

MEETING:	PLANNING COMMITTEE
DATE:	22 FEBRUARY 2012
TITLE OF REPORT:	<p>S113513/CD - CONSTRUCTION OF CARPARK AND FOOTWAY / CYCLEWAY OFF WATERFIELD ROAD FOR THE BELMONT HAYWOOD COUNTRY PARK. AT WATERFIELD ROAD, HEREFORD, HR2 7EL</p> <p>For: Mr Hemblade per Ms Paula Jobson, Amey, 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT</p>

Date Received: 14 December 2011 Ward: Belmont Grid Ref: 349280,237920

Expiry Date: 8 February 2012

Local Members: Councillor Cllr PJ Edwards, Cllr GA Powell and Cllr Adrian Bridges

1. Site Description and Proposal

- 1.1 The application site comprises part of the Belmont Hayward Country Park that is currently being established to the south west fringes of the city, accessed to the east of Waterfield Road and via the newly constructed Cedar Avenue and Sycamore Avenue and from the west from Haywood Lane.
- 1.2 This application comprises the provision of a car park and cycle / footway linking through to the eastern side of the Country Park.
- 1.3 The car park would be accessed via an existing gated access onto Waterfield Road and would be sited on the corner of Waterfield Road and Kestrel Road. The existing site is a grassed area, slightly elevated from the adjoining highway and surrounded by a shallow ditch. The site is open fronted to the east but benefits from a quite substantial landscape boundary hedge to the north along Kestrel Road.
- 1.4 The proposal involves the levelling and laying of a grasscrete parking surface over an area that would measure approximately 30m by 16m to 20m across. The boundary would be a birds-mouth fence (timber). The entrance to the car park would have a height restrictive barrier. The hedgerow to the north would be trimmed back but would be maintained. The car park would be able to accommodate approximately 20 spaces (including 2 disabled spaces).
- 1.5 The proposal is intended to allow for visitors to park safely when visiting the park and minimise the disturbance to the lives of adjacent residents. It is also expected that this facility would provide parking for local fisherman, rather than on street near to the pools.
- 1.6 Leading away from the car park towards the west would be a 3m wide footway / cycleway that would meet with an existing 2m wide footway / cycleway at the site boundary, providing an extended leisure route from Waterfield Road, through the park, to Hayward Lane. The pathway would be constructed of crushed stone surface.

Further information on the subject of this report is available from Ms Kelly Gibbons on 01432 261781

- 1.7 Funding for this project has been secured through the Section 106 agreement relating to the development at Mulberry Close by Persimmon.

2. Planning Policies

2.1 National Planning Guidance

- PPS1 - Delivering Sustainable Development
- PPS9 - Biodiversity and Geological Conservation
- PPG17 - Planning for Open Space, Sport and Recreation

2.2 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S8 - Recreation, sport and tourism
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment
- T6 - Walking
- T7 - Cycling
- T16 - Access for All
- LA2 - Landscape Character
- LA5 - Protection of trees, woodlands and hedgerows
- LA6 - Landscaping schemes
- NC1 - Biodiversity and Development
- NC8 - Habitat Creation, restoration and enhancement
- HBA9 - Protection of open areas and green spaces
- RST1 - Criteria for recreation, sport and tourism development
- RST4 - Safeguarding existing recreational space
- RST5 - New Open Space
- RST6 - Countryside access
- RST7 - Promoted recreational routes

3. Planning History

- 3.1 DCCW2007/2834/F - Proposed erection of 69 dwellings and delivery of Haywood Country Park – Allowed on appeal March 2008.

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Consultation Responses

- 4.2 Public Rights of Way comment that the proposal will not affect the Public Right of Way

The Conservation Manager makes the following comments:

4.3 Ecology

Whilst I have no objection in principle to the provision of a cycle path, I have the following comments to make and some concerns about the information that has been submitted with this application:

The ecological information that has been submitted is very limited. I have since obtained a copy of the ecological assessment by Abyecology dated 05/08/2010 which includes part of the area that is the subject of this application. The grassland would appear to be relatively low quality / coarse with little botanical interest.

The proposed cycle path lies partially within the Belmont Meadows Local Nature Reserve and a Site of Importance for Nature Conservation – SINC 44 Newton Farm. SINC 45 – Pond North of Newton Farm lies to the north. The cycle path will follow the route of an existing informal footpath, although this will need to be widened and there will be a change to the levels across the route. Local Nature Reserves are designated by Local Authorities partly for their nature conservation interest, but also to provide an element of public access to nature. This proposed cycle path will facilitate this access. The bridge has already been constructed to provide access across to the Belmont Haywood Country Park.

The application asserts that the River Wye is Ramsar site; it is in fact a Special Area of Conservation. There is also no mention of the SINC designation in the submitted information.

No information regarding the restoration of habitats adjacent to the route has been submitted. I would expect an application of this nature that will cross the grassland habitat of a SINC and LNR to include a habitat restoration and enhancement scheme for the working areas that will be disturbed; I recommend that a wildflower seed mix will need to be used for these areas, preferably locally sourced.

I am concerned about the proposed car park and the implications for hedgerow loss. Whilst I can appreciate that some hedgerow management may be required, the car park area should be amended to enable the retention of the hedgerow.

If the hedgerow can be retained and this application is to be approved, I recommend the inclusion of an appropriate non-standard condition.

4.4 Landscape

The site is located on the south west edge of Hereford city. The landscape character type is on the boundary between Urban and Wooded Estatelands, which reflects the suitable location for a country park. The site is identified within the Green Infrastructure Study, as an important corridor and local enhancement zone (ref: HerLSC12 and HerLEZ7). The site fronts Waterfield Road, which has a typical suburban character. Part of the footpath and cyclepath pass through a Site of Importance for Nature Conservation and a Local Nature Reserve.

The car park development and associated infrastructure will result in a loss of green, open space; however it is balanced against the aim of promoting access to the countryside. It will provide a positive link to the development of the Belmont Haywood Country Park, which has been laid out and is currently being finished (as explained in the design and access statement). The proposed grasscrete surface finish and birdsmouth fence are considered suitable for this location, as a transition between urban and rural.

The design and access statement includes that '*some hedging is to be thinned or removed within the north east boundary of the proposed car park*'. As compensation for this loss, and to enhance the streetscape, new tree planting could be included along the road boundary. A suitable proposal would be for new trees a 10m centres to reflect the street trees on the opposite side of the road, to create an attractive avenue to the edge of the park.

There is no objection to this application.

4.5 The Transportation Manager has no objection to the grant of permission.

Further information on the subject of this report is available from Ms Kelly Gibbons on 01432 261781

5. Representations

5.1 Hereford City Council comments as follows:

We agree with the principle but we would like to make sure that there's adequate lighting and, possibly, a lockable gate for the night time to prevent anti-social behaviour.

5.2 The Ramblers Association comment as follows:

Footpath HER50 passes through this proposed car park. We are concerned for the safety of pedestrians (probably young) who might have to pass through a melee of parking cars. There needs to be a means of separating the footpath from the traffic.

5.3 The Open Spaces Society comments are summarised as follows:

- Concerns raised about walking of dogs in park (Fouling etc)
- How is the car park going to be policed? Will parking be limited to a certain time and no overnight parking?
- There should be a legal diversion of the Footpath (No 50)
- Provision of Cycle stands may be appropriate
- Concern about chicane gate and how cyclists would negotiate this?

5.4 Letters of representation raising objection or concern have been received from the following:

Mr G Brawley, 8 Kestrel Road
Mr P Lisseman, 5 Kestrel Road
Mr R Green, 3 Kestrel Road
Mr M Gilleland, 35 Muir Close
Ms N Lynch, 6 Argyll Rise

5.5 These letters of representation raise the following issues:

- The car park may attract anti social behaviour such as late night gatherings / drinking / vandalism and noise in addition to the problems that already occur at the ball park;
- If the car park is not lit, this may attract anti-social behaviour?
- Can the car park be locked overnight?
- Is there a need for this car park when there is on street parking available?
- Is it realistic that fisherman would walk from this car park to the pools? What is happening with the suggested car park of Hayward Lane?
- Local residents expressed concern about a car park in this location and desire for the siting of this car park at the Haywood Lane side during the consultation meeting last year.
- The land is designated as safeguarded open space in the UDP (RST4) so how can a car park be built on this?
- The car park will have an adverse impact or loss of the natural environment;
- The car park will encourage the use of the motor vehicle
- The proposal includes the loss of the hedgerow;
- The amenities of nearby residents would be harmed, including their setting and views;
- The PROW would be obstructed by parked cars

5.6 A petition asking the question 'is this car park in the wrong place?' has been circulated and has attracted 44 names / responses, all answering yes to this question.

5.7 The consultation responses can be viewed on the Council's website by using the following link:- www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=113513

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

- 6.1 The Belmont Haywood Country Park was identified by policy RST5 of the Herefordshire Unitary Development Plan as a new recreational, amenity and open space facility to provide additional countryside access and recreational facility in an urban fringe location to the south west of Hereford. This has been brought to fruition through the recent delivery of a housing development off Mulberry Close. The 'Transport and Highways contribution' of £216,528.00 within the section 106 associated with the Mulberry Close development explicitly makes provision (amongst other priorities) for infrastructure and car parking area (including signage) to serve the Country Park. The need for this has been identified following the application and appeal process and the concern about indiscriminate parking on the highway around the development site and park. The chosen site could be easily signed and found by visitors that may be coming to use the facility by car.
- 6.2 The application site lies adjacent to the land allocated for the Country Park and is allocated in the Herefordshire Unitary Development Plan under policy RST4 as land that is safeguarded existing recreational open space. The proposed car park and pathway will provide a connection and link to the developing Country Park.
- 6.3 RST4 seeks to protect public and private open spaces with recreational value, but is permissive for development on such areas that complement the main uses of the open space. It is considered that the provision of this small car park area and footway / cycleway are clearly associated with the wider open space provision. The loss of this small area of land has been balanced against the aim of promoting the access to the wider open space amenity area and is considered to be acceptable. As such the proposed development would comply with the requirements of this policy.
- 6.4 The physical works required by the development have been kept to a minimum, with the use of grasscrete and birdsmouth fencing to the car park and crushed stone to the pathway being low key and appropriate for the type of development in this location and the transition between urban and rural. The retention of the hedgerow to the northern boundary has now been confirmed and a condition requiring its retention and details of future maintenance or works is recommended. The retention of the hedge is also considered important to offer a buffer between the proposed car park and those residents in Kestrel Walk that would otherwise overlook the car park. As this hedge is now being retained, the replacement planting requested by the Landscape Officer is not considered necessary. Therefore the proposed works are considered to comply with the requirements of policies LA2 and LA6 of the Herefordshire Unitary Development Plan.
- 6.5 One of the key concerns raised by local residents focuses on the potential that the car park would have to attract and possibly exacerbate anti-social behaviour in the area. Letters of representation indicate that there is already anti-social behaviour that occurs on a regular basis at the ball court that lies to the south of the proposed car park and they are concerned that by providing a parking area this may attract further problems and gatherings in this location that will cause disruption and disturbance to local residents.
- 6.6 The site is very open, is overlooked by dwellings and in a fairly prominent position. Following these concerns being raised it has been agreed with the applicant that a double head street light would be installed providing a well lit area which would hopefully deter anti social activity. The applicants have also been approached with regard to providing a locked gate that would prevent overnight use of the car park. The cost implications of undertaking this are quite significant and the Parks and Countryside department are unable to commit to this on the basis that the car park 'may' cause a problem. It has been suggested that a community led

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scheme to provide persons who would be willing to commit to locking and unlocking a gate could be a solution and this is being explored further. Nonetheless, the proposal in its current form is considered to be acceptable, and a refusal of the grounds of a potential problem could not be substantiated.

- 6.7 Local residents concerns have been noted by the Parks and Countryside Manager and Ward Members and contact has been made with the Local Policing Team on these matters and the existing problems that are ongoing.
- 6.8 The potential impact of the development has been considered in relation to the amenities of local residents and it is considered that the development itself, and use as a car park would not harm the amenities that are enjoyed by local residents. Any anti-social behaviour or disturbance can / should be dealt with by the appropriate authorities. The provision of this car park will provide a facility for use by the wider community and help prevent indiscriminate parking on the highway by those visiting the Country Park. Having regard to the above the proposals are considered to comply with policy DR2 of the Herefordshire Unitary Development Plan.
- 6.9 Local residents also raise the question and query the necessity for this proposal query why a car park cannot be sited to the Haywood Lane as was raised during a public meeting last year. The possibility of a car park off Haywood Lane is also being explored by the relevant officers but does not form part of this application.
- 6.10 The application site is crossed by a Public Right of Way. At present this does not follow the legal line. The current application does not show any definition or protection of this legal line, (which actually passes through dwellings on the other side of the Waterfield Road). Representations have raised concern about the potential for conflict with cars and pedestrian on this Public Right of Way. The applicants' agents are currently looking at ways to address this matter and the outcome of this will be reported at Planning Committee. Likewise, the type of chicane gate that is proposed is also being reconsidered following concerns being raised by the Open Spaces Society.
- 6.11 The proposed access to the site off Waterfield Road would not cause any concern from a Highway Safety perspective. The existing lighting column would be re-sited behind the visibility splay. The footpath along Kestrel Road would be continued to this access, improving pedestrian access onto the site. As such the proposal would comply with policy DR3 of the Herefordshire Unitary Development Plan.
- 6.12 Having regard to the above the proposal is considered to comply with the requirements of the Herefordshire Unitary Development Plan and will provide a facility that will encourage access to this Country Park and help to prevent indiscriminate parking on the highway that may be to the detriment of highway safety and the amenities of local residents.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. Prior to commencement of development, a full working method statement and habitat restoration and enhancement scheme shall be submitted for approval in writing by the local planning authority. The Plan shall include timing of the works and details of storage of materials and shall be implemented as approved.**

Reasons: To ensure that all species and sites are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC4, NC6 and NC7 of Herefordshire's Unitary Development Plan.

To comply with policies NC8 and NC9 within Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9 Biodiversity and Geological Conservation and the NERC Act 2006

4. The existing trees and hedgerow to the northern boundary of the site shall not be removed, destroyed or felled without the prior approval in writing of the Local Planning Authority. Prior to any maintenance or works being undertaken to the trees or hedge a detailed method / maintenance scheme shall be submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the areas and to protect the amenities of local residents in accordance with policies DR2 and LA2 of the UDP.

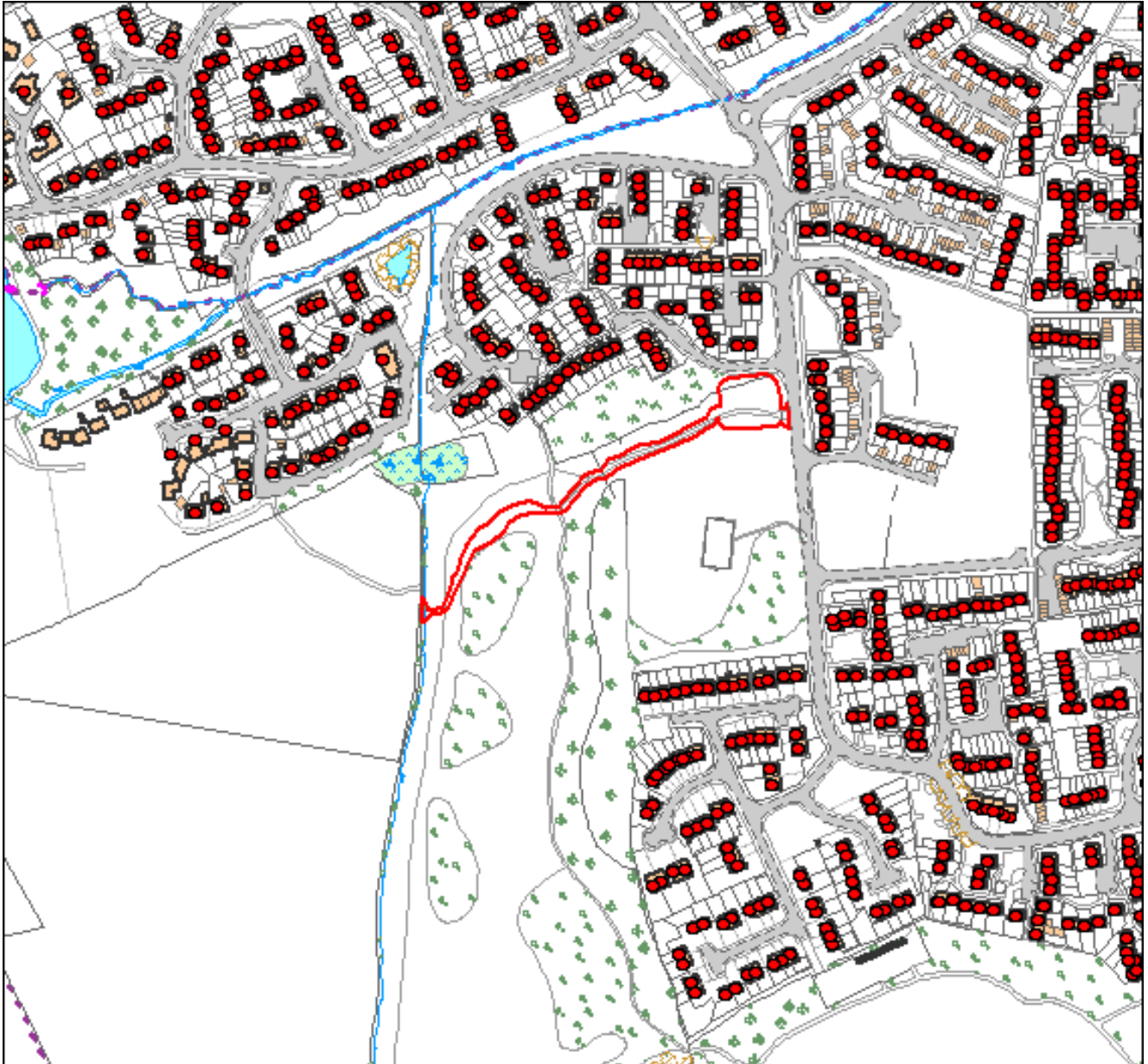
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/113513/CD

SITE ADDRESS : WATERFIELD ROAD, HEREFORD, HR2 7EL

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