

## 10. RECREATION, SPORT AND TOURISM

### 10.1 CRITERIA FOR RECREATION, SPORT AND TOURISM DEVELOPMENT – POLICY RST1 AND PARAGRAPHS 10.4.1 TO 10.4.6

#### Objections

P326/612	Bromyard and District Community Swimming Pool Trust
P520/6453	Bromyard and Winslow Town Council
P635/1619	Campaign to Protect Rural England
P1071/3371	English Nature (Conditionally Withdrawn)

#### Summary of Objections / Issues

- Provision for a swimming pool in Bromyard should be included within the Plan. (326, 520)
- Tourism should be the subject of a new section. (635)
- There should be a strengthened control section for recreation and sport. (635)
- There should be encouragement for the development of existing community facilities. (635)
- The policy should refer to the rural landscape “and environment”. (1071).

#### Inspector's Reasoning and Conclusions

##### *Swimming pool in Bromyard – 326, 520*

10.1.1 There are a number of key problems associated with this proposal. The first is that the proposed allocation is intimately linked with a housing proposal that would help provide funding. In Section 5 of my report, I have determined that there is no justification for a housing allocation in this location. It follows that the arguments for a related swimming pool are also undermined.

10.1.2 A further matter is the need for the allocation. Even the feasibility study that was reported to the Town Council in March 2000 commented on the lack of any indication of need for additional provision within Herefordshire and real issues regarding the extent to which additional provision in Bromyard could have a detrimental effect on existing provision elsewhere. It is recommended, in the feasibility study report, that the Swimming Pool Working Party may be better focussing its activities on alternative mechanisms for enhancing access to swimming provision.

10.1.3 The objectors feel that the feasibility study was unduly influenced by the Council. For my part, I would expect reputable international consultants to take a considered and independent view. The objectors also point to changed circumstances such as an increase in population with the area. In this regard, I

would not expect a modest increase in the population to make a material difference to the feasibility of the proposal.

10.1.4I believe that the appropriate course of action would be to await the outcome of the PPG 17 study that has been commissioned by Herefordshire Council. This should provide an independent, definitive and up to date overview of the need for additional swimming pools in Bromyard or elsewhere.

10.1.5I am also aware of the planning authority's view that a swimming pool proposal could be progressed under the terms of Policies RST1 and RST10. In all the circumstances, I consider that the inclusion of a community pool project in the UDP would not be appropriate.

*New section on tourism - 635*

10.1.6I do not consider that a separate section on tourism is needed, for example, to provide greater emphasis to sustainability. Many potential problems are common to recreation, sport and tourism development. Some issues are identified in Paragraph 10.4.6. However, as currently drafted, the Plan indicates that these relate to recreation facilities. To add clarity, and to emphasise the comprehensive nature of this section, I recommend that the reference to recreation facilities is deleted.

*Strengthened control section on recreation and sport - 635*

10.1.7Policy RST1 and Paragraph 10.4.2 both refer to the amenity of nearby residents. In addition, there is specific mention in the section to motorised sports, glare from floodlights and the like. In my opinion, the Plan provides an appropriate context for safeguarding residents' living conditions. No modification is necessary.

*Development of existing community facilities - 635*

10.1.8The first paragraph of Policy RST1 makes specific reference to the improvement and extension of existing facilities. Proposals would be permitted under the terms of the policy and no modification of the Plan is needed.

*Rural landscape and environment - 1071*

10.1.9The Revised Deposit Draft incorporated the change sought. No further modification is necessary.

## **RECOMMENDATIONS**

10.1/1 In the first sentence of Paragraph 10.4.6, delete all words after "chapter".

10.1/2 Do not make any other modification in response to the objections.

## **10.2 RECREATION, SPORT AND TOURISM DEVELOPMENT WITHIN AREAS OF OUTSTANDING NATURAL BEAUTY – POLICY RST2 AND PARAGRAPH 10.4.7**

### **Objection**

P313/596

Mr H Danter

### Summary of Objection / Issue

- Whether the provisions in the Plan are unduly restrictive of tourism development. (313)

### Inspector's Reasoning and Conclusions

#### *Restriction of tourism development - 313*

10.2.1 Objection is raised to any changes that may affect the Symonds Yat West Leisure Park. However, no details are given and there is inadequate justification for any modification of the Plan.

### RECOMMENDATION

10.2/1 Do not make any modification in response to the objection.

## 10.3 STANDARDS FOR OUTDOOR PLAYING AND PUBLIC OPEN SPACE – POLICY RST3 AND PARAGRAPHS 10.5.1 TO 10.5.3

### Objections

P743/1809	Ledbury Town Council
P754/1850	Taylor Woodrow Developments Ltd
P977/2921	Taylor Woodrow Developments Ltd (Conditionally Withdrawn)
P977/4410	Taylor Woodrow Developments Ltd (Conditionally Withdrawn)
P977/4411	Taylor Woodrow Developments Ltd
P1071/3373	English Nature
P1071/3374	English Nature
P1118/3601	Herefordshire Sports Council
P734/1784	Mr R B Kilvert

### Summary of Objections / Issues

- The Plan should advance proposals to meet the minimum standards laid out in Policy RST3. (743)
- Requirements for outdoor play space and open space should take account of existing provision in the area and the opportunity for qualitative improvement. (754)
- The policy should be based on a robust assessment of need in accordance with PPG 17, rather than NPFA minimum standards. (754, 977)
- Paragraph 10.5.1 should be amended to reflect the value of proximity to nature conservation sites. Residents should have access to sites of nature conservation value within one kilometre of their homes. (1071)
- Paragraph 10.5.1 should refer to “people with disabilities” if that is what is meant by “the less able”. (1118)
- Reference should be made to multi-sports facilities, BMX and skateboard ramps. (734)

## **Inspector's Reasoning and Conclusions**

### *Minimum standard of provision in Ledbury – 743*

10.3.1 The Council intends to carry out an assessment of need in accordance with advice in PPG 17. Until this is done, the minimum NPFA standard is to be used for the assessment of need for new provision arising out of development proposals or development which would mean the loss of existing facilities. As regards levels of provision in Ledbury, it would not be realistic for the Council to allocate new proposals without specific justification in relation to local provision and circumstances.

### *Reliance on NPFA standards – 754, 977*

10.3.2 Having regard to the advice of PPG 17, I share the reservations of the objector about reliance on the minimum NPFA standards. More detailed requirements in respect of housing developments are set out in Policy H19. These take account of the quality and quantity of existing provision in a locality and should be treated as a basis for negotiation.

10.3.3 The Council went some way to meeting these concerns through a change to the Revised Deposit Draft which refers to the standards being adopted on an interim basis. Until such time as a robust assessment of need can be completed, I consider that the retention of the NPFA standards as a guideline is justified. The needs assessment could form the basis of a local development document dealing specifically with this issue and setting out appropriate local standards.

### *Proximity to nature conservation sites - 1071*

10.3.4 I consider that nature conservation is given sufficient prominence elsewhere in the Plan. Paragraph 10.1.2 refers to links between recreation, sport and tourism and biodiversity amongst other things. There is no need for further cross-referencing. Whilst the idea of access to nature conservation site within 1 km of home is attractive, I consider it would be unrealistic for the Council to seek to rectify any deficiency by allocating further sites.

### *Reference to the less able - 1118*

10.3.5 The Plan was changed at revised deposit stage, with the reference deleted. Paragraph 10.2.1 now refers to seeking equality of opportunities for access and participation. I consider this satisfies the objection.

### *Multi-sports facilities, BMX and skateboard ramps – 734*

10.3.6 Paragraph 10.3.1 recognises the diversity of uses that might be appropriate. Paragraph 10.5.1 was changed in the Revised Deposit Draft to read "where practicable provision will be made for multiple users." I do not consider there is any justification for singling out particular activities as suggested.

## **RECOMMENDATION**

10.3/1 Do not make any modification in response to the objection.

## 10.4 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE – POLICY RST4 AND PARAGRAPHS 10.5.4 TO 10.5.7

### Objections

W198/11314	Hereford Civic Society
P373/7130	Sonnic Ltd
P373/10079	Sonnic Ltd
W458/931	British Horse Society Herefordshire Branch
RP1416/10426	Humber Ford and Stoke Prior Group Parish Council

### Summary of Objections / Issues

- The Policy has been weakened by changes in the Revised Deposit Draft. (198)
- Land which has no recreational value should not be safeguarded. (373)
- Criterion 2 of the Deposit Draft should be reinstated. (373)
- There should be increased provision for horse tracks within public open spaces. (458)
- Removal of reference to “and amenity” value could make it more difficult to protect some open spaces. (1416)

### Inspector's Reasoning and Conclusions

#### *Weakening of the Plan – 198, 1416*

10.4.1 I see this as a matter of clarification, rather than weakening. Reference to “amenity” was removed to avoid unnecessary and confusing overlap with Policy HBA9 which deals with the protection of open space where amenity is the primary consideration. It does not weaken protection of open space for recreational purposes.

#### *Land with no recreational value – 373*

10.4.2 I consider that Policy RST4 broadly complies with the approach set out in PPG 17. It refers specifically to the safeguarding of public and private open spaces with recreational value. I accept that there may be a difference of opinion as to whether a particular piece of land has recreational value. Site specific objections are considered below. However, I do not consider that there is any need for the wording of the policy to be altered.

#### *Whether criterion 2 should be re-instated - 373*

10.4.3 I consider that the changes to the policy in the Revised Deposit Draft more clearly reflect the advice in PPG 17 regarding circumstances where development of playing fields may be considered acceptable. There is no need to reinstate criterion 2 from the Deposit Draft.

#### *Provision for horse tracks – 458*

10.4.4 Paragraph 10.5.1 was changed in the Revised Deposit Draft to read “where practicable provision will be made for multiple users.” Policy RST7 provides for the multiple use of routes where it can be safely accommodated. I do not

consider there is any need to single out particular activities in Policy RST4 as suggested.

### **RECOMMENDATION**

10.4/1 Do not make any modification in response to the objections.

## **10.5 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE – POLICY RST4 – HEREFORD – BULMER’S SPORTS GROUND**

### **Objection**

P1102/6824 H P Bulmer Ltd

### **Summary of Objection / Issue**

- The land is proposed for residential development under Policy H2. It should not be included within policy RST4. (1102)

### **Inspector's Reasoning and Conclusions**

*Bulmer's sports ground - 1102*

10.5.1 This objection has been overtaken by events in that planning permission for residential development has now been granted on the site. Some 2 ha is to be retained as sports facilities and this is the area that should be protected under Policy RST4.

### **RECOMMENDATION**

10.5/1 On the Proposals Map, modify the extent of the land subject to Policy RST4 so that it coincides with the detail shown in Appendix 2 of the Council's statement Ref: C5/041/H2/Hereford – Alternative site (Bulmer Sport Ground).

10.5/2 Do not make any other modification in response to the objection.

## **10.6 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE – POLICY RST4 – HEREFORD - DORCHESTER WAY, BELMONT**

### **Objection**

P373/799 Sonnic Ltd

### **Summary of Objection / Issue**

- The site should be deleted from Policy RST4. There is no longer any requirement to identify additional recreational land at Belmont. (373)

### **Inspector's Reasoning and Conclusions**

#### *Land at Dorchester Way - 373*

10.6.1 I do not agree that there is no longer any requirement to identify additional recreational land at Belmont. In this regard, I concur with the reasons and conclusion of the Inspector who determined a related appeal in December 2002: "In these circumstances I consider it to be reasonable for the Council to seek to maximise the recreation use of the area allocated for this purpose."

10.6.2 It appears to me that the Council is taking active steps to implement its recreational proposals. I appreciate that, at present, this is an area of land in private ownership to which the public has no right of access. As such, it is not "existing" recreational open space other than in a passive, visual sense. Nevertheless, I consider that it would be reasonable to anticipate implementation of the management plan (Document S 1), by the Council, and to afford the site the protection available under Policy RST4.

### **RECOMMENDATION**

10.6/1 Do not make any modification in response to the objection.

## **10.7 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE – POLICY RST4 - HEREFORD - BOWLING GREEN, LIBERAL CLUB**

### **Objection**

P1002/3018                      Hereford and County Liberal Club Ltd

### **Summary of Objection / Issue**

- The site should be deleted from Policy RST4. It has none of the qualities of referred to in the text. (1002)

### **Inspector's Reasoning and Conclusions**

#### *Bowling Green, Liberal Club - 1002*

10.7.1                      The Council accepts that the objection is justified. An appropriate change was made in the Revised Deposit Draft Proposals Maps Changes, Hereford Centre Map A2. This change satisfies the objection.

### **RECOMMENDATION**

10.7/1                      Do not make any modification in response to the objection.

## **10.8 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 – KINGTON - ACCESS ROAD TO ARROW MILLS**

### **Objection**

P810/4241                      Mr J P Turner

### **Summary of Objection / Issue**

- The access road to Arrow Mills should not be identified under Policy RST4. (810)

### **Inspector's Reasoning and Conclusions**

*Access road to Arrow Mills – 810*

10.8.1 The designation was deleted in the Revised Deposit Draft. This satisfies the objection.

### **RECOMMENDATION**

10.8/1                      Do not make any modification in response to the objection.

## **10.9 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 – LEOMINSTER - LAND AT GINHALL LANE**

### **Objection**

P527/1081                      Mr P D O'Herlihy

### **Summary of Objection / Issue**

- Identification of the site under Policy RST4 would make the adjoining land difficult to develop. It is private land and has no recreational value. (527)

### **Inspector's Reasoning and Conclusions**

*Land at Ginhall Lane – 527*

10.9.1                      The Council accepts that the site is in private ownership with no public right of access and does not currently provide usable public open space. In recognition of this, the RST4 designation was deleted in the Revised Deposit Draft. The site is now included under Policy HBA9 and I deal with a related objection in Section 9 of my report. However, the change to the Revised Deposit Draft satisfied the objection in respect of Policy RST4.

## RECOMMENDATION

10.9/1 Do not make any modification in response to the objection.

## 10.10 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - LEDBURY - FULL PITCHER

### Objection

W282/570 Persimmon Homes

### Summary of Objection / Issue

- The land should not be identified as open space. Relocation of sports facilities in accordance with PPG 17 would make the site suitable for housing. (282)

### Inspector's Reasoning and Conclusions

*Land between the Full Pitcher and Martin's Way, Ledbury – 282*

10.10.1 The objection land lies to the south of the football club, within the line of the A417 Leaddon Way. The northern part is occupied by Ledbury Cricket Club, whilst the southern part adjacent to the bypass is used as informal public open space by occupiers of nearby properties.

10.10.2 Ledbury has experienced major housing growth in recent years. In respect of the objection to Policy RST4, I consider that this land makes a valuable contribution to the provision of recreational open space in Ledbury. There is no clear evidence that the Cricket Club needs to relocate or that its tenure of the land is especially vulnerable.

10.10.3 I acknowledge that no robust needs assessment of the type advocated in PPG 17 has yet been undertaken by the Council, though one is in course of preparation. Equally though, the objector has not undertaken an assessment to show that the land is surplus to requirements, or that a qualitative improvement in provision would flow from the development of the land.

10.10.4 I have considered a related objection to Policy H2 in Section 5 above where I have concluded there is no justification for allocating the site for housing. An urban extension in this location does not have sufficient priority in the sequential selection of sites to justify its allocation. Whilst the site occupies a reasonably sustainable location in relation to Ledbury, it is not a brownfield site and currently performs a valuable and established recreational function, albeit as a club site rather than as public open space.

## RECOMMENDATION

10.10/1 Do not make any modification in response to the objection.

## **10.11 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - YARPOLE – LAND SOUTH OF GRAVEYARD**

### **Objections**

P69/10315                      Yarpole Group Parish Council  
RW1261/11540                Sport England

### **Summary of Objections / Issue**

- Land south of the graveyard should be reinstated in RST4. (69, 1261)

### **Inspector's Reasoning and Conclusions**

*Land south of the graveyard, Yarpole – 69, 1261*

10.11.1        The land does not currently have a recreational use and it is therefore inappropriate to include it within Policy RST4 which is concerned with the safeguarding of existing recreational sites.

### **RECOMMENDATION**

10.11/1        Do not make any modification in response to the objection.

## **10.12        SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - ALMELEY - SPEARMARSH COMMON**

### **Objection**

P823/2125                      Almeley Parish Council

### **Summary of Objection / Issue**

- The western end of Spearmarsh Common should be included in the designation. (823)

### **Inspector's Reasoning and Conclusions**

*Land at Spearmarsh Common – 823*

10.12.1        A change was made to Inset Map 1 in the Revised Deposit Plan (Document J 17) which satisfies the objection. No further modification is necessary.

### **RECOMMENDATION**

10.12/1        Do not make any modification in response to the objection.

### **10.13 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - BARTONSHAM – GREEN STREET**

#### **Objection**

P164/2501 Ms P Jones (Conditionally withdrawn)

#### **Summary of Objection / Issue**

- The land should be safeguarded as open space under Policy RST4. (164)

#### **Inspector's Reasoning and Conclusions**

*Land at Green Street - 164*

10.13.1 The site has no current recreational function and therefore I consider it would be inappropriate to include it within Policy RST4.

#### **RECOMMENDATION**

10.13/1 Do not make any modification in response to the objection.

### **10.14 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - BISHOPS FROME – CAR PARK**

#### **Objection**

P225/489 Bishop's Frome Parish Council (Conditionally Withdrawn)

#### **Summary of Objection / Issue**

- The play area and car park should be included in the RST4 designation. (225)

#### **Inspector's Reasoning and Conclusions**

*Car park, Bishop's Frome - 225*

10.14.1 Changes were made to the Revised Deposit Draft which enabled the objection to be withdrawn.

#### **RECOMMENDATION**

10.14/1 Do not make any modification in response to the objection.

## **10.15 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - BISHOPS FROME - SPORTS GROUND**

### **Objection**

P225/490 Bishop's Frome Parish Council (Conditionally Withdrawn)

### **Summary of Objection / Issue**

- The sports ground should be included in the RST4 designation. (225)

### **Inspector's Reasoning and Conclusions**

*Bishop's Frome sports ground - 225*

10.15.1 Changes were made to the Revised Deposit Draft which enabled the objection to be withdrawn.

### **RECOMMENDATION**

10.15/1 Do not make any modification in response to the objection.

## **10.16 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - BURGHILL - GREEN BETWEEN BAKERS FURLONG AND LEASOWN**

### **Objection**

P384/821 Mr L Church (Conditionally Withdrawn)

### **Summary of Objection / Issue**

- Land at Baker's Furlong should be included in the RST4 designation. (384)

### **Inspector's Reasoning and Conclusions**

*Land at Burghill – 384*

10.16.1 Changes were made to the Revised Deposit Draft which enabled the objection to be withdrawn.

### **RECOMMENDATION**

10.16/1 Do not make any modification in response to the objection

## **10.17 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - HEREFORD - CAUSEWAY FARM**

### **Objections**

P1002/4576 Hereford and County Liberal Club Ltd  
P1185/3751 Tesco Stores Ltd

### **Summary of Objections / Issue**

- For consistency the bowling green and allotments at Causeway Farm should be included under Policy RST4. (1102, 1185)

### **Inspector's Reasoning and Conclusions**

*Land at Causeway Farm – 1102, 1185*

10.17.1 A change was made to Hereford Map C in the Revised Deposit Draft which satisfies the objections. Planning permission for Causeway Farm was granted on 1 March 2005 for the development of a mixed use scheme including an Asda food store, community uses, residential development and replacement bowling green / club house. No further modification is necessary.

### **RECOMMENDATION**

10.17/1 Do not make any modification in response to the objections.

## **10.18 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 – HEREFORD – TA CENTRE**

### **Objection**

P1091/3465 St James and Bartonsham Community Association

### **Summary of Objection / Issue**

- Land at The TA Centre should be protected as open space under policy RST4. (1091)

### **Inspector's Reasoning and Conclusions**

*Land at the TA Centre – 1091*

10.18.1 The land falls within an established residential area under Policy H1. In recognition of its amenity value, the open space part of the land and that fronting Harold Street have been identified under Policy HBA9. In my judgment there is no need for the land to be identified under Policy RST4.

## **RECOMMENDATION**

10.18/1 Do not make any modification in response to the objection.

### **10.19 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - KINGTON - EAST OF KINGTON FOOTBALL GROUND**

#### **Objection**

P535/1204 Kington Town Council

#### **Summary of Objection / Issue**

- Additional land west of the Football Ground should be included in Policy RST4. (535)

#### **Inspector's Reasoning and Conclusions**

*Land west of the Football Ground, Kington - 535*

10.19.1 The land has no current recreational value and is therefore not appropriate for inclusion in Policy RST4. It is outside the settlement boundary and therefore treated as countryside. I consider this provides satisfactory protection.

## **RECOMMENDATION**

10.19/1 Do not make any modification in response to the objection.

### **10.20 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - LEDBURY – CHILDREN'S OPEN SPACE**

#### **Objection**

P743/1819 Ledbury Town Council

#### **Summary of Objection / Issue**

- All children's open space should be included within RST4 on the Proposals Map. (743)

#### **Inspector's Reasoning and Conclusions**

*Children's open space in Ledbury – 743*

10.20.1 The policy applies to all areas of existing recreational open space whether identified on the Proposals Map or not. The objector has not identified individual sites so I am unable to comment on whether they are suitable for

inclusion or whether, as the Council says, they are too small to identify on the Proposals Maps. No modification is required in response to the objection.

## **RECOMMENDATION**

10.20/1 Do not make any modification in response to the objection.

## **10.21 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - LEDBURY - LAND SOUTH AND WEST OF THE BYPASS**

### **Objection**

P743/1810 Ledbury Town Council

### **Summary of Objection / Issue**

- Areas south and west of the bypass and the proposed extension should be safeguarded under Policy RST4. (743)

### **Inspector's Reasoning and Conclusions**

*Land south and west of the bypass – 743*

10.21.1 The land lies outside the settlement boundary, where open countryside policies apply. Those parts of the land which consist of existing open space in the Leadon Valley Linear Park have been added to MAP LED1 as part of a wider review of areas that should be covered by Policy RST4. I am satisfied that those areas which satisfy the criteria for inclusion have been included in the Revised Deposit Draft. No further modification is necessary.

## **RECOMMENDATION**

10.21/1 Do not make any modification in response to the objection.

## **10.22 SAFEGUARDING EXISTING RECREATIONAL OPEN SPACE - POLICY RST4 - YARPOLE - BETWEEN THE BELL PUBLIC HOUSE AND ST LEONARD'S CHURCH**

### **Objection**

P69/259 Yarpole Group Parish Council (Conditionally Withdrawn)

### **Summary of Objection / Issue**

- The land should be included in the RST4 designation. (69)

### **Inspector's Reasoning and Conclusions**

*Land between The Bell public house and St Leonard's Church - 69*

10.22.1 A change was made to the Revised Deposit Draft which allowed the objection to be conditionally withdrawn.

### **RECOMMENDATION**

10.22/1 Do not make any modification in response to the objection.

## **10.23 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPHS 10.5.8 TO 10.5.11**

### **Objections**

W458/934	British Horse Society Herefordshire Branch (Conditionally Withdraw)
W458/935	British Horse Society Herefordshire Branch
P602/1336	Herefordshire Nature Trust

### **Summary of Objections / Issues**

- Consideration should be given to providing horse routes to allow equestrians to enjoy the amenity of the proposed open spaces. (458)
- The text should promote wildlife friendly management as part of new open space provision. (602)

### **Inspector's Reasoning and Conclusions**

*Needs of equestrians - 458*

10.23.1 Paragraph 10.5.12 was changed in the Revised Deposit Draft and now states that, where practicable, provision will be made for multiple users. Policy RST7 also refers to multiple use of routes by walkers, cyclists, horse riders and the less able, as well as the development of short and longer-distance horse-riding routes. I would expect these policies to be taken into account in considering recreational routes through new open spaces. In the circumstances, I consider that the needs of equestrians are already satisfactorily addressed and no further modification is necessary.

*Wildlife friendly management – 602*

10.23.2 Paragraph 10.4.3 was changed in the Revised Deposit Draft to include reference to biodiversity in the drawing up of visitor management plans. Policy RST1 requires new development to respect environmental character and resources as well as biodiversity. I consider that wildlife and nature conservation interests are satisfactorily addressed here and elsewhere in the Plan.

## **RECOMMENDATION**

10.23/1 Do not make any modification in response to the objections.

## **10.24 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 – HEREFORD - DORCHESTER WAY, BELMONT**

### **Objection**

P373/797 Sonnic Ltd

### **Summary of Objection / Issue**

- Land should be identified for open space at Belmont, in association with the residential development of the remainder of the site. (373)

### **Inspector's Reasoning and Conclusions**

*Land at Dorchester Way - 373*

10.24.1 I have dealt with related objections in Sections 5.3 and 10.4 of my report. I have determined that the site is appropriately shown as subject to Policy RST4. No modification of the Plan is necessary in response to this objection.

## **RECOMMENDATION**

10.24/1 Do not make any modification in response to the objection.

## **10.25 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - HEREFORD - LAND NORTH OF THE ROSE GARDEN PUBLIC HOUSE**

### **Objection**

P991/2961 Mr E Coombs

### **Summary of Objection / Issue**

- The site should be developed for housing or employment land, and recreational land could be provided in association. (991)

### **Inspector's Reasoning and Conclusions**

*Land north of the Rose Garden public house – 991*

10.25.1 The site lies in open countryside where any proposal for development would need to be considered against the general strategy and development control

policies of the Plan. In particular, recreational use would need to be considered under Policy RST1. The site lies some 250m north of the defined settlement boundary for Hereford. There is insufficient justification for identifying the site for the mix of uses, including recreational use, suggested by the objector.

### **RECOMMENDATION**

10.25/1 Do not make any modification in response to the objection.

## **10.26 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - HEREFORD - LAND TO REAR OF JOHN VENN UNIT**

### **Objection**

P1108/3546 Hereford and Gloucestershire Canal Trust Ltd

### **Summary of Objection / Issue**

- Land to the rear of the John Venn Unit and the remains of the Priory should be identified under Policy RST5. (1108)

### **Inspector's Reasoning and Conclusions**

*Land to the rear of the John Venn Unit - 1108*

10.26.1 A change was made in the Revised Deposit Draft which safeguards the land as suggested by the objector. This is supported by the masterplan strategy which shows the Blackfriars gardens to be improved and extended to create a strong public focus. I consider that this change satisfies the objection.

### **RECOMMENDATION**

10.26/1 Do not make any modification in response to the objection.

## **10.27 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 – LEDBURY - LAND ADJACENT TO LEDBURY RUGBY CLUB**

### **Objection**

P746/1832 Bloor Homes Ltd

### **Summary of Objection / Issue**

- Land adjacent to the Rugby Club should be identified for the relocation of the Football and Cricket Club to enable the existing site to be developed for housing. (746)

### **Inspector's Reasoning and Conclusions**

#### *Land adjacent to Ledbury Rugby Club – 746*

10.27.1 Ledbury has experienced major housing growth in recent years. In respect of the objection to Policy RST5, I consider that the existing sports grounds between the Full Pitcher and Martin's Way make a valuable contribution to the provision of recreational open space in Ledbury.

10.27.2 There is no clear evidence that the Cricket Club or Football Club need to relocate. The objector has not undertaken an assessment to show that the land is surplus to requirements, or that a qualitative improvement in provision would flow from the development of the land. I have no information on the suitability of the proposed site for the relocation of the displaced recreational uses and conclude that insufficient justification has been provided on which to base a recommendation that the site should be identified under Policy RST5.

10.27.3 I have considered a related objection to Policy H2 in Section 5 above, where I have concluded there is no justification for allocating the existing cricket ground and football ground for housing. An urban extension in this location does not have sufficient priority in the sequential selection of sites to justify its allocation. Whilst the site occupies a reasonably sustainable locational in relation to Ledbury, it is not a brownfield site and currently performs a valuable and established recreational function, albeit as a club ground rather than as public open space.

### **RECOMMENDATION**

10.27/1 Do not make any modification in response to the objection.

## **10.28 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 – LEDBURY - LEDBURY PARK**

### **Objection**

P743/1818 Ledbury Town Council

### **Summary of Objection / Issue**

- Ledbury Park should be protected as open space. (743)

### **Inspector's Reasoning and Conclusions**

#### *Ledbury Park – 743*

10.28.1 Ledbury Park lies outside the settlement boundary and is classed as open countryside where there is already strong protection against inappropriate forms of development. It also lies within the AONB. In the circumstances, I consider that it is unnecessary to add an additional layer of protection.

## RECOMMENDATION

10.28/1 Do not make any modification in response to the objection.

## 10.29 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - LITTLE DEWCHURCH - PLAYING FIELD FOR PRIMARY SCHOOL

### Objection

P439/907	Mr F L Sainsbury
P590/1277	Little Dewchurch Parish Council
P1156/3673	Mr J B Nash

### Summary of Objections / Issue

- A site should be identified for a school playing field and recreation land. (439, 590, 1156)

### Inspector's Reasoning and Conclusions

*Land for recreation at Little Dewchurch – 439, 590, 1156*

10.29.1 Whilst there have been investigations into suitable sites for a recreation area, no agreement has been reached with landowners and there remains uncertainty as to whether a site would be made available. In the circumstances, I consider it is inappropriate to identify a specific site under Policy RST5. However, if a site were to come forward, it could be considered under Policy RST1, which encourages provision of an appropriate scale.

## RECOMMENDATION

10.29/1 Do not make any modification in response to the objection.

## 10.30 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - PEMBRIDGE - PROPOSAL FOR TOWNSEND FARM

### Objections

P1044/3170	Mr R Smith
P1045/3173	Mr G Smith

### Summary of Objections / Issues

- Development at Townsend Farm could greatly enhance the eastern approach to the village. (1044, 1045)

- A sympathetic style of building, good layout and well landscaped development of land by the telephone exchange would provide an excellent area for the village to develop. (1045, 1045)

### **Inspector's Reasoning and Conclusions**

*Townsend Farm and the telephone exchange, Pembridge – 1044, 1045*

10.30.1 It is not clear from the objections what changes are being sought in respect of Policy RST5. As regards the proposals for housing / employment development, both pieces of land would involve an extension to the settlement boundary. I consider that insufficient justification has been provided in support of such a change.

### **RECOMMENDATION**

10.30/1 Do not make any modification in response to the objection.

## **10.31 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - UNITY GARDEN, HEREFORD**

### **Objections**

P75/267	Herefordshire Growing Point
P90/282	Wyevale Nurseries
P91/283	Federation of City Farms and Community Gardens
P96/288	Arrow Group (Brookfield School)
P137/333	Regeneration Trust
P139/335	Hampton Court Gardens
P141/337	CAB
P144/341	Unity Garden
P159/357	SCORE Project
P208/451	FUSM
P210/453	Catcher Media
P229/491	Catcher Media / Unity Garden
P231/493	Permaculture Association
P232/494	Herefordshire Food Links
P275/566	Hereford Christian Ecology Group
P282/571	Hereford City Wildlife Watch Group
P285/575	Biologic Design Ltd
P293/585	City Farms Movement
P296/588	Shaw Trust
P683/1676	Herefordshire Nature Trust
P704/1734	Unity Garden
P77/269	Ms M May
P79/271	M G Hitchings
P81/273	Mrs I Candy
P82/274	Mr and Mrs R Hunt
P85/277	C N Knott
P86/278	Ms J Cross
P87/279	Ms E and Mr P Izod

P88/280	C Rowland
P89/281	Mr R Fleming
P94/286	Miss C Morton
P95/287	Mr M Wortmann
P135/331	Mr P Keetch MP
P138/334	Mr J Trimble
P140/336	C Gunson
P142/338	Ms C Gerstad
P143/340	Ms J Morgan
P145/342	Ms L Male
P156/355	Mr J R Collins
P157/356	Ms A and Mr T Headley
P162/360	Mr C Sharland
P163/361	Ms S Piohtee
P164/362	Ms P Jones
P204/445	L W Haynes
P206/448	Mr R Hastings
P209/452	Mr C Stead
P211/454	Mr A Thomas
P212/456	Ms A Thomas
P213/457	Ms P Crossley
P214/459	Mr R Priestley
P218/477	Ms L Crossley
P219/479	Ms B Scadding
P230/492	Ms A Goldsmith
P233/495	Mr L Clements
P240/507	Mr W Sewell
P273/565	Mr N Walker
P276/567	Mr F and Ms J Price
P277/568	Ms J Hughes
P280/569	Ms C Crewe
P281/570	Mr N Scott
P283/573	Mr R Milne
P291/581	Mr R Strawson
P294/586	Ms S Forden-Cave
P295/587	D Oliver
P432/895	Mr J R Latham
P445/925	Ms A K Wilson
P446/926	Mr R B Boddington
P447/927	Ms L Allender
P463/956	Ms H Calow
P464/957	Mr A and Ms K Taylor
P467/958	Ms C Slater
P469/966	Mr B Lunt
P496/1029	R G McCron
P591/1280	Mr S Roe
P592/1281	Ms R Stanier
P637/1415	P England
P644/1435	Ms K Leigh
P647/1450	Dr B Charvet
P651/1465	Mr P and Ms A Nugent
P657/1508	S Willetts
P661/1561	Ms S Horsfall
P662/1551	Mr A Leary
P663/1552	Mr H Meadowcroft
P664/1554	Ms G Johnstone
P665/1557	Ms M Seddon-Harvey

P666/1569	C E Dudley
P667/1575	J Seddon-Harvey
P672/1624	Ms L Jones
P674/1630	Ms H Lee
P676/1640	Ms R Martin
P678/1670	Ms T Martin
P680/1671	Mr M Whaley
P697/1727	Ms F Whaley
P698/1728	Ms S Cole
P699/1729	Ms L Horseman
P700/1730	Ms H Mead
P701/1731	Ms N Stow
P702/1732	Ms A Thristan
P703/1733	Mr R Harvard
P705/1735	Ms D Hemming
P706/1736	Ms H Morris
P707/1737	Mr D Storey
P708/1742	Ms A Downing
P709/1743	Mr P Boydell
P711/1750	Mr F Hemming
P878/2491	Mr M and Ms A Fitzgerald
P1033/3153	Mr R N Williams
P1077/3274	Mr T J Ford
P1098/3493	G F M Dawe
P1145/3655	Mr P Boydell
P1146/3656	Ms D M Evans
P1147/3657	Mr K R Kimber
P1148/3658	Ms E Armitage

### **Summary of Objections / Issues**

- The former Council nursery should be allocated as public open space under Policy RST5, not identified as “established residential area”. In any event, the exiting open space should be safeguarded under Policy RST4. (All objections)

### **Inspector's Reasoning and Conclusions**

#### *Appropriate allocation or designation of the site – all objections*

10.31.1 The objection site is owned by the Council. It lies between an area of formal public open space fronting Ledbury Road and allotment gardens with access off Bladon Crescent. Until recently, it was used as a community garden, “Unity Garden”, temporary planning permission and a short lease having been granted by the Council. The project enjoyed a considerable amount of public support and had many benefits; but the lease has now expired and the site has been vacated. However, supporters would wish the land to be re-used for similar purposes in the future.

10.31.2 In this regard, it is important to distinguish between the legitimate actions of the Council as owner of the site and what would be appropriate land uses in planning terms. The Council as owner is contemplating residential use. At the time the matter was discussed at the inquiry, there was a residential planning application before the Council.

10.31.3 On a preliminary point, I note that Policy RST4 covers *existing* recreational open space. At the time of my site visit, the site was not in use as private or public open space but was vacant. As such, it would not be appropriate to consider the site under the terms of this policy.

10.31.4 Policy RST5 covers the identification of new open space. I have considered whether there is any overriding reason why the site should be earmarked as new open space. In this regard, and in addition to the spaces that I have already mentioned, there is a significant amount of open space at nearby Churchill Gardens. In addition, 16 ha of open space on newly acquired Council land are now being formed at Aylestone Hill Park. Taking these provisions into account, I find that there is no obvious shortage of public open space in the vicinity of the objection site and no imperative for its allocation under Policy RST5.

10.31.5 I appreciate that the open space that is available is different from that which was to be found at Unity Garden. However, it appears to me that Unity Garden was a very particular type of project. It served a wide community. Although the former Council nursery site was no doubt very suitable for the use, I do not consider that a project such as this *has* to be on this site. There may be another site in another area that would suit if one could be found. Again, there is no imperative for the use on the objection site.

10.31.6 This brings me to the question of whether the site should be shown as part of the “established residential area” of Hereford. This is a notation that washes over most of the built-up area. It includes much land that is not in use for other particular purposes and which could be described as being in a primarily residential area. It is not a residential allocation although there is an expectation, subject to the various provisions of the Plan, that residential development could be appropriate. A Unity Garden use could also be appropriate.

10.31.7 In my opinion, it is quite legitimate to show the site as falling within the established residential area of Hereford. This is the predominant land use. The site itself comprises part vacant land, part vacant buildings, within a predominantly residential context. The land immediately to the northeast and southwest is housing land. To the northwest and southeast are uses ancillary to a residential area namely allotments and public open space. No modification of the Plan is necessary or appropriate in this regard.

10.31.8 In summary of the above, I find that the objection site falls within a location that is appropriately described as an established residential area. In principle, both residential development and use as public open space would be acceptable land uses. However, there is no overriding reason why the site should be allocated as new open space. Within the context of acceptable land uses, the Council as owner should be free to sponsor development of its choice, befitting its wider remit and responsibilities.

## **RECOMMENDATION**

10.31/1 Do not make any modification in response to the objections.

## **10.32 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 - WELLINGTON - LAND ADJACENT TO THE CHAPEL**

### **Objections**

P1011/3105 Wellington Community Association and Parish Plans Committee  
W205/1745 Mr P McKay

### **Summary of Objection / Issue**

- Whether land adjacent to Wellington Chapel should be allocated for housing and recreational purposes. (1011, 205)

### **Inspector's Reasoning and Conclusions**

*Allocation of land adjacent to Wellington Chapel – 1011, 205*

10.32.1 At the inquiry, the Council confirmed that there is no objection to use of this land for housing and recreational purposes. Housing could be pursued under Policy H4. Recreational use could be pursued under Policy RST1. However, it would not be appropriate to make related allocations. When land liable to flooding is taken out of the equation, the remaining land is of a size that falls below the Council's allocation threshold. In addition, under modifications to the housing chapter, general provision would be made for recreation provision in Wellington such that specific allocation of the chapel land would not be necessary.

### **RECOMMENDATION**

10.32/1 Do not make any modification in response to the objections.

## **10.33 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPHS 10.5.13 TO 10.5.14 - DESIGNATION – HEREFORD - HAYWOOD COUNTRY PARK**

### **Objections**

P427/891 Belmont Abbey  
P427/892 Belmont Abbey  
P1071/3288 English Nature  
P1071/3375 English Nature (Conditionally Withdrawn)  
P659/1534 Mr B J and M I Thomas  
P659/7233 Mr B J and M I Thomas

### **Summary of Objections / Issues**

- Whether the requirements of Paragraph 10.5.13 are too onerous. (427, 659)
- Whether the proposal for a new footbridge across the River Wye will be developed and assessed in accordance with Policies NC1 to 6. (1071)

- Whether Newton Coppice is a Local Nature Reserve. (1071)

### **Inspector's Reasoning and Conclusions**

#### *Requirements of Paragraph 10.5.13 – 427, 658*

10.33.1 In Section 5.3 of my report, I have determined that there should be some relaxation of the requirements relating to the development of housing land at Belmont. It is recognised that not all open space will necessarily be acquired on the back of the housing proposal. For example, land at Belmont Pool may not come into public ownership. In addition, some moderation of the requirements under the planning obligation would be appropriate. Consequential amendments to Paragraph 10.5.13 are necessary. These are recommended below.

#### *Footbridge across the River Wye - 1071*

10.33.2 I would expect development of the footbridge to accord with relevant nature conservation policies. This position has been confirmed by the Council, in its response statement, and no modification of the Plan is necessary.

#### *Newton Coppice - 1071*

10.33.3 The revised deposit version of the Plan no longer suggests that Newton Coppice is a Local Nature Reserve. The objection has been conditionally withdrawn and no further modification of the Plan is necessary.

### **RECOMMENDATIONS**

10.33/1 Modify the first part of the penultimate sentence of Paragraph 10.5.13 so that it reads: "Public acquisition of additional open space and development of the country park as an informal recreational facility will be requirements ..."

10.33/2 Do not make any other modification in response to the objections.

### **10.34 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPH 10.5.17 - DESIGNATION - HEREFORD - WHITECROSS HIGH SCHOOL**

#### **Objection**

P866/2473 Church Commissioners for England

#### **Summary of Objection / Issue**

- Open space should be provided as part of the housing development. The Policy RST5 allocation should be deleted or reduced in size. (866)

### **Inspector's Reasoning and Conclusions**

10.34.1 I consider that the identification of the school playing fields for community use under Policy RST5 is in accordance with the advice in PPG 17 in

that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or buildings as surplus to requirements. For open space, "surplus to requirements" should include all the functions that open space can perform. Insufficient justification has been advanced for deleting or reducing the allocation in size.

### **RECOMMENDATION**

10.34/1 Do not make any modification in response to the objection.

### **10.35 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPH 10.5.18 - DESIGNATION - HEREFORD - YAZOR ROAD**

#### **Objection**

P368/983 Mr R Hughes

#### **Summary of Objection / Issue**

- The site would be suitable for residential development and should be deleted from Policy RST5. (368)

#### **Inspector's Reasoning and Conclusions**

*Land at Yazor Road - 368*

10.35.1 This land was identified for open space use in the Hereford Local Plan. It is well located in relation to established residential areas. Nevertheless, it is a site that forms part of the open land associated with the corridor of the Yazor Brook, land that is liable to flood and has recognised nature conservation value. Insufficient justification has been put forward by the objector to justify its deletion from Policy RST5.

### **RECOMMENDATION**

10.35/1 Do not make any modification in response to the objection.

### **10.36 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPH 10.5.25 - DESIGNATION - STRETTON SUGWAS**

#### **Objection**

W458/939 British Horse Society Herefordshire Branch

### **Summary of Objection / Issue**

- The restoration of the landfill site should make provision for equestrians. (458)

### **Inspector's Reasoning and Conclusions**

#### *Landfill site at Stretton Sugwas – 458*

10.36.1 Paragraph 10.5.12 was changed in the Revised Deposit Draft and now states that, where practicable, provision will be made for multiple users. Policy RST7 also refers to multiple use of routes by walkers, cyclists, horse riders and the less able, as well as the development of short and longer-distance horse-riding routes. I would expect these policies to be taken into account in considering recreational routes through new open spaces. In the circumstances, I consider that the needs of equestrians are already satisfactorily addressed and no further modification is necessary.

### **RECOMMENDATION**

10.36/1 Do not make any modification in response to the objection.

## **10.37 NEW OPEN SPACE IN / ADJACENT TO SETTLEMENTS - POLICY RST5 AND PARAGRAPHS 10.5.27 TO 10.5.28 - DESIGNATION - WITHINGTON – LAND WEST OF VILLAGE HALL**

### **Objection**

P772/5991 Dent Farms Ltd

### **Summary of Objection / Issue**

- The land to the west of the village hall is an inappropriate site for the recreation ground. It is private land and there is no proposal to use compulsory purchase powers. A better site would be as part of a mixed use housing / recreation development on land south of Southbank. (772)

### **Inspector's Reasoning and Conclusions**

#### *Allocation west of village hall - 772*

10.37.1 This objection is intimately linked with a proposed housing allocation on land south of Southbank. I have considered this matter in Section 5 of my report but do not support the proposal.

10.37.2 As to the site allocated in the UDP for new open space, I consider that this would be an appropriate land use. I appreciate that the site adjoins open countryside to the north and west. Nevertheless, the playing field use would maintain the openness of the site notwithstanding the possible need to build changing rooms on the allocation site or on adjoining land. I have no reason to

suppose that the Council would not be able to implement its proposals. No modification of the Plan is appropriate.

## RECOMMENDATION

10.37/1 Do not make any modification in response to the objection.

## 10.38 PROMOTED RECREATIONAL ROUTES - POLICY RST7 AND PARAGRAPHS 10.5.31 TO 10.5.37

### Objections

P44/228	National Farmers' Union
P217/11300	Walford Parish Council
W458/943	British Horse Society Herefordshire Branch
W458/949	British Horse Society Herefordshire Branch
P506/11274	Colwall Parish Council
P1071/3378	English Nature (Conditionally Withdrawn)
W205/572	Mr P McKay

### Summary of Objections / Issues

- There should be early consultation with owners and occupiers. (44)
- The deleted phrase "will be given" should be restored. (217)
- The routes should be multi-user routes. (458)
- Cycle ways should be open to horse riders. Bridleways should not be surfaced. (458)
- The Wyvern Way should be reinstated. (506)
- Proposals should be considered in terms of their environmental impact. (1071)
- The bridleway network should be correctly recorded. (205)

### Inspector's Reasoning and Conclusions

#### *Early consultation – 44*

10.38.1 I agree that consultation with landowners would be a prerequisite of any successful scheme. However, this is a matter of process and no modification is required to ensure this happens.

#### *Restoration of deleted phrase "will be given" - 217*

10.38.2 I do not consider that the use of "should" in place of "will" significantly affects the sense of the policy. It allows an appropriate degree of flexibility for schemes where multi-use may not be appropriate.

#### *Multi-user routes – 458*

10.38.3 This objection is satisfactorily addressed by a change to Paragraph 10.5.11 in the Revised Deposit Draft.

*Bridleways – 458, 205*

10.38.4 Surfacing of bridleways is considered in Paragraph 10.5.36. The interests of horse-riders would need to be taken into account in any specific proposal and I would expect all users to be consulted before any resurfacing scheme was taken forward. With regard to the mapping of bridleways, I do not consider this to be a function of the UDP.

*The Wyvern Way – 506*

10.38.5 Whilst I appreciate the benefits to communities along the route of reinstating the Wyvern Way, the UDP focuses on priorities for long distance routes within Herefordshire. It is not expected that the Wyvern Way would be implemented during the plan period.

*Environmental impact – 1071*

10.38.6 A change was made to the Revised Deposit Draft which allowed the objection to be conditionally withdrawn.

## **RECOMMENDATION**

10.38/1 Do not make any modification in response to the objection.

## **10.39 WATERWAY CORRIDORS AND OPEN WATER AREAS - POLICY RST8 AND PARAGRAPHS 10.5.38 TO 10.5.44**

### **Objections**

P602/1337	Herefordshire Nature Trust
P1071/3381	English Nature
P1071/3382	English Nature

### **Summary of Objections / Issues**

- On waterways of high nature conservation value, such as the Rivers Wye and Lugg, nature conservation policies should take priority over recreation. (602, 1071)

### **Inspector's Reasoning and Conclusions**

*Waterway corridors and open water areas – 602, 1071*

10.39.1 Changes were made to the Revised Deposit Draft which go some way to meet the objections. Paragraph 10.5.38 now recognises that the EA is the navigation authority for the River Wye and that development of riverside facilities may require the consent of the EA.

10.39.2 Policy RST8 has been modified to require that recreational development affecting the Rivers Lugg and Wye will only be permitted if it complies with Policies NC2 and NC3. These give strong protection to sites of international

and national importance for nature conservation. To my mind these changes substantially meet the concerns of the objectors.

10.39.3 I acknowledge that they do not go as far as the objectors would have wished, but I consider that they provide a robust framework for the consideration of proposals affecting these waterways and ensure that proper weight is given to the importance of protecting areas of substantive value for nature conservation.

## **RECOMMENDATION**

10.39/1 Do not make any modification in response to the objections.

## **10.40 HEREFORDSHIRE AND GLOUCESTERSHIRE CANAL - POLICY RST9 AND PARAGRAPHS 10.5.41 TO 10.5.44**

### **Objections**

P743/1811	Ledbury Town Council
P1108/3542	Hereford and Gloucestershire Canal Trust Ltd
P1108/3554	Hereford and Gloucestershire Canal Trust Ltd (Conditionally Withdrawn)
P1108/11609	Hereford and Gloucestershire Canal Trust Ltd

### **Summary of Objections / Issues**

- The policy should refer to the Hereford and Gloucester Canal. (743)
- The policy should be amended to cover the potential for enabling development. (1108)
- The proposal shown in the Revised Deposit Draft should be modified to support the concept of a large triangular basin. (1108)

### **Inspector's Reasoning and Conclusions**

#### *Name of canal – 743*

10.40.1 The Canal Trust has confirmed that the canal is correctly named.

#### *Enabling development - 1108*

10.40.2 Proposals for the Edgar Street Grid and Policy TCR21R, considered in Section 7 of my report above, effectively address the concerns of this objection. No other modification to Policy RST9 is necessary.

#### *Canal basin – 1108*

10.40.3 I consider that the configuration of the canal basin is satisfactorily addressed in Policy TCR21R. It is appropriate for the design details to be addressed in the preparation of a design brief.

## **RECOMMENDATION**

10.40/1 Do not make any modification in response to the objections

## **10.41 MAJOR SPORTS FACILITIES - POLICY RST10 AND PARAGRAPHS 10.5.45 TO 10.5.47**

### **Objection**

P890/2518 Government Office for the West Midlands

### **Summary of Objection / Issue**

- There should be a reference to planning controls on additional facilities at major sports venues. (890)

### **Inspector's Reasoning and Conclusions**

*Major sports venues – 890*

10.41.1 A change was made to Paragraph 10.5.47 to refer to the sequential approach required by PPS 7. I consider that this satisfies the objection.

## **RECOMMENDATION**

10.41/1 Do not make any modification in response to the objection.

## **10.42 GOLF COURSES - POLICY RST11 AND PARAGRAPHS 10.5.48 TO 10.5.50**

### **Objection**

P1071/3383 English Nature

### **Summary of Objection / Issue**

- Golf courses can have a detrimental effect through the use of chemical pesticides. (1071)

### **Inspector's Reasoning and Conclusions**

10.42.1 Policy RST11 provides that golf courses will only be permitted where existing landscape and biodiversity features are retained and safeguarded. Whilst it is true that use of pesticides can cause serious harm to nature conservation interests, I would expect this to be fully addressed in considering any proposals for golf courses affecting areas of importance for biodiversity. To my mind Policy RST11 provides scope for this without further modification.

## RECOMMENDATION

10.42/1 Do not make any modification in response to the objection.

## 10.43 VISITOR ACCOMMODATION - POLICY RST12 AND PARAGRAPH 10.6.1

### Objections

P605/3039	Three Counties Planning
P1102/3530	H P Bulmer Ltd
P946/2746	Mr M B Roberts

### Summary of Objections / Issues

- New buildings should be allowed as well as conversions of rural buildings. (605)
- The Grafton Inn site should be allocated to provide a Travel Lodge and ancillary recreation, leisure and outdoor pursuits centre. (605, 946)
- Criterion 3 is unreasonable and discriminates against rural locations. (1102)

### Inspector's Reasoning and Conclusions

#### *New buildings in the countryside – 605, 946*

10.43.1 I consider that the policy reflects the advice in PPS 7, particularly as regards accessibility and new building in the countryside, away from existing settlements. The allocation of a specific site at Grafton Inn for a substantial new development would conflict with this advice and there is insufficient justification for identifying the site in the Plan.

#### *Accessibility – 1102*

10.43.2 A change was made at revised deposit stage which now requires that visitor accommodation should be accessible by a choice of modes of transport wherever possible. This is a pragmatic recognition that rural buildings exist in areas which are poorly served by public transport. I consider that this satisfies the objection.

## RECOMMENDATION

10.43/1 Do not make any modification in response to the objections.

## 10.44 RURAL AND FARM TOURISM DEVELOPMENT - POLICY RST13 AND PARAGRAPH 10.6.4

### Objections

P44/229	National Farmers' Union
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P846/2259 Country Land and Business Association  
P846/11226 Country Land and Business Association

### **Summary of Objections / Issues**

- Development proposals should be appropriate in scale, rather than necessarily small-scale. (44, 846)
- Paragraph 3 which relates to the impact on agricultural activities should be deleted. (846)

### **Inspector's Reasoning and Conclusions**

#### *Scale of development - 44, 846*

10.44.1 A change was made to the policy at revised deposit stage. It now requires that proposals should be of an appropriate design and scale for their surroundings. This introduces a degree of flexibility and I consider that it satisfies the objections.

#### *Agricultural activities – 846*

10.44.2 The policy supports diversification proposals of an appropriate scale. The purpose of the policy is to promote rural prosperity through support for existing farming enterprises. I do not consider that the intention behind criterion 3 is sufficiently clearly expressed to assist in understanding what the criterion seeks to achieve. To my mind, the key consideration is that development should not harm the character of the countryside; also be of an appropriate scale. Development which accords with these principles is not likely to curtail agricultural activity and I agree that criterion 3 is superfluous. I recommend that it is deleted.

### **RECOMMENDATIONS**

- 10.44/1 Delete criterion 3 from the policy.
- 10.44/2 Do not make any other modification in response to the objections.

## **10.45 STATIC CARAVANS, CHALETS, CAMPING AND TOURING CARAVAN SITES - POLICY RST14 AND PARAGRAPHS 10.6.5 TO 10.6.7**

### **Objection**

P358/742 Environment Agency

### **Summary of Objection / Issue**

- The policy should ensure that any new sites are outside of the flood plain. (358)

### **Inspector's Reasoning and Conclusions**

#### *Flood plain - 358*

10.45.1 The Council accepts the validity of this objection. Proposed Change No 14 (Document J 20) adds a further criterion to Policy RST14 as follows: "the site is located outside functional flood plain (Zone 3c, Policy DR7)." I consider that this proposed change satisfies the objection.

### **RECOMMENDATIONS**

- 10.45/1 Modify Policy RST14 in accordance with Proposed Change No 14.  
10.45/2 Do not make any other modification in response to the objection.

## **10.46 COMMUTED PAYMENTS FOR OPEN SPACE – PROPOSED NEW POLICY**

### **Objection**

W205/1747 Mr P McKay

### **Summary of Objection / Issue**

- There should be a policy requiring commuted sums towards the provision of play areas etc. (205)

### **Inspector's Reasoning and Conclusions**

#### *Commuted sums - 205*

10.46.1 Provision is made in Policy H19 for financial contributions towards new or improved open space provision. At the inquiry, the Council put forward an alternative form of wording for the policy (Document HC 13) in an attempt to meet the objection. In my opinion, these revisions address the thrust of the objection. In this regard, I acknowledge the objector's suggestions with regard to numbering but I do not consider that any further modification of the policy is necessary.

### **RECOMMENDATIONS**

- 10.46/1 Modify Policy H19 in accordance with Document HC 13.  
10.46/2 Do not make any other modification in response to the objection.

## **10.47 LEISURE FACILITIES, BROMYARD – PROPOSED NEW POLICY**

### **Objection**

P718/1759 Mrs M Birch

### **Summary of Objection / Issue**

- Bromyard needs more leisure and tourism facilities, including better youth facilities. (718)

### **Inspector's Reasoning and Conclusions**

#### *Facilities in Bromyard – 718*

10.47.1 The Plan generally encourages the provision of additional facilities in the more sustainable settlements of the county, which includes Bromyard. However, the implementation of these is dependent on a wide range of factors, including funding and management issues, which go beyond the scope of the UDP.

10.47.2 There is nothing in the Plan to prevent a project for better youth provision in Bromyard being achieved. However, it would not require the identification of a specific site in the Plan. Policies S8 and RST1 provide an appropriate context for the consideration of new recreation, sport and tourism facilities whilst community facilities are addressed in Policies S11 and CF5.

### **RECOMMENDATION**

10.47/1 Do not make any modification in response to the objection.

## **10.48 RECOGNISING EXISTING LEISURE VENUES – PROPOSED NEW POLICY**

### **Objection**

P766/1905 Shobdon Parish Council

### **Summary of Objection / Issue**

- Established tourism businesses should be identified in the UDP for their contribution to the sustainability of the village. (766)

### **Inspector's Reasoning and Conclusions**

#### *Identification of tourism businesses – 766*

10.48.1 I do not consider that it is necessary to identify individual businesses and attractions in the UDP. Whilst the UDP does not include the same level of detail as the adopted Leominster District Local Plan, land suitable for employment use at Shobdon Airfield is safeguarded under Policy E5. Policy E11 allows proposals for rural businesses to be considered either within settlements or on established employment areas. I consider that this provides a workable context for the development of businesses on an appropriate scale to support the prosperity of Shobdon.

## **RECOMMENDATION**

10.48/1 Do not make any modification in response to the objection.

## **10.49 POLICY FOR TOURIST SIGNS – PROPOSED NEW POLICY**

### **Objection**

P846/2260 Country Land and Business Association

### **Summary of Objection / Issue**

- There should be a policy to allow rural businesses to advertise their existence with roadside signs. (846)

### **Inspector's Reasoning and Conclusions**

*Tourism signposting - 846*

10.49.1 The erection of brown tourism signposting is acceptable in well-defined circumstances and I consider that there is no need for a policy in the UDP. Advertising is satisfactorily covered by Policy HBA11.

## **RECOMMENDATION**

10.49/1 Do not make any modification in response to the objection.

## **10.50 FUNDING FOR FOOTBALL FACILITIES – PROPOSED NEW POLICY**

### **Objection**

P764/1894 Herefordshire Football Association

### **Summary of Objection / Issue**

- A policy should be included requiring developer funding for enhanced and new football facilities. (764)

### **Inspector's Reasoning and Conclusions**

*Funding for football new football facilities – 764*

10.50.1 The provision of new sporting facilities is covered by Policies S8 and RST1. In my opinion, it would be wrong to single out a particular sport in the drafting of the policy. Funding for recreational proposals may be acceptable in the context of specific allocations, where need has been demonstrated through a

robust assessment as required by PPG 17. A general policy requiring developer contributions to the development of football would not be appropriate.

## **RECOMMENDATION**

10.50/1 Do not make any modification in response to the objection.

## **10.51 NOISY AND INTRUSIVE SPORTS – PROPOSED NEW POLICY**

### **Objection**

P898/2557 Herefordshire Green Party

### **Summary of Objection / Issue**

- There should be a policy on noisy and intrusive sports. (898)

### **Inspector's Reasoning and Conclusions**

#### *Noisy and intrusive sports - 898*

10.51.1 In my opinion, noisy and intrusive sports are covered under various provisions of the Plan. First, and under Policy DR13, proposals would not be permitted if, after mitigation, noise impact or exposure to noise would be unacceptable. Secondly, under the second paragraph of Policy DR13, development that would affect the quiet enjoyment of designated areas would not be permitted.

10.51.2 Protection would also be afforded under Policy RST1. Here there is reference to not harming the amenity of nearby residents; also to respecting the environment. Motorised and gun sports are specifically mentioned in Paragraph 10.4.2 as are ways in which residents' amenities can be damaged. In this regard, it would be useful to add noise to the list of considerations. However, I do not consider that any other modification is necessary.

## **RECOMMENDATIONS**

10.51/1 In the third sentence of Paragraph 10.4.2, add "noise," before "increased traffic".

10.51/2 Do not make any other modification in response to the objection.