

DCCW0009/1950/CD DCCW/092345/CD -
REPLACEMENT BMX TRACK AND RE-INSTALEMENT
OF EXISTING TRACK TO PARKLAND AT LAND TO
THE REAR OF 102-140 WESTFALING STREET,
HEREFORD, HR4 0JF

For: Parks and Countryside, Herefordshire Council,
PO Box 41, Leominster, Herefordshire, HR6 0ZA

Date Received: 24 August 2009
Expiry Date: 19 October 2009

Ward: St Nicholas Grid Ref: 349228,240175

Local Members: Cllrs DJ Benjamin and JD Woodward

1. Site Description and Proposal

- 1.1 The application site is comprised of an area of public amenity space extending to approximately 1.1 hectares, located to the south of the properties on Westfaling Street, abutting the western boundary of the crematorium grounds.
- 1.2 The application seeks permission to refurbish and upgrade the existing Bicycle Motocross (BMX) track to provide improved recreational facilities, which will involve engineering operations to create new earth jumps and burms. The refurbished track will occupy a more compact area, allowing for the western section of the existing track to be re-instated to general open amenity space.

2. Policies

- 2.1 Policy S1 - Sustainable Development
 Policy S2 - Development Requirements
 Policy S8 - Recreation, Sport and Tourism
 Policy DR1 - Design
 Policy DR2 - Land Use and Activity
 Policy DR3 - Movement
 Policy DR4 - Environment
 Policy DR13 - Noise
 Policy CF5 - New Community Facilities

3. Planning History

None

4. Consultation Summary

Statutory Consultations

- 4.1 None.

- 4.2 Traffic Manager: No objection to the revised plan incorporating 11 parking spaces accessed from the cul-de-sac on the southern side of the roundabout forming the junction of Westfaling Street and Wordsworth Road.

5. Representations

- 5.1 Hereford City Council: No objection in principle, but suggest that 15 parking spaces be provided within the site to alleviate parking problems for local residents.

- 5.2 Letters of objection have been received from Mr Exton, 112 Westfaling Street and Mr Bailey, 38 Westfaling which are summarised as:

- Will attract too many children and young people, who will litter the place with empty sweet packets and drinks bottles, which will be a hazard to dog walkers.
- Noise and anti-social behaviour will be a problem.
- The area should be completely fenced off.
- Is this not meant to be public open space. It is being filled with equipment which is then vandalised by young people.
- The area should be used to plant trees and hedges to encourage wildlife, it needs a pond.
- There is inadequate parking to serve the recreational area.
- Access must be provide for emergency vehicles.

The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 Having regard for the relevant policies, the primary issues in determining this application are considered to be:

- The Principle of Development
- Design and Appearance
- Residential Amenity
- Access and Highways Issues

Principle of Development

- 6.2 The proposed development is for the enhancement of an existing community facility, therefore it is acceptable in principle, subject to other material considerations being satisfactorily resolved.

Design and appearance

- 6.3 The refurbished BMX track itself will cover an area of approximately 50m x 50m, and comprises a 6m wide dirt track which takes the form of a double 's' the surface of which undulates to form jumps and turns. In terms of height the start hill will be the highest point standing at some 4m with the remaining obstacles ranging from 1.8m to

0.8m high. Visually it is not considered that the appearance of the completed BMX track will be read as a discordant feature, and the reduction of the overall footprint coupled with the re-landscaping of the amenity space is welcomed.

Residential Amenity

- 6.4 Having consideration for the existing use of the public amenity space, the proposed development is not considered to give rise to such a material impact on the levels of residential amenity presently enjoyed as to give rise to defensible grounds for refusal in this instance.
- 6.5 The supporting documentation suggests that in addition to informal leisure usage of the facility, once refurbished it may be used as a venue for organised events. Whilst on an infrequent basis this would not necessarily harm the residential amenity of the wider locality, more regular or semi-permanent use of the facility as a venue for competitions may result in an unacceptable impact on the surrounding established residential area. Therefore, in order to retain an appropriate degree of control over the future use of the facility, an appropriate condition is recommended to limit the use of the BMX track to informal recreation only, unless prior written approval for any organised event is first obtained from the Local Planning Authority
- 6.6 Given the need to earthmoving equipment to form the new track, it is considered expedient to recommend a condition controlling the hours during which works can take place, to protect the amenity of the adjoining properties.

Access and Highways

- 6.7 As submitted the application made no provision for any new parking, as the applicant anticipates that the majority of users will travel to the improved recreational facility by bicycle. However the potential for increased usage giving rise to additional vehicle trips cannot be discounted, and the absence of any parking provision, resulted in concern being raised by the Traffic Manager about existing parking capacity on and adjoining the highway.
- 6.8 In response to these concerns, the applicant submitted a revised plan to provide for 11 parking spaces located to the west of the BMX track, which would also provide gated emergency access. The provision of this parking area has overcome the concern of the Traffic Manager, and also addresses the issue of parking raised in the letters of representation.

Conclusion

- 6.9 Overall the proposal complies with the relevant development plan policies and as such, approval is recommended.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any other conditions considered necessary by Officers:

1. **A01 Time limit for commencement (full permission)**
2. **G09 Details of Boundary treatments**

- 3. H13 Access, turning area and parking
- 4. I16 Restriction of hours during construction
- 5. I32 Details of floodlighting/external lighting
- 6. The BMX track hereby permitted shall only be used for informal recreational purpose. No organised events including races, competitions or demonstrations shall take place without the prior written approval of the local planning authority.

Reason: To define the terms of the planning permission and to safeguard the amenity of the established residential area to comply with Policies DR1, DR2, DR3 and TC5 of the Herefordshire Unitary Development Plan 2007.

Informatives:

- 1. N08 Advertisements
- 2. N10 Council contract
- 3. N19 Avoidance of doubt - Approved Plans
- 4. N15 Reason(s) for the Grant of PP/LBC/CAC

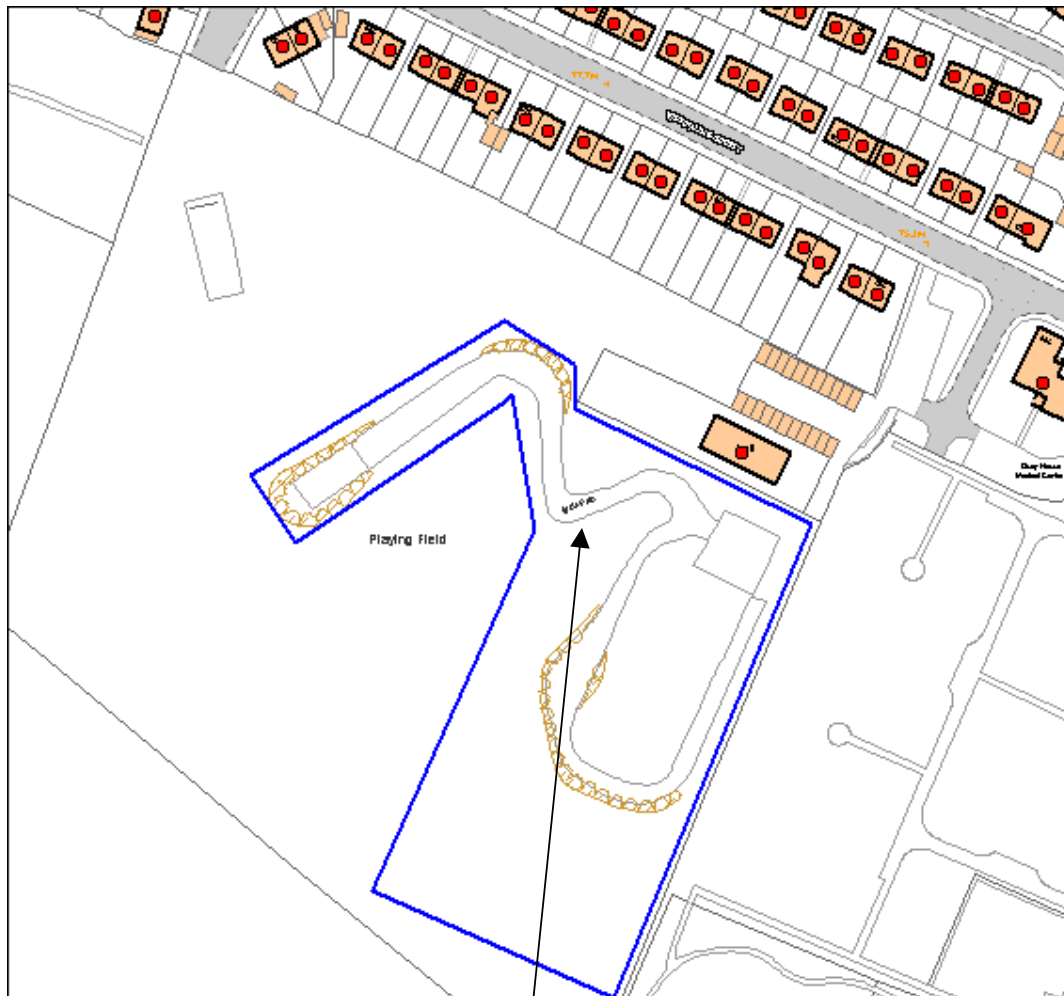
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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Further information on the subject of this report is available from Mr P Clasby on 01432 261947