

MEETING:	PLANNING COMMITTEE
DATE:	11 FEBRUARY 2015
TITLE OF REPORT:	<p>P142517/F - PROPOSED ERECTION OF CRICKET PAVILION, FORMATION OF CAR PARK AND OVERFLOW CAR PARK AND ASSOCIATED ENGINEERING WORKS IN ASSOCIATION WITH THE RELOCATION OF LEDBURY CRICKET CLUB AND THE FORMATION OF A PROPOSED VEHICULAR ACCESS OFF ORLHAM LANE TO SERVE THE SITE AT LAND TO THE SOUTH OF ROSS ROAD, LEDBURY, HEREFORDSHIRE,</p> <p>For: The Silverwood Partnership & Ledbury Cricket Club per Ms L Wilkinson, D2 Planning, Suites 3 & 4 Westbury Court, Church Road, Westbury on Trym, Bristol, BS9 3EF</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=142517&search=142517
Reason Application submitted to Committee – Linked to application 141651	

Date Received: 14 August 2014

Ward: Ledbury

Grid Ref: 369726,236469

Expiry Date: 14 November 2014

Local Members: Councillors E P J Harvey, PL Bettington and TL Widdows

1. Site Description and Proposal

- 1.1 The site comprises 5 acres of land located approximately 0.5km to the south west of Ledbury. The site is adjoined to the north by the A449 (Ross Road) and to the east by Orllham Lane. The site is considered to be located in open countryside and is characterised by an undulating landscape within which small groups of houses and farmsteads have developed. Accordingly residential development is sporadic along Ross Road, whilst five dwellings are located on the eastern side of Orllham Lane, opposite the application site.
- 1.2 The site itself is Grade 2 agricultural land and slopes from a high point in its north eastern corner to a low point at its southern boundary. It is bounded to the north and east by mature hedges, whilst southern and western boundaries are currently open as the site forms part of a larger agricultural field, with agricultural land further beyond.
- 1.3 The proposals comprise the erection of cricket pavilion, formation of car park and overflow car park and associated engineering works and the formation of a proposed vehicular access off Orllham Lane, in association with the relocation of Ledbury Cricket Club from its current location to the rear of The Full Pitcher Public House, approximately 0.5 km to the east of the application site.

- 1.4 The site will provide 2 cricket squares - one for the senior team and one for the junior team. The site will also provide a junior football pitch, measuring 72m x 45m. A new cricket pavilion will be constructed in the north eastern corner of the site with car parking and a new access proposed onto Orlham Lane behind. The pavilion measures 16.3m x 9.75m and has an eaves height of 2.5m to the eaves and 5m to the ridge and will provide home and away changing rooms, a club room and associated kitchen/toilet facilities.
- 1.5 The application is separate from an application for the re-development of the existing cricket pitch for housing submitted under application reference P141651/O. The two proposals do however have a clear link and this is reflected in both submissions. The application for the housing site has made it clear that the existing site would not be developed until such time as alternative cricket facilities have been provided and this proposal seeks to ensure this. The applicant has also indicated a willingness to include clauses in a Section 106 Agreement for the re-development of the existing site to ensure that development should not commence until work to provide a new cricket pitch has reached an agreed level of completion.
- 1.6 The application has been amended since its original submission in order to provide more detailed information about drainage arrangements. The proposed pavilion has been re-positioned and re-designed to address initial concerns raised by Sport England. In its amended form the application is supported by the following documents:
- Amended elevations for the pavilion
 - Amended layout plan
 - Design & Access Statement
 - Supporting Statement
 - Highways Statement
 - Flood Risk Assessment
 - Planning notes and site specification
 - Ecological Appraisal
 - Feasibility Study

2. Policies

2.1 National Planning Policy Framework

- Achieving sustainable development – paragraphs 7 to 10
- The presumption in favour of sustainable development – paragraph 14
- Core planning principles – paragraph 17
- Promoting sustainable transport – paragraph 32
- Promoting healthy communities – paragraphs 70 and 73
- Conserving and enhancing the natural environment – paragraph 109

2.2 Herefordshire Unitary Development Plan

S1	-	Sustainable Development
S8	-	Recreation, Sport and Tourism
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
T8	-	Road Hierarchy
LA2	-	Landscape Character and Areas Least Resilient to Change
NC1	-	Biodiversity and Development
RST1	-	Criteria for Recreation, Sport and Tourism
RST4	-	Safeguarding Existing Recreational Open Space

Further information on the subject of this report is available from Mr A Banks on 01432 383085

2.3 Core Strategy (Deposit Draft)

- SS1 - Presumption in Favour of Sustainable Development
- SS4 - Movement and Transportation
- SS6 - Environmental Quality and Local Distinctiveness
- OS2 - Meeting Open Space, Sport and Recreation Needs
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity

2.4 The Unitary Development Plan 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/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

3.1 P142062/F – Change of use of land to form new cricket pitch – Withdrawn

The application provided insufficient information about the detailed elements of the proposal and was withdrawn once the current detailed application had been submitted at the request of officers.

4. Consultation Summary

Statutory Consultations

4.1 Severn Trent Water – No objection

4.2 Welsh Water – No objection

4.3 Sport England - We are satisfied that if the pavilion and pitch was to be laid out as shown on the drawings and specification, then the proposal would be fit for purpose. However it is our view that given there have been several reiterations of the scheme, it would be appropriate to refer to these drawings and specification in a planning condition to avoid any doubt or confusion.

This being the case, Sport England does not wish to raise an objection to this application.

Internal Council Consultations

4.4 Transportation Manager – No objection subject to the imposition of conditions

4.5 Conservation Manager (Landscape) - The amended plans shown in drawing 1Q (dated Nov 2104) indicating the relocation of the single storey pavilion to the north east of the site are noted. The relocation is considered an acceptable amendment which has the potential to reduce the visual impact of the pavilion given its siting on lower land with additional hedgerow screening.

Further to a second site visit conducted on the 1st December, it is recognised that the proposal will require a degree of earthworks in order to facilitate the levelling of the pitch, thereby altering the natural landform to thus creating a manicured landscape. Notwithstanding the above the degree of harm is not considered to be such that it is significant to either the landscape character or visual amenity and therefore no objection is made.

It is recommended that landscaping proposals are submitted in conjunction with a management plan as part of a condition. The proposals should incorporate mitigation in the form of hedgerow

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tree planting along the northern boundary in addition to the reinstatement of a mixed native hedgerow along the southern site boundary in keeping with the restoration of the Landscape Character Type; Settled Farmlands on River Terrace.

Conservation Manager (Ecology) – No objection subject to condition

- 4.6 Land Drainage Engineer - Whilst we would prefer additional information to be submitted by the Applicant to support this application for development, we are confident that the options for surface water and foul water drainage as discussed by the Applicant will be adequate to prevent any increased risk of flooding to people and property elsewhere or pollution of the natural environment.

However, we do recommend that the following information is submitted to the Council for review and approval prior to construction:

- Provision of infiltration rates and depth to groundwater, with tests undertaken in accordance with BRE 365, to demonstrate that the proposed solution is appropriate to underlying soil conditions;
- Provision of a detailed surface water strategy for the entire development including the pavilion, sports pitch, car park and overflow car park, informed by the results of on-site infiltration testing;
- Details of the proposed outfall to the existing ditch along Orham Lane;
- Provision of detailed calculations of the size of the proposed soakaways and/or attenuation features, demonstrating that discharge from the site will be limited to existing greenfield rates for a range of events up to the 1 in 100 year event and that sufficient onsite attenuation will be provided up to the 1 in 100 year event and allowing for the potential effects of climate change;
- Demonstration that appropriate pollution control measures are in place in the car park and overflow car park prior to discharge;
- Demonstration that the Applicant has considered designing for exceedance;

- 4.7 Parks and Countryside Manager - The proposed full planning application for the relocation of Ledbury Cricket Club to land off Orham Lane/Ross Road in Ledbury and the development of a new facility and associated infrastructure is in support of loss of existing public open space and as such it needs to be considered together with the concurrent planning application at land behind The Full Pitcher for a residential development of up to 100 houses (P141651/0). The applicant has agreed from the evidence bases that the existing facility is not surplus to requirement and a replacement facility is required to meet both current and future needs of the club as identified in the Playing Pitch Assessment.

This application is supported in light of this and in recognition of the limitations of the club's existing facility which is not fit for purpose and cannot meet their future needs for an additional pitch. It is recognised that the proposed new facility will help meet this deficiency and those experienced by junior football. It will provide a bespoke new sustainable facility, meeting the future needs of the cricket club and will be of a better quality and community benefit to the current one. In providing additional junior football facilities it will enable more effective and sustainable use of existing facilities at Ledbury Town Football club and Ledbury Rugby club. To this end it is considered to adequately meet the needs of existing UDP policies S8, RST1 and RST4.

Existing Facility to be replaced: The existing facility at the Full Pitcher provides facilities for cricket and to a lesser degree football;

- 1 x cricket pitch and senior wicket used by Ledbury Cricket Club.
- 1 x football pitch used by Ledbury Town Football Club once the cricket season is over and at the behest of the cricket club. Use is therefore limited.
- 1 x cricket pavilion

Limitations of Existing Facilities (cricket and football): Playing Pitch Assessment for the Ledbury Area 2012:

supported by Ledbury Cricket Club/Ledbury Swifts: Junior Football/Ledbury Town Football Club.

- Quantity: Deficits in both cricket and junior football pitches:
 - o Ledbury Cricket Club requires a second pitch/wicket. There is no opportunity at the current site to do this.
 - o Lack of appropriate junior football pitches (9v9, 7v7 and 5v5s) creates over use at Ledbury Town Football Club by both senior and junior football and over use at the Rugby Club Ross Road for junior football as well as impacting on ancillary facilities including parking.
- Quality: Although the Playing Pitch assessment rated the cricket pavilion and changing provision as good this was prior to 2012 and in the meantime the wooden facility has further deteriorated and will soon need to be replaced to meet new modern standards of provision.
- Access: The Full Pitcher is a town centre site within easy access of residential areas but has limited parking as it is shared with the pub which creates security issues.
- Security: One of the biggest issues holding Ledbury Cricket club back is having a short-term rolling lease on their current ground. This precludes them from bidding for external funding to improve their facilities and grow the sport.

5. Representations

- 5.1 Ledbury Town Council – Resolved to support the application as originally submitted but did not comment on the amended plans as one councillor declared a disclosable pecuniary interest. His absence from the debate left the meeting inquorate.
- 5.2 CPRE object to the application on the basis that it will result in the loss of high quality agricultural land. They have also questioned the long term viability of the cricket club as no indication is given about future funding.
- 5.3 Eight letters of objection have been received from local residents. In summary the points raised are as follows:
 - The proposal will result in the loss of prime agricultural land
 - The proposed use is out of character with the surrounding area
 - It would lead to nearby properties being overlooked and overshadowed by the proposed pavilion
 - There are concerns about safety from cricket balls falling into nearby properties
 - General disturbance to neighbouring properties resulting from the use of the land as proposed
 - The proposal is contrary to Policy RST4 as it is not 'in a convenient and accessible location'

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- Concerns about highway safety at the junction of Orham Lane and the A449
- Orham Lane is already used by commercial and private vehicles accessing Siddington Farm and the proposal will further intensify its use.
- Concerns about safety as pedestrians would be required to cross the A449
- Car parking provision is insufficient
- The creation of a new access onto Orham Lane will cause surface water run off from the land onto the A449
- Consideration should be given to amalgamating cricket with the existing rugby club site
- The proposed development will impede access to a private septic tank serving two properties to the west of the site. The only current means of access to it is via the field gate on Orham Lane
- The proposal doesn't benefit the community but simply eases the re-development of the existing cricket site for housing. The situation is being driven by profit

5.4 One letter of support has been received. Its author considers that Ledbury's sporting facilities need to be improved and that that the proposal allows for this

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

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

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

6.1 The application has arisen as the current cricketing facilities at the site behind the Full Pitcher are considered to be inadequate and are preventing the further expansion of the club. The Supporting Statement that accompanies the application highlights these facts and points out that they are also acknowledged in the Herefordshire Playing Pitch Assessment 2012. This is confirmed in the detailed comments from the Council's Parks & Countryside Manager.

6.2 The cricket club occupies its current site on a short term lease. This has meant that they have been unable to secure grant funding for the development of the site as they have no security of tenure. The consequence is that the existing cricket club only has one pitch, meaning that both junior and senior teams use the same pitch, causing a high level of degradation during the course of a season. The existing facilities are also of a poor standard and require replacement but, without funding, the club have been unable to achieve this at the current site. A growing membership has brought about an increased need to find a new site.

6.3 The proposal provides separate pitches for junior and senior use and also bespoke training facilities through the provision of three nets which are currently lacking at the existing site. Although the loss of the existing facilities will be considered under a separate application for the re-development of that site, the basic tenets of Policy RST4 are applicable in that the proposal will improve existing sports facilities. The comments from the Council's Parks & Countryside Manager confirm that there is currently a deficiency in junior cricket and football pitches and that this proposal will improve this situation. Facilities at the rugby club to the east of the application site are already overstretched as it currently caters for some junior football alongside its use as a rugby club. The use of this site for cricket and junior football is considered to be complementary as they are both seasonal activities. No objection has been raised to this aspect of the proposal by Sport England.

6.4 It is therefore concluded that the proposal meets an initial requirement of Policies S8 and RST1 of the UDP in that the new facilities proposed will address recognised shortages in formal provision, as identified by the Herefordshire Playing Pitch Assessment 2012.

- 6.5 The policies also require that the site should be readily accessible to the local population by a variety of means of transport and that it should reduce land take by ensuring shared use of facilities by different user groups. The supporting statement identifies a number of other sites that have been considered but these were either unavailable, prone to flooding, inappropriate in terms of their topography or, in the case of the rugby club, already subject to significant use. As the situation currently stands the application site is considered to be the best available in terms of its proximity to Ledbury. Although it will result in the loss of agricultural land, your officers are satisfied that there is no realistic proposition for the cricket club to share facilities at the rugby club as its facilities are already shared with local football clubs.
- 6.6 The need for additional sports provision has been highlighted by the Herefordshire Playing Pitch Assessment 2012, particularly cricket and football pitches as proposed by this application. This accords with the requirements of paragraph 73 of the National Planning Policy Framework which advises that planning policies for sport and recreation provision should be based on robust and up-to-date assessment of needs and opportunities for new provision. The proposal is also considered to fully accord with Policies S8, RST1 and RST4 of the HUDP for the reasons given above, and is supported by Sport England and the Council's Parks and Countryside Officer.
- 6.7 It is acknowledged that the scheme will have some landscape impact as it will require the land to be re-modelled in order to provide a flat playing surface. The information provided by the applicant's agent shows that this can be achieved through a process of cut and fill across the site and that there will not be a need for spoil to be exported from the site. Whilst the topography of the site will be changed and the creation of playing pitches will create a more formal appearance, it will remain as an open area and, but for the construction of a pavilion, storage building, car park and cricket nets, the majority is free from development. It should also be noted that the Council's Landscape Officer does not object to the proposal. She has visited the site on two separate occasions and concludes that the proposal will not unduly harm the landscape character of the area, subject to the imposition of landscaping conditions. On this basis the proposal is considered to accord with Policy LA2 of the HUDP.
- 6.8 It has been demonstrated through the completion of an ecological appraisal that the site currently has limited ecological value. This could be enhanced through additional boundary planning and is reflected in the recommendation of the Council's ecologist. The proposal is also compliant with Policy NC1 of the HUDP.
- 6.9 The pavilion and car park are discretely positioned in the north eastern corner of the site and, due to the existing roadside hedgerows in this location, are unlikely to be visually prominent in the wider landscape. The pavilion is modestly proportioned and is in excess of 30 metres from the closest property and is also intersected by the existing roadside hedge along Orlham Lane which is to be retained. Therefore the concerns raised by local residents regarding overlooking and overshadowing are considered to be unwarranted and do not justify the refusal of the application.
- 6.10 Paragraph 32 of the NPPF is key to the highway impact debate where it states:
- Plans and decisions should take account of whether improvements can be undertaken within the transport network that, cost effectively mitigate, the significant impacts of the development. Development should only be presented or refused on transport grounds where the residual cumulative impacts of the development are severe.*
- 6.11 The Highways Statement that accompanies the application highlights the existence of a footpath along the A449, from its junction with the A417 for the 500 metres to Orlham Lane. Although it is on the opposite side of the road to the application site, it does offer an opportunity for pedestrians to access the application site safely. It also provides details of the proposed visibility splays at the access onto Orlham Lane and also at the junction of Orlham Lane and the

A449. It concludes that in both cases visibility is entirely appropriate for the development proposed and can be achieved within the confines of the highway. The verges are wide both on Orham Lane and the A449 and this helps to provide unimpeded visibility. The proposal also includes a limited amount of widening of Orham Lane between the site access and the junction with the A449. It is considered that this aspect of the proposal will address the concerns raised by local residents about the narrowness of the lane and difficulties that are currently experienced with opposing vehicles passing one another, particularly with commercial vehicles accessing Siddington Farm.

- 6.12 The Council's Transportation Manager has visited the site and has considered the contents of the Highway Statement and, subject to the imposition of conditions, does not object to the proposal. On the basis of the details provided it is not considered that the proposal would give rise to severe cumulative highway impacts, and the proposal to widen part of Orham Lane would serve to mitigate existing traffic conflicts. It is therefore concluded that there is sufficient capacity within the local road network to accommodate the development proposed and that the proposal accords with Policies DR3 and T8 of the HUDP in respect of highway safety matters.
- 6.13 The Feasibility Study that accompanies the application sets out in some detail the works that are likely to be required to produce a pitch that is compliant with Sport England guidelines and, when read in conjunction with the drainage design plan and Flood Risk Assessment provides sufficient detail to satisfy the Council's Land Drainage Manager that the proposal will not give rise to unacceptable risk in terms of surface water run off. The submission of further details by condition are recommended and this is reflected in the recommendation. On this basis the proposal is also considered to accord with Policy DR4 of the HUDP.
- 6.14 The concerns raised by one local resident about access to a private septic tank are considered to be a civil matter between the property owner, landowner and applicant and are not material to the determination of the application.
- 6.15 In conclusion, it has been demonstrated that Ledbury has a shortfall of playing fields, particularly in respect of cricket and junior football, by the Herefordshire Playing Pitch Assessment. The scheme represents betterment of existing facilities and therefore the proposal accords with Policies S8, RST1 and RST4, and also the NPPF which requires local authorities to demonstrate the need for additional sporting facilities. Although the creation of cricket squares will formalise the appearance of the landscape and will require engineering works to create a level pitch, this is not considered to be so harmful to the appearance of the landscape to warrant refusal and can also be mitigated through new planting along southern and western boundaries. This will also serve a ecological enhancement. Your officers are satisfied that the development can be accommodated by the local road network and will not be detrimental to highway safety. The scheme is compliant with national criteria as set out by Sport England and they have confirmed that they do not object to the proposal. It is therefore concluded that the scheme is compliant with the HUDP and the NPPF and the application is accordingly recommended for approval, subject to the list of conditions as set out below.

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 approved plans**
- 3. G10 – Landscaping scheme**
- 4. G11 – Landscaping scheme (implementation)**

5. H05 – Access gates
6. H13 – Access, turning area and parking
7. H17 – Junction improvements / off site works
8. H29 – Secure cycle parking provision
9. I41 – Scheme of refuse storage (commercial)
10. The development hereby approved shall be carried out in accordance with the ecological enhancements as set out in Section 4 of the ecologist's report from Crossman Associates dated July 2014. Prior to commencement of the development, a habitat protection and enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved. An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan, and Policies NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of the National Planning Policy Framework and the NERC Act 2006

11. Prior to the commencement of development the applicant shall submit the following information to the local planning authority for its written approval:
 - Provision of infiltration rates and depth to groundwater, with tests undertaken in accordance with BRE 365, to demonstrate that the proposed solution is appropriate to underlying soil conditions;
 - Provision of a detailed surface water strategy for the entire development including the pavilion, sports pitch, car park and overflow car park, informed by the results of on-site infiltration testing;
 - Details of the proposed outfall to the existing ditch along Orham Lane;
 - Provision of detailed calculations of the size of the proposed soakaways and/or attenuation features, demonstrating that discharge from the site will be limited to existing greenfield rates for a range of events up to the 1 in 100 year event and that sufficient onsite attenuation will be provided up to the 1 in 100 year event and allowing for the potential effects of climate change;
 - Demonstration that appropriate pollution control measures are in place in the car park and overflow car park prior to discharge;
 - Demonstration that the Applicant has considered designing for exceedance.

The development shall be carried out in accordance with the approved details.

Reason: In order to prevent groundwater pollution and to ensure that any surface water run-off from the site is mitigated, and to comply with Policy DR4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

INFORMATIVES:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

- 2. **I09 – Private apparatus in the highway**

- 3. **I35 – Highway Design Guide**

- 4. **I45 – Working within the highway**

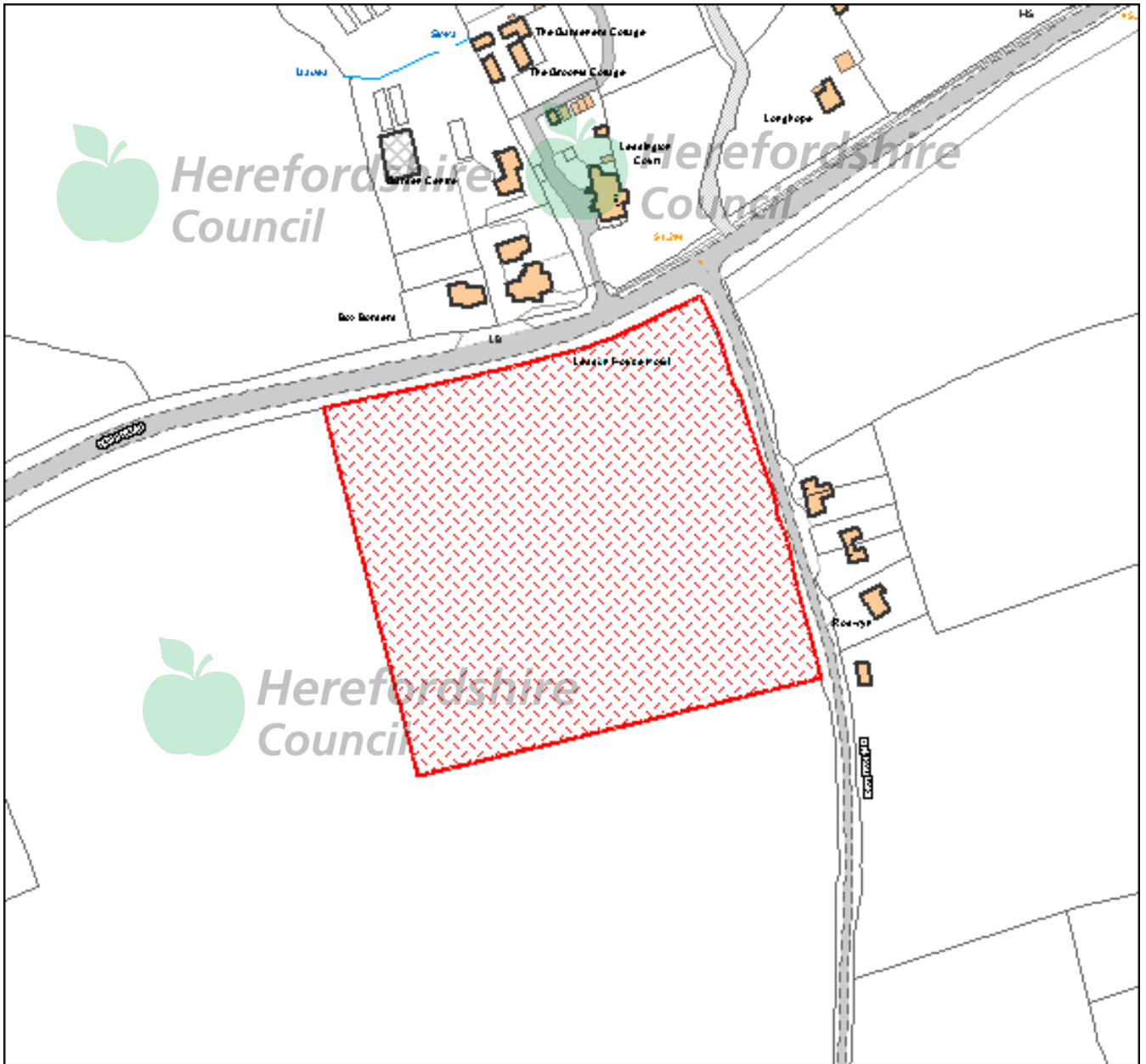
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 142517/F

SITE ADDRESS : LAND TO THE SOUTH OF ROSS ROAD, LEDBURY, HEREFORDSHIRE

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