
Applic. No: C/03/0304
Date Recvd: 21st March 2003
Ward: East Chesterton

Agenda Item No. :
Officer: Andrew Thompson

Site: Park & Ride Site, Cowley Road, Cambridge

Proposal: Application for renewal of consent C/02/0153 for a Sunday car boot sale.

Applicant: Sherman & Waterman
43 Maiden Lane
London

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Cowley Road Park and Ride site is bounded to the north by a sewage works, to the west by industrial units, to the east by a golf driving range, and to the south by Cowley Road. Opposite the entrance to the Park and Ride site, on the south side of Cowley Road, is a driving test centre.

2.0 THE PROPOSAL

2.1 The application is for the renewal, for an additional three years, of planning consent reference C/02/153/FP, which was for the expansion, by the addition of 198 car parking spaces, of an existing Sunday car boot sale and continuance of this use for a temporary period of one year.

3.0 SITE HISTORY

- 3.1 C/1360/88 Use of land for park and ride purposes D/C
- C/0575/92 Replace existing timber building with portacabin for use
as café/diner A/C
- C/97/0053/FP Retention of café/diner A/C
- C/98/0704/FP Change of use of part of park and ride site to car boot
sale for one year A/C
- C/98/0956/FP Retention of portacabin for Class A3 use A/C

C/99/0917/VC Renewal of planning permission (C/98/0704/FP) for change of use of part of park and ride site to car boot sale (sui generis) on Sundays for an additional period of one year A/C

C/00/0356/FP Expansion of existing car parking area and provision of single-storey passenger waiting facility building, including toilets and supervisor's office and store A/C

C/02/0153/FP Expansion of existing car boot sale at Park and Ride Site, on Sunday for a temporary period of one year. – A/C

4.0	PUBLICITY	Advertisement:	No
		Adjoining Owners:	Yes
		Site Notice Displayed:	Yes

5.0 POLICY

5.1 Central government advice

PPG1 General Policy and Principles (1997) paragraph 40 states that Section 54A of the 1990 Act requires that applications for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan would not be allowed unless material considerations justify a planning permission.

Cambridgeshire Structure Plan 1995:

Policy SP12/10 All new developments will be expected to incorporate high standards of layout and design and to relate well to their surroundings.

Cambridge Local Plan 1996:

Policy BE2	Site specific
Policy BE6	Temporary permission
Policy TR5	Allocated site
Policy TR27	Traffic and access

6.0 CONSULTATIONS

Head of Transport Services (on behalf of the Highway Authority)

- 6.1 At some point in the future the County Council intend to extend the operation of the Park and Ride service to Sundays, which would necessitate the cessation of the car boot sale. There is no fixed programme for this extension to the service.

Head of Environmental Health and Waste Strategy

- 6.2 No comment

7.0 REPRESENTATIONS

- 7.1 One letter of objection received from Karl Hensel, Park and Ride Coordinator at the Cowley Road Park and Ride Site, objecting on the following grounds:

- A large amount of waste and debris is generated on the site. This is largely due to the activities of the market and the traders on Sundays and partly due to the actions of the waste contractors (Cleanaway) when the waste bins are emptied on Monday morning;
- Waste and debris left by vegetable traders causes a nuisance in two ways. The smell of the decaying organic material is particularly unpleasant, and the waste itself attracts vermin;
- Waste and debris is left inside the salt bins on the site. This can take the form of unsold or broken items, as well as food, wrappers, bottles, etc.;
- Larger items of unsold, broken or unwanted goods are left strewn around the site;
- There are ten waste bins and four portable toilets occupying several car parking spaces for the six other days of the week when the market is not operating;
- The waste bins and portable toilets have been an attractive target for vandals on the site outside operating hours;
- Sections of fencing and areas of landscaping have been damaged by traders plying their wares from fences and shrubbery;
- Nails, bolts and pieces of broken glass are left lying on the site instead of being cleared up. This presents a hazard to vehicles using the site for legitimate purposes;
- The exit barrier has been broken or damaged on several occasions by market traffic. As the repair cost to the barrier is around £500 per repair, there is an unacceptable drain on Council resources

The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 The previous planning permission for this site, relating to the Sunday car boot sale, was granted on 9th April 2002. This previous application was for an increase in the number of parking spaces available for vendors, from 201 to 210 spaces, and an increase in customer car parking from 311 to 500 spaces, a total increase of 198 car parking spaces. This previous application also granted a one-year extension to the Sunday car boot sales use of the site until 9th April 2003.
- 8.2 The present application is for the same site area and the same number of car parking spaces for vendors and customers as the previous application. The present application seeks renewal of the previous planning permission for an additional period of three years.
- 8.3 The planning history of the site indicates that the site has been granted temporary permission for Sunday Car boot sales since 1998. The temporary use of the site for Sunday car boot sales is, therefore, well-established. Since the site is not currently operational as a Park and Ride facility on Sundays, there is presently no conflict between these uses. Furthermore, it is understood that, should the Park and Ride facility be extended to Sundays, the City Council would, in its capacity as owner of the land and under the terms of its agreement with the car boot sale operator, have the power to terminate the car boot sales irrespective of any un-expired temporary planning permission for the car boot sales. There is, therefore, no objection in principle to the renewal of permission for another three years.
- 8.4 With regard to amenity issues, there are no residential properties so close to the site as to be likely to be significantly adversely affected by the Sunday car boot sales. The visual impact of the car boot sale operation is reduced by the parking spaces for the vendors being situated to the rear of the site and customer car parking situated closest to Cowley Road. Although there appears to be something of a parking issue on occasion, there is no objection from the Highway Authority.
- 8.5 A letter of objection has been received from the Park and Ride Co-ordinator, who objects on a number of grounds relating to the condition in which the site is left when the car boot sale has finished on a Sunday. Reference is made to widespread littering across the site, decaying vegetable matter left causing an odour nuisance and attracting vermin, vandalism of waste bins and portable toilets, fencing and landscaping being damaged by vendors, and damage to the exit barrier. Reference is also made to ten waste bins and four portable toilets occupying several car parking spaces during the six days of the week when the car boot sales are not taking place. Problems of litter and damage are, in the circumstances of this site, not matters that should be addressed through the planning system but are instead

matters that should be addressed by the City Council as land-owner, through the licence agreement with the car boot sale operator. It is understood that, through this licence agreement, there is a requirement that the car boot sale operator leave the site in a clean and tidy condition. With regard to bins and portable toilets occupying car parking spaces, it is understood that there has, to date, never been a demand for these spaces from people using the Park and Ride facility. These spaces are situated at the rear of the site and so are likely to be the least in demand. However, it is considered that, should permission be granted, a condition should be attached requiring the submission, for the written approval of the local planning authority, of a management plan for the car parking area with regard to the positioning of the refuse bins and portable toilets. The clearing up of litter associated with the Sunday car boot sale operation is a matter which can be the subject of an informative.

- 8.6 No objection to the proposal has been received on highway safety grounds and it is considered unlikely that there would be conflict with neighbouring uses as the car boot sale operates only on a Sunday.

9.0 RECOMMENDATION APPROVE

Subject to the following conditions:

- 1 The use hereby approved shall be discontinued before 19th May 2006.

Reason: To enable the local planning authority to review the requirements of the Park and Ride facility.

- 2 The use hereby approved shall take place on Sundays only unless otherwise agreed in writing by the local planning authority.

Reason: To protect the amenity of neighbouring properties and the effective operation of the Park and Ride facility.

- 3 No selling shall take place other than within the area indicated as 'market and car boot traders' on the approved plan, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent the intensification of use on the site and ensure that there are spaces available for visitors to the site.

INFORMATIVE: The applicant is advised that, in the light of the concern expressed about the state in which the car park has been left following a Sunday Car Boot Sale having operated on the site, greater care should be taken to ensure that the site is returned to a state where the land is in the best possible condition for its approved use, as a park and ride car park.