

**2006/919 LAND TO THE REAR OF SARACEN'S HEAD PUBLIC HOUSE,
SHIRLEY PARK SHIRLEY**

Application No: 2006/919
Ward/Area: SHIRLEY WEST
Location: LAND TO THE REAR OF SARACEN'S HEAD PUBLIC HOUSE,
SHIRLEY PARK STRATFORD ROAD SHIRLEY SOLIHULL
Date Registered: 19/05/2006
Applicant: SHIRLEY ADVANCE LLP & MCLAGAN
Proposal: CONSTRUCTION OF TEMPORARY SHOPPERS' CAR PARK
TO PROVIDE 160 SPACES.

PROPOSAL

This application seeks temporary approval for the provision of a shopper's car park to serve the town centre in the event of the Heart of Shirley development proposals (2006/735) are being implemented.

A car park to accommodate some 160 vehicles is indicated to be constructed on the site of the football pitch that is located closet to the Saracens Head public house. A new access would connect the car park to the existing vehicular access that runs along the side of the Saracens Head.

The surface would be tarmacadam with a perimeter post & rail fence.

CONSULTATION RESPONSES

Highway Engineers : No objection
Sport England : No objection
Environment Agency : No objection
Press notice : 24/05/06
Site notice : 25/05/05
Neighbours Notified : 22/05/06

REPRESENTATIONS

The following organisations/individuals have made representations as follows:

Councillor Howard Allen

Objects to the proposals and identifies the following concerns:

- Should have been considered as part of the consultation on the wider scheme – this may have resulted in a more imaginative solution.
- Other options which should have been consulted on include park & ride; and provision within the development site.
- Contrary to national & local policy regarding the protection & enhancement of parkland & pitches
- Any other developer would not gain permission
- A precedent would be set

Keep Shirley Alive

Objections to the proposals:

- Temporary car park is an afterthought that was not part of the consultation process.
- Publicity given to the proposals has been limited.
- Loss of parkland will be damaging.
- Policy R2 is referred to.
- Other options not given adequate consideration, e.g. use the land proposed for housing.
- Parking will become permanent.

Solihull Ratepayers Association

The association is in agreement with the proposals for the temporary car park. However a decision on this application should be deferred until the outcome of the planning application for the proposed Heart of Shirley is known.

Other Third Party Objections

Five letters of objection have been received from individuals on the following grounds:

- As there is insufficient car parking in the main development, once it opens there will be parking chaos in the town and the temporary car park will become a permanent feature.
- Loss of parkland.
- Proposals have not been subject to pre-application consultation.
- Other options have not been tested by public opinion.
- Dismissing other options as not being financially viable is not acceptable
- Should pursue a park & ride solution
- Using the park is an easy option
- Feature will be too prominent in the park & may affect Green Flag status

- Will not assist in reducing crime
- No drainage proposals
- Loss of toilet facilities

POLICY

National Planning Policy

PPS1 - Delivering Sustainable Development

PPS6 - Planning for Town Centres

Planning for Town Centres: Guidance on Design & Implementation Tools

PPG13 - Transport

PPG17 - Planning for Open Space, Sport & Recreation

West Midlands Regional Spatial Strategy (RPG), June 2004

UR1 - Implementing the Urban Renaissance - the MUAs

UR3 - Enhancing the role of City, Town & District Centres

PA1 - Prosperity for All

PA11 - The Network of Town & City Centres

QE3 - Creating a High Quality Built Environment for All

QE4 - Greenery, Urban Greenspace & Public Spaces

Solihull UDP 2006

T1 - An Integrated and Sustainable Transport Strategy

T2 - Accessibility to New Developments

T3 - Design for All Means of Travel in New Developments

T13 - Car Parking Provision

ENV2 - Urban Design

ENV3 - Crime Prevention

ENV14 - Trees & Woodlands

ENV15 - Air Pollution

S1 - Existing Shopping Centres

S4 - Shirley Town Centre

R2 - Protection of Existing Open Space

R3 - Protection of Playing Fields

R4 - New and Improved Open Space

SPGs

Car parking standards

Draft Green Space Strategy

PLANNING HISTORY

There is no relevant planning history to this site.

SITE DESCRIPTION

The site of the proposed car park falls within Shirley Park and would be located on the football pitch closet to the Saracens Head. It is currently a grassed area that is bounded by trees that extend further into the park.

MAIN ISSUES

The key issues in determining this application relate to:

- Impact upon the park
- Highways & traffic

APPRAISAL

The proposals contained within this application should not be considered in isolation from the Heart of Shirley development proposals detailed in the report under reference 2006/735.

Background

If planning permission is granted is granted for the Heart of Shirley development proposals and it is implemented, there will be a period of some 20-24 months during which there will be no public parking available on this side of Stratford Road (north of the entrance to the park) due to construction issues. It is felt that to ensure as little disruption takes place to trading in the town centre during this period, some alternative parking should be made available.

In formulating these proposals a number of options were considered by the applicants as follows:

- Powergen site – Not part of the town centre and too remote especially given the need to cross Haslucks Green Road.
- Within the site – This would result in fragmented facilities that are subject to change. It would also extend the development programme by 9 months with a consequent lengthening of the disruption.
- Rear of Aldi – Extend the existing car park and use the bowling green/tennis courts. This was an option that was suggested in the run up to the submission of the main development proposals but this led to significant opposition, at least partly due to the proximity of the residential development at he rear.
- Rear of the Saracens Head – Located away from residential dwellings and is well situated to serve this section of Stratford Road.

This last option was considered most appropriate and is the subject of this planing application.

Impact upon the Park

In considering this impact it is important to bear in mind that the effects will only be for a temporary period whilst the new development is being constructed, and that following completion of the Heart of Shirley development, the land would be restored to parkland. It is legitimate to afford such transient impacts less weight than more permanent changes.

As the car park would result in the loss of a sports pitch, it is essential that its provision is maintained throughout the period. In this respect, a plan has been submitted showing the pitch relocated to the south western corner of the park adjacent to one of Camp Hill RFC's pitches. Community Services are content that this could be achieved and therefore it would be appropriate to require this via condition. On this basis there would be no net loss of recreational facilities at any time.

It should also be borne in mind that the UDP (at proposal S4/1 and its commentary) acknowledged that some parking may need to encroach into the park. Although this is in relation to the main proposals (and thus would have been permanent arrangements) it does establish a principle that car parking development may need to take place in the park to facilitate the implementation of UDP Policy.

The incursion into the park with an area of some 0.75 ha of hard surfacing together with the associated car parking would not be a feature that would enhance green landscape of the park. However there would be no buildings and the area would remain essentially open in character. Further, the land would be restored to at least its current recreational and environmental value upon completion of the Heart of Shirley development.

Any temporary loss of amenity would be more than outweighed by the benefits accruing from the implementation of UDP Proposal:4/1 and facilitating town centre trading during the interim.

Therefore when balancing the impact with the benefit, I am satisfied that there is no overall undue detrimental impact to the park & town centre as a whole.

Sport England

Sport England do not raise any objections to the proposals on the basis that they will not lead to the loss of a playing pitch. They recommended a condition to ensure this is achieved and have suggested that the replacement pitch is of a sufficient standard to ensure it is fit for purpose & attractive to use.

Highways & Traffic

It is not expected that this proposed development will have an adverse affect on the existing highway network. Although the creation of a temporary car park would increase the turning movements at the access point adjacent to

the Saracens Head, the increase will be a displacement of other turning traffic in the area (i.e. these will not be net of significantly additional trips) therefore the effect should be minimal.

The proposed access works are within the public highway and therefore if permission is granted it will be necessary for the applicants to enter into an agreement under section 278 of the Highways Act.

CONCLUSION

Any temporary loss of amenity would be more than outweighed by the benefits accruing from the implementation of UDP Proposal:4/1 and facilitating town centre trading during the interim.

Therefore when balancing the impact with the benefit, I am satisfied that there is no overall undue detrimental impact to the park & town centre as a whole.

RECOMMENDATION

The temporary car park will only be required if the main development proposals are approved. It is recommended that the main application is approved subject to it not being called in for determination by the Secretary of State. Until this has been established I would not recommend that this application be formally determined. However members should indicate whether they are minded to approve it.

(1) That the development hereby approved is removed and the land reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority on or before two years from the commencement of the development approved under reference no. 2006/735.

To safeguard the park in accordance with Policy R2 of the UDP 2006.
(2) No construction or land clearance in connection with this application shall take place until full contractual commitments are in place for the development approved under reference no. 2006/735.

To safeguard the park in accordance with Policy R2 of the UDP 2006.
(3) No construction or land clearance in connection with the development hereby approved shall take place until a replacement sports pitch has been provided in accordance with details to be submitted to and approved by the Local Planning Authority.

To ensure there is no net loss of sports pitches as a result of this development.

