

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET**

**MONDAY 11 FEBRUARY 2002 AT 2.00 P.M.**

<u>Agenda Item</u> <u>No.</u> <b>2</b>
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**CHARLESTON PADDOCKS, MOTORWAY SERVICE AREA, SOUTH MIMMS - authorisation of a planning application for the construction of a replacement winter maintenance depot**

Report of the Corporate Director (People and Property)

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Executive Member:- David Beatty

**1. Purpose of report**

To seek Cabinet approval to the submission of a planning application for the construction of a replacement Winter Maintenance depot at the above site (see Plan A attached).

**2. Summary**

- 2.1** In the early 1970's the County Council with part funding from the Highways Agency (formerly the Department of Transport) constructed a highways depot within the South Mimms Motorway Service area to provide services to both county and national roads. The depot site and adjoining land at Charleston Paddocks are within the Green Belt.
- 2.3** The Highways Agency terminated the Agency Contract for the maintenance of Motorways and Trunk Roads with Hertfordshire County Council on 31 March 1997. Consequently, the Highways Agency's functions stopped at the depot from that date. The County Council currently uses the depot for winter maintenance of the southwest Hertfordshire county road network
- 2.4** The Highways Agency now wishes to occupy the existing depot in order to carry out winter maintenance of the M25 and A1(M) (their depots to the west and east being too far away to ensure adequate cover). The Agency is also hoping to share the depot with four police authorities for the provision of a combined traffic control centre. The salt barn in the depot is fully used by the County Council and is too small to enable shared use with the Highways Agency.
- 2.5** Other than the site at Charleston Paddocks, the County Council has not been able to identify any other site for a new county depot. Until such a depot is provided the County Council is unable to make the existing depot available to the Highways Agency and police authorities. It will therefore be necessary to submit a planning application for a new county depot.

- 2.6** If planning permission for the new depot can be granted it will be possible for the County Council to consider disposal of the existing depot to the Highways Agency and development of the replacement depot for the County Council.
- 2.7** The location of existing depot, and the site of the proposed depot at Charleston Paddocks, are shown on the attached Plan A.

### **3. Conclusion**

- 3.1** It is necessary to submit a planning application for construction of a replacement Winter Maintenance depot. Although the site of the new depot is within the Green Belt, it is considered that there are very special circumstances that justify the development.

### **4. Background**

Until recent years, the Highways Agency (and before them the Department of Transport) tended to delegate their functions with respect to the maintenance of motorways and trunk roads to the local highway authorities by means of formal Agency Contracts. There was, therefore, a high degree of co-operation between the Highways Agency and the local highway authorities. A practice grew up over the years that, when the Department of Transport was proposing to construct a new motorway, and new motorway maintenance compounds to serve the motorway, the latter facility would be provided with the local highway authority in order to achieve economies for both parties.

- 4.1** In the early 1970's the Department of Transport was constructing the M25 motorway and they proposed to establish a motorway maintenance compound at the new interchange of the M25 motorway and the A1 trunk road at South Mimms. The County Council constructed the existing depot, comprising a salt barn and large office/storage building, with part funding from the then Department of Transport.
- 4.2** In the last few years, the Highways Agency decided to put the work of maintaining the motorways and trunk roads for which they are responsible out to public tender. This involved terminating the Agency Contracts that the Highways Agency had with the local highway authorities. The Highways Agency terminated the Agency Contract with Hertfordshire County Council with effect from 31<sup>st</sup> March 1997. Consequently, the Highways Agency's functions stopped at the depot from that date. However, the County Council continues to use the salt barn in the existing depot in order to carry out winter maintenance of the local road network in south-west Hertfordshire. The large office/storage building is presently unused.
- 4.3** The relative under use of the depot for county purposes led to proposals for other uses, based upon relocation of the winter maintenance use.
- 4.4** In 1999 the Hertfordshire Constabulary expressed a desire to purchase the depot in order to provide facilities in connection with its road policing responsibilities. The County Council agreed to make part of the existing depot available to the Herts Constabulary on the basis that the County would assist the Highways Agency in

providing a new depot on a site adjoining the existing depot. This is the Charleston Paddocks site that is owned by the County Council. Two actions followed:

- In February 2000 the Hertfordshire Constabulary obtained planning permission to use the existing large office/storage building as a headquarters and main operating base for the road-policing department. However, in late 2001 the Hertfordshire Constabulary withdrew their interest in purchasing the site.
- In March 2001 the Highways Agency submitted a planning application to Hertsmere Borough Council for a motorway maintenance depot on land at Charleston Paddocks. Permission was not granted as the site is within the Green Belt - the Borough Council considered that the existence of an unimplemented planning permission for use of part of the existing depot by the Herts Constabulary did not amount to very special circumstances required to justify the grant of planning permission.

**4.5** The current position, therefore, is that the County Council has a continuing need for a salt barn for winter maintenance purposes in the SW Herts area. Similarly, although the Highways Agency's planning application was unsuccessful, their need for a salt barn to serve the motorway remains as before.

**4.6** The possibility of the County Council and the Highways Agency sharing the existing depot's facilities has been investigated. However, this has been ruled out as the existing salt barn is now fully utilised by the County Council (the use has significantly increased over the years) and there is no spare capacity. The County Council has also investigated whether there are any alternative sites available but no suitable site has been identified. As such the County Council is unable to release the existing depot to the Highways Agency or to share its use with them.

**4.7** The Highways Agency has recently indicated their involvement in a project with four police authorities that wish to provide a combined traffic control centre at South Mimms (it is a different function from the one that the Herts Constabulary previously obtained planning permission for). It is understood that the police authorities would use about half of the existing office/storage building, the other half would be used by the Highways Agency.

**4.8** A possible solution is for the County Council to construct a Winter Maintenance depot for its own use on the land at Charleston Paddocks. In order to achieve this it would be necessary for the County Council to submit a planning application. There are two main advantages:

- It would allow the existing depot to be sold to the Highways Agency who would have sole use of the salt barn and could share use of the large office/storage building with the police authorities.
- The County Council would construct a purpose built facility from the proceeds of the sale that would meet its specific requirements. Furthermore, the construction of a new facility would enable improved materials handling arrangements to be put in place thereby improving the efficiency and environmental impact of the winter maintenance operation.

## **5. Planning Considerations**

- 5.1** It is accepted that a Winter Maintenance depot comprising salt barn and hard-standing areas would normally represent inappropriate development in the Green Belt and that very special circumstances are therefore needed to justify such a proposal.
- 5.2** A planning application would be judged against the terms of Policy M14 of the Hertsmere Local Plan – Post Inquiry Modification Version – 2000. The planning application site is within the defined Special Policy Area (SPA) which remains washed over by the Green Belt. Policy M14 seeks to ensure that the SPA only accommodates development for motorway related uses and that proposals should not prejudice the long-term improvement and rationalisation of the area.
- 5.3** Policy M14 states that “the council will prepare a detailed development brief to guide the improvement and rationalisation of the SPA site” and that “Development proposals which might exacerbate existing traffic or environmental conditions, or prejudice the rationalisation and improvement of the area, will be refused. The site of Charleston Paddocks will be held in reserve for motorway related uses to assist the rationalisation of the area”.
- 5.4** Whilst the development brief for the SPA is not yet available, it is considered that the proposed development would not prejudice the District Council’s improvement and rationalisation objectives. This is because the application site lies on the western side of the access road that leads to Charleston Paddocks so the latter land (being much the larger area of land on the eastern side of the access road) would be unaffected by the current proposal.
- 5.5** It is acknowledged that although the proposed Winter Maintenance depot is not of itself a motorway related use, it would nonetheless facilitate the provision of such uses in the existing depot. The rationalisation of the proposed uses on two adjoining sites would not be inconsistent with the District Council objectives for this part of the SPA.
- 5.6** The fundamental problem is that the existing depot is too small to accommodate the needs of both the County Council and the Highways Agency. In the absence of any alternative site and in view of all of the aforementioned factors, it is considered that there are very special circumstances that justify the proposed development.
- 5.7** The planning application would be submitted to the Director of Environment. It should, however, be noted that should the Development Control Committee be minded

to grant permission, the application has to be referred to the Secretary of State as a departure from the development plan.

- 5.8** The Corporate Director (People and Property) has authority to seek planning permission for schemes that are in accordance with general Council policies and where financial provision has been made. He is not, however, authorised to make planning applications which would materially conflict with or prejudice the implementation of the Council's Structure Plan or which are clearly inconsistent with an identified policy in an adopted local plan which is up to date. The proposed Winter Maintenance depot is on a Green Belt site, hence the need for Cabinet approval to a submit a planning application.

## **6.0 Financial Implications**

- 6.1** The costs of preparing a planning application would be absorbed in current budgets.
- 6.2** The construction of the proposed replacement Winter Maintenance depot would be wholly funded from the proceeds of the sale of the existing depot to the Highways Agency.