

DELEGATED DECISION REPORT

APPLICATION NUMBER

220561

Playing field opposite Village Hall, Canon Pyon, Herefordshire, HR4 8PE

CASE OFFICER: Miss Amber Morris
DATE OF SITE VISIT: 16/03/2022

Relevant Development Plan Policies:

Herefordshire Local Plan – Core Strategy (CS) Policies:
SS6 Environmental quality and local distinctiveness
SC1 Social and community facilities
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
LD4 Historic environment and heritage assets
SD1 Sustainable design and energy efficiency

Pyons Group Neighbourhood Development Plan (NDP):
NDP made 16th June 2017
PG5 Local green space in Canon Pyon

National Planning Policy Framework (NPPF):
Chapter 2 Achieving sustainable development
Chapter 8 Promoting healthy and safe communities
Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places

Relevant Site History: **DCH950040/F** – Change of use to sports and recreation ground of pp 0003, to west of A4110, Canon Pyon – **Approved with conditions**

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Area Engineer Highways	X		X		
Open Spaces	X		X		
Sport England	X	X			
Press/ Site Notice	X		X		
Ward Councillor	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The application site relates to the existing playfield opposite the village hall in Canon Pyon. The site contains an existing play area and tennis courts to the south-west of the site. The proposal is for an additional play area in the north-west corner of the site. The proposed play area will be fenced and have a wetpour access track from the adjacent car park.

Representations:

Parish Council – Support

Pyons Group Parish Council support this application because the members agree that this will be a very welcome support to parents with young children in Canon Pyon.

Area Engineer Highways – No objection

There are no highways objections to the proposed play area within the existing village recreation ground.

Open Spaces – Support the application

Relevant Planning Policy:

- NPPF: Paragraph 98: Open Space and Recreation: provision of what open space, sports and recreational opportunities required in a local area should be based on robust assessments of need
- 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 SC1 – Social and community facilities. Supports development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible. 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.
- Core Strategy Policy OS3: Loss of Open Space, Sport or Recreation facilities. The loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;

Pyons Group Neighbourhood Development Plans (NDP) Reg 14

- Draft Policy PG11: Local Green Space: Proposals for the Playing Field at Canon Pyon which enable it to be used more effectively for recreational use will be supported, provided there is no significant 63 Pyons Group NDP Review - Final Version, January 2021 adverse effect on residential amenity or biodiversity.

Evidence Base

Herefordshire Play Facilities Study and Investment Plan 2014

Herefordshire Open Space Study 2006

- These recommends where future investment in formal play should be directed to maximise the benefits to the local community

Proposal: The proposal is supported.

Although only at Reg 14 and not a material consideration, the Pyon Group Neighbourhood Development Plan nonetheless provides a useful commentary on the needs identified by the community which is further endorsed by the consultation undertaken by the Canon Pyon Playing Fields Association (CPPFA) as set out below.

The existing Recreational Playing Field in Canon Pyon is a valuable asset to the village as set out in draft NDP Policy PG11. It is centrally located within the village, close to the Parish Hall and is accessible to local residents. It provide both formal and informal recreation opportunities for the village school, local clubs and the community providing football, cricket and tennis facilities, a BMX track and an existing play area.

An assessment on play areas within the county carried out in 2014 in support of the evidence bases for the Core Strategy on open space and recreation facilities (as set out above) identified that the existing play area although in part renewed with play equipment at that time, also recognised that some equipment was old and coming to the end of its useful lifespan. As such a s.106 contribution of circa £17,000 has been secured from the planning permission P141917/F which secured the development of 27 new houses on land West of Patrick Orchard Canon Pyon and adjacent to this recreation ground.

The community's appetite for a new play area within the playing fields is further recognised by the CPPA who undertook a comprehensive community consultation (2021) aware of the importance of engaging with the local community, to firstly establish the need for a play park and also develop an understanding of specific requirements. With this in mind a consultation period was announced and a questionnaire was compiled to canvas valuable local opinion. This not only supports the s.106 spend but will also support securing external grants as the whole proposal cannot be fully funded by s.106 alone and as such requires a phased approach as funding is secured.

The community responses have helped to shape the proposed plan. Three play providers were approached to draw up a scheme that reflected the identified needs along with costs for the work. The CPPA evaluated the responses and scored Wicksteed the highest, awarding them the contract.

The proposal is seen to support CS policies SS1 and SC1. The location for the play area is an existing recreation ground which hosts formal sports and play, therefore it is considered that there will be no adverse impacts upon neighbouring uses arising from the addition of a new play area. Its central location makes it accessible for all residents and it will provide a quality improvement to an existing community facility ensuring that it is not only fit for purpose for the

existing community but for the increased population arising from recent housing developments. The final plan reflects community needs as they have been fully engaged with the process.

With regard to the location of the proposed play area, it is in a location which will not affect the existing sports pitches on the site and will result in no loss of playing pitch area. Therefore the proposal is not seen to conflict with CS Policy OS3.

Sport England – No response

Site Notice – One letter of support

I wish to show my support for this application, as the new equipment is very much needed to replace the worn and out of date existing equipment. Also moving the area away from the brook where it is currently located and sheltered by trees, will create a much sunnier area for children to play. From the survey conducted with local residence and the local school, this scheme is very much welcomed by both local parents and those from surrounding villages.

Ward Councillor – Updated via email on 15th May 2022. Cllr has no objection to Officer recommendation and has not made a redirection request.

Pre-application discussion:

None sought

Constraints:

A4100
Grade II listed building adjacent
Contaminated land nearby
Flood zone 2 and 3
Protected species adjacent
Surface water
SSSI impact zone
NE priority habitat adjacent
Neighbourhood plans PG5 and PG3
Bedrock aquifer secondary A

Appraisal:

Policy context and Principle of Development

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.”

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the ‘made’ Pyons Group Neighbourhood Development Plan (NDP). At this time the policies in the NDP can be afforded weight as set out in paragraph 48 of the National Planning Policy Framework, which itself is a significant material consideration.

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework 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 Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th 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 entirely consistent with the NPPF and as such can be afforded significant weight.

The application here is for a new community facility within the villages existing playing fields. Given that the application seeks permission to enhance a community facility, policies SC1 and PG5 in Core Strategy and NDP are of relevance. This makes it clear that there will be a presumption in favour of safeguarding existing facilities against any adverse proposals that would result in their loss. Development proposals which protect, retain or enhance existing social and community infrastructure will be supported. The proposal would enhance and improve an existing community open space and is therefore found to be acceptable in principle.

Policies LD1 and SD1 of the Herefordshire Core Strategy seek to see proposals that will conserve and enhance the landscape, townscape; respond positively to local distinctiveness and ensure proposals create safe, sustainable environments for all of the community. Safeguarding residential amenity for existing and proposed residents, and ensuring that design respects the scale, height, and massing of surrounding development. The play area would be located to the north-west corner of the site to the north of the existing facilities within the playing field and adjacent to the car park with a wetpour access path connecting the two. With regard to the location of the proposed play area, it is in a location which will not affect the existing sports pitches on the site and will result in no loss of playing pitch area. The siting of the proposed area is therefore found to be acceptable. The play area would be of an appropriate scale in relation to the site and would not impact the character of the area. Its largely wooden design is also considered appropriate for its use as a play area. The proposal is supported by the Council’s Open Space Officer.

Similarly policy LD4 requires the protection, conservation and where possible the enhancement of the character and setting of heritage assets. The proposal is located adjacent to a Grade II listed war memorial. This is largely screened from the application site by trees and this together with the nature of the proposal, the wide area is found to be preserved.

There are no other matters pertinent to the proposal which requires discussion or assessment and taking the above into account, it is considered that the proposal generally accords with the provisions of the Herefordshire Local Plan – Core Strategy and the Pyons Goup Neighbourhood Development Plan together with the overarching aims and objectives of the National Planning Policy Framework. The application is accordingly recommended for approval subject to the conditions as set out below.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1. C01
2. C06 (application form and drawings validated 3rd March 2022)


Informatives

1. IP1

Signed:  Dated: 13/05/2022

TEAM LEADER'S COMMENTS:

DECISION: **PERMIT** ☒ **REFUSE** ☐

Signed:  Dated: 17/5/22

Is any redaction required before publication? Yes/No