

APPLICATION NO	PA/2017/1827
APPLICANT	Mr Tim Allen, North Lincolnshire Council
DEVELOPMENT	Planning permission to retain car parking area
LOCATION	Ashbyville Local Nature Reserve, Whimbrel Chase, Scunthorpe, DN16 3WJ
PARISH	Scunthorpe
WARD	Ashby
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Officer discretion

POLICIES

National Planning Policy Framework: Especially paragraphs 9 and 118.

North Lincolnshire Local Plan: Policies DS1, RD2, T2, T19 and DS5.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS5 and CS17.

CONSULTATIONS

Highways: No objections.

Ecology: No objections.

LLFA (Drainage): No comments received.

PUBLICITY

The application has been advertised by means of site notice. Nine letters of objection have been received on the following grounds:

- appearance not in keeping
- noise impacts
- antisocial behaviour
- intensification of traffic
- biodiversity issues

- highway safety.

One letter of support and two letters of comment have also been received stating that additional capacity is required.

ASSESSMENT

Planning history

There is an extensive planning history related to the proximate residential scheme. None, however, are directly related to the car park serving the nature reserve. Applications PA/2007/0277 and PA/2010/0823 gave temporary permission for the parking of vehicles during the construction process; these related to the sales office (in a different location) and are unrelated to this application.

Principle of development

The site is located within a landscape proposal area in accordance with the local plan and just outside the settlement boundary of Scunthorpe. Policy CS1 of the Core Strategy is concerned with the overall spatial strategy for North Lincolnshire and states:

In the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area's important natural and built environments.

Furthermore point 'iv' of policy RD2 reinforces this position by affirming that planning permission will only be granted if the proposal is essential for the provision of outdoor sport, countryside recreation, or local community facilities.

Policy CS2 of the Core Strategy is concerned with delivering more sustainable development. It puts forward a sequential approach which prioritises land in order of preference for development. The proposal is outside of the development limits and in the countryside and policy CS2 of such areas states:

Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

The proposal, which is inextricably linked with the support of tourism development and will contribute to the sustainable development of the tourist industry, is considered therefore to align with policies CS1 and CS2 of the Core Strategy, and RD2 of the North Lincolnshire Local Plan and is acceptable in principle.

Ecology

Policy CS17 of the Core Strategy is concerned with biodiversity and puts forward seven points which allow for the effective stewardship of North Lincolnshire's wildlife. The final point reads:

Improving access to and education/interpretation of biodiversity sites for tourism and the local population, providing their ecological integrity is not harmed.

Policy CS17 is reinforced by the principles for biodiversity management that are contained under paragraph 118 of the National Planning Policy Framework. The council's ecologist has been consulted and states that there are no biodiversity concerns.

An objector has questioned the impact upon existing biodiversity, however the proposal has a balance in that there is a correlation between visitor access to nature and its enhancement. Moreover, the ecologist does not share these concerns.

It is therefore considered that the proposal represents improved access for a greater number of visitors to an already established biodiversity site for tourism and is in accordance with policy CS17.

Highways

Policy T2 of the local plan is concerned with access to development. It states that all development must be provided with a satisfactory access. The application retrospectively applies for an increase in capacity of an existing car park. The access already exists. In relation to parking, policy T19, which deals with parking provision and standards, states that:

Provision will be made for car parking where it would...be needed by visitors to the countryside. (Part v)

Highways have been consulted and have no objections to the development. The design and access statement clearly demonstrates the requirement for increased car parking provision to support the nature reserve. There are objections which discuss the intensification of traffic and a letter of support that states that it is required to stop on-street parking. There is a demand for the additional capacity and it is in the interests of highway safety that this is controlled away from the road. The proposal is therefore considered to be in accordance with policies T2 and T19 of the local plan.

Planning out crime

Policy DS3 of the local plan is concerned with planning out crime and states that new development should take into account personal safety and the security of people and property. Point 2 of the said policy states:

Avoiding the creation of spaces with ill-defined ownership and ensure there is a clear distinction between public open space and private open space;

The block plan shows that access to the car park will be controlled. The applicant proposes to erect a post-and-rail fence that follows the rear of the footway and a vehicle barrier at the access point. It is considered that this boundary will allow the management of the use of the car park by vehicles.

There have been numerous objections, many of which relate to antisocial behaviour emanating from the car park. At present the post-and-rail fence and access barrier are not in place and these features would allow the car park to be managed effectively. It is therefore considered that a condition is necessary to ensure this function is in place. Given

the proposal is partly retrospective then a condition requiring the boundary and access to be in place within three months of any permission will be attached.

It is therefore considered that the proposal is in accordance with policy DS3 of the local plan.

Culture and tourism

Policy CS15 is concerned with culture and tourism. It states that existing tourist facilities and infrastructure will be protected and enhanced and the development and promotion of sustainable tourism focusing on the area's natural and built assets will be supported. The proposal would see an increase in capacity of the existing car park and it would support greater visitor numbers to explore the nature reserve. It is therefore considered that the proposal would involve the promotion of sustainable tourism in accordance with policy CS15 of the Core Strategy.

Other issues

Concerns over noise impact have also been raised by objectors. There are no opening hours associated with the nature reserve and there is clearly already a high demand of visitors using the facility. Though there are barriers and boundaries proposed, it would be ultra vires to attach an operational hours restriction upon the car park which serves a nature reserve. There is an existing operational use for a car park and this application seeks only to extend that capacity. However, by securing the boundary and access gate, this can be managed if necessity dictates in the future, especially as noise and nuisance is also covered by Environmental Health legislation.

The applicant has not submitted any elevations of the boundary but has described it as a post-and-rail fence. This is considered to be in keeping with the existing treatments and the character of the area. A caveat to the boundary condition will prevent these boundaries from being over 1 metre high to protect the area's visual amenity.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Plan dated 07/11/2017 and Location Plan dated 08/11/2017.

Reason

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

2.

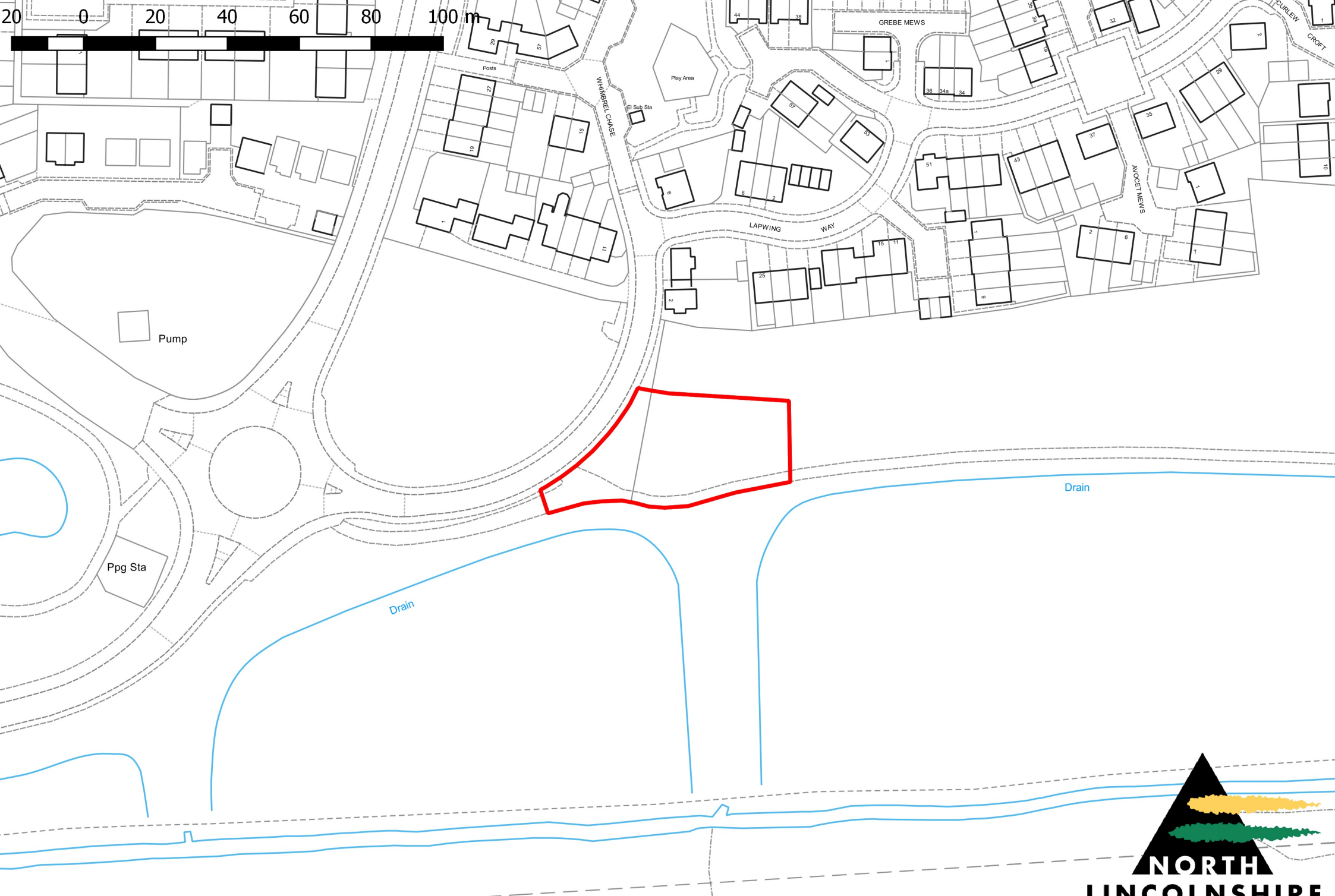
Within three months of the date of this permission, the post-and-rail fence and the access boundary (not exceeding a height of 1 metre) shall be erected unless otherwise agreed in writing with the local planning authority.

Reason

To control the flow of traffic, protect the area's character and reduce antisocial behaviour in accordance with policies T2, RD2 and DS3 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.






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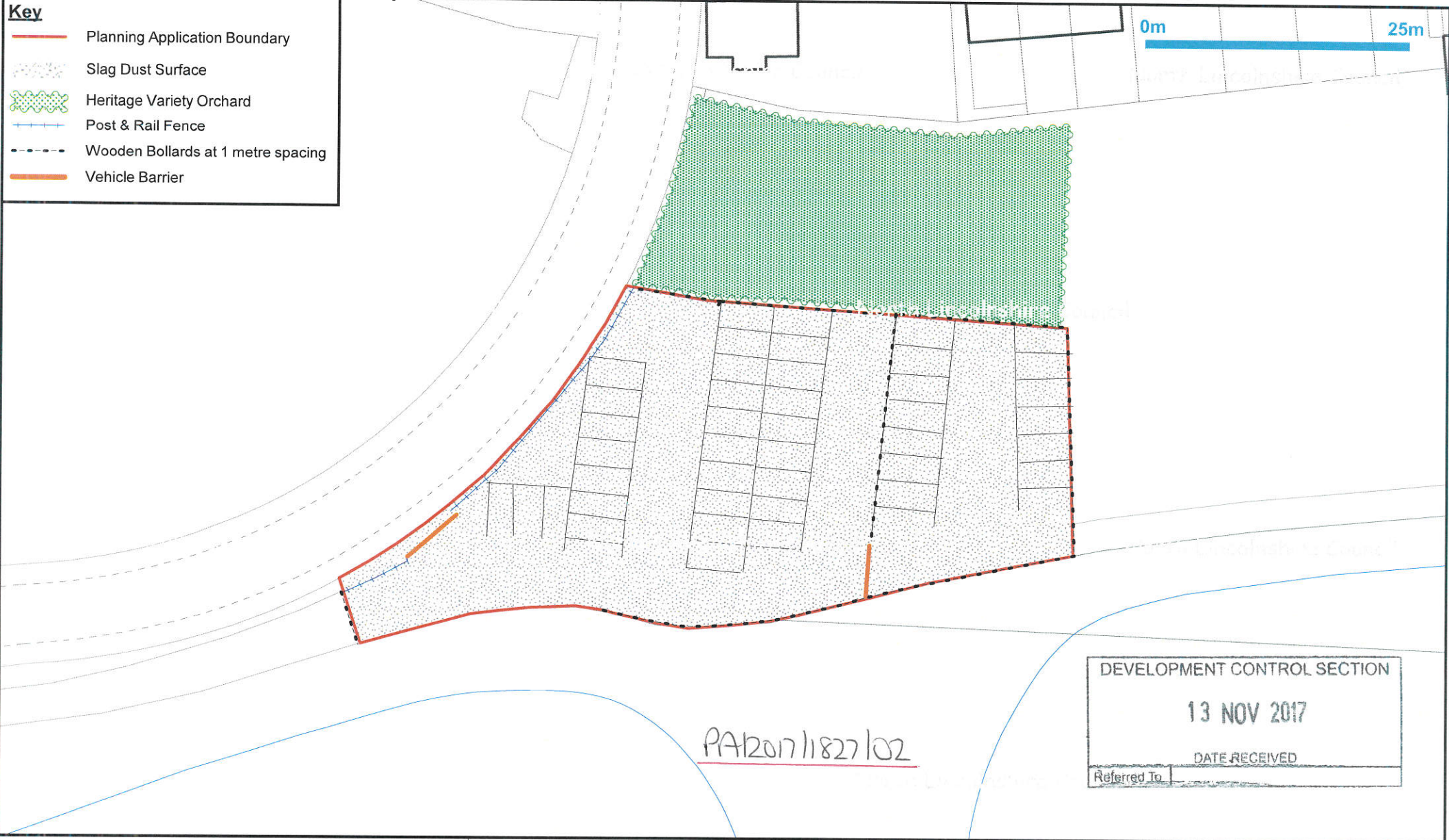
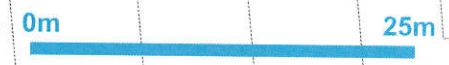
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PA/2017/1827 Proposed Block plan - Not to Scale

Key

-  Planning Application Boundary
-  Slag Dust Surface
-  Heritage Variety Orchard
-  Post & Rail Fence
-  Wooden Bollards at 1 metre spacing
-  Vehicle Barrier



DEVELOPMENT CONTROL SECTION	
13 NOV 2017	
DATE RECEIVED	
Referred To	



Title: Whimbrel Chase Car Park Proposed Site Plan	
Drawing No:	Version: 5
Drawn by: Andrew Taylor	Date: 07/11/2017
Scale @A4 1:500	



Director of Operations
Peter Williams
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