

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	7 APRIL 2021
TITLE OF REPORT:	204252 - PROPOSED EXTENSION TO EXISTING CAR PARK TO CREATE ADDITIONAL CAPACITY AT HEREFORDSHIRE FOOTBALL ASSOCIATION, WIDEMARSH COMMON, HEREFORD, HEREFORDSHIRE, HR4 9NA For: Mr Alan Darfi per Mr Keith Edwards, 10 Canterbury Avenue, Hereford, Herefordshire, HR1 1QQ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=204252&search-term=204252
Reason Application submitted to Committee – Staff Member Interest (Applicant)	

Date Received: 1 December 2020

Ward: Widemarsh

Grid Ref: 350663,240896

Expiry Date: 8 April 2021

Local Member: Councillor Polly Andrews

1. Site Description and Proposal

- 1.1 The site comprises an area of grassland south-west of the Herefordshire Football Association headquarters, which forms part of a cluster of buildings that adjoin Widemarsh Common, north of Hereford City. The site lies within the Widemarsh Common Conservation Area and also Flood Zone 3. To the north of site is a pair of semi-detached residential dwellings and to the southeast, is an existing 3G artificial turf pitch. Moor Walk, a public right of way and cycleway linking the area to Hereford city centre, lies west beyond the application site boundary, which is denoted by a mixture of fencing and mature planting. The topography of site falls to the west into a dry ditch. Access to site is presently taken off Widemarsh Common Road, passing through the existing Lads Club carpark and into the gated HFA car park.
- 1.2 Planning permission is sought for an extension to the existing HFA car park. The car park extension (622 square meters approximately) will be finished in closed grade tarmac on hardcore with new kerbing. This will also mean the rerouting of the existing car park drain to connect to an existing soakaway at the south-west of site. A small area of grassland at the south of site (27 square metres), will be retained as grass.
- 1.3 In addition to the application form and plans, this application is supported by a Flood Map.

2. Policies

2.1 Herefordshire Local Plan – Core Strategy

SS1	-	Presumption in favour of sustainable development
SS4	-	Movement and transportation
SS6	-	Environmental quality and local distinctiveness

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

SS7	-	Addressing climate change
HD1	-	Hereford
HD3	-	Hereford movement
SC1	-	Social and community facilities
OS1	-	Requirement for open space, sport and recreation facilities
OS2	-	Meeting open space, sport and recreation needs
OS3	-	Loss of open space, sport and recreation facilities
MT1	-	Traffic management, highway safety and promoting active travel
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD3	-	Green infrastructure
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable design and energy efficiency
SD3	-	Sustainable water management and water resources

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

2.2 National Planning Policy Framework (February 2019)

Section 2 – Achieving sustainable development
 Section 4 – Decision-making
 Section 6 – Building a strong, competitive economy
 Section 8 – Promoting healthy and safe communities
 Section 9 – Promoting sustainable transport
 Section 11 – Making effective use of land
 Section 12 – Achieving well-designed places
 Section 14 – Meeting the challenge of climate change, flooding and coastal change
 Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the historic environment

The NPPF together with any relevant supplementary documentation can be viewed using the following link:- <https://www.gov.uk/guidance/national-planning-policy-framework>

2.3 National Planning Practice Guidance (PPG)

PPG together with any relevant supplementary documentation can be viewed using the following link:- <https://www.gov.uk/government/collections/planning-practice-guidance>

2.4 Hereford Area Plan

Currently in drafting

3. Planning History

- 3.1 P201465/XA2 – Application for approval of details reserved by condition 3 attached to planning permission 182950 – approved
- 3.2 P193641/XA2 - Application for approval of details reserved by conditions 4 & 7 attached to planning permission 182950 – approved
- 3.3 P191424/XA2 - Application for approval of details reserved by conditions 5 6 9 10 & 11 attached to planning permission 182950 – approved
- 3.4 P182950/F – Construction of an external 3G Artificial Turf Pitch (ATP) with fencing and a storage container – approved with conditions

- 3.5 P160232/F – Proposed 100 person seated stand. A one metre wide concrete walkway all around football pitch. One pay box building. Six floodlights and netting behind goal and on railway side – approved with conditions

4. Consultation Summary

Statutory Consultations

- 4.1 Public Rights of Way Officer – No objection
“No objection”

Internal Council Consultations

- 4.2 Transportation – No objections
“There are no highways objections to the proposed car park extension”.
- 4.3 Ecology – No response received

5. Representations

- 5.1 Hereford City Council – No response received
- 5.2 2 letters of comment have been made to this application, both objecting.

Letter 1 (submitted by occupiers of North View, Widemarsh Common):

- Impact on biodiversity;
- Increased traffic flow and impact on pedestrian safety;
- Already sufficient capacity to meet need; and
- Damage to public highway;

Letter 2 (submitted by a member on behalf of the Hereford Civic Society):

- Widemarsh Common is an open space;
- More than sufficient surrounding parking which could be altered to meet needs; and
- Suitable alternative ground uses like grasscrete;

Details of this application can be viewed on the Council's website using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=204252&search-term=204252

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

- 6.1 The proposal is considered in line with the statutory requirements of Section 70(2) of the Town and Country Planning Act 1990 (as amended) which requires that when determining planning applications, the local planning authority shall have regard to the provisions of the development plan, local finance considerations (so far as material to the application) and any other material considerations. Following this requirement, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states the following: *“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' henceforth) is also a significant material consideration. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the NPPF requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The CS was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the CS was been made on 9 November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain consistent with the NPPF and as such can be afforded significant weight.

Principle of Development

- 6.3 The CS at Policy SC1 supports improvement, retention and enhancement of existing social and community infrastructure within settlements and where they can be accessed sustainably, including by active travel modes. This is consistent with the NPPF which promotes healthy and safe communities and which advises that decisions should enable retention and development of accessible local services and community facilities, including sports venues, in aiming to provide healthy, inclusive and safe places.
- 6.4 The proposal is to provide additional capacity for the continued use of the wider complex as a social and community facility, which currently acts as an unused parcel of land. It is considered the principle of development is accepted subject to material considerations.

Highways

- 6.5 The proposal is limited to the existing grass area and aims to create a solution to the current issues experienced in the current car park and surrounding local highway network, which at busy times, often leads to 'pinch points' during use of the complex, particularly along Widemarsh Common Road and the entrance of Lads Club car park. The application confirms the additional capacity would allow for up to 20 additional car parking spaces, 5 additional motorcycle spaces, 3 additional disability spaces and 10 cycle spaces up on existing. Whilst the sizes of the parking spaces would vary, depending on transport, they will need to meet the requirements of Herefordshire Council's Highways Design Guide for New Developments. Details of the layout of the car park, including identification of relevant parking spaces, can be secured by condition.
- 6.6 Access arrangements will remain unaltered. The site is in an accessible location, where users have the opportunity to reach facilities on foot, cycle or public transport. The increased number of spaces would not adversely impact the local road network, but one should respect the 'change over' periods between sessions of use. It must be recognised that there will be potential conflict between those leaving site and those arriving although this would not be any different than the current situation. Introducing this additional parking further into the site will in turn reduce issues experienced currently by users and residents entering/leaving the site along Widemarsh Common Road, heading back to Priory Place/Grandstand Road. Officers consider the proposal will not result in a 'severe' impact in highway or pedestrian safety, and in light of the Transportation response, who do not object and to which significant weighting is afforded, it is considered the scheme accords with Policies MT1 and SS4 of the CS, which is consistent with Section 9 of the NPPF.

Residential Amenity

- 6.7 With regards to noise impacts, it must be borne in mind that the wider use of site is principally for sports, and this in itself generates noise. Vehicle movements will be either side of the use of the sports pitches, so the impact on amenity still remains a consideration. As part of the previously approved application for the artificial turf pitch, a community use management plan was conditioned (condition 4 of 182950/F) to ensure correct operation of the premises. It states that this would include day to day management, booking procedures, on site car parking for community use and local resident communications. In addition a Noise Management Plan, is already in place. It is not considered the proposed application would generate unacceptable impacts on the residential amenity of nearby residential properties as a result of noise, given the nature of the application and the existing use of the site as a sporting facility.
- 6.8 No lighting is proposed with this application. Given the longstanding use of site, occupiers are aware of activities. It is appreciated that the existing grass surface currently by default operates as a limitation, although clearly an appropriate layout which accounts for nearby residential properties in terms of vehicle lights, particularly at night, is achievable. In this context, the amenity of local residents would be impacted to a minor extent although safeguarded to an acceptable degree through a well-worked layout, in accordance with CS policy SD1, which is consistent with NPPF paragraphs 127 and 180. A condition requiring any details of lighting to be provided prior to installation can also be secured.

Heritage Assets

- 6.9 The site is located within the Widemarsh Conservation Area, and whilst not in the setting of Moor House, a Grade II listed building, Moor House lies west of site. These heritage assets are afforded a statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In practice this means that when undertaking a planning balance the weight afforded to preserving the building, its setting or features of special architectural or historic interest and preserving or enhancing the character and appearance of the Conservation Area is greater than that given to the other considerations, because they do not have a similar statutory duty requiring special attention to be given to them.
- 6.10 The site, in the context of the designated heritage assets identified, is well obscured by the impact of the existing artificial turf pitch and complex, as a whole, but one must also consider cumulative impact. In this regard, no harm would be identified given the considerable degree of screening already provided by mature tree planting between the western site boundary and Moor House or moreover the Conservation Area due to the buildings present within the complex already. In respect of experiential aspects, the proposal, in the context that already comprises multiple sporting facilities, would not have a harmful impact. It is therefore considered that the proposal would conserve the identified heritage assets and thus accords with policy LD4 of the CS and that the paragraph 196 test of the NPPF does not apply.

Ecology

- 6.11 There are no ecological records of importance or Protected Species immediately on or adjoining site. The applicant and contractors have a legal duty of care towards wildlife protection under UK Legislation that applies throughout the demolition and construction process. Any breach of this legal Duty of Care would be a criminal offence. The LPA has therefore no reasonable cause to require further information as part of the application or include a specific ecology protection condition. However, a relevant informative is recommended. Given the type of development and usage, it is also not considered appropriate to request Biodiversity Net gain enhancements on this application. The proposal, in ecological terms, is considered to accord with Policies LD1-LD3 inclusive of the CS, consistent with Section 15 of the NPPF.

Drainage (Flood Risk and SSSI Impact Zone)

- 6.12 The site lies in flood zone 3, but not within an area known to be at risk of surface water flooding. The Environment Agency's mapping for long term risk of flooding suggests floodwater would back up from the culvert under the former railway line, so would be held back on the site side of the railway. The proposal would not alter the land use of site, which forms part of an outdoor sports and recreational facility and which falls within the 'water-compatible development' of the flood risk vulnerability classification, which confirms such a use is appropriate in flood zone 3. An exceptions and sequential test is therefore not required. The proposal does not intend to change ground levels, or introduce new buildings. On this basis, in particular giving weight to the existing use of site, it is considered that the proposal would not result in increasing flood risk, in line with Policy SD3 of the CS, which is consistent with Section 14 of the NPPF.
- 6.13 The site is to be designed to be compliant with 1 in 100 year flooding requirements. Surface water, as stated on the proposed plans, intends to be directed to an existing soakaway to the south of site, within ownership of the applicant, and managed through a suitable sized SuDS system with storage and management, both within the adjoining pitch structure and an external underground 'cellular system'. A drainage condition requiring submission and approval of a full final design to ensure suitable capacity, is recommended.

Climate Change

- 6.14 The nature of the proposal should incorporate measures to support low-carbon ways of living and sustainable transport modes (as defined by the NPPF). A condition for two electric vehicle charging points is recommended to require such provisions are available for future users of the carpark, to redress the Climate and Ecological Emergency that Herefordshire Council has declared and in line with Policy SS7 of the CS.

Habitat Regulations Assessment

- 6.15 The application site lies within the catchment for the River Wye Special Area of Conservation (SAC), a European site covered under the Habitats Directive & the Conservation of Habitats and Species Regulations 2017 ('Habitats Regs.' henceforth). The River Wye SAC is an internationally important conservation site which has been designated for its special features of ecological and biodiversity value. The proposal does not propose any development which would be phosphate generating as it is for the better accommodation of existing vehicular traffic as opposed to the intensification of use per se; further even if there were additional foul water flows from this proposal they are managed by existing sewer connections to the mains sewer network which manages them via the Eign Treatment works. It is not considered to be the possibility of a likely significant effect on the SAC at the point of consideration, thus the development is considered to be acceptable from a HRA perspective and accords with the provisions of policy LD2 of the CS. Further the provisions of paragraph 177 of the NPPF are not considered to be triggered in this regard, as the application is screened out.

Other considerations

- 6.16 Officers have discussed alternative surfacing for the car park, including grasscrete. The applicant appreciates the financial cost and the relative success of it would make it unviable, citing other FAs. In any event, officers have considered this application, as submitted.
- 6.17 Given the lack of prominence of site within the context of the townscape, officers consider the impact of the proposal on the townscape as minimal. However, landscaping can be secured by condition to further ameliorate the development in the context of the surrounding area in line with Policy LD1 of the CS.

- 6.18 Whilst alternative public car parks could provide for need, each application must be assessed on its own merits. The proposal would address a local issue of parking along Widemarsh Common Road. The 'Lads Club' car park becoming '*Pay and Display*' is not a material planning consideration.

Conclusion

- 6.19 The application rounds off a development complex, enhancing usability of site. This is a positive social benefit, weighing in favour of the scheme. The benefits of locating parking further within site will address local concerns currently experienced. Subject to a satisfactory surface water drainage scheme, there would be no adverse environmental impacts identified, with also securing of electric vehicle charging points to address climate change in a modest manner.
- 6.20 When considered against the development plan, as a whole, and accounting for other material considerations, including the NPPF, the proposal is considered to be sustainable development. In the absence of any material planning considerations that indicate a decision being made other than in accordance with the Development Plan, as per paragraph 11c) of the NPPF and CS policy SS1, it is recommended planning permission be granted, subject to conditions.
- 6.21 In accordance with the Town and Country Planning Regulations 2018 - 2018 No. 566 all pre-commencement conditions require agreement by the applicant/agent. Given the application is to be debated by members, agreement of pre-commencement conditions can take place following resolution. This relates to conditions 4, 5 and 6 of the recommendation.

RECOMMENDATION

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

1. **C01 (Time limit for commencement (full permission))**
2. **C06 (Development in accordance with approved plans)**
3. **CBK (Restriction of hours during construction)**
4. **CAT (Construction Management Plan)**
5. **CBO (Scheme of surface water drainage including strategy)**
6. **CNS (Non-standard condition: Details of car park layout including parking spaces and implementation)**
7. **CNS (Non-standard condition: Details of 2 no. electric vehicle charging points and implementation)**
8. **CK3 (Landscape Scheme and Implementation)**
9. **CDL (Car park drainage)**
10. **CNS (Use of site in accordance with Community Use Agreement approved under Condition 4 of P182950/F)**
11. **CC1 (Details of floodlighting/external lighting)**

INFORMATIVES:

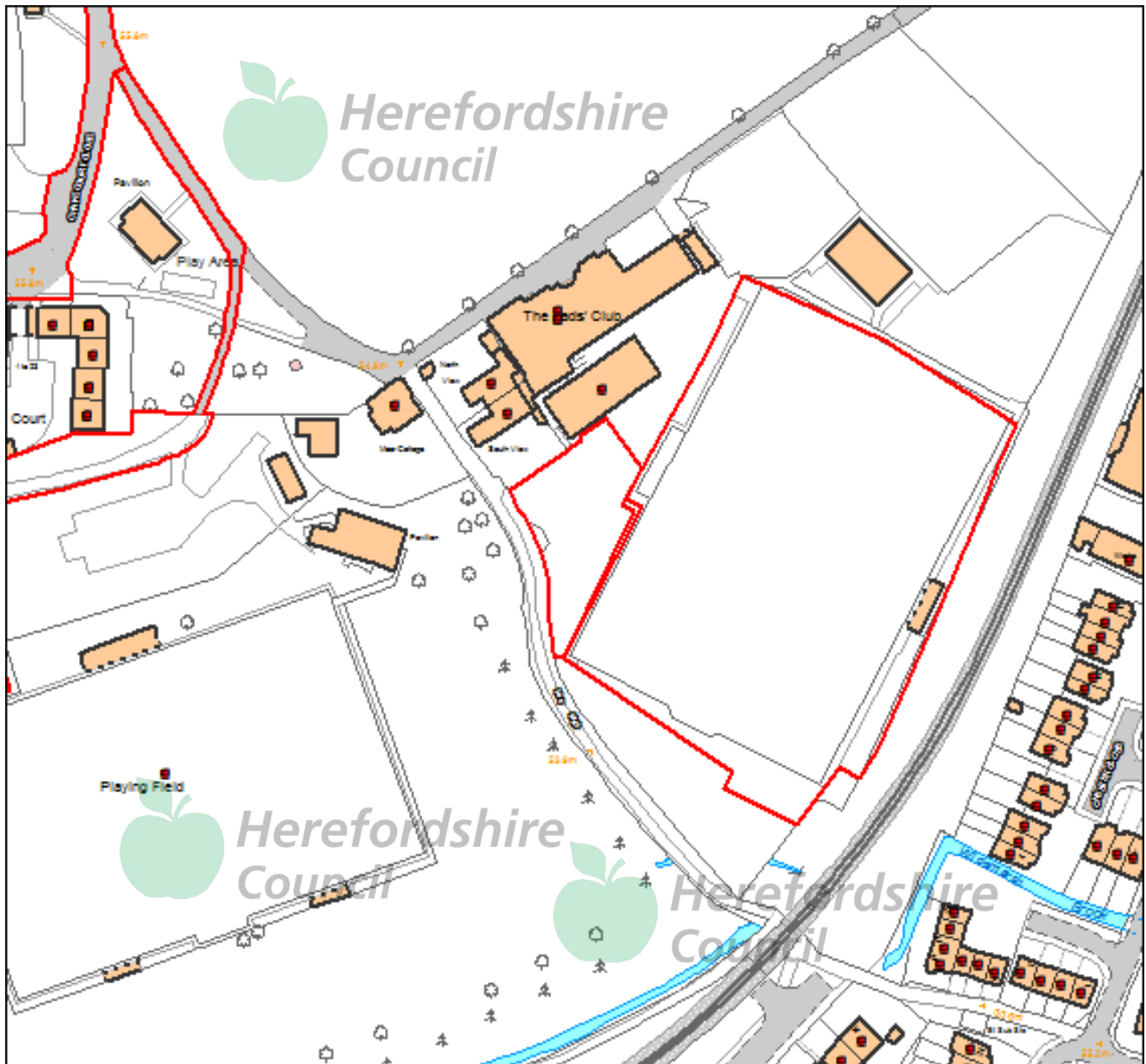
- 1. IP1 – Application Approved Without Amendment
- 2. I05 – No drainage to discharge to highway
- 3. I11 – Mud on highway
- 4. I35 – Highways Design Guide and Specification
- 5. I33 – Ecology (General)
- 7. I10 – Access via public right of way

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 204252

SITE ADDRESS : HEREFORDSHIRE FOOTBALL ASSOCIATION, WIDEMARSH COMMON, HEREFORD, HEREFORDSHIRE, HR4 9NA

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