

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>18 DECEMBER 2018</b>
<b>TITLE OF REPORT:</b>	<b>182893 - CONSTRUCTION OF AN EXTERNAL 3G ARTIFICIAL TURF PITCH (ATP) WITH FENCING, FLOODLIGHTING, A STORAGE CONTAINER AT SPORTS GROUND AND CLUB ROOM, OLD SCHOOL LANE, HEREFORD, HEREFORDSHIRE, HR1 1EX</b>
<b>For: Pegasus Junior Football Club per Mr Nick McLaren, 1a Perth House, Corbygate Business Park, Corby, NN17 5JG</b>	
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182893&amp;search=182893">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182893&amp;search=182893</a>

**Reason Application submitted to Committee – Staff Member Interest**

**Date Received: 3 August 2018**

**Ward: Holmer  
(Adjacent to  
Widemarsh)**

**Grid Ref: 351242,241965**

**Expiry Date: 21 December 2018**

Local Member: Councillor AR Round (adjacent Ward Member – Councillor PA Andrews)

**1. Site Description and Proposal**

1.1 The 0.9 hectare site comprises an essentially rectangular parcel of land that occupies a corner plot to the southeast of the junction of Old School Lane with Roman Road (A4103) to the north of Hereford. It is in Holmer Ward, but the boundary of Widemarsh Ward lies on the western side of Old School Lane. Residential development lies to the north of the site beyond the 'A' road, whilst to the west, south and east the uses are predominantly of an industrial nature, including both general and light industrial uses. The site is within the Health and Safety Executive inner, middle and outer consultation zones and the SSSI impact zone. The northern section of the site is relatively flat, with levels gradually falling to the southeast corner. The perimeter of the site is delineated by 2.1 metre high timber fencing of a 'hit and miss' design. Within the site there are a number of football pitches, a covered spectator stand, a pavilion, dug outs and car parking for 66 cars, with vehicular access taken from Old School Lane.

1.2 It is proposed to construct an external 3G artificial turf pitch (ATP) on the site of the main existing grass pitch, which lies to the western side of the site and is aligned north to south. This would accommodate a 11 v 11 football pitch (sized 106m x 70m) and a variety of youth football pitches, mini soccer pitches and training areas. The scheme includes the provision of fencing around the pitch (including 8m high ball stop netting to the goal ends and 4.5m high fencing to boundaries to replace existing – both to be dark green polyester powder coated), new floodlighting (8 x 15m tall steel columns with a galvanised self-coloured external finish and 16

luminaires – 2 per column) and a storage container (height of 2.59m) to be sited within the fenced area.

- 1.3 The application has been supported by a Design and Access Statement, floodlighting details, information about the surfacing materials (rubber crumb) used and a Noise Assessment.
- 1.4 It is stated that the hours of use would be 9am to 10pm every day (weekdays and weekends), including Bank Holidays.

## **2. Policies**

- 2.1 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-  
[https://www.herefordshire.gov.uk/info/200185/local\\_plan/137/adopted\\_core\\_strategy](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS6	-	Environmental Quality and Local Distinctiveness
SS7	-	Addressing Climate Change
HD1	-	Hereford
HD3	-	Hereford Movement
SC1	-	Social and Community Facilities
OS1	-	Requirement for Open Space, Sports and Recreation Facilities
OS2	-	Meeting Open Space, Sports and Recreation Needs
OS3	-	Loss of Open Space, Sports and Recreation Facilities
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
SD4	-	Waste Water Treatment and River Water Quality

- 2.2 National Planning Policy Framework 2018 (NPPF)

Chapter 1	-	Introduction
Chapter 2	-	Achieving Sustainable Development
Chapter 4	-	Decision-making
Chapter 6	-	Building a Strong, Competitive Economy
Chapter 8	-	Promoting Healthy and Safe Communities
Chapter 9	-	Promoting Sustainable Transport
Chapter 11	-	Making Efficient use of Land
Chapter 12	-	Achieving well-designed Places
Chapter 14	-	Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 15	-	Conserving and Enhancing the Natural Environment
Annex 1	-	Implementation
Annex 2	-	Glossary

- 2.3 National Planning Policy Guidance (NPPG)

- 2.4 Hereford Area Plan - is at drafting stage and for planning application decision making it cannot be afforded any weight.

### **3. Planning History**

- 3.1 CE2002/3404/F – Development of existing sports ground. Facilities to include 2 pitches, new buildings for changing rooms, office, kitchen etc, seating and W.C facilities. Also covered stand, floodlighting, improved access, parking, fencing, landscaping – approved 15.1.2003
- 3.2 CE2005/1077/F – Extension of changing room – top provide showers, toilets and clubroom and recladding of building – approved 24.5.2005
- 3.3 CE2006/3334/F – Timber cladding of portacabin to match existing changing rooms. Retention of existing portacabin at rear of changing room, covered standing shelters and 3 sets of manager dugouts (retrospective). Training floodlights – approved 13.12.2006
- 3.4 P131021/F - Proposed tea bar, extension to club room and replace boundary fencing and dug-outs – approved 5.6.2013

### **4. Consultation Summary**

#### Statutory Consultations

##### **4.1 Sport England**

###### Sport England - Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:  
[www.sportengland.org/playingsfieldspolicy](http://www.sportengland.org/playingsfieldspolicy)

###### The Proposal and Impact on Playing Field

This application seeks planning consent for the development of a 3G Artificial Grass Pitch (AGP) on an existing stadia grass pitch used for football by Pegasus Juniors FC. The existing grass pitch is floodlit and includes team dugouts, a spectator perimeter fence and a spectator stand on the eastern side of the pitch. The dug outs, spectator fencing and floodlighting would be replaced, though the existing spectator stand would remain. The proposed development involves the provision of a pitch to accommodate a full size adult pitch of 106m x 70m including run-off, and a variety of youth and mini football pitches and training areas over-marked to

maximise its potential use across all age ranges. There would be new 8m high ball stop fencing to the end goal areas to replace existing netting, new 4.5 metre high ball stop fencing around the perimeter of the AGP to replace existing fencing, a new 1.2 metre high spectator barrier to replace the existing fence around the edge of the pitch, new hard standing areas for pedestrian access, goals storage, spectator viewing etc, new floodlighting comprising 8x15m columns with new luminaires, and a new maintenance equipment store.

The existing site also contains a pavilion building and an additional grass pitch to the east/south east which would remain and an associated car parking area to the south that would continue to serve the existing and proposed facilities.

#### Assessment against Sport England Policy

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception 5 of the above policy, which states:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception 5.

Sport England will assess the potential benefit of the new or extended sports facility by taking into account a number of considerations. As a guide, these may include whether the facility:

- meets an identified local or strategic need e.g. as set out in a local authority or NGB strategy (rather than duplicating existing provision);
- fully secures sport related benefits for the local community;
- helps to meet identified sports development priorities;
- complies with relevant Sport England and NGB design guidance;
- improves the delivery of sport and physical education on school sites; and
- is accessible by alternative transport modes to the car.

Proposals will also need to demonstrate that the loss of any area of playing field will not have an unacceptable impact on the current and potential playing pitch provision on the site. For example, it is unlikely that a loss would be acceptable if:

- it would result in the main user (e.g. a school or a club) being unable to meet their own minimum requirements for playing pitches (the Department for Education provide area guidelines for playing fields at existing schools and academies).
- other users would be displaced without equivalent replacement provision;
- it would materially reduce the capability and flexibility of the playing field to provide for a range of sports and natural grass playing pitches; or the area of playing field is significant in meeting local or strategic needs.

The Design and Access statement explains that the proposal has been developed in consultation with Hereford FA to meet an identified need for 3G pitches in Hereford. The intention is that proposed 3G pitch will not only provide home ground facilities for Pegasus Juniors FC to play and train, but will also provide wider community access for other football clubs, partner organisations and community groups in the local area to use the pitch during evenings and weekends. The intended hours of use until 10pm are proposed to maximise the usage of the pitch for the development of sport to deliver up to 85 hours per week of use. This then will significantly improve the quantity of use of the pitch compared to the existing grass pitch which is restricted in practical terms by the wear and tear that takes place when using a

grass pitch. The provision of the AGP will also have indirect benefits on existing grass pitches in the area, by allowing training/matchplay to be transferred onto the AGP thereby reducing overplay of existing grass pitches, and minimising the risk of fixtures being cancelled due to unplayable pitch conditions.

Sport England also notes the contents of the Design and Access statement which explains that the proposal will allow for a range of pitch sizes to be provided on the same surface to maximise the benefits of the AGP for all age ranges, and that this will then maximise the opportunities for developing football programmes at the site as well as supporting matchplay and training activities.

A planning application has also been submitted for a 2nd AGP at the County FA site at Widemarsh Common, for which I have commented separately. Both sites are located within the north of Hereford and so would be likely to serve a similar catchment. Sport England is aware that the Council have been working with Hereford FA for several years following the completion of the Playing Pitch Strategy in 2012 to identify suitable sites for 3G pitch investment to meet identified local needs. Both of these pitches are required and so should not be seen as alternatives for investment.

Sport England have consulted the FA and Football Foundation who have commented as follows:

#### Football Foundation Comments

- The pitch is being delivered through the FF/FA 3G Pitch Framework, and therefore the proposed specification is in line with The FA and Ground Grading requirements.
- Although Herefordshire does not have a current or up to date Playing Pitch Strategy. Herefordshire Council produced a Sports Investment Strategy in 2012 which has continued to be updated and refreshed biannually. This document specifically identified the need for a further 2 full size 3G pitches in Hereford, in addition to the existing (and recently refurbished) 3G pitch at Hereford Academy. The Pegasus FC site was identified as a potential location for delivery, along with a pitch at either Herefordshire FA (County Ground) or Hereford Leisure Centre. The demand for 3G pitches in the county is unquestionable, as only one pitch is currently available (Hereford Academy) and on the FA Pitch Register. Based on the number of affiliated teams in the county (circa 250, 2018/19) and using the FA ration of 1 pitch for every 42 teams, at least another 5 pitches are required to be provided in the county to meet current demand.
- The applicant will be making an application to the Football Foundation for funding towards this project, and has been prioritised for investment, and as such will be required to provide guaranteed community access to the facility as part of the submission. Any grant award will be subject to an agreed business plan, programme of use and site development plan.
- The Football Foundation, on behalf of The FA, is fully supportive of this project and it has been prioritised to receive Football Foundation investment. The project should be subject to the following conditions:
  - **Construction Quality** - The pitch is constructed and maintained to FIFA Quality Concept for Football Turf – FIFA Quality
  - **Testing** - The 3G pitch is tested and subsequently FA registered (on completion and then every three years for grassroots football and every 1 year for football in the National League System). This will enable the 3G to be used for league matches and therefore help the 3G pitch to be used to its maximum potential by programming matches at peak times.

- **Pricing** - Pricing policies must be affordable grass roots football clubs and should be agreed with the local County Football Association. This should include match-rate at weekends equivalent to the Local Authorities price for natural turf pitches.
- **Sinking fund** - Ensure that a sinking fund (formed by periodically setting aside money over time to cover the resurface and replacement life-cycle costs) is in place to maintain 3G pitch quality in the long term. The Football Foundation recommend £25K per annum.

Sport England notes the comments made and concurs that the proposed development accords with known priorities for development of 3G pitches in Hereford. It is understood that whilst it is likely that the club will receive investment from the Football Foundation, with some match funding to be provided from the club, there is likely to be a funding shortfall to deliver this pitch, and that there are section 106 funds that have been earmarked to support the delivery of this development.

In order to ensure that the design and specification of the pitch is completed to the required standard to meet the above requirements and be fit for purpose it is recommended that the following planning condition be imposed:

#### Condition 1

Use of the development shall not commence until:

- a) Certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and,
- b) Confirmation that the facility has been registered on the Football Association's register of Football Pitches

Such details to have been submitted and approved in writing by the Local Planning Authority in consultation with Sport England.

**REASON :** To ensure that the development is fit for purpose and sustainable, provides sporting benefits and to accord with policies \*\* of the Development Plan.

**INFORMATIVE :** The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf – FIFA Quality Pro and steps 3-6 should be built to FIFA Quality as a minimum and tested annually as per league rules.

In order to secure an appropriate arrangement of community use in accordance with the proposals set out in the Design and Access Statement to meet local needs (including a pricing policy that is affordable to local teams, maximises the available hours of community use, and puts in place appropriate arrangements for management and maintenance), and to justify the loss of the grass pitch under exception E5 it is recommended that a community use agreement is secured by condition as follows:

#### Condition 2

Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the proposed Artificial Grass Pitch and associated ancillary facilities and include details of pricing policy, hours of use, access by priority groups/community users other than the host club, management responsibilities and a mechanism for review). The development shall not be used otherwise than in strict accordance with the approved agreement.

**REASON :** To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with policies \*\* of the Development Plan.

**INFORMATIVE:** Guidance on preparing Community Use Agreements is available from Sport England at : <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>

For artificial grass pitches it is recommended that you seek guidance from the Football Association on pitch construction when determining the community use hours the artificial pitch can accommodate.

#### Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception 5 of the above policy. The absence of an objection is subject to the above condition(s) being attached to the decision notice should the local planning authority be minded to approve the application.

Should the condition/s recommended above not be imposed on any planning consent, Sport England would consider the proposal to not meet exception 5 of our playing fields policy, and we would therefore object to this application.

If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

#### **4.2 Natural England**

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

#### **4.3 Welsh Water**

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We note that the application will not produce any foul water, however understand that the intention is to drain surface water to the public sewer. As the Statutory Sewerage Undertaker we are not obliged to accept land drainage and therefore we do not consider this approach acceptable.

Therefore, if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

##### **Conditions**

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

##### **Advisory Notes**

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com). The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

##### Internal Council Consultations

#### **4.4 Conservation Manager (Ecology)**

The application falls within the catchment of the River Wye and associated tributaries. The River Wye which has international designations as a Special Area of Conservation, SAC. The site falls within the Discharges "any discharge of water or liquid waste..." SSSI Impact Risk Zone for the River Wye SSSI/SAC.

Under Habitat Regulations, where a development proposal is likely to affect a SAC the Local Planning Authority must undertake a formal process (Habitat Regulations Assessment or HRA) that includes an initial Screening Assessment and a subsequent Appropriate Assessment in consultation with the statutory nature conservation body - Natural England.

- However, Natural England has been consulted and has no comments on this application.

There is no foul water discharge associated with the development.

- Within the Design and Access Statement the surface water drainage strategy has proposed connection to surface water sewer. Welsh Water does not consider this approach acceptable.
- The applicant should ensure the surface water is appropriately managed and is compliant with Local Plan Policy SD3.

Details of how surface water run-off will be managed to ensure no increased discharge from site will occur and how potential pollution/contamination from vehicles, roadway and drives will be managed on site.

Local Plan Policies SD3 and SD4 relating to disposal of foul water and surface water are a key consideration in relation to Habitats Regulation Assessment and failure to supply sufficient information will result in the LPA having to conclude that there will be a Likely Significant Effect upon the SAC thus delaying determination or leading to formal ecology based objections.

- No external lighting should illuminate any boundary features and all lighting on the development should support the Dark Skies initiative (DEFRA/NPPF Guidance 2013).

#### 4.5 Open Space Planning Officer

**Proposal:** This application seeks planning consent for the development of a 3G Artificial Grass Pitch (AGP) on an existing stadia grass pitch (floodlit) used for football by Pegasus Juniors FC at their ground at Old School Lane Hereford. It will result in the loss of a usable grassed playing pitch.

The proposed 3G ATP is full size (senior), 106m x 70m including run-offs. It will have a variety of youth and mini football pitches and training areas over-marked to maximise its potential use across all age ranges.

The existing dug outs, spectator fencing and floodlighting would be replaced and the existing spectator stand would remain.

The Design and Access statement confirms that the pitch is being delivered through the Football Foundation (FF) 3G Pitch Framework, and the proposed specification is in line with the FF and Ground Grading requirements.

My comments relate only to the requirement for such a facility in meeting both national and local planning policies including that of Sport England. All other considerations such as access, transport, landscape, conservation etc. will be dealt with by the Planning Officer.

**Planning Policy:** The following policies will apply.

- *NPPF: paragraphs 96 -97:*
  - Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the development is for

- alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development
- *Core Strategy policy SS1: presumption in favour of sustainable development.* Supports proposals which improve social, economic and environmental conditions in the county taking into account any adverse impacts in granting permission which would significantly and demonstrably outweigh the benefits.
- *Core Strategy Policy OS3: Loss of Open Space, Sport or Recreation facilities.* The loss of sports facilities results in an equally beneficial replacement for the local community.
- *Sport England Policy on Planning Applications affecting playing fields E5:* the proposed development is for an outdoor facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing fields.

**Assessment of need:** The Hereford Playing Pitch Assessment 2012 and the Outdoor Sports Investment Plan 2017 provide the evidence base as required by the NPPF and Core Strategy Policy OS3. The Outdoor Sports Investment Plan is overseen by a partnership of Herefordshire Council, Sport England, County Sports Partnership and the National Governing Bodies for football, cricket, hockey and rugby and it is by this mechanism that data, priorities and need are kept up to date. Sport England supports this approach.

Evidence in these documents shows that there is deficit of football facilities for training (senior and junior) and dedicated junior football pitches in Hereford. As such the Outdoor Sports Investment Plan 2017 contains a number of projects to address deficiencies including the provision of 2 x 3G AGPs in Hereford in recognition that AGPs are more sustainable than grass pitches and are beneficial to growing the sport. This is underpinned by work undertaken by the Football Foundation to establish how many (AGPs) would be required in the county in addition to those already in place to accommodate the deficiencies identified for football. This concluded that an additional 2 x AGPs are needed and can be sustained in Hereford City.

This work also established that the most sustainable solution to benefit the local clubs will be to locate the 2 new facilities north of the river given the catchment areas of the Hereford based clubs. The only existing 3G AGP is at the Hereford Academy (south of the river) and is used by clubs both south and north of the river. By freeing up space this will help to meet unmet demand south of the river.

3Gs provide greater use to the benefit of the sport in meeting identified deficiencies. The Design and Access statement explains that the proposal will allow for a range of pitch sizes to be provided on the same surface to maximise the benefits of the AGP for all age ranges, and that this will then maximise the opportunities for developing football programmes at the site as well as supporting match-play and training activities. The intended training activities. The intended hours of use until 10pm are proposed to maximise the usage of the pitch for the development of sport to deliver up to 85 hours per week of use. This then will significantly improve the quantity of use of the pitch compared to the existing grass pitch which is restricted in practical terms by the wear and tear that takes place when using a grass pitch. The provision of the AGP will also have indirect benefits on existing grass pitches in the area, by allowing training/match play to be transferred onto the AGP thereby reducing overplay of existing grass pitches, and minimising

the risk of fixtures being cancelled due to unplayable pitch conditions. This accords with Sport England's, exception E5 as described above.

In accordance with the NPPF and Cores Strategy policy SS1, the provision of a 3G AGP at Pegasus Juniors FC Old School Lane Hereford will be sustainable, deliverable and manageable. Finding a suitable location which has proved to be difficult. In order to deliver effective management arrangements the proposal will be located on an established site. Other sites have been considered including Aylestone School and the Hereford Leisure Centre. Aylestone School was not acceptable in planning terms and the Leisure Centre provides the only artificial turf pitch suitable for hockey (sand based) in this part of the county. This surface is not suitable for football.

The site is currently used by Pegasus Juniors FC. In order to meet the policy requirements set out above, the proposed 3G will need to provide wider community access. The Design and Access statement explains that the intention is that the proposed 3G pitch will not only provide home ground facilities for the existing club to play and train, but will also provide wider community access for other football clubs, partner organisations and community groups in the local area to use the pitch during evenings and weekends. Both the Herefordshire Football Association (HFA) and the Football Foundation (FF) are supporting this proposal with grants and there is a requirement from both for the facility to be available to all members of the community from juniors through to veterans, male and female, disability groups etc, and for this to be demonstrated through a five year development plan and a five year business plan.

In order to meet the community use proposals set out in the Design and Access Statement it is recommended that a community use agreement is secured by condition. This is in accordance with Core Strategy policy OS3 and associated evidence bases and Sport England exception policy E5. This will ensure that an appropriate arrangement of community use (including a pricing policy that is affordable to local teams, maximises the available hours of community use, and puts in place appropriate arrangements for management and maintenance) is secured.

It is noted that there isn't a standard condition. Sport England has provided comments on this application in which they have helpfully included a non-standard condition

#### 4.6 **Environmental Health Manager - Noise/Lighting - Original comments**

My comments are with regard to potential noise and nuisance issues that might arise from development.

This proposal is on an existing site used for football. A change of surface to an all weather pitch and new floodlighting is likely to lead to a significant intensification of use. There are neighbouring residential premises within 50m to the north on the other side of the Roman Road and also to the south and east.

##### Floodlighting

The applicant has supplied details of the proposed floodlighting to be installed but no assessment as to how this might impact on neighbours. An assessment with floodlighting contours is requested.

##### Noise

The applicant is requested to supply a noise assessment for the proposal which examines likely noise impacts on neighbours for an appropriate character correction to be included to reflect likely noise characteristics.

Please advise the applicant that we do not support the proposal for a condition

The playing surface hereby approved shall only be used between the hours of 08:00 and 22:00 Monday to Sunday. The surface may be used between the hours of 22:00 and 23:00 no more than 10 occasions in any 12 month period, and the Council shall receive written notification from the applicant no later than 48 hours beforehand that the surface is to be used beyond the hours of 22:00.

#### 4.7 Environmental Health Manager - Noise/Lighting - Amended details comments

I have been reconsulted with regard to applicant's submission regarding lighting and noise.

##### Lighting

I have re-examined the technical details of the floodlighting and advise that I have no objections to what is proposed.

##### Noise

In my response of 3rd October I requested a noise assessment. This has not yet been supplied. My key concern is the potential noise impacts arising from the intensification of use of this site in the evenings when road traffic noise from the A4103 is likely to diminish. There is also a residential property 50m to the south. We are aware of other local authorities that have had issues with noise and nuisance issues arising from the intensification of use as a result of the installation of 3G Artificial Turf Pitch so a noise assessment is still requested. However I have no objections if this is a desk top exercise which uses existing road traffic noise data to evaluate the potential noise generated against background noise levels.

#### 4.8 Environmental Health Manager - Noise/Lighting - Noise Assessment Comments

Further to my response of 20th November our department is now in receipt of a Noise Impact Assessment.

The applicant has supplied predicted noise levels based on data gathered from the use of other Artificial Grass Pitches and compared this against existing data regarding background noise levels – largely those emanating from road traffic noise to the north on the A4103.

The predicted noise modelling shows that the highest predicted noise at the ground floor façade emanating from the site will be 49dB LAeq to the north and 47dB LAeq to the south. Both these noise levels are compared with data regarding predicted existing noise levels and finds that noise impacts from the site in the evening (the most noise sensitive part of the proposed operation) will be below the 'lowest observed adverse effect' level. Our department therefore has no objection so these proposals on noise grounds.

I recommend the following conditions:

The use of the proposed Artificial Grass Pitch and associated floodlighting shall be restricted to the following hours:

Monday to Friday 09:00 to 22:00 hours  
Saturday and Sunday 09:00 to 22:00 hours.

Prior to the use of the site for sporting purposes a Community Use Management plan and a Noise Management Plan shall be submitted and approved in writing by the local authority. This will incorporate issues set out in para 4.8.2 of the applicant's Design and Access statement.

A prohibition of the use of amplified music at the site.

Reasons: In order to protect the amenity of occupiers of nearby properties so as to comply with Policies SS6 and SD1 of the Herefordshire Local Plan Core Strategy 2011-31.

#### 4.9 Transportation Manager

I have now had the opportunity to review the information provided. Please see below my comments and recommendation.

- The applicant recognises that the proposals will result in an increase in usage and therefore there will be an intensification of the Access Road / Old School Lane junction. A visibility splay of approx. 57m southbound and 49m northbound is achieved from a setback of 2.4m, this is in keeping with the standards set out in MfS2 for a 30mph road. There are no proposed changes to the existing access arrangements.
- The applicant states that congestion in the parking area and on the local highway network will aim to be mitigated by ensuring fixtures/events do not overlap, by managing on-site traffic during events and by the promotion of car sharing, public transport and walking and cycling to the site, this should include the provision of a Travel Plan. There are bus stops on Old School Lane within 200m of the site, it is also stated that new cycle stands have recently been installed at the site.
- A total of 66 car parking spaces are proposed, this represents no change to the number of existing parking spaces. The Herefordshire Design Guide Parking Standards state that for team games areas 1 car space is required per 2 team members. It is estimated that the maximum number of players utilising the ATP at any given time is 40, meaning 20 spaces are required according to the standards. The provision of 66 spaces is considered acceptable as it means that the on-site parking provision should be able to accommodate the max number of vehicles expected to be at the site at any given time, meaning overflow parking on nearby residential streets should be avoided.
- An assessment of 'crashmap' has demonstrated within the past five years no serious or fatal incidents have occurred near the site. Also, there are no obvious clusters of incidents which would suggest an underlying issue with the highway layout.
- The applicant has provided detail of the drainage strategy in the submitted Planning Statement. The applicant should ensure that no water discharges onto the highway.

#### Recommendation

This application is recommended for approval, subject to the following conditions.

#### CB3 - Travel plans

Prior to the commencement of the development a Travel Plan which contains measures to promote alternative sustainable means of transport for staff and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented, in accordance with the approved details, on the first occupation of the development. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy MT1 and SS4 of Herefordshire Core Strategy

#### I05 – No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

#### I11 – Mud on highway

It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

#### I35 – Highways Design Guide and Specification

The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.

#### I45 – Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517),, shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900.

### **5. Representations**

#### 5.1 Holmer Parish Council

Support the application.

#### 5.2 Hereford City Council (adjacent Parish)

Hereford City Council Planning Committee objected to Planning Application 182893. Councillors are concerned that the materials used to create artificial pitches of this nature are hazardous to children. Several Councillors had done research into this area and were troubled by the possibility of allowing potentially dangerous exposure to toxic materials. Can the applicant guarantee that their materials are not hazardous to the health of those who use their pitches? Please could Councillors also receive further information and reassurance that every measure has been taken to ensure maximum safety. Councillors were also concerned that the artificial pitch would mean there was no where for run-off rainwater to go, and were also troubled by the loss of another natural green space.

5.3 Two letters of support have been received from Herefordshire Football Association – Facilities and Grants Manager and Chief Executive. In summary these state:

- Herefordshire FA fully supports this application
- Current dire lack of these facilities in the county (demand for 7 AGP), compared to the rest of the country we are being left behind.
- Proposal would go some way to addressing the need and benefiting the community as a whole
- Will support both existing clubs and future growth of football in the county – including increased number of female (adults and children) teams, disability sides and other key areas
- Without such facilities the growth in participation cannot be supported
- Recent seasons have suffered significant postponements due to poor weather, of these wet conditions are the biggest cause of postponement, which will not generally affect the AGPs
- The venue would allow leagues to be centralised, vastly reducing the risk of such a catastrophic season impacting on Herefordshire football again
- Pegasus Juniors FC currently runs several community programmes, through successful partnerships and their ability to provide community initiatives and growth them greatly depends on the success of this application
- Such initiatives enable participation for all across the county and are integral to the growing of the game
- The positive effect of successfully delivering such a facility should not be underestimated

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=182893&search=182893](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=182893&search=182893)

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

### Policy context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration.

6.3 CS policy SS1 advises that '*When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy.*' It continues that it will seek to secure development that improves the social, economic and environmental conditions in Herefordshire. It also confirms, in accordance with the statutory duty that planning applications that accord with the policies in CS will be approved, unless material considerations indicate otherwise. The text on the 'Vision for social progress in Herefordshire' also advises that the opportunities and benefits from sport, amongst other things, will be maximised, enabling more active lifestyles and an improved quality of life for all.

- 6.4 NPPF Chapter 2 – Achieving sustainable development advises that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) to secure sustainable development. The three overarching objectives, are economic, social and environmental. These include helping to support growth, strong vibrant and healthy communities with accessible open spaces that reflect current and future needs, supporting communities' health, social and cultural well-being and contributing to the protection and enhancement of the environment, including effective use of land and minimising waste and pollution.
- 6.5 Policy SC1 of the CS supports the improvement of existing community facilities, which the existing use falls within the definition of as it comprises a recreational/sports facility operated by the community/voluntary sector. This policy states that 'Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.' The pre-text to the open space, sport and recreation facilities policies (OS1, OS2 and OS3) recognises that such facilities are an essential part of sustainable communities, need to stand the test of time, be where people want to live, and enable people to meet their sporting and recreational aspirations and potential (paragraph 5.1.42). Where a proposal results in the loss of a sports facility CS policy OS3 sets out four principles to be taken into account. These are:
1. Clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;
  2. The loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community;
  3. The loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses;
  4. The loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.
- 6.6 Chapter 8 of the NPPF promotes healthy and safe communities. Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. In terms of open space and recreation it states that access to high quality facilities for sport and physical activity is important for the health and well-being of communities. Paragraph 97 states that:
- Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use
- 6.7 In addition to local and national planning policies the Sport England Policy on Planning Applications affecting playing fields E5 is relevant.
- 6.8 In terms of the principle of the replacement of grass pitches with an artificial turf to provide a full sized adult pitch and smaller pitches for junior games, training etc., it is considered that in accordance with Sport England's advice and that of the Open Space Planning Officer the

improvement to the facility outweighs the loss of the existing. The benefits of a more durable, weather resistant surface are clearly expressed in the representations from Herefordshire Football Association, which includes a reduction in the cancellation/postponement of fixtures and the opportunity for increased usage for a range of teams. The latter including community groups and not just the current club (Pegasus Juniors) that occupies the site. To ensure that the community use is maintained, in the public interest and to accord with policy requirements, it is considered that Sport England's recommended conditions are reasonably related to the development proposed, necessary and enforceable in accordance with paragraph 55 of the NPPF. In principle the proposal accords with CS policies and paragraph 97 of the NPPF, along with Sport England Policy.

- 6.9 With regards matters of detail these are the highway impacts, the affect on neighbouring uses and drainage.

#### Highways

- 6.10 CS policy MT1 requires development to provide safe and suitable access, encourage active travel behaviour and demonstrate that the strategic and local highway network can absorb traffic impacts, amongst other considerations. At paragraph 108 of the NPPF similar requirements are set out and in addition it cautions, at paragraph 109, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.11 The proposal would retain both existing access and parking arrangements. The site is considered to be in a relatively sustainable location, where visitors have the opportunity to reach the facilities on foot, cycle or partly on public transport. There is existing secure cycle storage within the site. Moreover, the nature of the use, for team sports, gives rise to the increased potential for shared modes of transport. Although the proposal seeks permission for extended hours of use it would not increase the capacity of the use of the site at anyone time. That said, the artificial surface would facilitate both a greater number of days usage per year and increased hours per day. The increased number of days would not adversely impact on the road network, but the increased hours could give rise to more 'change over' periods between sessions of use, resulting in potential conflict between those leaving the site and those arriving. It is considered that this would not result in a 'severe' impact and in light of the Transportation Manager's response it is considered that the scheme would not lead to harmful highway impacts and as such accords with policy requirements. The requirement for a Travel Plan to promote active travel patterns and minimise potential conflict at change over times is considered to proportionately address any arising impacts and can be reasonably controlled by condition.

#### Impact on neighbouring uses

- 6.12 The potential impacts on neighbours result from noise, lighting and comings and goings. CS policy SD1 requires developments to safeguard residential amenity and ensure they do not contribute to adverse impacts arising from noise or light contamination. Paragraph 127f) of the NPPF states that developments should create places that have a high standard of amenity for existing users.
- 6.13 With regards noise impact, firstly it must be borne in mind that the lawful use of the site is for sports pitches and this generates noise. Secondly, the proposed use would not increase the number of users of the facility at any one time. Thirdly, there is an existing tannoy system in place, which is a requirement for competitive league matches. As a consequence, the application must be assessed in this context, whilst accepting that the improved durability of the playing surface would lead to increased duration of use. The Design and Access Statement advises that during the winter the need to protect the playing surface means that it is used for up to three evenings per week. As proposed the use would be for every day. The requested hours are 9am until 10pm, with floodlighting facilitating this when required. The Design and

Access Statement advises that Pegasus Juniors will implement a community use management plans to ensure the correct operation of the premises. It states that this would include day to day management, booking procedures, on site car parking for the community use and local resident communications. In addition a Noise Management Plan with procedures to minimise potential noise impact on local residents is proffered by the applicant.

- 6.14 A Noise Assessment has been submitted and the Environmental Health Manager accepts its findings. Subject to the requirement for Noise and Community Use Management Plans to be approved prior to first use and implemented when the 3G pitch is in use, along with a restriction on amplified music there is no objection with regards noise.
- 6.15 Turning to the impact of the replacement floodlighting, the agent has advised that the nearest residential properties lie on the opposite side of the busy A4103, which itself has street lighting. The proposed lighting would reduce to 1 lux within the road. The existing floodlighting is permitted to be switched on until 10pm (Reference: CE2002/3404/F – condition 4). The Environmental Health Manager has no objection to this, subject to a condition restricting hours of use.
- 6.16 The agent has suggested a condition to allow them to exceed a switch off of the floodlighting at 10pm, on no more than 10 occasions per year and subject to the Local Planning Authority being notified of this 48 hours in advance. It is stated that this may be necessary when matches run into both extra time and penalties for all players, but acknowledges that this is rarely likely to occur. It is considered that such a condition would not serve a useful planning purpose, as it effectively wishes to give prior notice of a breach of condition.
- 6.17 Lastly, whilst the increased use in terms of days per year and hours per day would result in more comings and goings, the vehicular access serving the site is off Old School Lane, where the predominant use is industrial. Any increased traffic near to the residential neighbours would be along the 'A' classified road and would not be so discernible as to represent harm to their living conditions.
- 6.18 To conclude on this issue, it is considered that the proposal would not adversely impinge upon existing residential amenity and remains a compatible use alongside industrial uses. The scheme accords with CS policy SD1 and the NPPF.

#### Drainage

- 6.19 The proposal would not result in any additional foul water and surface water was originally stated to be to the mains. CS policy SD3 requires developments to include appropriate sustainable drainage systems to manage surface water and states that they should not increase runoff. Welsh Water has advised that a surface water connection is not permissible at this time, even if there is an existing connection for land drainage. It is noted, however that condition 19 of planning permission CE2002/3404/F prevented a connection for surface water. As a new development there is no requirement for Welsh Water to permit a connection and they have recommended a condition preventing this. To accord with CS policies SD3 and SD4 it must be demonstrated that a sustainable system of surface water drainage is achieved, without increased runoff or contamination, such that it would undermine the achievement of water quality targets for rivers within the county. The Ecologist confirms this position, but reference to vehicles, roadways and drives is misplaced as they exist. The agent has now advised that the existing surface water drainage is to the highway drain, but again there is no requirement for this to continue for the new development proposed. If such a request were made it would be considered in light of the existing installation and consideration of the existing and future runoff. In these circumstances the agent has agreed to a pre-commencement condition requiring surface water drainage details to be submitted to and approved in writing before any other development takes place. This would provide proportionate control and enable a Habitat

Regulations Assessment – Appropriate Assessment to be undertaken before development begins.

#### Other matters

- 6.20 The City Council has raised objection to the proposal on the grounds that the surfacing material may be unsafe for users, due to its potentially contaminated nature. The agent has provided further information, which states that the installation of the recycled rubber tyre material (SBR) is subject to a procedure of testing in accordance with all relevant standards and requirements, prior to being deposited on site. The agent has recommended a condition is imposed to ensure compliance, and whilst there may be a degree of duplication with other legislation in doing so, to ensure the well-being of users of the proposed facility it is considered to be reasonable and relevant.
- 6.21 The site lies partly in the Health and Safety Executive (HSE) inner, middle and outer consultation zones. Planning Authorities should consult HSE under the Town and Country Planning (Development Management Procedure)(England) Order 2015 on certain developments where they meet one of the specified criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline. The only potentially relevant criterion is where the development would result in '*a material increase in the number of persons working within or visiting the notified area*'. Where the proposed development relates to an extension to an existing facility, which will involve an increase of less than 10% in the population at the facility at anyone time, then HSE consultation is not required. The resurfacing of the existing pitch would not increase the number of participants/spectators at any one time.
- 6.22 There is a current application for the provision of a 3G pitch at the County Ground, Hereford (reference 182950), which is also before Committee for determination. As confirmed by the Open Space Planning Officer and endorsed by the representations from the Herefordshire FA, there is a demand for two additional facilities in Hereford City, as calculated from the number of registered football teams within the County. On this basis, one scheme would not prejudice the other.

#### Conclusion

- 6.23 The proposal represents an enhancement to the useability of the pitches, both in terms of duration and range of users. This is a positive social gain and weighs in favour of the scheme. It is located where users would have a choice on how they travel to the site and there would be no adverse impacts on neighbouring uses. Subject to a satisfactory surface water drainage scheme there would be no adverse environmental impacts. When considered against the CS as a whole and taking into account other material considerations, namely the NPPF and the Sport England Policy on Planning Applications affecting playing fields E5, the proposal is considered to be sustainable development that accords with the Development Plan. In the absence of any material planning considerations that indicate a decision being made other than in accordance with the Development Plan, as per the statutory duty, paragraph 11c) of the NPPF and CS policy SS1 it is recommended that permission is granted, subject to conditions.

### **RECOMMENDATION**

**That planning permission be granted subject to the following conditions and any other conditions considered necessary by officers named in the scheme of delegation to officers:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B02 Development in accordance with approved plans and materials**

3. Use of the development shall not commence until:

  - a) Certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and,
  - b) Confirmation that the facility has been registered on the Football Association's register of Football Pitches

Such details to have been submitted and approved in writing by the Local Planning Authority in consultation with Sport England.

Reason: To ensure that the development is fit for purpose and sustainable, provides sporting benefits and to accord with policy OS3 of the Herefordshire Local Plan – Core Strategy.
4. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the proposed Artificial Grass Pitch and associated ancillary facilities and include details of pricing policy, hours of use, access by priority groups/community users other than the host club, management responsibilities and a mechanism for review). The development shall not be used otherwise than in strict accordance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with policy OS3 of the Herefordshire Local Plan – Core Strategy.
5. Prior to the commencement of any construction work details of the type of infill materials to be installed into the 3G artificial grass pitch surface which may comprise of recycled SBR with adequate chemical testing evidence in compliance with REACH findings, or EPDM, or TPE, or Encapsulated SBR or natural materials (such as cork / vegetable) shall be submitted to and approved in writing by the local planning authority. The approved surface shall be implemented prior to first use of the pitch and no other alternative surface shall be used without prior written consent of the local planning authority.

Reason: To ensure that the surfacing of the pitch would comply with industry guidance that her considered the findings of Registration, Evaluation, Authorisation and Restriction of Chemicals and so as to ensure a safe environment for users of the facility in accordance with Herefordshire Local Plan – Core Strategy policy SD1 and there requirements of the National Planning Policy Framework.
6. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and so as to comply with policies SD3 of the Herefordshire Local Plan – Core Strategy and the requirements of the National Planning Policy Framework.

7. The use of the 3G pitch and associated floodlighting hereby approved shall be restricted to between the hours of 9.00am and 10.00pm.

**Reason:** To minimise the impact of the floodlights and protect the residential amenities of nearby dwellings in accordance with policies SS6 and SD1 of the Herefordshire Local Plan – Core Strategy and requirements of the National Planning Policy Framework.

8. All fencing and enclosures included on the approved drawings shall be erected prior to the first use of the 3G pitch and shall thereafter be retained or replaced with fencing/enclosures of the same height, unless alternative details have first been submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of public safety and residential amenity and so as to accord with policy SD1 of the Herefordshire Local Plan – Core Strategy and requirements of the National Planning Policy Framework.

9. Prior to the first use of the development hereby approved a Travel Plan which contains measures to promote alternative sustainable means of transport for staff and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented, in accordance with the approved details, on the first occupation of the development. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

**Reason:** In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy MT1 and SS4 of Herefordshire Core Strategy

10. Prior to the first use of the 3G pitch hereby permitted a Community Use Management Plan and a Noise Management Plan shall be submitted and approved in writing by the local authority. This will incorporate issues set out in para 4.8.2 of the applicant's Design and Access statement and shall include a prohibition of the use of amplified music at the site. The use of the 3G pitch shall operate in accordance with the approved Plans.

**Reason:** To ensure that residential amenity is safeguarded and so as to accord with policies SS6 and SD1 of the Herefordshire Local Plan – Core Strategy and requirements of the National Planning Policy Framework.

11. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the 3G pitch hereby permitted.

**Reason:** In order to ensure that satisfactory drainage arrangements are provided and enable the local planning authority to carry out a Habitat Regulations Assessment – Appropriate Assessment and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

**INFORMATIVES:**

1. **IP1 - Application Approved Without Amendment**
2. **I05 - No drainage to discharge to highway**  
Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
3. **I11 - Mud on highway**  
It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
4. **I35 - Highways Design Guide and Specification**  
The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
5. **I45 - Works within the highway (Compliance with the Highways Act 1980 and the Traffic Management Act 2004)**
6. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517),, shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.
7. Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900
8. **Notes re: conditions 3 and 4**  
The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf – FIFA Quality Pro and steps 3-6 should be built to FIFA Quality as a minimum and tested annually as per league rules.

Guidance on preparing Community Use Agreements is available from Sport England at:

<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>

For artificial grass pitches it is recommended that you seek guidance from the Football Association on pitch construction when determining the community use hours the artificial pitch can accommodate.

**9. Welsh Water Advisory Notes:**

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

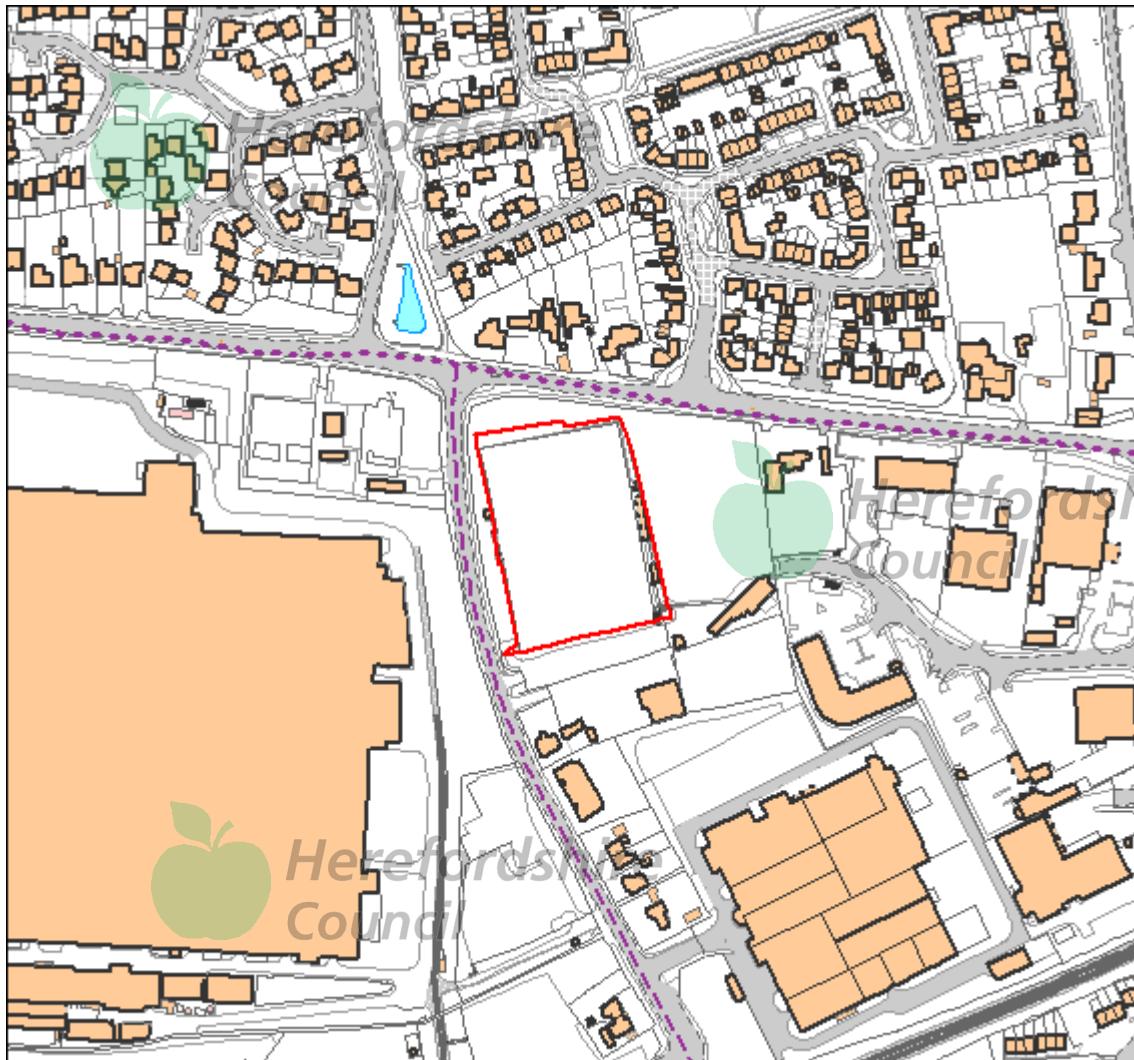
The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** 182893

**SITE ADDRESS :** SPORTS GROUND AND CLUB ROOM, OLD SCHOOL LANE, HEREFORD,  
HEREFORDSHIRE, HR1 1EX

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