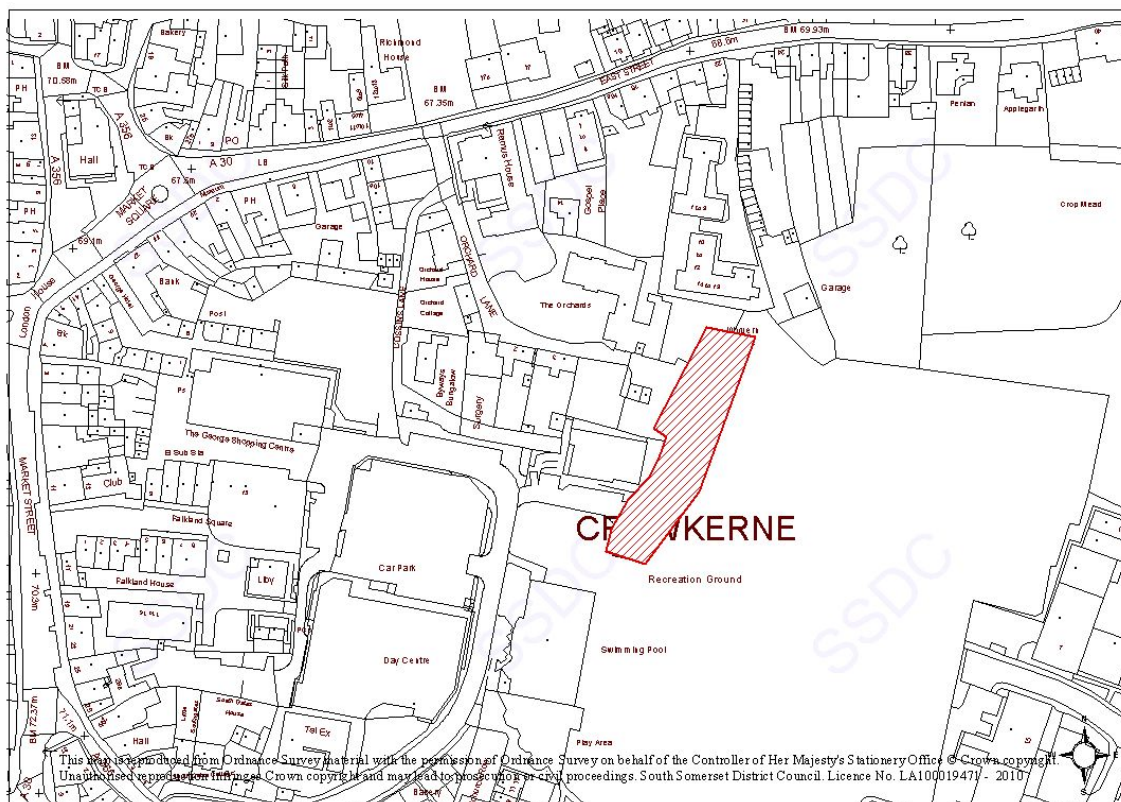
**Officer Report on Planning Application: 08/05302/R3D**

<b>Proposal :</b>	The retention of part of Henhayes temporary car park for a period of two years (GR 344363/109664)
<b>Site Address:</b>	Recreation Ground Henhayes Lane Crewkerne
<b>Parish:</b>	Crewkerne
<b>Ward :</b>	CREWKERNE: - Cllrs. Mike Best, Geoff Clarke, Angie Singleton
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	2nd March 2009
<b>Applicant :</b>	South Somerset District Council
<b>Application Type :</b>	Non PS1 and PS2 return applications

**REASON FOR REFERRAL TO COMMITTEE**

This application has been referred to Committee as the District Council is the applicant.

**SITE DESCRIPTION AND PROPOSAL**



The site comprises level ground forming part of the Henhayes sports ground to rear (east) of the Henhayes Centre. The area is currently providing approximately 50 temporary parking spaces following the construction of the new supermarket. Previously the area between the football and rugby pitches provided c.180 further spaces during the construction phase. That area of parking was removed at the end of the temporary permission, which ran to 02/02/09.

This application seeks a two-year extension, until 2nd February 2011, to provide additional town centre parking whilst other, permanent solutions are explored. Although it was submitted prior to the previous temporary permission lapsing the application has been delayed to allow highways concerns to be addressed.

## HISTORY

08/03498/S73 Planning permission granted for the variation of condition 1 of 06/00999/COU - require the cessation of the car park use on or before 1st February 2009.

06/00999/COU Planning permission granted for use of land as temporary car park (06/10/06). Condition 1 stated:-

*"Permission hereby granted shall be for a limited period of 24 months or until the opening of the decked car park proposed as part of the supermarket submitted under application No. 06/01012/FUL. Upon the expiration of that period the playing fields shall be reinstated in accordance with a method-statement and specification, including a time scale for such re-instatement, to be submitted and approved in writing by the Local Planning Authority prior to commencement of any development on the site."*

06/01004/FUL Planning permission granted for new Day Centre (to replace existing facility), associated access road and parking, amendments to the Orchard Nursing Home and Aqua Centre Car Parking (06/10/06)

06/01012/FUL Planning permission granted for construction of foodstore, associated service area and decked car parking (06/10/06)

Also relevant is the recent approval of new sports and changing facilities immediately to the south of this site, ref. 09/03087/FUL.

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority accords significant weight to the emerging Regional Spatial Strategy for the South West (RSS10) due to its highly advanced state. The view is therefore taken that the relevant development plan comprises the Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008), the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review, and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Development Policy B - Development at Market Towns  
Development Policy D - Required Infrastructure for Development  
Development Policy E - High Quality Design  
Development Policy G - Sustainable Construction  
Development Policy H - Reusing Land  
TR1 - Demand Management and Public Transport in the SSCTs  
ENV5 - Protecting the Historic Environment  
TC1 - Cities and Town centres

The Somerset and Exmoor National Park Joint Structure Plan Review

STR1 - Sustainable Development  
STR2 - Towns  
STR4 - Development in Towns  
Policy 9 - The Built Historic Environment  
Policy 40 - Town Strategies  
Policy 49 - Transport Requirements of New Development

The South Somerset Local Plan (adopted April 2006)  
ST5 - Principle of Development  
ST6 - Quality of development  
TP6 - Parking  
CR1 - Existing Playing Fields

National Guidance  
PPS1 - Sustainable Development  
PPG13 - Transport  
PPG17 - Planning for open space, sport and recreation  
PPS25 - Flooding

South Somerset Sustainable Community Strategy  
Goal 3 - Healthy Environments  
Goal 4 - Services and Facilities

Other material considerations - None

## **CONSULTATIONS**

*Crewkerne Town Council* - believes there would be inadequate long stay parking provision in Crewkerne so support the retention of a portion of the temporary car park on Henhayes for a two year period until the District Council is able to help provide a permanent solution elsewhere.

*Highways Officer* - initially commented that the retention of these spaces would be in addition to the existing spaces and those provided by the new supermarket, i.e. a net increase. The key issue was therefore considered to be the impact of the additional traffic generated by the retained spaces over and above the existing traffic flow generated by the existing parking and supermarket. Initially (24/02/09) it was suggested a 'Transport Statement/Assessment' would be necessary to enable this impact to be fully assessed.

Following these comments the applicant has negotiated with the highways officer and it has been proposed to monitor the car park on a periodic basis with parking data provided by the District Council's engineers. This will provide the Highway Authority with suitable data relating to the level of use that this facility attracts and therefore the likely traffic generation and is acceptable to the highways officer.

*Sport England* - Object subject to clarification of impact of the retained spaces on the cricket pitch - it is noted that some parking spaces at the southern end of the temporary parking area fall within the outfield of the cricket pitch.

*Area Engineer* - no comment

*Environmental Protection Unit* - no observations

- Local residents - 7 objections have received raising the following comments:-
- Impact of cricket pitch (very short boundary)
- Danger to public and parked cars from cricket balls
- Cricket square will need resiting.
- If the spaces are retained they should be for users of the Henhayes Centre or members of the sports clubs.
- If the oak is to be removed and the new facilities block resited the parking should be moved accordingly.
- The temporary car park should have been removed by now;
- Lack of detail about drainage
- What is the Town Council doing about a long-term solution?
- What is being done about anti-social behaviour in the car park?
- Humps should be provided

- New store impinges on visibility when exiting.
- The town council should not comment on their own application.
- Erosion of open space and precedent for further erosion.
- The impact of additional traffic is not limited to the South Street junction; it should be assessed in term of its wider impact on the town. The impact of site vehicles from Orchard Lane should also be assessed.
- Impact on elderly residents at Wyvern Court which is within yards of the car park.

The Chairman of the Trustees of the Henhayes Centre is supportive of the proposal provided adequate protection from cricket balls/footballs is provided. A local resident is also supportive on the proviso that the permission is for a maximum of 2 years and that the land is then returned to public open space; a robust post and rail fence is provided. Questions are raised about who will pay for the reinstatement, access to the pitches for maintenance, impact on property values and amenity and the future of the sports ground.

## **CONSIDERATIONS**

Whilst the initially agreed temporary period has now lapsed this application was received prior to 2 February 2009 and at the time it was not considered that there was a breach of planning controls. It is unfortunate that it took 9 months to resolve the highways officer's concerns, however given the constructive approach being taken by both parties it was not considered reasonable or appropriate to initiate action against the ongoing use of this land as a car park. Members are reminded that the car park use of the main area, between the football and rugby pitches, has long since ceased.

The key issues are the impact on highways; the impact on the sports use; the impact on residential amenity.

### Highways Impact

As noted in the section on highways comments the highways officer is now supportive of the proposal. It is considered that it is appropriate to assess any impact by monitoring the usage of these long term spaces. To date there is no evidence of any problems attributable to any increased traffic generated by these spaces. In the event that permission were to be sought for a further extension of parking on this land detailed evidence would be available to assess an application.

On this basis it is considered that this aspect of the proposal complies with policies TP6 and ST5.

### Impact on the Sports Fields

The previous temporary approvals necessitated the removal of the cricket square, however following the cessation of the use of the main area of parking the square has now been reinstated and plans supplied by the applicant show that this would allow for a reasonable boundary on this side of the pitch.

Post and rail fencing with protective mesh has been provided which would provide a reasonable degree of protection from balls. Whilst this is not an ideal situation it is considered a pragmatic approach that would enable the cricket square to be brought back into use. It is also to be noted that this situation would only be for one more season. In the event that a further extension was sought there would be up-to-date evidence based on experience to assess a future application.

On this basis Sport England's comments are not considered to warrant withholding planning permission and policy CR1 would not be breached. With regard to encroachment onto the open space Members are reminded firstly that only a temporary permission is sought and secondly that all three pitches would remain available for use.

### Amenity

It is not considered that normal use of these long-term parking spaces, which would not experience the higher turnover rates of short term spaces, would give rise to any undue adverse impact on the amenities of the occupiers of Wyvern Court.

### Other Issues

Whilst it is regrettable that a long-term solution has not yet been found, however the continued use of these spaces would provide the Town Council additional time to find a suitable alternative car park. The simple fact that these parking spaces are still here cannot justify withholding permission.

The drainage arrangements are not considered problematic and the highways officer is happy that the access arrangements have satisfactory visibility.

The comment that the spaces should be reserved for users of the Henhayes Centre or members of the sports clubs is noted, however both these groups are catered for by other existing parking - indeed the recently approved sports club application did not show these spaces being retained.

### **CONCLUSION**

It is considered that the need to maintain adequate town centre parking whilst a long-term solution is found is important. Whilst reservations have been expressed about the impact of the retention of these spaces it is not considered that the objections raised could justify withholding permission in this instance. It has been accepted that there would be no undue impact on highways safety and that the situation could be adequately monitored.

The applicant has demonstrated that the cricket pitch could be adequately accommodated and it is not considered that there would be any undue impact on residential amenity or the character of the locality.

### **RECOMMENDATION**

Grant Conditional Approval.

The further temporary use of this land as a car park until 2nd February 2011 would ensure the continued provision of adequate car parking facilities to serve the town centre whilst permanent provision is found without undue impact on highways safety. This modest extension would not unduly extend any adverse impact on sporting facilities in the town or result in undue detriment to the character and appearance of the locality or harm to residential amenity. As such the proposal complies with policies ST5, ST6, TP6 and CR1 of the South Somerset Local Plan (adopted April 2006).

### **SUBJECT TO THE FOLLOWING:**

1. The use of this land as a car park shall cease on or before 1st February 2011. Within 4 weeks of the cessation of this use details of the reinstatement of the playing field, including a method-statement, specification and time scale, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the reinstatement shall be carried out in strict accordance with the approved details unless agreed otherwise in writing by the local planning authority.

**Reason:** To ensure adequate re-instatement of the playfield, the permanent loss of which would be contrary to policy CR1 of the South Somerset Local Plan (adopted April 2006).