

Area West Committee – 15<sup>th</sup> May 2013

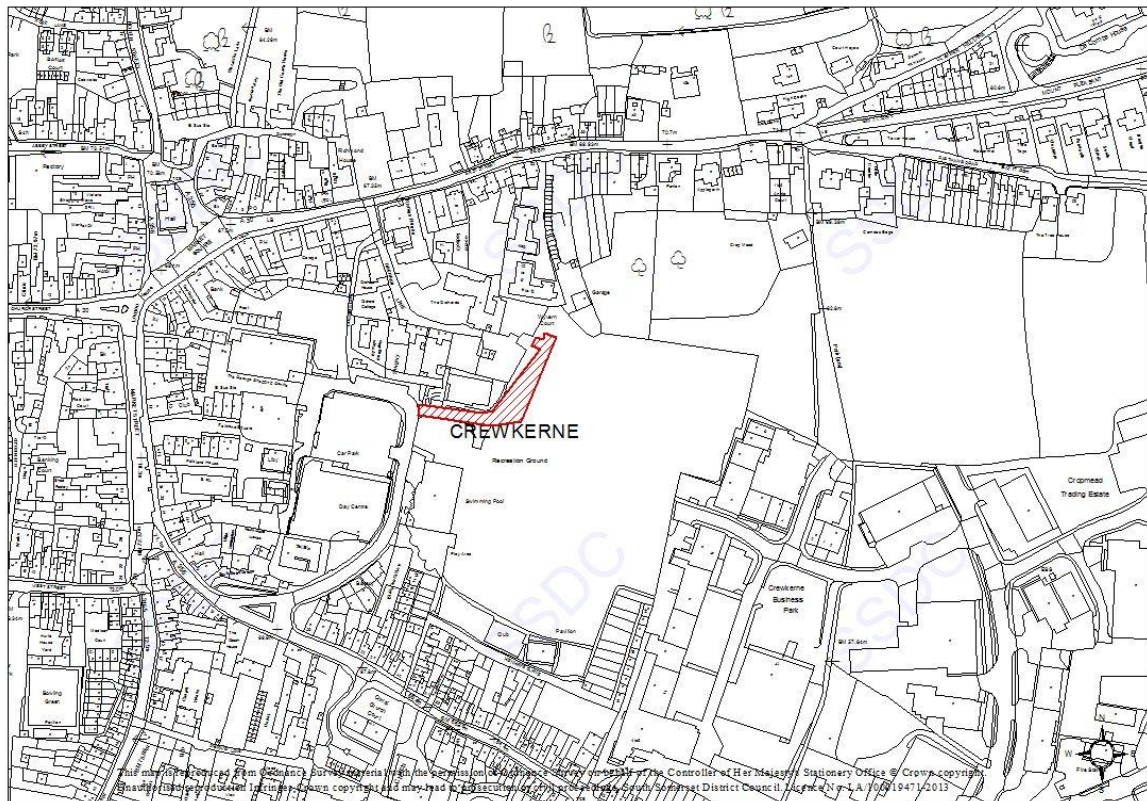
**Officer Report On Planning Application: 13/00033/R3D**

<b>Proposal:</b>	Formation of permanent car park and associated street lighting to replace existing temporary car park. (GR 344363/109664)
<b>Site Address:</b>	Recreation Ground Henhayes Lane Crewkerne
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	
<b>Recommending Case Officer:</b>	Louisa Brown Tel: (01935) 462344 Email: <a href="mailto:louisa.brown@southsomerset.gov.uk">louisa.brown@southsomerset.gov.uk</a>
<b>Target date:</b>	4th March 2013
<b>Applicant:</b>	South Somerset District Council
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Minor Other less than 1,000 sq.m or 1ha

**REASON(S) FOR REFERRAL TO COMMITTEE**

The application has been referred to the Area West Committee as the District Council is the applicant.

**SITE DESCRIPTION AND PROPOSAL**





The site comprises a tarmaced area of 0.19 hectares located in the north western corner of the Henhayes sports ground. It is located to the east of the Henhayes Centre. Wooden post and rail fencing has been installed along the eastern and southern boundary of the car park.

The site currently has temporary permission for 51 car parking spaces, though these are not all available following the construction of the George Reynolds Centre to the south of the car park.

Previously, the area between the football and rugby pitches provided around 180 parking spaces during the construction of Waitrose supermarket. This larger parking provision was removed at the end of the temporary permission, which expired on 02/02/2009. An additional temporary consent was granted in February 2010 for a period of 2 years and subsequently another temporary permission was granted in April 2011 for a period of two years from February 2011 till February 2013, to allow time for alternative sites to be investigated for a more permanent solution.

This proposal is for a permanent long stay car park to provide 31 spaces (of which 2 will be dedicated for disabled parking). A number of alterations will take place as part of the proposal:

- the existing timber post and rail fence along the east boundary will be re-positioned into the car park by 2.1 metres.
- Pedestrian gate and vehicle gate to be located to the east of the George Reynolds Centre (these are already in place).
- Clothes and shoe bank to be removed from the site.
- Pumping station access to be fenced with access gate and ground marked "Keep Clear - Access at all times".
- Motorcycle bay in front of pumping station.
- Relocation of signage.
- Removal of Grasscrete and Kerbing and reconstruct in tarmac.

- Removal of trolley storage rails.
- Replacement of speed humps.
- New lamp column: 5m flat post top lantern, to match existing.

## **HISTORY**

11/00109/R3D Planning permission granted for the retention of part of Henhayes temporary car park for a period of two years.

10/04095/FUL Planning permission granted for the erection of a two storey sports centre and community centre.

08/03498/S73 Planning permission granted for the variation of condition 1 of 06/00999/COU to 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 food store, associated service area and decked car parking (06/10/06)

## **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,

Relevant Development Plan Documents:

Government Guidance:

National Planning Policy Framework:

Chapter 2: Ensuring the Vitality of Town Centres

Chapter 7: Requiring Good Design

Chapter 8: Promoting Healthy Communities

Chapter 12: Conserving and Enhancing the Historic Environment

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Saved Policy STR1 - Sustainable Development

Saved Policy STR2 - Towns

Saved Policy STR4 - Development in Towns

Saved Policy 9 - The Built Historic Environment

Saved Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):  
 Saved Policy ST3 - Development Area  
 Saved Policy ST5 - General Principles of Development  
 Saved Policy ST6 - The Quality of Development  
 Saved Policy EH1 - Conservation Area  
 Saved Policy TP6 - Parking  
 Saved Policy CR1 - Existing Playing Fields

## **CONSULTATIONS**

### **Crewkerne Town Council:**

"All councillors declared prejudicial interests as the Council owns the land and therefore agreed not to convey any comments."

### **Highways:**

"The application is for the formation of a permanent car park which is accessed via the road into the South Street car park. The temporary car park has been in operation for a period of two years and seems to have been operating satisfactorily during that period.

In terms of the layout this has been reduced to 31 spaces including 2 no. disabled parking bays. This is to allow a safer access area between the recreation ground and car park. In addition, the reduction will be likely to lead to less vehicle movements. As such the proposal is considered acceptable in principle.

I note from the application that the car parks surface dressing is to be addressed and the construction will be in tarmac. The street lighting is to be improved along with a speed reduction feature to be installed. All of which are acceptable in highway terms.

Therefore given that the proposal would not appear likely to result in an increase in vehicle movements to the site, nor would it have a detrimental effect on the existing highway network there is no objection to this proposal from the highway authority."

### **Area Engineer:**

No comment

### **Environmental Protection unit:**

No observations to make

### **Sport England:**

No comments received at time of report. Any comments received will be verbally updated.

### **SSDC Landscape Officer:**

"I note the latest application seeking to establish a permanent car park in place of the temporary car parking on Henhayes Field. My response to Andrew Gunn at the time of the previous submission (January 2011) follows:

'I note the latest application to extend use of the temporary car park to the east of the Henhayes Centre, for a further two years.

You will know that the provision of the current temporary site was a necessity to enable the construction of the Waitrose development. Whilst the completed Waitrose site now provides additional parking over that originally supplied by the South Street car park, we are advised that there remains a need for further parking, primarily to provide for long-stay. I have not seen the figures to substantiate the case for additional spaces, but



having noted the Waitrose underground car park to be little-used during the week, then the need for additional parking should be justified, and I see no such evidence forming part of this application. Neither is there any evidence of a sequential search for a permanent site, and this surely should also form part of the application? Without such justification I cannot see grounds for approval.

Henhayes Field is the town's prime playing field area; it directly abuts the Conservation Area to the southeast, and is overlooked by many properties to the north, as well as the town's main leisure facilities at the field's west edge, which will in due course include the recently consented sports pavilion. As such, Henhayes Field is clearly an integral component of the town's core, with landscape and community value. The long term establishment of a car park along its edge is not a favoured solution, and if not acceptable in the longer term, then a temporary consent is also inappropriate, other than if it establishes a time limit for a permanent solution to be found.

I see no evidence that the case is made for this further time extension of the car park, and there is no landscape support for it. However, given the current state of play I suspect that an extension may be unavoidable. To ensure the sympathetic long-term growth of Crewkerne's centre, and the conservation of its landscape assets, any potential consent should be conditional upon requiring an undertaking to develop a long-term solution for parking that is complementary to the town's character; current needs; and future development potential. If this is part of a forward looking town centre plan - possibly along the lines of that envisaged by the EbD 6 years ago - then this interim use of Henhayes for parking might yet prove to be worthwhile.'

From a landscape perspective, little has changed, and much of the above response remains pertinent. It is noted that the construction of the George Reynolds Centre has created a greater built context for this development, yet I still consider the use of this land for car parking, with its consequent hard-surfaced layout and vehicular dominance to be inappropriate for the immediate setting of the town's conservation area (adjacent the northwest edge). It also creates an unsympathetic divide between the town and one of its prime green spaces, and I view this as an adverse impact upon both the conservation area, and the field. Whilst I am aware that there has been some further investigation of other options in recent years, nothing is contained within the application, and without the case being made (i) for parking provision, and (ii) an appraisal of options leading to the selection of this site, there remains a landscape objection to this application, policies ST6 (Quality of development) and EH1 (setting of a conservation area)."

## REPRESENTATIONS

Twenty-seven neighbours were notified and a site notice displayed. One letter of support was received from the Henhayes Centre. Two letters of objection have been received raising the following comments:

- This land is public open space, covered by byelaws. (Officer comment: this is not a material planning consideration, it is a legal matter)
- This temporary car park was constructed as part of a larger one whilst Waitrose was constructed.
- The Town Council promised to reinstate all of the land occupied by the temporary car park, the area in question was green general amenity land.
- No conclusion can be arrived at from the public consultation carried out by the Town Council.
- As a hard surfaced area it will be a further urbanisation of the area, a harsh break in the former green link between the town and the open space.

- Residents of Wyvern Court have to put up with the vision of vehicles, noise and fumes 24 hours a day.
- Vehicles in car park will be at risk of damage by cricket and rugby balls.
- The Council is making no offer of acquiring further land to make good the loss.
- No mention of if the car park will remain part of the public open space or be sold off to another District Council committee.
- Councils are experiencing a time of severe austerity so where will the finance come to upgrade the car park.
- Would the revenue made by a permanent car park go to Crewkerne Town Council?
- What was the result of the report to be undertaken by the Council following the last temporary approval to investigate alternative sites and approach Waitrose to use their car park.
- The development of Waitrose resulted in provision of extra car spaces, before the development long stay car parking seemed to be adequate.
- West Street car park always seems to have spaces.
- The car does not have to be master in our town, there is a decline in shopping, will this mean a reduced demand for car parking?
- How the car park at Waitrose can continue to operate at under 50 percent of capacity while the Council is creating a new car park less than 50 metres away is a travesty.
- Is there not a travel plan that means Waitrose staff can park in their own car park and not Henhayes?

## CONSIDERATIONS

The site is within the designated development area, is on the edge of the Conservation Area and on land previously used as recreational use.

The key issues to assess are the need for a permanent car park, impact on the use of the sport pitches, impact on the Conservation Area, visual amenity and landscape character, impact on highways and the impact on residential amenity.

Need for a permanent car park:

The previous temporary approval in 2011 gives insight to the history of the site; "The commencement of the Waitrose development resulted in the loss of a significant proportion of the town centre car park in South Street. This necessitated a requirement to find a short term parking solution before a satisfactory long term solution was found.

In addition to the need for additional capacity for Crewkerne identified in the Car Parking Strategy, the survey undertaken in October 2010 reveals that whilst the two existing permanent long stay car parks in the town (Abbey St and West St) have spare capacity (around 40-45 spaces between them most days), this spare capacity is very likely to be fully absorbed should the Henhayes car park no longer exist. Moreover, the loss of the Henhayes car park without any suitable replacement parking provision is very likely to mean that both the Abbey Street and West Street car parks would exceed 85% occupancy which is considered to be the optimum occupancy for car parks.

It should also be noted that based on the car park study undertaken in October 2010, the South Street car park operates at a near 100% capacity, thus there is no or very little ability for this car park to absorb any of the current Henhayes users."

Approval was granted on a temporary basis to allow additional time to find a permanent solution.

Objectors have raised the issue that the informative shown on the previous approval have not been undertaken. This is not enforceable by the planning authority as informatives are merely there as recommended advice, however the points raised have been looked into and comments made on them.

The informatives were:

Members of the Area West Committee resolved to grant a further 2 year temporary consent for the car park but stressed the importance of seeking a long term solution for parking, particularly long stay parking in the town. In order to facilitate this process, Area West Committee resolved to include the following informatives:

01. *Every effort be made to find a long term solution to the long stay parking provision in Crewkerne including negotiations with Waitrose with regard to their providing long stay parking provision within part of the store's underground car park;*

The Agent has stated that on-going discussion have taken place with the developer Somerfield to look at the provision of long stay car parking within their development plan but with no success. Other options were also looked at but the Council does not own the land and due to a downturn in the economic climate no opportunities have come forward.

The SSDC Engineering and Property Services Manager verbally consulted Waitrose around February 2011 asking about some long stay provision on the lower deck, they declined, this was followed up again around August/September 2011 and the same response received. Evidence has been submitted showing that an email was sent to the store manager in February 2013, their email response states;

"I have been in communication with my head office and have concluded that there should not be any provision in the lower car park for long stay/all day parking as it will constrain future growth not only for ourselves but for the town as well." (Branch Manager Waitrose Crewkerne)

SSDC legal team have said that the lease would need to be changed to reflect any changes to the car park tariffs in place if Waitrose were in agreement to facilitating part of their car park, but as they are against this there is no use in pursuing it.

02. *The Travel Plan submitted by Waitrose as part of the planning approval for the store be examined to see if it was being complied with and whether it covered parking for their own staff;*

Condition 9 of permission 06/01012/FUL stated;

"The Travel Plan submitted by the Glanville with letter dated 9th August shall be implemented in connection with the operation of the supermarket. Operation of the store should take place in accordance with the requirements of the Plan or any variations thereto as subsequently may be approved in writing by the Local Planning Authority."

The travel plan has the following advice contained within it;

Paragraph 1.4:

"The focus and motivation of this Travel plan will be to provide staff and customers with a choice of practical and real alternative transport modes that can be considered before the car when planning a visit to the branch.

Paragraph 6.22:

It is Waitrose policy to discourage staff from parking in branch car parks as it recognises that the majority of staff live in the vicinity of the branch and that many branches are in town centre locations. Waitrose does not provide staff car parking facilities except for those with special needs."

As such there is no requirement within the travel plan to ensure staff park at Waitrose and not in Henhayes, in fact Waitrose do not allow staff to park within their own car parks.

03. *Improvements to the car park signing in the town be explored and carried out as soon as possible;*

The Agent has stated;

"Improvement to the signage has taken place especially within South Street car park to identify the 'Waitrose' car park area as being available for the public on the lower deck. The other car parks within Crewkerne are well used and also at near capacity so additional signage to that over and above what is there is not really necessary."

04. *A report be submitted to the Committee in 12 months, or earlier if possible, to enable the Committee to review the progress being made in seeking the replacement of the temporary Henhayes car park and a long term solution in respect of the strategic need for the provision of long stay car parking in Crewkerne. An item is to be included in the Area West Committee's forward plan.*

The Agent has responded;

"My understanding is that no follow up report has been presented due to no new developments having come forward. The Town Council and local members are well aware of the work that has been on-going to look at the long stay car parking provisions in Crewkerne and have been proactive in moving solutions forward where possible in conjunction with SSDC officers. Obviously most of these discussions have been with developers at feasibility stage and should remain private until something is presented by the developers and comes into the public domain.

The Forward Plan is a record of reports due to be presented to Committee in the next 3 to 9 months. It is published in every Area Committee agenda each month so that Councillors & the public can see what is due to be discussed in future. However if there had been anything to report then it would have come forward to Committee. If there was nothing to report then the Chairman and Vice-Chairman can take a view to defer any items."

This application has been delayed in coming to the Area West Committee meeting to allow the Car Parking Strategy Review, which has been in development since June 2012, to go to the District Executive Meeting on the 9 May 2013. This had not taken place at the time of writing this report, though the agenda is in the public domain. A verbal update of the outcome will be made at the Area Committee. The Car Parking Strategy Review (currently shown on the Agenda for the District Executive meeting) states;

"The town by town analysis of supply, demand and capacity shows that there is a need in the short term to address capacity in Bruton, Crewkerne, Ilchester, Langport, Somerton, Wincanton and short stay in Yeovil.

Town by Town Action Plan:

Crewkerne

Key Issue: Small surplus, but Waitrose lower deck is currently underutilised. Temporary provision at Henhayes is helping to address long stay shortfall.

Action: To seek more long stay parking in Crewkerne. To engage with Waitrose to increase occupancy in the Waitrose lower deck car park."

The Car Parking Strategy Review clearly shows that there is a need for more long stay parking in Crewkerne which is currently being helped by the Henhayes car park. The



way forward is to engage with Waitrose, however as outlined in this report, this has been undertaken without any success.

It is considered that there is evidently a need for a permanent long stay car park within Crewkerne. Alternative sites have been investigated but without success.

**Impact on sports/recreational use:**

Comments from Sport England had not been received at the time of writing this report; a verbal update will be given at the Area West Committee meeting.

Previously they have objected to the temporary permissions on the basis that the proposals have not met any of their exceptions to their playing field policy.

This application sees the new car park being set 2.1 metres in from the existing boundary adjacent to the recreation ground to allow a greater safety margin area between the rugby pitch and the car park as requested by the Rugby Club (in talks with the agent). The rugby, cricket and football pitches are still able to be satisfactorily accommodated within the recreation ground and available for use. On this basis, should an objection be received, it is not considered that the car park has such a detrimental impact on the use of the sports pitches to warrant a refusal.

**Highways Impact:**

The highway authority has no objection to the proposal based on the reduction in spaces which will result in less vehicle movements. They have recommended conditions in regard to the surfacing being undertaken as shown on the approved plans with proper drainage and a scheme of street lighting to be agreed. The plans show the addition of new street lighting that appears to be acceptable, as such it is not felt necessary to condition a scheme of street lighting to be agreed.

**Residential Amenity:**

It is not considered that the normal use of this car park would give rise to any undue adverse impact on the amenities of the occupiers of Wyvern Court. Concern has been raised about noise levels and fumes caused by cars. However, the police should be contacted regarding concerns about any antisocial behaviour that may be occurring in the car park and the SSDC Environmental Protection Team has no observations to make on the proposal.

**Visual Amenity, Landscape Character and Conservation Area:**

A Landscape objection has been received stating that the car park "creates an unsympathetic divide between the town and one of its prime green spaces, and I view this as an adverse impact upon both the conservation area and field."

The site is on the edge of the Conservation Area and is the divide between the Conservation Area and field. This permanent proposal will see the car park reduced in size and the site remaining closely linked to the Henhayes Centre and George Reynolds Centre. As it is still closely related to the build line within the area and does not progress too much into the adjoining field, it is considered that it will preserve the views out of a Conservation Area and will not adversely affect visual amenity.

The landscape objections are noted however it is considered that given the evidence for the need of the long stay car park in Crewkerne, its reduction in size and evidence that there are no immediate alternative sites, on balance a refusal on landscape grounds is not substantiated.

**Conclusion:**

The NPPF and saved policy CR1 (SSDC Local Plan) seek to retain recreational areas and resist development. However this site has operated as a temporary car park for a number of years with no evidence of an adverse impact on the use of the recreational area. Moreover this application will reduce the size of the car park. Furthermore a need for additional long stay car parking has been identified in Crewkerne with no immediate availability of any other site.

It is considered that on balance the need for a car park in this location outweighs the concerns raised and is therefore recommended for approval.

**RECOMMENDATION**

Approve with conditions

01. The use of this land as a permanent car park will ensure the provision of adequate long stay car parking facilities to serve the town centre. It will not cause any adverse impact on the provision of sporting facilities/activities on the playing fields in the town or result in undue detriment to the character and appearance of the Conservation Area or harm to residential amenity. As such the proposal complies with saved policies ST5, ST6, EH1, EP6 and CR1 of the South Somerset Local Plan (adopted April 2006), saved policies STR1, 9 and 49 of the Somerset and Exmoor National Park Joint Structure Plan (adopted 2000) and NPPF Chapters 2, 7, 8 and 12.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. CP/36/6/4 received 7 January 2013

Drawing no. CP/36/6/5 received 7 January 2013

Drawing no. CP/36/6/1D/REV B received 7 January 2013 (including all specifications detailed on the plan)

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Before any of the development hereby permitted is brought into use the car park area shown on the approved plan shall be suitably surfaced, drained and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To obviate the depositing of deleterious matter on the highway by vehicles leaving the site.