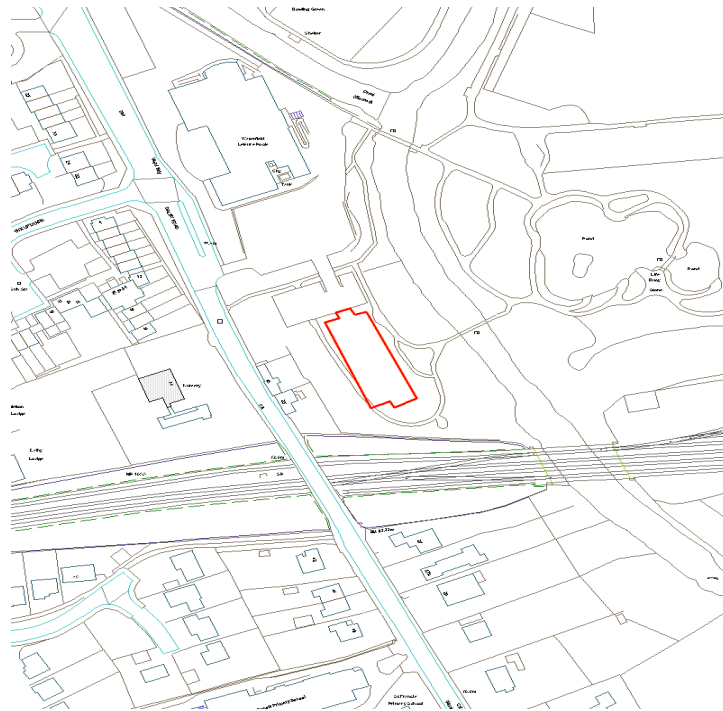


Reference: 14/00165/FUL
Date submitted: 25.02.14
Applicant: Melton Borough Council
Location: Waterfield Swimming Pools, Dalby Road, Melton Mowbray
Proposal: Provision of an overflow car park



Introduction:-

Waterfield Swimming Pools stands in a prominent position at the corner of Dalby Road on the edge of Melton Mowbray town centre. It is within the town envelope but is beyond the Melton Mowbray conservation area boundary.

The application is for a proposed overspill car park on land to the south of the existing car park, to provide 32 additional car parking spaces.

The site is presently a grassed area to the south of the existing car parks at the Leisure Pool. The land is identified within the Adopted Melton Local Plan as a protected open area.

- The proposed car parking area will have a permeable grasscrete or similar surface with perimeter edging and demarked parking spaces.
- 32 overspill parking spaces will be provided and will include provision of disabled parking and there will be turning provision at the southern end.
- A new tarmac surfaced entrance is proposed and there will be galvanised gates provided.
- Low level (1.12 m) lighting columns are proposed on the western boundary
- In order to keep the new car park as discrete as possible it will be constructed at lower level with an embankment between the car park and dwellings to the west.
- Hours of opening will be 4 pm to 8 pm (Monday to Friday) and 8 am to 12.30 pm (Saturday)

It is considered that the main issues relating to the application are:

- **Impact upon the neighbouring properties**
- **Impact on the Protected Open Area**

The application is required to be considered by the Committee due to Melton Borough Council being the applicant.

Relevant History:

There was a previous application on the site relating to the provision of an overflow car park (Ref 13/00383/FUL) which was presented to the Committee at its meeting of 25 July 2013. The application was refused as follows:

The proposed development would result in the introduction of a hard surface to an area that is currently undeveloped and in a natural state. The development would therefore fail to respect the intrinsic character of the site and the contribution it makes to the wider amenity of the area, and would be contrary to Policy BE12 of the adopted Melton Local Plan.

The application makes provision for a grasscrete surface which will soften the appearance of the car park within its setting and also makes provision for restricted hours of use.

Development Plan Policies:

Melton Local Plan (saved policies):

Policy OS1 states that planning permission will be granted for development within the town and village envelopes provided certain criteria are met as follows:

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policy BE1 states that planning permission will not be granted for new buildings unless among other things, they are designed to harmonise with their surroundings, they would not adversely affect the amenity of neighbours and there is adequate access and parking provisions.

Policy BE12 states that planning permission will not be granted for developments in any area shown on the proposals map as a protected open area except where a proposal is in conjunction or associated with an existing use and development would not adversely affect the intrinsic character of the area.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published 27th March 2013 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict the NPPF should prevail.

It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- **Support sustainable economic development.**
- **Recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.**
- **Promote mixed use development, encouraging multiple benefits from the use of land in urban and rural areas.**
- **Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable**
- **Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.**

On Specific issues relevant to this application it advises:

Promoting Healthy Communities:

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;
- Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable for the benefit of the community.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highway Authority – Offer no observations	Noted. It is considered that the proposed parking arrangements are acceptable and the development would not have an adverse impact on highway safety.

Representations:

A site notice was posted and neighbouring properties consulted. As a result two letters of representation have been received objecting to the proposal on the following grounds:

Representation	Assessment of Head of Regulatory Services
<ul style="list-style-type: none"> • Surprised the council have re-submitted this application which is unnecessary • A perfectly useable car park has just been constructed and lies mostly empty in the evenings. • The public are attending the pool in an effort to promote their fitness and wellbeing, it is only a five minute walk through a lovely park from the empty new car park • Suggesting that perhaps the money would be better spent on lighting thorough the park and 	<p>A visit to the car park between 4 and 7 pm will confirm the need for additional car parking. The extension of the existing car park is considered to provide the safest option.</p> <p>This is a matter of public choice</p> <p>The proposal includes provision for low level</p>

<p>signs directing cars to all the other car parks nearby.</p> <ul style="list-style-type: none"> • The open space is a lovely wild meadow and should be saved, not excavated to create a car park • .Effects on numbers 25 & 23 Dalby Road • Increased noise, possible issues of security and the usual evening antisocial behavior • Daytime parking fees - the meadow was gifted to the Melton public for leisure use then charging for parking would seem unfair and commercial use of a gift. • The overspill car park will not prevent irresponsible parking. Continued off road parking by the irresponsible minority on some gala evenings • The cost in terms of public monies 	<p>lighting bollards up to 1m high to illuminate the surface with little upward light pollution. There is also signage throughout the town directing road users to current car parking facilities</p> <p>This is scrub land and is not considered to be 'meadow'. Access to the field will still be available</p> <p>A hedge could be planted to completely screen the vehicles if this was a problem. This would also mitigate any nuisance from noise. Furthermore the car park level is below the raised bank and is likely to screen vehicles from view.</p> <p>There is no current restriction to prevent people from sitting on the bank or in the grass. The proposal will have gates and will be locked when not required.</p> <p>The Corporate Policy Manager has advised that the land is part of that where parking is already paid for, this is an overflow on the same land.</p> <p>This is not a planning matter but is a Highways Enforcement Issue</p> <p>This is not a planning issue.</p>
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Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy</p> <p>Policy OS1 carries a general presumption in favour of development inside town and village envelopes provided that certain criteria are met;</p> <ul style="list-style-type: none"> • the form, character and appearance of the settlement is not adversely affected; • the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality; • the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and, • satisfactory access and parking provision can be made available. 	<p>The site is presently a grassed area to the south of the existing car parks at the Leisure Pool. The land is identified within the Adopted Melton Local Plan as a protected open area.</p> <p>The proposed car parking area will have a permeable grasscrete or similar surface with perimeter edging and demarked parking spaces.</p> <p>32 overspill parking spaces will be provided and will include provision of disabled parking and there will be turning provision at the southern end.</p> <p>A new tar macadam surfaced entrance is proposed and there will be galvanised gates provided, ensuring separation between car parking areas</p> <p>Two low level lighting bollards are proposed on the western boundary.</p> <p>Hours of opening will be 4 pm to 8 pm (Monday to Friday) and 8 am to 12.30 pm (Saturday)</p>

<p>Policy BE1: This policy refers to the siting and design of buildings and is concerned with buildings harmonising with their surroundings and any adverse effects on neighbours.</p> <p>Policy BE12: This proposal refers to protected open areas except where a proposal is in conjunction or associated with an existing use and development would not adversely affect the intrinsic character of the area.</p>	<p>In order to keep the new car park as discrete as possible it will be constructed at a lower level with an embankment between the car park and dwellings to the west.</p> <p>The two dwellings to the west which overlook the site are a minimum of 30 metres from the western boundary of the proposed car park. The car park itself is purely for overspill at particularly busy periods and as such its use will be limited to such times. Therefore for the most part the area will remain vacant and unused. In that regard it is considered that residential amenity is unaffected by these proposals.</p> <p>See Commentary above</p> <p>The proposed overflow car park is not considered to have a detrimental impact on the form, character or appearance of the settlement, would have no adverse impact on residential properties and is considered to comply with the provisions of policy OS1.</p> <p>Whilst the site is identified as a protected open area in essence its proposed use will ensure that it remains open. Furthermore its proposed use is in conjunction or associated with an existing use and development would not adversely affect the intrinsic character of the area.</p> <p>The NPPF supports the promotion of healthy communities and advocates that local planning authorities should:</p> <ul style="list-style-type: none"> - Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. - Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable for the benefit of the community.
<p>Compliance (or otherwise) with Planning Policy</p>	<p>As stated above, the development is considered to accord with the applicable Local Plan policies. In this instance, the policies are not considered to conflict with the NPPF and as such there is no requirement to balance the regimes against one another.</p>

Conclusion

Waterfield Swimming Pools stands in a prominent position at the corner of Dalby Road on the edge of Melton Mowbray town centre. In order to keep the new car park as discrete as possible it will be constructed at lower level with an embankment between the car park and dwellings to the west. The proposed parking will have a permeable grasscrete surface which will soften the appearance of the car park within its setting and the use for car parking will also be restricted,

On assessment, the application is considered to have benefit in terms of the NPPF with insignificant impact on the existing space or residential amenity. It is considered that the proposal is acceptable and is recommended for approval.

RECOMMENDATION:- Permit, subject to the following conditions:-:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The works hereby permitted shall be undertaken strictly in accordance with Drawing No 2012-036 A-SK-90-001 – Rev 1 dated July 2013.
3. The use of the car park shall be restricted to 4 pm to 8 pm (Monday to Friday) and 8 am to 12.30 pm (Saturday)

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt
3. For the avoidance of doubt and in the interest of visual amenity

Officer to contact: **R Spooner**

Date: 7th April 2014