

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)(England) Order 2015

PLANNING STATEMENT

Application for planning permission for installation of children's party tent, associated with the existing High Ropes Adventure Course, on land formerly occupied by Splashlands Lido site (part), Stanborough Road (North Side), Stanborough Road, Welwyn Garden City, Herts., AL8 6DQ

For Planning Solutions Ltd

April 2018

Planning Solutions Ltd
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1.0 INTRODUCTION, SITE DESCRIPTION AND ASSESSMENT OF PHYSICAL CONTEXT RELATED TO THE APPLICATION SITE

1.1 Planning permission is sought for proposed installation of children's party tent, associated with the existing high ropes adventure course facility, on land which formed part of the former Splashlands Lido site (part) and which is within the approved Splashlands Complex redevelopment area (Phase 1).

1.2 The proposed party tent would be sited within the curtilage of the existing high ropes adventure course, the boundaries of which are defined by fences; the site itself is relatively flat and consists of a grassed area.

1.3 The ropes course site is located within an open public parkland setting beyond which to the south is a large car park, accessed off Stanborough Road.

1.4 To the west of the application site is a playground area and the River Lea and beyond that is an elevated section of the A1 (M) Motorway.

1.5 Access to the application site is via a pedestrian gate near the ticket kiosk building and approached from a footpath which leads from the car park off Stanborough Road.

2.0 THE PROPOSAL

2.1 As part of a contracted Management Agreement between Planning Solutions Limited and Welwyn Hatfield Borough Council, it is proposed to install a pagoda tent to facilitate the provision of children's parties within the fenced area of the high ropes adventure course.

2.2 The proposed pagoda tent would measure 6m x 6m and would be installed on a permeable, concrete blocks base; with an eaves height of 2.5m, the maximum ridge height would be 5.92m.

2.3 The tensile material would consist of PVC coated polyester textile flame retardant material to DIN 4102 B1, M2, CFM 750-9009/M².

2.4 The tent would be used specifically for children's parties and corporate briefing, associated with the high ropes adventure course.

2.5 The tent would be installed on its base from February to November each year.

- 2.6 Children's party food would be provided as pre-packed meals.
- 2.7 Music would be played in the tent during children's parties.
- 2.8 Ancillary facilities including power for the tent would be as existing on site.
- 2.9 Hours of use of the tent would be limited to normal operation hours for the high ropes adventure course.

3.0 BACKGROUND TO APPLICATION

- 3.1 By a Management Agreement dated 25th June 2016, Welwyn Hatfield Borough Council granted a 10 years Lease to Planning Solutions Limited, relating to the full operation of the High Ropes Adventure Course at Stanborough Park.
- 3.2 The Lease instructions related to the Management Agreement for the operation of the site, include the installation of a suitable tensile structure to facilitate the provision of other on-site supportive activities (i.e. children's parties) within the fenced area of the high ropes adventure course.
- 3.3 Vertigo Adventures, a subsidiary company of Planning Solutions Limited, is responsible for operational management of the ropes course.

4.0 PLANNING POLICY

- 4.1 The adopted Welwyn Hatfield District Plan 2005 and the emerging Local Plan; and the National Planning Policy Framework (NPPF) 2012, are extant for relevant planning policy reference in this case.

5.0 SUMMARY COMMENTS

The principle of development related to the Green Belt.

- 5.1 Although not materially included in the High Ropes Adventure Course development scheme when the Splashlands Complex redevelopment proposals were considered, the proposed tent is essentially an integral and specific children's party facility which would be sited within

the fenced boundary of the approved ropes course. It will make an important albeit modest contribution to the provision of recreational facilities, as envisaged and intended by the Council in the redevelopment masterplan.

5.2 Paragraph 14 of the Framework refers to the presumption in favour of sustainable development. The application site is on land within the designated Green Belt, where paragraph 89 of the Framework states that new buildings should be regarded as inappropriate in the Green Belt. However, acceptable exceptions include the provision of appropriate facilities for outdoor sport, outdoor recreation, as long as it preserves the openness of the Green Belt; and limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use and which would not have a greater impact on the openness of the Green Belt, than previously existed. The Committee Report (N6/2010/3120/DC3) for the Splashlands Complex redevelopment proposals, including the ropes course on the former lido site, concluded that the ropes course would not conflict with paragraph 89 of the Framework, which outlines that an extension or alteration of a building is acceptable provided that it does not result in disproportionate addition over and above the size of the original buildings; strictly as an ancillary use directly related to the ropes course, the modest scale and volume of the proposed tent as a temporary structure complies distinctly with the prescribed reservations of paragraph 89 of the Framework and Policy CLT3 of the District Plan.

5.3 It is emphasised that the proposed tent and its base would be modest in terms of nature, design, scale, appearance, floorspace and height; the permeable concrete base would be 36 sq.m. and maximum height would be 5.92m., compared with 1468 sq.m. (it may have been as much as 1623 sq.m.) of former floorspace and when compared with 14m. maximum height of former on-site structures respectively. The proposed party tent would unlikely have a greater impact on the openness of the Green Belt than the structures that previously occupied the site; and also in relation to the existing ropes tower (approximately 13m), high level trek, viewing decks and walkways.

The tent would be on land that was predominantly previously outdoor recreational developed land; as such it would therefore be unlikely to prejudice the existing openness and purposes of the Green Belt and also conforms with relevant Policies CLT2 and CLT3. Added to that, the proposed party tent will tend to be screened from distant views, by tall mature trees in the vicinity of its location.

Noise pollution.

- 5.4 The potential for noise resulting from the Splashlands Complex redevelopment proposals was addressed by the Council, when it was acknowledged that the nature of the development proposals could give rise to noise, predominantly from children and people shouting whilst enjoying the use of recreational equipment.
- 5.5 A noise report produced at the time with the redevelopment application, compared the existing and proposed operational development scenario and outlined a worst case for internal noise levels for on-site activities taken together with car parking and use of site access road to be “reasonable” criteria of 35dBa at nearby sensitive receptors, with windows open. With windows closed, a reduced “good” criteria of 30 dBa was predicted.
- 5.6 Whilst there may likely be an increase in noise as a result of the proposed children’s party tent, it is considered that it would be unlikely to have an unacceptable detrimental impact in the surrounding area; taking into account the potential cumulative noise from other adjacent recreational activities. Also, given the limitations of operating hours associated with the party tent facility, it is considered that any noise emissions from the party tent, including responsibly controlled music, would unlikely cause unacceptable adverse, detrimental impact, in terms of noise and disturbance, to the amenities of nearby residential property.

6.0 FLOOD RISK

- 6.1 The Framework aims to direct development away from areas at highest flood risk but where development is necessary, making it safe without increasing flood risk elsewhere. The updated Flood Risk Assessment (FRA) prepared for the Splashlands Complex redevelopment scheme for both phases of development, concluded that the redevelopment site (including the ropes course site) was appropriate for the proposed types of development, the majority of which is considered to be ‘water compatible’. The conditions prescribed for the development (redevelopment) permission, included the adoption of measures to reduce the surface water discharge through the use of sustainable drainage techniques. The FRA established that the principle source of flood risk would be from the River Lea along the western redevelopment site boundary, other sources of flooding are not considered to pose significant risk.

Flood Risk Assessment Ref: A067207, version 5 produced by WYG Engineering refers.

- 6.2** The application site lies within Flood Zones 3a and partially within Zone 3b, as defined by Table 1 of the National Planning Practice Guidance: Flood Risk and Coastal Change (Section 25) as having a high probability of flooding. As there has been no change to the flood zones and no change to Phase 1 of the redevelopment proposals since the production of the FRA, the detailed information in the approved FRA continues to be valid.
- 6.3** The installation of a suitable tensile structure to facilitate the provision of other on-site activities (i.e. children's parties) within the fenced zone of the course (High Ropes Adventure Course) is a Council-led initiative encapsulated in the applicant's Management Agreement; associated with the approved redevelopment of the former Splashlands Complex, Phase 1. N6/2010/3120/DC3 refers. The 36 sq.m. base will be formed with flood resilient permeable concrete blocks, which are normally acceptable as hard landscape elements in potential flood locations at greatest risk.
- 6.4** Under the terms of the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within eight (8) metres of the top of the bank of the River Lea, designated a "main river". As the proposed tent would be sited approximately twenty (20) metres from the river, the EA's prior environmental permit would not be required in this case, since it is not by definition, a flood risk activity.
- 6.5** Serious consideration has been given to flood risk management, proportionate to the temporary / minor nature of the proposed development and in particular safety during its intended short lifetime. As responsible operation managers for the High Ropes Adventure Course site, Vertigo Adventures will formally register with the Environment Agency's local floor warning service. In the event of predicted flood risk probability, all pre-arranged activities in the party tent would be immediately cancelled, ensuring that it would be entirely unoccupied throughout the flood risk period. The tent will be removed from the site, as will the small area of permeable concrete base and the ground restored to its original condition, at the end of the Management Contract with Welwyn Hatfield Borough Council.
- 6.6** Although flood risk zone 3b encroaches a short distance towards the redevelopment area from the river bank, neither the tent nor its base would be likely to impede flood flows in this location.
- 6.7** In a letter the applicant received from the Suds & Flood Risk Team Leader – Environmental Resource Planning, as the Lead Local Flood Agency (LLFA) dated 16th January 2018, it was

stated in response to our enquiry, that the LLFA do not have any concern of specific requirements “for such a minor and temporary development in regard to surface water management”. As a minor development, the competency to assess the proposed surface water management and the provision of sustainable drainage system lies with the Local Planning Authority (LPA).

- 6.8** The primary reason and justification for the proposed children’s party tent, associated with the High Ropes Adventure Course in this case, are to complete the applicant’s contracted obligations set out in the relevant Welwyn Hatfield Borough Council’s Management Agreement, which includes the provision of this ancillary facility. The proposed, strictly temporary structure will have a lifetime limited by the terms of the Management Agreement between the Council and Planning Solutions Limited.

The application is therefore commended for planning permission subject to conditions which may be considered appropriate to prescribe