

## PLANNING COMMITTEE – 21 MAY 2020

### PART I –DELEGATED

5. **19/2190/FUL – Construction of all-weather playing field and erection of fencing and floodlighting (including changing existing lights), soft landscaping work and creation of grassed mound at ST CLEMENT DANES SCHOOL, CHENIES ROAD, CHORLEYWOOD, WD3 6EW. (DCES)**

Parish: Chorleywood  
Expiry of Statutory Period: 19.02.2020  
Extension of time agreed.

Ward: Chorleywood North and Sarratt  
Case Officer: Matthew Roberts

Recommendation: Subject to the recommendation of approval from the Lead Local Flood Authority (LLFA), that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to any additional conditions as requested by the LLFA.

Reason for consideration by the Committee: Called in by Chorleywood Parish Council if Officers minded to approve.

#### 1.1 Relevant Planning History

- 1.1.1 8/963/87: Assembly Hall (Barbirolli Hall) - Approved.
- 1.1.2 8/1066/89: Extension to existing car park - Approved.
- 1.1.3 8/74/90: Single storey extensions and double storey rear extension (includes existing Maths block) - Approved.
- 1.1.4 8/293/92: Use of hall in non-compliance of condition 3 of planning permission 8/963/87 and alterations to toilet facilities - Refused, allowed at appeal.
- 1.1.5 8/327/93: Variation of condition imposed by paragraph 11 of Inspector Decision letter dated 8th May ref 8/293/93 - Approved.
- 1.1.6 94/653/8: All weather playing pitch with floodlighting and fencing - Approved.
- 1.1.7 94/654/8: Installation of floodlights to three existing tennis courts - Approved.
- 1.1.8 96/0191: Erection of proposed covered walkway - Approved.
- 1.1.9 96/0454: Installation of lift - Approved.
- 1.1.10 96/0816: Single storey groundsman store - Approved.
- 1.1.11 97/0129: Removal of condition 5 (relating to use of all weathered pitch) of Planning Permission 94/653/8 - Approved.
- 1.1.12 98/0406: Installation of additional car parking spaces - Approved.
- 1.1.13 99/02250/FUL: Erection of a two storey classroom building - Approved.
- 1.1.14 05/0574/FUL: Single storey side extension to existing school hall - Approved.
- 1.1.15 05/1011/HCR3: Erection of two, five bay double mobile classroom units - Approved.

- 1.1.16 05/1296/FUL: Change of use of grazing land to school playing field for student use - Approved.
- 1.1.17 05/1530/FUL: Erection of a two storey sixth form block with associated parking - Approved.
- 1.1.18 05/1715/FUL: Construction of four tennis courts - Approved.
- 1.1.19 06/0224/FUL: Single storey extensions to main school building - Approved.
- 1.1.20 06/0367/HCR3: Erection of two, five bay double mobile classroom units - Approved.
- 1.1.21 09/0500/FUL: Single storey extension to canteen and kitchen ancillary areas with external patio (including excavation and retaining wall) and new fencing to existing bin/recycling store to North East elevation - Approved.
- 1.1.22 15/1431/FUL: Two storey extension to existing Sixth Form Block to provide teaching space, extension to car park, extensions and alterations to bus lane and additional crossover to highway and associated hard and soft landscaping - Withdrawn.
- 1.1.23 15/2451/FUL: Two storey extension to existing Sixth Form Block to provide teaching space, extension to car park, extensions and alterations to bus lane and additional crossover to highway and associated hard and soft landscaping - Permitted and implemented.
- 1.1.24 17/0448/FUL: Construction of two storey block with lower ground level and external stair case. Permitted and implemented.

## **2 Description of Application Site**

- 2.1 The application site relates to a parcel of land used as playing fields within the grounds of St Clement Danes School, a secondary school on the edge of Chorleywood, located on the south western side of Chenies Road and Amersham Road (A404).
- 2.2 The wider site (as enclosed in blue on the location plan) comprises the remainder of the school grounds, including all school buildings, sports facilities, car park and the in and out accesses onto Chenies Road. The existing sports facilities include a 2G all-weather pitch positioned north east of the main school buildings and adjacent to the south western boundary of the site, netball and tennis pitches towards the rear of the school and playing fields to the north, bounded in part by the residential development of Latimer Chase, open fields to the west and north and the Amersham Road to the east.
- 2.3 The adjacent residential development of Latimer Chase comprises 6 detached dwellings which are accessed via Green Street. Two of the properties back onto the school site (playing field) (albeit they are separated by a public right of way (Chorleywood 11)).
- 2.4 To the immediate rear of the application site is a public right of way which abuts the grounds of the school, the above residential development and adjoins the Amersham Road.
- 2.5 In terms of policy designations the application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt.

## **3 Description of Proposed Development**

- 3.1 This application seeks planning permission for the construction of an all-weather playing field and the erection of fencing and floodlighting (including changing the existing lights on the 2G pitch), soft landscaping work and creation of grassed mounds.

- 3.2 The proposed all-weather pitch would be constructed to the immediate north of the existing 2G pitch, separated by a distance of 8m increasing to 29m to the south west given their splayed layouts. The proposed all-weather pitch would abut the south western boundary of the school playing fields which consists of mature hedging. The new pitch would also be set in from the highway frontage of the Amersham Road by approximately 60m.
- 3.3 The proposed all-weather pitch would measure approximately 70m in depth by 106m in width although it would include a number of deeper projections creating a total depth of 77m and a total width of 114m. The pitch would be supported by various perimeter barriers and fencing as detailed below. All means of enclosures would have a mesh design with a powder coated finish in the colour dark green (RAL6005) and would be insulated using neoprene washers to mitigate noise and acoustic attenuation by reducing rattle and vibration from ball impacts.
- New ball stop fencing at 4.5m high which encloses the entire pitch
  - Installation of an internal pitch perimeter fencing barrier at heights of 1.2m and 2m
  - Gates into pitch at 3m in height
- 3.4 The all-weather pitch would also include an area of hard surfacing to the south east for pedestrian access and general circulation. Within this space a shipping container is proposed for general storage and would measure 2.6m in height, 6m in depth and 2.5m in width. The shipping container would also have a powder coated finish in dark green (RAL6005). The all-weather pitch would be connected by a path from the existing area of hardsurfacing to the rear of the Barbarolli Hall.
- 3.5 To support the all-weather pitch 8 floodlight masts are proposed each containing 2 lights (16 lights in total). The lights to be installed are Philips OptiVision LED gen 3 floodlighting (BVP527) with integral louvres.
- 3.6 It is also now proposed to amend the existing lights serving the 2G pitch (referred to as Hockey pitch) to Thorn Champion HID 2kw luminaires which have no upward angle and have cowls incorporated into their design.
- 3.7 Within the circulation spaces around the new all-weather pitch sculpted grass mounds will be created, predominately between the existing 2G pitch and along the length of the all-weather pitch to the north. The northern sculpted grass mound will be screened by tree planting. The mounds will range in height between 1m-2m with a 0.45% gradient to all sides with the mounds generated from the soil from the construction of the all-weather pitch.
- 3.8 Due to the proposed introduction of the all-weather pitch the layout of the sports pitches within the playing field will be altered.
- 3.9 During construction, a temporary access route will be created from the existing emergency access via Amersham Road to an area close to the location of the all-weather pitch.
- 3.10 During the application process various amendments have been sought. These include the following:
- Introduction of integral louvres within the new floodlights
  - Removal of new car park and paths
  - New sculpted grass mound and soft landscaping to the north of the all-weather pitch
  - Amendments to the existing lights serving the Hockey pitch (previously not proposed)
  - Changes to the drainage strategy

## **4 Consultation**

### **4.1 Statutory Consultation**

#### 4.1.1 Chorleywood Parish Council: [Objection]

##### Initial comments:

*The Committee had Objections to this application and wish to CALL IN, unless the Officers are minded to refuse this application.*

*The Parish Council acknowledge the desire for sports and recreational facilities however have the following objections to this application.*

- *The proposed all weather playing field is located within the Chilterns AONB and is within a conservation area.*
- *The application will create harm to tranquillity through the generation, motion and light that spoil quiet enjoyment or disturb wildlife, causing light pollution in an area of Outstanding Natural Beauty*
- *The visual impact from the floodlights when operational, which distracts from the public enjoyment of the AONB landscape.*
- *The application goes against the primary purpose of conserving and enhancing an area of outstanding natural beauty as detailed in the CROW Act and the Chilterns Conservation Area Management Plan 2019-2024.*

**Officer comment:** It should be noted that the application site does not fall within a Conservation Area.

##### Comments on amended scheme: [Objection]

*"The Committee have Objections to this application on the following grounds and wish to CALL IN, unless the Officers are minded to refuse this application.*

*The light spillage and the impact on the proposal on biodiversity and the AONB. If allowed a condition should be attached Isolux diagrams and details of the hours of operation to mitigate against the impact of the proposal on the amenity of the surrounding area."*

#### 4.1.2 Chilterns Conservation Board: [Objection]

*"Thank you for consulting the Chilterns Conservation Board (CCB) on the above application. The Board proposes to object to this application, due to the sensitive location here within the Chilterns AONB and the fact that this development extends the built curtilage of the site to the north east of the existing complex of buildings and brings development further into the nationally protected landscape. The principal issue for determination within the AONB legislative and policy tests must be the extent to which the proposed floodlighting conserves and enhances the special qualities of the AONB. CCB is very concerned that development creep would result with the necessary ephemera for such an all-weather facility (fencing, surfacing as well as lighting). Whilst we accept and give some weight to the community purpose of this application, a series of much higher and weightier policy tests prevail in the discharge of AONB protection, which must be given 'great weight', as set out in the NPPF at 172. We cannot see how this proposal satisfies such necessary and highly important policy hurdles. We would comment as:*

*1. The AONB enjoys special qualities that justify its status as a highly valued landscape and one that is nationally protected within the planning system. These special qualities include, as listed in the Management Plan (but not exclusively confined to) '...a landscape of many hidden quarters, of enclosures and surprise views, of dark beech woods and open downland. It is its variety and timelessness which give it such charm and places such a premium on maintaining those special qualities'.*

*2. The Herts Landscape Character Assessment is relevant. Within the Herts study this site is within the Heronsgate Heights in which the topography is described as 'the plateau is a gently undulating area forming part of the Chilterns dip slope. Slopes rise from the adjacent*

*Maple Cross slopes. At Artichoke Dell there is a steep-sided wooded valley running through to Chorleywood near Chorleywood Common'. The special qualities of the AONB are numerous. In this case it is the gently undulating diplope landscape that itself dramatically abuts the suburban edge. That suburban edge, in part, contains small portions of ribbon development, some of which is historic and a part of the Metroland development of the inter-war period. This relationship affords the AONB beyond a particular status in its rolling and defined landscape quality and a contrast, together with views across and wooded backdrops and defined tree belts and hedgerows/semi-sunken roads.*

*2. With due regard to the legal duty within the CROW Act 2000, the AONB Management Plan (which is a material consideration as confirmed by planning practice guidance) and the revised National Planning Policy Framework 2019 and in the Development Plan, the principal issue here for any assessment as to AONB impacts must be the degree to which the proposed floodlights and associated ephemera would impact upon the special character of the AONB. When the floodlights are operational they will clearly exert a visual impact. Technological details are comprehensively set out, with a 200 lux 'maintained average illuminance' at page 28 (increasing to 205 lux on page 30 of the Design and Access Statement).*

*3. CCB would ask that a lighting column is mocked up to display the level of proposed illumination, taking account of the proposed lux and with the most appropriate cowling. The legislative provision for decision-making within AONBs, as set out in the CROW Act at section 85, requires both the conservation and enhancement of the special qualities. In this case that manifests, along with the NPPF and Development Plan policy, in great weight being given to the conservation and enhancement of those special qualities. Policy DM7 Landscape Character of the Local Plan Development Management Policies Local Development Document deals with the AONB where it states, a) Chiltern's Area of Outstanding Natural Beauty - In considering proposals for development within or near the Chilterns Area of Outstanding Natural Beauty, the Council will support development unless the proposal would:*

- i) Fail to conserve and/or enhance the special landscape character and distinctiveness of the AONB by reason of the siting, design or external appearance of, or the type or form of, development*
- ii) Detracts from the setting of the AONB and has an adverse impact on views into and out of the area*
- iii) Detracts from the public enjoyment of the AONB landscape.*

*To assist the LPA CCB would ask that great weight is given to the conservation and enhancement of the AONB. The ILP Guidance Notes for the Reduction of Obtrusive Light (2011) at its page 4 on Environmental Zones places AONBs within the category of intrinsic dark skies. The applicant's in their design and access statement state, in error, that the location is within lighting zone E2 and do not mention the 'intrinsic dark skies' point. This location is E1.*

*4. Again we fall back on the point that a mock-up column with lux details and cowl details as proposed by the applicants lighting experts is set up for the application site and that this takes place across an afternoon and dusk / evening period, as would be the case when used in the winter period of the playing season, with 22-00 and 20-00 hours as desired curfew times. Our concern here is that, notwithstanding the assurances as put by the applicants design team, that the necessary requirements for sports lighting as delivered by 8 masts x 15m high (each with 16 LED luminaires) will, especially on the north-west and south-east sides, create a dense block of light that is wholly discordant with the otherwise rural/peri-urban boundary between the AONB and Chorleywood. In the Design and Access statement the applicants accept that in an environmental zone such as an E1 zone it is important to 'avoid sky glow'. Whilst they can use technology here to prevent upward waste*

*light (put at 0% spill in the Design and Access Statement), it is not possible to avoid an apparent block of illumination, which greatly exceeds the kelvin thresholds in the AONB Management Plan.*

*5. CCB fully acknowledges the community purpose as proposed but with reference to our duties as a conservation board in the CROW Act these are secondary duties behind the primary purpose of conserving and enhancing the special qualities of the AONB. We also would ask that weight is given to the new Management Plan (as below), consistent with planning practice guidance. The new Chilterns AONB Management Plan 2019-2024 was adopted in February 2019 and may be a material consideration when assessing planning applications (as set out in Government's PPG para 040 on the Natural Environment). The planning objectives in the Management Plan are:*

*DO1 Ensure planning decisions put the conservation and enhancement of the AONB first.*

*DO2 Ensure that where development happens, it leaves the AONB better than it was before - richer in wildlife, quieter, darker at night, designed to have a low impact on the environment, and beautiful to look at and enjoy.*

*DO3 Embrace opportunities to restore natural beauty on sites currently degraded by unsympathetic development, infrastructure or dereliction.*

*A number of detailed Chilterns AONB Management Plan policies are relevant to this application:*

*DP1 Ensure planning decisions take full account of the importance of conserving and enhancing the natural beauty of the AONB and the great weight given to its protection in the NPPF.*

*DP2 Reject development in the AONB unless it meets the following criteria:*

- a. it is a use appropriate to its location,*
- b. it is appropriate to local landscape character,*
- c. it supports local distinctiveness,*
- d. it respects heritage and historic landscapes,*
- e. it enhances natural beauty,*
- f. ecological and environmental impacts are acceptable,*
- g. there are no detrimental impacts on chalk streams,*
- h. there is no harm to tranquillity through the generation of noise, motion and light that spoil quiet enjoyment or disturb wildlife, and*
- i. there are no negative cumulative effects, including when considered with other plans and proposals.*

*DP7 Only support development that is of the highest standards of design that respects the natural beauty of the Chilterns, the traditional character of Chilterns vernacular buildings, and reinforces a sense of place and local distinctiveness. Require a Design and Access Statement to accompany every application, explaining how it complies with the Chilterns Buildings Design Guide [www.chilternsaonb.org/conservationboard/planningdevelopment/buildings-design-guidance](http://www.chilternsaonb.org/conservationboard/planningdevelopment/buildings-design-guidance)*

*DP8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.*

*DP15 Seek opportunities to remove or replace existing inappropriate external lighting to restore dark skies at night.*

*We specifically draw attention to policy DP8 and its reasoned justification, which states that, DP8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing. The Chilterns AONB has relatively dark skies for the south east, making it a place people can still experience the wonder of starry skies and good for wildlife. AONBs are intrinsically dark environments (Zone E1 in the Institute of Lighting Professionals guidance) and planning conditions should be applied to restrict and control lighting. Light pollution of all types should be first prevented, by avoiding light where it is not needed, and where it is, by designing lighting to mitigate harm, through shading, height of fixings, beam orientation, LUX, colour temperature and the proposed hours of use. For example, downward pointing, shielded, operated on timer, and with a 'warm white' colour temperature of 2700-Kelvin maximum. Traditional Chilterns vernacular buildings have small windows. Modern designs with large areas of glazing should be avoided so that buildings do not appear as boxes of light in the countryside at night, and glinting glazing in the daytime.*

*The applicants make a material error in stating this location is in zone E2, when as point of fact it is E1. The Design and access statement states that, 'A WARM WHITE SPECTRUM (IDEALLY <2700 KELVIN) SHOULD BE ADOPTED TO REDUCE BLUE LIGHT COMPONENT. Philips plan to offer a 2700k LED floodlight (currently not possible) but this will come with reduce efficiency (lm/w). They currently offer 4000k and 5700k options. To create the most efficient system (to meet energy level requirements published by The Football Association) currently demands 5700k floodlights'. (See page 31).*

*As we read this commentary CCB concludes that the 2700 kelvin threshold is breached by a 5700 kelvin proposal, with enhanced technology (the Philips option) not currently available. In combination with the fact that 8 such columns are proposed we are therefore bound to object to this proposal. Whilst lighting condition(s) are often countenanced here, we cannot support that as a means of appropriate mitigation because the level of lighting is so intrusive and located within such a prominent position with the AONB and so harmful to its surroundings.*

*In conclusion, the Board considers that, because the development is considered to neither conserve nor enhance the natural beauty of Chilterns AONB, it would have detrimental impacts on users of the AONB, it is contrary to planning and other policy and there are no overriding circumstances that would warrant a departure, the application should be refused in its current form.*

*The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB (Section 85 of CroW Act). The Chilterns Conservation Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB. It is made up of representatives nominated by the organisations listed in Appendix 1."*

**Officer comment:** The floodlight design for the new all-weather pitch has been amended to ensure it is compliant with an E1 Environmental Zone. The new design includes LO type integral louvers to all LED luminaries which in turn improves horizontal and vertical overspill around the perimeter of the pitch. During the process a "mock up" of the lighting columns was not possible so various different organisations who use the lights were approached by Officers to get an understanding of the light spill. The following quotes were obtained:

Lady Manners School:

*"The light spill is negligible from the floodlights on our site. The pillars are 15 metres high but the spill is no more than 2 metres around the outside of the fence perimeter."*

Guildford County School:

*“Overall, we are very impressed by the lighting system. In fact, this morning I met with a Planning Officer (in relation to another project at a different site) who happens to live in the next road, who commented that she was impressed by how little light spill there was. When the lights were commissioned, we had the light spill at the boundary tested, and it was within the levels predicted by our lighting report. You get a feel for this in the photos; more than a couple of feet from the pitch, the light spill is very low (the bollards on the footpath actually have a bigger impact).”*

Deddington Tennis Club:

*“If they are the same lights (I think they are) then we’ve been very pleased with them. We have some very close residential properties around the perimeter of our site, as you’ve rightly said, and we’ve been impressed by the level of light spill (or rather lack of) achieved. The light spill has recently been independently checked by Cherwell’s Environmental Protection Officer who confirmed that it’s within the levels we submitted in our application.*

*That’s not to say that all the residents are happy about it. We have approx. 4 of the 9 or so immediate neighbours who objected when we put in the original application to have lights installed (as you’d probably expect). Once they were in we didn’t receive any complaints until a more recent application to extend the number of nights we can use them for was submitted (a couple of years after the original installation).*

*My personal opinion is that the lights cause very little nuisance (due to the very effective light spill cut-off), especially given they’re only used during the winter months when curtains are drawn anyway.”*

- 4.1.3 Hertfordshire County Council - Highways Authority: [No objection, subject to conditions and informatives]

Initial comments:

Comments / Analysis:

*Planning permission is being sought to create an Artificial Grass Pitch (AGP) with associated features including 4.5m high ball stop fencing and entrance gates to the AGP perimeter; 1.2m and 2m high pitch barriers with entrance gates internally within fenced AGP enclosure to segregate the field of play and perimeter area from adjoining hard-standing areas; hard-standing areas complete with associated porous asphalt surfacing for portable goals storage, pedestrian circulation and access as well as vehicular maintenance and emergency access; 15m high floodlights system around AGP perimeter; 2.59m high maintenance equipment store located within AGP fenced enclosure; additional vehicular parking area; and soft landscaping work (creation of grassed mound) at St Clement Danes School, Chenies Road, Chorleywood. A Design and Access Statement (DAS) and drawings and plans have been submitted as part of the application.*

Access arrangements:

*The two vehicular accesses to the site are on Chenies Road which is a principal “A” main distribution road with a speed limit of 40mph and is highway maintainable at public expense. There are no changes proposed to the existing access in the application. During the construction period, a temporary access is proposed on Chenies Road to the west of the existing accesses, as displayed in drawing 19-0209 BM25583 0499 02. This utilises an existing, gated access that does not appear to be used regularly by vehicles. Any works on highway land would require the applicant entering into a Section 278 agreement, as described in the above informative. A Construction Management Plan would also need to be provided, as described in the above condition.*

Parking and Manoeuvrability:

*The existing site has 138 parking spaces with 4 disabled parking spaces and the proposals include a new car park with 32 parking spaces and 4 disabled parking spaces, meaning that*



there would be 170 parking spaces with 8 disabled parking spaces in total at the site. The level of parking proposed would require a Travel Plan to identify how the trips generated by the site will be mitigated. All parking spaces should be a minimum of 2.4m x 4.8m. The applicant is reminded that Three Rivers District Council (TRDC) are the parking authority for the district and therefore ultimately should be satisfied with any proposed changes to the parking arrangement on the site.

Emergency access:

The documents provided note that ambulances would be able to access the site, although fire engine access is not discussed. Fire engines should be able to safely manoeuvre around the site and leave in a forward gear. This would enable emergency vehicles to be within 45 metres from the proposals and adhere to guidelines as recommended in 'MfS', 'Roads in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwelling houses'. Swept path analysis drawings should be provided to demonstrate this. Due to the distance of the proposals from the highway, details of the proposal have been passed to Herts Fire and Rescue for their attention and any further comments in which they may wish to add.

Sustainability and Accessibility:

The site is in a fairly isolated location to the north of Chorleywood, approximately a 25-minute walk to the railway station and village centre, meaning that it is likely that most trips to the site will be by car. There is a bus stop located at the site which is served by the X103 which runs twice in the morning. There are paved footways in the vicinity of the site, however there are no cycleways nearby. The limited sustainable and active travel options and the isolated location of the site means that alternatives to the car are limited.

Conclusion:

HCC as Highway Authority considers that the proposal would not have a severe impact on the safety and operation of the surrounding highway network. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.”

Comments based on amendments: [No objection, subject to conditions and informatives]

“The application is for the construction of all-weather playing field and erection of fencing and floodlighting (including changing existing lights), additional vehicular parking area; soft landscaping work and creation of grassed mound at St Clement Danes School, Chenies Road, Chorleywood.

This is an amended application, the initial application was for an Artificial Grass Pitch (AGP) with associated features including 4.5m high ball stop fencing and entrance gates to the AGP perimeter;

1.2m and 2m high pitch barriers with entrance gates internally within fenced AGP enclosure to segregate the field of play and perimeter area from adjoining hard-standing areas; hard-standing areas complete with associated porous asphalt surfacing for portable goals storage, pedestrian circulation and access as well as vehicular maintenance and emergency access; 15m high floodlights system around AGP perimeter; 2.59m high maintenance equipment store located within AGP fenced enclosure; additional vehicular parking area; and soft landscaping work (creation of grassed mound) at the same site.

An Additional Planning Statement (APS) has been submitted as part of the amendments which states that the additional vehicular car park previously proposed is no longer included in the proposals and the amended proposals no longer include the proposed car park and include a new vehicular access from Chenies Road for emergency vehicles only. Amended drawings and plans have been submitted.

Access arrangements:

The two vehicular accesses to the site are on Chenies Road which is a principal "A" main distribution road with a speed limit of 40mph and is highway maintainable at public expense. There are no changes proposed to the existing access in the application.

During the construction period, a temporary access is proposed on Chenies Road to the west of the existing accesses, as displayed in drawing 19-0209 BM25583 0499 02. This utilises an existing, gated access that does not appear to be used regularly by vehicles. The amended plans appear to demonstrate that this access will also be utilised permanently as an emergency vehicle access. Any works on highway land would require the applicant entering into an agreement with the Highway Authority, as described in the above informative. A Construction Management Plan would also need to be provided, as described in the above condition.

There is a safe pedestrian access route proposed to the new playing field area which is acceptable to HCC.

Parking and manoeuvrability:

The existing site has 138 parking spaces with 4 disabled parking spaces and the proposals previously included a new car park with 32 parking spaces and 4 disabled parking spaces. However, the amendments now mean there are no proposed changes to parking at the site. The existing level of parking is acceptable to HCC. The applicant is reminded that Three Rivers District Council (TRDC) are the parking authority for the district and therefore ultimately should be satisfied with the parking arrangement on the site.

Emergency vehicle access:

HCC previously raised concerns regarding the emergency vehicle access to the site. The amended plans demonstrate the location of an emergency access route to the playing fields from the currently unused access from Chenies Road which is proposed to be utilised in the construction phase. As mentioned above, any works on highway land would require the applicant entering into an agreement with the Highway Authority, as described in the above informative. The access road from the access to the playing fields would need to be a minimum of 3.7m to enable fire engine access. Fire engines should be able to safely manoeuvre around the site and leave in a forward gear. This would enable emergency vehicles to be within 45 metres from the proposals and adhere to guidelines as recommended in 'MfS', 'Roads in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwelling houses'. Swept path analysis drawings should be provided to demonstrate this. Due to the distance of the proposals from the highway, details of the proposal have been passed to Herts Fire and Rescue for their attention and any further comments in which they may wish to add.

Sustainability and Accessibility:

The site is in a fairly isolated location to the north of Chorleywood, approximately a 25-minute walk to the railway station and village centre, meaning that it is likely that most trips to the site will be by car. There is a bus stop located at the site which is served by the X103 which runs twice in the morning. There are paved footways in the vicinity of the site, however there are no cycleways nearby. The limited sustainable and active travel options and the isolated location of the site means that alternatives to the car are limited.

Conclusion:

HCC as Highway Authority considers that the proposal would not have a severe impact on the safety and operation of the surrounding highway network. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.

Conditions:

1. Construction Management Plan:

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Access arrangements to the site; c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; h. Provision of sufficient on-site parking prior to commencement of construction activities; i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; j. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

*Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).*

**2. Swept path analysis for emergency vehicles:**

No development shall commence until full details in the form of scaled plans have been submitted to and approved in writing by the Local Planning Authority to illustrate the following: i) Emergency vehicles (fire engines) are able to enter the site, manoeuvre around the site, and leave the site in a forward gear.

*Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).*

**Officer comment:** Following a no objection from the Fire Protection department the swept path analysis condition is no longer required.

4.1.4 **Fire Protection department (HCC):** [No objection]

**Initial comments:**

*"Unfortunately the plans were not sufficient to enable this Fire Authority to adequately assess the provision for access for the fire service. In order for us to make a more detailed response we would require:*

- *A swept path analysis to demonstrate that emergency vehicles (i.e. fire appliances) are able to enter and exit the proposed car park/ access road in a forward gear.*
- *A clear concise plan that identifies any proposed building i.e. Storage outbuildings.*
- *Confirmation that height restriction barriers will allow access for a fire appliance.*

*This Authority would expect to view drawings with the following provisions for access and water supply:*

**Access and facilities:**

**1.** *Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB), section B5, sub-section 16.*

**2.** *Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 19 tonnes.*

3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

**General considerations:**

1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB).

2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 19 tonnes.

3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle.

**Water Supplies.**

For enquires relating to hydrant matters within the Hertfordshire area, you should contact the Water Officer on 01992 507521. Correspondence can be sent to: The Water Officer, Hertfordshire Fire & Rescue Services Headquarters, Old London Road, Hertford, Hertfordshire SG13 7LD.”

Comments based on amendments: [No objection]

“We have examined the information sent along with the revised plan - LSUK 19-0209 BM25583 0499 04 PROPOSED PLAN 1-250 REV02 and the access for fire appliances appears now to be adequate.”

4.1.5 Environmental Health: [No objection, subject to conditions]

“Having reviewed the submitted information I have no objections on the lights or noise. I would like it noted that the accepted hours for construction activities (including demolition and deliveries) are: Monday to Friday 08:00 - 18:00; Saturday 09:00 - 13:00; with no work on Sundays or public holidays.”

Additional comments based on the change of the existing floodlights serving the Hockey pitch:

“It is good that the school have agreed to change those lights – I do think they are an improvement on what is currently in place. In terms of the level of details the only way to get an idea of the benefit would be for a site specific spill plan to demonstrate the impact of the lights.”

**Officer comment:** Further details of the replacement lights were submitted.

4.1.6 Landscape Officer: [No objection, subject to condition]

“Although there are only a small number of trees located within the proposed area of development, there are level and surface changes proposed close by.

It would be a shame to lose any trees unnecessarily, and arboricultural advice should be sought to ensure that trees shown to be retained can be suitably protected. Ideally this information should be provided upfront, but slightly begrudgingly, I would accept this by way of condition. The applicant should commission an arboricultural impact assessment in accordance with BS 5837.”

4.1.7 Hertfordshire Ecology: [No objection, subject to conditions]

*“Hertfordshire Environmental Records Centre holds no records of notable habitats or species on land directly affected by the proposed development. However, the application is accompanied by a Preliminary Ecological Appraisal (Middlemarch, October 2019). This confirms the absence of protected sites but identifies the potential of the proposal to harm several groups of species, notably bats, great crested newts, birds, badgers and hedgehogs. All are afforded varying degrees of protection in European and domestic legislation and/or policy and as currently proposed conflicts could arise.*

*Middlemarch makes a range of recommendations in Section 7 of the PEA to ensure that potential impacts are made negligible or avoided. Provided these are adopted in full, including the Great Crested Newt Reasonable Avoidance Method Statement (Middlemarch, September 2019) and secured by condition or similar, adverse effects should be avoided and the current policy requirement to secure no net loss of biodiversity should be achieved.*

*Recommendation R2 may require the production of a Landscape Ecological Mitigation Plan with the necessary details to ensure its design and delivery are appropriate. We would be happy to comment on such matters in due course.*

*The above comments are based on the understanding that the proposed car park is to remain unlit. Should this assumption be incorrect, please contact me as it could adversely affect hedgerows and that represent valuable commuting and foraging features for bats. Furthermore, it should be noted that the current proposal introduces new lighting around the sports pitch which though of a low intensity, could have an adverse effect on bats in particular. However, this is not expected to have any adverse ecological effects because the hedgerow it would illuminate is already lit from an adjacent sports facility providing light levels of 75lux. This is of such a high intensity that it is likely to preclude use of the hedgerow by bats for commuting or foraging. Given this situation, it could usefully be brought to the attention of the applicant (if it is the same as the owner of the adjacent facility) that should the lighting of the existing sports ever be replaced that lighting would be expected to be reduced and conform to best ecological practice at the time to allow the hedgerow to once again provide connectivity in the local landscape for bats.”*

4.1.8 Herts & Middlesex Wildlife Trust: [No comments received. Any comments received will be verbally updated at the Committee meeting]

4.1.9 Local Lead Flood Authority (HCC): [Objection]

*“The Proposed Surface Water Drainage Plan carried out by Labosport Ltd reference 19-0209 BM25583 0499 06 dated 16.08.19, and the information submitted in support of this application does not currently provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant Local Planning Authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment/surface water drainage strategy:*

- 1. Clarification of proposed surface water discharge mechanism*
- 2. Provision of greenfield runoff rates*
- 3. Detailed calculations (understanding of the volumes of water)*
- 4. Provision of a management and maintenance plan.*

**Overcoming our objection:**

*To address the above points, please see the below comments:*

- 1. The applicant has stated how the surface water will be collected and temporarily attenuated (stored) within the AGP (artificial grass pitch) drainage system and the proposed permeable granular sub-base and then disposed of via a piped system underneath the AGP*

base to an existing balancing pond using an existing connection. We note that infiltration testing results carried out during ground investigations have not been provided due to both tests indicating relative impermeability hence the strategy is based on attenuation.

We understand that the drainage strategy proposes to utilise an existing connection to the balancing pond, however after a review of the feature it appears to have characteristics of a landscape feature as opposed to a balancing pond which could imply there will be restrictions on capacity and on the proposed discharge rate. We will require clarification of the size, existing condition and any existing connections into the pond and detailed calculations to provide adequate justification that the pond can accommodate the proposed discharge rate and volumes from the AGP.

2. We understand that the rate of discharge from the AGP to the pond has not been provided. We would advise the discharge rate to be restricted to greenfield runoff rate as the pre-developed site is considered to be greenfield.

3. As this application is a full application, the applicant should provide details on the volume of storage to be provided on site to ensure the scheme caters for all events up to and including the 1 in 100 year + climate change (as this is a school we would expect a 40% allowance for climate change).

From a review of the drawing, we are pleased to see that the applicant proposes to achieve sustainable surface water disposal by implementing adequate attenuation (temporary water storage within the AGP base (comprising permeable granular sub-base). We would consider this to be appropriate. However, the applicant needs to ensure that this is adequate storage volume by providing calculations for this.

4. Following any changes made to the drainage strategy in light of the above comments, the applicant will need to update the drainage strategy including all drainage calculations and modelling. If additional storage is needed, we would prefer the provision of above ground storage features as prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

We would expect the submitted drainage strategy to include all calculations and modelling to be updated accordingly. Any updates should include:

- Detailed post development calculations/ modelling in relation to surface water to be carried out for all rainfall events up to and including the 1 in 100 year including +40% an allowance for climate change
- Detailed modelled outputs of flood extents and flow paths for a range of return periods up to the 1 in 100 year + climate change event and exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change.
- Confirmation on the volume of water needing to be attenuated
- Justification of SuDS selection.
- Details of the final management and treatment train and SuDS features.

5. Details of maintenance of the proposed drainage scheme, including all SuDS features, will need to be provided. The maintenance plan should explain and follow the manufacturer's recommendations for maintenance or follow the guidelines explained in The SuDS Manual by CIRIA. A maintenance plan should also include an inspection timetable with long term action plans to be carried out to ensure efficient operation and prevent failure."

4.1.10 Sport England: [No objection, subject to conditions]

Initial comments:

*“Sport England raises no objection to this application as a statutory consultee which is considered to meet exceptions 2 and 5 of our adopted Playing Fields Policy and paragraph 97 of the NPPF subject to two planning conditions being imposed relating to the following matters as set out in this response:*

- Replacement Artificial Cricket Wicket Specifications and Implementation;*
- Community Use Agreement.*

*The principle of the application is supported as a non-statutory consultee and advisory comments are made on technical issues such as hours of use and lighting.*

*The Proposal and Impact on Playing Field:*

*In summary, the development involves a full size artificial grass pitch (AGP) with a 3G surface suitable for football (including floodlights and fencing), associated external works and ancillary car parking which would be sited on the southern part of the playing fields at St Clement Danes School.*

*Assessment against Sport England Policy:*

*This application principally relates to the provision of a new outdoor sports facility on the existing playing field at the above site. It therefore needs to be considered against exception 5 of the above policy, which states:*

*5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*

*I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception 5.*

*Sports Development Benefits:*

*The key potential sports development benefits of the proposed development are set out in detail in the design and access statement. In summary, the benefits are considered to be as follows:*

*The proposed floodlit AGP would provide a modern all weather surface that would be capable of intensive use throughout the year for matches, training and coaching. The AGP would be capable of accommodating a range of football pitches and would be suitable for both matches and training. The design and layout of the AGP would accord with the Football Association’s design guidance which will help ensure that a fit for purpose facility that is suitable for meeting community needs will be implemented in practice.*

*In relation to benefits for St Clement Danes School, the AGP would provide another all-weather facility that could be used for meeting the school’s curricular and extra-curricular PE and sport needs and offer continuity of facility provision when natural turf pitches are unavailable due to ground conditions. The proposal would complement the existing AGP to the south (which has a sand based artificial surface) by providing a facility that is specifically designed for football use due to the 3G rubber crumb carpet. Sand based AGPs are suitable for hockey but are not the preferred surface for football. Converting the existing AGP to a 3G surface would prejudice its use for school and community hockey use which is why a separate AGP is proposed. As set out in the design and access statement, the facility would specifically enable students to develop from mini to senior football.*

*Three Rivers District Council’s new Playing Pitch Strategy (2019) has identified that the district has a deficiency of 3G AGPs with the Chorleywood sub-area of the district being identified as having a deficiency of one 3G AGP. More specifically, the strategy’s action plan has identified the school as a suitable site for accommodating this identified need and at present this is considered to be the only site in the sub-area that has potential to help*

address this need. The emerging Three Rivers Local Football Facilities Plan that is being prepared following the completion Playing Pitch Strategy for the Football Association has confirmed the need for additional AGPs in the Chorleywood area and the school site has been specifically identified in the Plan as a priority project for meeting this need.

The facility would meet the facility needs of several local football clubs as set out in the design and access statement and would also be used by Watford Community & Education Trust and the Hertfordshire County FA for coaching, officiating etc. In particular, the key partner club in the project would be Chorleywood Youth Football Club which are a 40+ team club that would use it for meeting a range of training and match needs. I have consulted the Football Foundation (who represent the Football Association and Herts County FA) and they have advised that they have been working with the school and the football club to develop the proposals to meet the needs of the football club and other community users. The Football Foundation have therefore confirmed their support for the proposal and have advised that it would be procured through their framework which will ensure that it will meet the FA's design guidance and the FIFA certification requirements to allow match play on the facility.

The proposed ancillary car parking would help facilitate community use of the AGP during peak community use periods by providing additional parking provision to avoid potential overspill outside of the school site.

#### Impact on Playing Field:

In relation to the impact on the playing field, the AGP and associated external works (hardstanding's, mound etc) would be sited on an area of playing field that is currently marked out for a junior football pitch, mini football pitch, oval running track, rounders' pitches and an artificial cricket wicket and associated outfield area. While the two football pitches would be displaced, the AGP would directly mitigate their loss as it would be marked out for both junior and mini football pitches of different sizes plus would offer the benefit of being superior in quality in terms of consistency of surface and intensity of use throughout the year. The running track and rounders' pitches would be relocated further to the north of the playing field through realigning the markings without affecting other pitches that are marked out in summer.

A new artificial cricket wicket would need to be sited on another location on the playing field however as the existing wicket would be displaced. I have consulted the England & Wales Cricket Board (ECB) who have advised that the wicket is well used by the school and needs to be replaced to allow continuity of cricket provision for the school and potential community users. No objection is made by the ECB in principle to the proposal for relocating the wicket further north of the playing field and it has been indicated that the broad north-south orientation of the proposed wicket is preferable to the orientation of the existing wicket. However, provision will need to be made for ensuring that the new wicket accords with ECB guidance on non-turf pitches and practice nets and will need to be an ECB approved non-turf pitch system in order to ensure that the facility is fit for purpose from a performance and safety perspective.

The proposed additional car parking area would be sited on area of the playing field between where the pitches are marked out and the school buildings. This is a small area which is constrained from being marked out for pitches by its size and is not marked out for pitches.

#### Conclusions and Recommendation:

On the basis of the above assessment, I consider that the potential sports development benefits that the proposed AGP would offer would clearly outweigh the detriment caused by the impact on the playing field. I therefore consider that the proposed development would meet exception 5 of our playing fields policy. The additional car parking area would accord with exception 2 of the policy as it would be ancillary to the principal use of the site as a playing field and would not be detrimental to the quantity or quality of playing pitches. This



being the case, Sport England does not wish to raise an objection to this application subject to the following conditions being attached to the decision notice should the local planning authority be minded to approve the application:

*Artificial Cricket Wicket Specification and Implementation:*

A pre-commencement condition requiring the design specification of the proposed new artificial cricket wicket to be submitted and approved. This is justified to ensure that the facility is fit for purpose and meets the ECB's performance and safety requirements. Details of the programme for implementing the replacement wicket are also required in order to demonstrate that the wicket would be delivered within a timescale that would ensure continuity of cricket wicket provision for the school. There are no details available of the design specifications of the artificial wicket at this stage or its phasing. The following planning condition is requested which is based on model condition 9a of our model conditions schedule <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-applications/>:

*"No development shall commence until details of the design specifications of the replacement artificial cricket wicket together with an implementation programme have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The replacement artificial cricket wicket shall not be constructed other than in accordance with the approved details.*

*Reason: To provide continuity of sports facility provision, to ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.*

An associated informative should refer to the facility complying with the England & Wales Cricket Board's TS6 document on Performance Standards for Non-Turf Cricket Pitches Intended for Outdoor Use and for the system installed to be an ECB approved non turf system – see <https://www.ecb.co.uk/be-involved/club-support/club-facility-management/surface-types> for further details of the ECB TS6 document and approved non-turf systems.

*Community Use Agreement:*

A condition requiring a community use agreement for the AGP to be submitted and approved by the local planning authority (in consultation with Sport England) prior to first occupation of the new artificial grass pitch in order to ensure that community access to the facility is secured in practice. A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school and the relevant local authority (i.e. Three Rivers District Council) but other bodies can be parties such as sports governing bodies (i.e. the Herts County FA). Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. Such a condition is justified to avoid a scenario where community access (outside of school hours) to the facility does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, one of the principal sports development benefits of the proposals which mitigates the impact of the development on the playing field would not be realised. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. The applicant has offered to implement a community use agreement in the design and access statement. Community use agreement templates, examples of completed agreements and further advice can be provided upon request although advice should be sought from both Three Rivers District Council and Sport England before an agreement is prepared. For information, Sport England's guidance for schools on preparing for and delivering community use is available at <http://www.sportengland.org/facilities-planning/use-our-school/>. The following condition

is requested to be imposed to address this which is based on model condition 16 of our conditions schedule:

*“No occupation shall commence of the artificial grass pitch hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch and supporting ancillary changing and parking facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.”*

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy”.*

*If you wish to amend the wording of the conditions or use another mechanism in lieu of the conditions, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments. If your Council decides not to attach the above conditions, Sport England would wish to raise an objection to this application.*

*As a non-statutory consultee, without prejudice to our position as a statutory consultee set out above, Sport England would wish to make advisory comments on the following matters:*

#### *Principle of the Development*

*Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England’s planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England’s Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/> . Principles 6 and 7 of the guidance relate to the ‘Enhance’ objective and in summary support improvements to the existing sport provision where they are needed (principle 6) and encourage/secure wider community use of existing and new sports provision. The proposed development would provide an enhanced sports facility that would offer potential to make a contribution towards meeting community sports facility needs in the Chorleywood area for the reasons set out above. The proposals are therefore considered to meet principles 6 and 7 of the guidance therefore. Sport England would therefore wish to confirm its support for the principle of the proposed development as a non-statutory consultee.*

#### *Hours of Use and Sports Lighting:*

*The proposal for the AGP to include sports lighting is welcomed and considered essential as this will offer significant sports development benefits in terms of facilitating use by the community during peak periods of demand. Without suitable sports lighting, it would not be possible for the facility to meet the needs that it has been designed to address and the potential for securing revenue to support its long term maintenance would be prejudiced.*

*While Sport England would not require a planning condition to be imposed relating to the hours of use of the AGP or its sports lighting, it is acknowledged that the Council may wish to impose such a condition in order to address potential impact on residential amenity or the environment. If planning permission is granted, it is recommended that any condition that may be imposed by the Council relating to the hours of use of the lighting and the use of the AGP is not overly restrictive. In this regard, it is advised that peak community use of AGPs on similar sites usually extends until 10.00 p.m. on weekday evenings. If the Council*

wishes to impose a planning condition restricting the hours of use of the AGP or its sports lighting, consideration should be given to using condition 14 from our model conditions schedule.

It should be noted that if the Council sought to remove the sports lighting or impose significant restrictions on the hours of use of the AGP or its lighting in the evenings this may affect our position on the planning application as the potential sport related benefits would be diminished plus it may affect the feasibility and sustainability of the project. If such an approach is to be taken it is requested that Sport England be advised before the planning application is determined to provide an opportunity to review our position on the planning application.

If the design of the upgraded lighting scheme is material to the assessment of the planning application, I would recommend that consideration be given to Sport England's 'Artificial Sports Lighting' guidance note (2012) [www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-facilities/](http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-facilities/) and the FA's floodlighting guidance <http://www.thefa.com/get-involved/player/facility-development-and-technical-guidance>.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or national governing bodies to support for any related funding application.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice."

Comments on amended scheme: [No objection]

"I have considered these amendments in the context of the advice provided in our original response dated 12<sup>th</sup> December 2019 and would make the following comments:

- The removal of the additional car parking area would reduce the encroachment of the development onto the playing field. While the area affected is constrained in terms of its potential use for marking out playing pitches, it could be used for training and informal recreation. Its removal therefore has a positive impact on the playing field.
- The addition of the grass mound along the northern perimeter of the AGP would result in a greater encroachment onto the playing field than the original plans. However, due to the linear nature of the mound, the extent of the encroachment is limited and as demonstrated by the submitted playing pitch layouts, all of the natural turf pitches proposed on the remaining playing field area in the original plans could still be maintained;
- The replacement luminaries in the hockey AGP floodlights would offer the benefit of reducing light spill and glare from the pitch and would therefore have a positive impact;
- The realigned pedestrian route will provide a more direct pedestrian route between the AGP and the school's changing rooms and would therefore be a positive amendment.

In view of the above comments, I would advise that the proposed amendments to the application would not change the proposed sport related benefits of the scheme and the impact on the playing fields would either be positive or minimal. I can therefore advise that our position on the application would remain as set out in our original response dated 12<sup>th</sup> December 2019 i.e. Sport England raises **no objection** to this application as a statutory consultee subject to two planning conditions being imposed relating to the replacement artificial cricket wicket specifications/implementation and a community use agreement as

*set out in our original response. I have consulted the Football Foundation who have advised that they remain fully supportive of the planning application.”*

4.1.11 TRDC Leisure department: [No objection, subject to conditions]

*“Whilst the application will result in a loss of grass playing field space the proposed AGP will be of sufficient benefit to the development of sport in Three Rivers as to outweigh the loss of the area of playing field. As such we wish to raise no objection to the application.*

*After full consideration of all of the documents and information relating to the above planning application, Leisure Development Officers would like to provide the additional comments and recommendations in the submission of the planning application to Three Rivers District Council*

*The proposed AGP will contribute to the council’s Physical Activity Strategy (2018-21) vision “To reduce the levels of inactivity, increase regular participation and contribute to a healthier, more active Three Rivers” and will positively contribute towards its three strategic priorities of Active People, Active Places, Active Together.*

*The application meets an identified need of a lack of 3G pitches in the Chorleywood analysis area of the 2019 Three Rivers Playing Pitch Strategy (PPS) and the emerging Local Football Facility Plan (LFFP) commissioned by The FA. The Football Association has prioritised this project for Football Foundation (FF) funding to help deliver national strategies for grassroots football. As such, this proposal will contribute to the improvement of sporting facilities at St Clement Danes School and will result in considerable benefit to local community clubs and groups in Chorleywood.*

*This project is supported by a well thought out and strategic football development plan that will provide a wide range of coaching and participation opportunities for people of all ages and abilities in Chorleywood. Chorleywood Common Youth Football Club (CCYFC) an FA Chartered Standard Community Club is linked to the application and will be a key component of the proposed football development plan for the facility. The club reported a significant waiting list in the PPS and the proposed AGP will allow the club to increase in size and teams to cater for some of this demand. It will also allow for training at one venue rather than being fragmented across different venues across the district – thus reducing travel time and costs.*

*Floodlights are absolutely necessary to securing community use of the facility over the peak winter period for evening football training and match play. Officers are satisfied with the proposed hours of use available for community use hirers and the flexibility this will allow the school to maximise football developmental outcomes.*

*Officers are pleased to see disabled access has been carefully considered throughout the whole design and applied wherever possible.*

*Although noted in the application Officers would recommend that prior to use a Community Use Agreement (CUA) be secured by way of planning condition. The CUA would cover the arrangements and targets for community use (including pricing, hours, marketing and promotion etc.) and a process for monitoring and review (at least annually). St Clement Danes School already has an existing commitment to community use through lettings of its current facilities and officers would like, if possible, to see a formal agreement made covering the whole site encompassing new and existing facilities.”*

4.1.12 National Grid: [No comments received. Any comments received will be verbally updated at the Committee meeting]

4.2 **Public/Neighbour Consultation**

- 4.2.1 Number consulted: 24
- 4.2.2 No of responses received: 64 in support / 2 neutral / 3 objections
- 4.2.3 Site Notice: Expired 05.01.2020.
- 4.2.4 Press Notice: Expired: 31.01.2020.
- 4.2.5 Summary of Responses:

Support:

- New modern facility long overdue
- Help to encourage greater exercise
- Local football club has long waiting list
- Excellent community initiative
- Fantastic opportunity to improve sporting facilities in local area
- A legacy for future generations
- Positives outweigh the negatives
- School currently has limited sporting facilities
- Many games have been cancelled during the lack of all-weather facilities
- Will prevent travelling to Watford and Rickmansworth
- Existing surface is not fit for purpose
- Community desperately needs the facility
- Encourage a more active community

Neutral:

- Welcome new pitches but have concern over light spill within landscape/ neighbours

Objections:

- Light impact / glare intrusion
- Already have considerable trespass
- Current floodlights turn off at 9pm
- Will “minimal light leakage” actually happen in reality
- Not clear that the application is for a new pitch
- Bats and badgers have been seen
- Increased traffic movements
- Artificial grass no better than concrete
- Creates a sterile area

**Officer comment:** The above material planning considerations will be discussed within the following planning analysis sections. Other points of note are detailed below:

- A site visit was undertaken at 6 Latimer Chase in the evening.
- Due to the amendments and changes to the description all consultees and neighbours were re-consulted for a further 21 days.
- A planning application was validated by Buckinghamshire Council on 11<sup>th</sup> March 2020 for ‘Construction of a golf driving range including driving range building, protective netting attached to 25 lattice steel towers; erection of a temporary clubhouse. Green plateau for use as football playing pitches, including 1x permanent 11v11 football pitch with floodlighting ; and associated access, landscaping, boundary fence, running trail and parking’ at Chiltern Hills Golf Course on Green Street, Chorleywood. It has been assigned the planning reference of PL/20/0429/FA. It should be noted that this application does not involve a 3G pitch, but turf playing pitches with one of them proposed to be served by floodlighting.

## 5 Relevant Planning Policy, Guidance and Legislation

### 5.1 National Planning Policy Framework and National Planning Practice Guidance

On 19 February 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 2019 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would ‘significantly and demonstrably’ outweigh the benefits.

## 5.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM6, DM7, DM8, DM9, DM11, DM12, DM13 and Appendices 4 and 5.

## 5.3 Other

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

Three Rivers District Council Strategic Plan (2018-2021)

Three Rivers Playing Pitch Strategy 2019 (PPS)

Physical Activity Strategy (2018-2021)

Local Football Facility Plan (LFFP)

Playing Fields Policy (Sport England)

The Chilterns AONB Management Plan 2019 – 2024



## 6 Reason for Delay

6.1 April's Planning Committee was postponed due to the COVID-19 Pandemic.

## 7 Planning Analysis

### 7.1 Green Belt

7.1.1 The application site including school grounds fall within the Metropolitan Green Belt with the site located on the very edge of Chorleywood.

7.1.2 Policy CP11 of the Core Strategy sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt or which would conflict with the purposes of including land within it. Policy CP11 is supported by Policy DM2 of the Development Management Policies LDD and relates to the construction of new buildings and states within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance.

7.1.3 Whilst the development proposed does not specifically relate to a building as it relates to an all-weather pitch and ancillary works, the former can be considered a building for the purposes of this assessment as it would meet the definition of a building as defined within section 336 of the Town and Country Planning Act 1990 (as amended).

7.1.4 In terms of national policy, paragraph 145 of the NPPF states that the construction of new buildings is inappropriate in the Green Belt. However, there are exceptions to this which include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.1.5 In respect of the new all-weather pitch it is considered that its purpose to provide football pitches all year round would be an appropriate facility for outdoor sport and outdoor recreation which would serve the school and wider local community. In this regard it *could* be considered an exception to inappropriate development via paragraph 145(b). However, in order to constitute an appropriate form of development in the Green Belt the all-weather pitch must preserve the openness of the Green Belt and not conflict with the purposes of including land within it (as set out within paragraph 134 of the NPPF). The proposed all-weather pitch would be located on the existing school pitches, therefore one of the most open parts of the school grounds. In addition to its positioning, it would be significant in scale whilst also including various high pitch enclosures, ancillary maintenance equipment

store and 8 x 15m high lighting columns to facilitate its use into the evenings across the calendar year. It is noted that the new all-weather pitch would be located adjacent to the existing 2G pitch and is a form of development commonly found in schools across the country and thus would be read in conjunction with school buildings and sport facilities. Sculpted mounds and new landscaping are also proposed, therefore reducing, to some extent, its visual impact. Nevertheless, having regard to the above factors it is not considered that the all-weather pitch would preserve the openness of the Green Belt, mainly due to its scale, use of floodlights and cumulative impact with the adjacent 2G pitch which would both visually and spatially harm the Green Belt. It is however not considered to conflict with any of the purposes of the Green Belt given its geographical location and by virtue of the fact that it falls within the grounds of the school, rather than open countryside.

- 7.1.6 The sculpted mounds around the perimeter of the all-weather pitch are also part of the development. Paragraph 146 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it. Such exceptions include engineering operations. The mounds will be located to the south, west and north of the new pitch and will range in height between 1m-2m and will include, in part, new soft landscaping. Having regard to their siting and scale it is considered that the mounds would preserve the openness of the Green Belt and also not conflict the purposes of the Green Belt for the same reason as expressed above.
- 7.1.7 A relatively minor pedestrian path will be constructed to connect the all-weather pitch to existing routes at the rear of the Barbarolli Hall. The path would also comprise of an engineering operation. Given its location and minimal scale it would preserve the openness of the Green Belt. No lighting is proposed to the path.
- 7.1.8 However, the originally proposed car park for 36 spaces located to the immediate north of the Barbarolli Hall, within an open part of the school grounds was not considered to preserve openness and thus has been omitted from the scheme by the applicant.
- 7.1.9 In light of the above, the proposed all-weather pitch would constitute inappropriate development within the Green Belt. The NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

## 7.2 Impact on Openness

- 7.2.1 The PPG states that when assessing the impact of a development on the openness of the Green Belt, it requires a judgement based on the circumstances of the case and a number of factors need to be taken into account. These include, but are not limited to spatial and visual aspects, the duration of development and the degree of activity which is likely to be generated.
- 7.2.2 Consequently, in addition to the inappropriateness of the proposed all-weather pitch it is considered that it would also harm openness. Various factors have already been highlighted above, however, by virtue of its siting within the playing fields the all-weather pitch would erode the sense of openness within this part of the site and given the incorporation of 8 lighting columns (with a total of 16 floodlights), the development would be highly apparent, especially later in the day, from nearby neighbouring properties and from a number of notable public vantage points, including the adjacent public footpath, Amersham Road/Chenies Road and from views further afield from Green Street. Any additional activity associated with the proposed playing pitch would be contained within the school grounds, although greater activity will be noticeable from its actual use, especially from neighbouring



properties. Whilst new soft landscaping is proposed, it is not considered substantial enough to mitigate the harm to openness. As a result, in addition to the inappropriateness of the proposed all-weather pitch there would also be harm to openness.

7.2.3 Notwithstanding the above, the significance of the harm can be controlled and mitigated through the use of planning conditions. For example, in the event of an approval the use of the external lighting can be restricted to fall in line with the existing 2G pitch lights which must be turned off at or before 9.15pm during the week and 8.15pm at weekends/bank holidays. Further conditions can be imposed to ensure that the fencing colour is dark green to blend in appropriately with the locality.

7.2.4 However, regardless of the planning conditions there will still be harm to the openness of the Green Belt. This harm therefore must be given substantial weight which goes against the development.

### 7.3 Any other harm

7.3.1 The following sections will now assess whether there would be any other harm associated with the development along with its inappropriateness and impact on openness.

### 7.4 Design and impact on the Chilterns Area of Outstanding Natural Beauty (AONB)

7.4.1 The application site falls within the Chilterns Area of Outstanding Natural Beauty (AONB) which is known for its distinctive landscape which is of national importance.

7.4.2 In local planning policy terms Policy DM7 of the Development Management Policies LDD states that in considering proposals for development within or near the AONB the Council will support development unless the proposal would:

- i) Fail to conserve and/or enhance the special landscape character and distinctiveness of the AONB by reason of the siting, design or external appearance of, or the type or form of, development
- ii) Detracts from the setting of the AONB and has an adverse impact on views into and out of the area
- iii) Detracts from the public enjoyment of the AONB landscape.

7.4.3 The NPPF at paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. For the purposes of paragraph 172 it makes clear that whether the development constitutes "major development" is a matter for the decision maker taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

7.4.4 The AONB Management Plan is also a material consideration with one of the strategic objectives (D01) ensuring that planning decisions put the conservation and enhancement of the AONB first. Policy DP8 of the AONB Management Plan states that all new lighting should be the minimum required and meet or exceed guidance for intrinsically dark zones. It goes on to state that the Chilterns AONB has relatively dark skies for the south east, making it a place people can still experience the wonder of starry skies and good for wildlife. AONBs are intrinsically dark environments (Zone E1 in the Institute of Lighting Professionals guidance) and planning conditions should be applied to restrict and control lighting. Light pollution of all types should be first prevented, by avoiding light where it is not needed, and where it is, by designing lighting to mitigate harm, through shading, height of fixings, beam orientation, LUX, colour temperature and the proposed hours of use. Policy

DP15 is also relevant and seeks opportunities to remove or replace existing inappropriate external lighting to restore dark skies at night.

- 7.4.5 When considering that the development involves a new all-weather pitch within the grounds of the school it is not considered to constitute 'major development' in respect of paragraph 172. Nevertheless, the development is sizable and does involve external lighting which can have a detrimental impact on the landscape character of the AONB and the objections detailed by the Chilterns Conservation Board are noted.
- 7.4.6 During the course of this application the proposed lights serving the new all-weather pitch have been amended to ensure they comply, where practicable, with Zone E1 requirements. The lighting design now includes LO type louvres which has improved both horizontal and vertical overspill and prevents sky glow.
- 7.4.7 Whilst the policy stance within the AONB Management Plan is to first avoid lighting, for reasons expressed below (see paragraph 6.12) this would not be possible. As such it is therefore necessary to mitigate any harm of the lighting. Given the amendments made it is considered that the lighting design would be appropriate within the AONB. Whilst concerns have been noted about whether the lights will achieve the desired lighting levels, Officers take comfort from the positive discussions with other schools and sport facilities which have used the lighting design. However, it is accepted that as the new all-weather pitch will be used at the same time as the adjacent 2G Hockey pitch it will result in a block of light which could be viewed from the AONB landscape, especially from the rural viewpoints of the south / south west. However, both pitches, will predominately be read against existing school facilities and buildings. Further, the location of the new all-weather pitch is located on lower laying land in comparison to adjacent fields which is considered to reduce the landscape impact from further afield. Nevertheless, the lightings columns at 15m in height will be high so a visual impact would result. It is therefore considered reasonable to restrict the lighting times to ensure that they are turned off after 9.15pm (to include 15 minute curfew) during the week and 8.15pm at weekends/bank holidays across the calendar year, in line with all other external lights within the school grounds. This will provide consistency across the school and also ensure that the characteristic dark-skies will remain dark after that period of time whilst at the same time providing the community benefits. Therefore the impact of any block of light within the landscape would be limited to specific times in the day, but, noting the improved lighting design, any impact is considered to be adequately reduced.
- 7.4.8 During the course of the application the applicant was requested to make improvements to the existing external lights serving the 2G pitch after late night site visits showed that they appeared extremely bright, had significant glare and at levels potentially well beyond Zone E1. As a result, the applicant has agreed to change these lights as part of the application to ensure that any cumulative block of light is significantly reduced. The improvements to the existing lights is also in line with Policy DP15 of the AONB Management Plan.
- 7.4.9 It is also acknowledged that the Public Right of Way (Chorleywood 11) exists along the south western boundary which be in close proximity to the proposed new all-weather pitch. As it stands, the footpath is likely to be lit significantly by the existing lights serving the 2G pitch. Whilst the footpath would, in part, be lit by the combination of both the existing 2G pitch and the new all-weather pitch, the levels of backward spill are considered limited when compared with the current levels.
- 7.4.10 As a consequence of the amended lighting design, the restriction on hours of use and the improvements to the existing 2G pitch, it is considered that the proposal would conserve the special landscape character, having particular regard to its positioning within the AONB landscape. A number of planning conditions have been attached to ensure the lights are installed as agreed and are restricted in terms of hours of use.
- 7.5 Impact on neighbouring properties

- 7.5.1 Due to the location of the proposed all-weather pitch properties located within Latimer Chase to the north west of the application site could be affected by the proposal from the external lighting and noise and disturbance from those using the pitch. The nearest residential property, No.6 Latimer Chase, is located approximately 85m from the proposed new all-weather pitch with the rear of the house approximately 130m away.
- 7.5.2 Policy DM9 of the Development Management Policies LDD states that development proposals which include external lighting should ensure that there is no unacceptable adverse impact on neighbouring or nearby properties.
- 7.5.3 From a late night site visit to No.6 Latimer Close it was evident that the existing lights serving the 2G pitch were having a detrimental impact on their living conditions as well as the wider landscape impact as discussed above. As such, it is recognised that any future pitch closer to the residential properties could have even greater consequences. However, as set out above the lighting design for the new all-weather pitch has been enhanced to avoid unacceptable levels of glare with significant cut off points as highlighted by the technical information supplied with the application. Additionally, the existing lights which currently light up the playing field and the rear gardens of the nearest residential properties will also be amended, enabling greater benefits. From the technical data supplied the amended lights to the 2G pitch will also result in significant improvements to their amenity. It is accepted that the lights would be visible, but given their distance and the fact they would be restricted means that no harm would arise. The benefits this application brings to neighbouring amenity would therefore carry weight in favour of the development.
- 7.5.4 Notwithstanding the lighting, the all-weather pitch would be used throughout the week and thus noise and disturbance could be an issue. Policy DM9 states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.
- 7.5.5 It is recognised that noise from the pitch will travel and will be heard from neighbouring properties. However, the properties are located adjacent to the school playing fields and thus already expect a degree of noise and disturbance during certain periods. Given the separation distances involved, it is not considered that unacceptable noise levels would arise from the use of the all-weather pitch and mitigation would be required via the installation of neoprene washers to be fitted to every fence post mesh fencing to reduce rattle and vibration from ball impacts. It is accepted that raised voices are likely given the pitch will be used for football, however, the usability of the pitch can be restricted to ensure that noise impacts are limited to a cut-off point of 9.15pm (weekdays) / 8.15pm (at weekends/bank holidays) which is considered reasonable.
- 7.5.6 The amended plans also include new soft landscaping in the form of a line of new trees which will run parallel with the side of the new all-weather pitch. In time, this new landscape buffer will assist in further masking the visibility of the pitch from neighbouring outlook.
- 7.5.7 To summarise, it is considered that whilst a degree of noise and disturbance would arise from its use, such harm can be adequately mitigated by planning conditions while the addition of new lights to the existing 2G pitch would be beneficial to neighbouring amenity.

## 7.6 Impact on trees / landscaping

- 7.6.1 Policy DM7 of the Development Management Policies LDD states that proposals for new development should be submitted with landscaping proposal which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate. It goes on to state that development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997.

- 7.6.2 The south western boundary is lined with well-established hedgerows (which benefit from added legislative protection) and a number of moderate sized trees whilst a number of trees exist adjacent to the existing 2G pitch.
- 7.6.3 With the removal of the new car park from the scheme all trees and hedgerows are to be maintained. However, given the nature of the works with ground level changes and pressure for machinery/storage it will be necessary for a pre-commencement condition to be imposed relating to the submission of an Arboricultural Impact Assessment which should include measures how to protect existing landscaping affected by the development.
- 7.6.4 As part of the amended plans a new row of trees are proposed to the north running along the length of the pitch within the sculpted grass mounds which will be created around the majority of the pitch due to the land level changes. To ensure that new trees have an instant impact it will be necessary for these trees to be relatively significant upon planting. A further condition is therefore recommended seeking details of all proposed soft landscaping (including gradient/details of the grass mounds).
- 7.6.5 Based on the recommended conditions it is not considered that the development would harm existing trees or hedgerows and thus would accord with Policy DM7 of the Development Management Policies LDD.

## 7.7 Ecology impacts

- 7.7.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by proposals minimising impacts on and providing net gains for biodiversity, including by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.7.3 A Local Biodiversity Checklist has been completed by the applicant and submitted with the application along with a Preliminary Ecological Assessment and a Great Crested Newt Method Statement.
- 7.7.4 The findings from the submitted reports suggest that the accumulative effect of the existing and new proposed lighting levels will not result in any additional impacts on the foraging and commuting behaviour of bat species within the local bat population. However, given the combined area of illuminated, the impact is considered to be negligible and thus no additional bat surveys will be required.
- 7.7.5 The development seeks to maintain the existing hedgerows and trees whilst creating new grass mounds which will be able to support a range of habitats. Due to the nature of the work a number of recommendations are set out within both aforementioned reports, including the implementation of a wildflower grassland buffer, covering excavations during construction and the erection of temporary Herpetofauna exclusion fence to prevent great crested newts from accessing the proposed development site. A condition has therefore been recommended to ensure that such mitigation measures are implemented and thus ensuring that no net loss of biodiversity.

7.7.6 Notwithstanding the above, the replacement of the existing lights on the 2G pitch should enable notable benefits to biodiversity, especially by providing connectivity in the local landscape for bats.

## 7.8 Flooding and drainage

7.8.1 The NPPF at paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should a) take account of advice from the lead local flood authority, b) have appropriate proposed minimum operational standards, c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.

7.8.2 Policy CP1 of the Core Strategy recognises that taking into account the need to avoid development in areas at risk of flooding will contribute towards the sustainability of the District. Policy CP12 of the Core Strategy also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example flood resistant design. Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs).

7.8.3 The application site falls within Flood Zone 1; however, by virtue of the scale of the development there is a requirement to incorporate a sustainable drainage system. The proposed system is based on attenuation given the relative impermeability on the ground and involves a permeable granular base to the all-weather pitch with the water disposed of via a below ground pipe to an existing balancing pond. However, the LLFA require further clarification on the size of the pond to ensure sufficient capacity exists and require the discharge rate to be at a greenfield runoff rate. In addition, further information is required in respect of long term maintenance details and action plans to be carried out to ensure efficient operation and prevent failure. It is anticipated that further clarification can be provided which would enable the LLFA to remove their objection.

## 7.9 Highway safety and parking provision

7.9.1 The development would be served by the existing "in" and "out" accesses and any visitors would utilise the existing car park which provides 142 parking spaces.

7.9.2 The Parking Standards as set out within the Development Management Policies LDD states that there is a requirement for 20 spaces per pitch. Given the makeup of the pitch it could be used by various different groups at the same time thus having the ability to accommodate 4 smaller pitches at any one time. However, the above standard has been applied against the proposed all-weather pitch providing two pitches (larger groups) meaning that 40 spaces would be required. In addition to the proposed all-weather pitch it is noted that the existing 2G Hockey pitch could also provide a similar number of games at any one time. However, the same standard is applied meaning 40 further spaces could be accommodated for the existing pitch. In total it is considered that at least 80 spaces would be required within the school grounds to meet the parking standards. The supporting information indicates that at any time the maximum number of users could be 120 (during the week) and 96 during the weekend. Nevertheless, even if this was the case given the relatively unsustainable location of the school, the current parking capacity on site far exceeds the suggested levels.

7.9.3 To ensure that parking levels do not exceed on-site capacity it is considered reasonable to impose a condition to ensure that a car park management plan is submitted in which it specifically deals with the management of parking for all non-school activities which take

place elsewhere on the school grounds (i.e. within the adjacent Barbarolli Hall) at the same time as the use of the all-weather pitches. Without this condition, there is concern that significant displacement of parking could occur within the local road network therefore creating highway safety concerns.

7.9.4 During the process the hard surfacing for pedestrian access to the new all-weather pitch has been re-aligned to provide greater connectivity.

7.9.5 Access for emergency vehicle would be via the existing emergency access onto Chenies Road which already is served by a drop kerb.

7.9.6 To ensure that construction work does not have a detrimental impact on the adjacent highway a Contractor Management Plan is also recommended.

#### 7.10 Impact on playing pitches

7.10.1 Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) **the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

7.10.2 Sport England were consulted both on the original and amended plans and raised no objection, noting the improvements made during the process. The existing playing pitches would be altered given the new all-weather pitch would encroach onto the turf playing pitches. However, the new all-weather pitch would comply with part b) of paragraph 97 above by providing better provision given it could be used throughout the year by the school/community when the turf pitches are unavailable due to ground conditions.

7.10.3 It should be noted that the proposed all-weather pitch would complement the existing 2G pitch which is suitable for Hockey, whereas the proposed pitch is specifically designed for football use. Sport England have confirmed that converting the existing 2G pitch would prejudice its use for school and community Hockey use.

7.10.4 The resultant playing pitches would still provide a good range of sporting pitches on turf. As such Sport England recommend the imposition of two conditions, relating to the replacement cricket wicket and a Community Use Agreement.

#### 7.11 Summary of 'any other harm'

7.11.1 Notwithstanding the inappropriateness of the development and the impact on openness in respect of Green Belt policy, subject to a number of conditions, no other harm has been identified. However, it is necessary to now consider whether any material planning considerations exist, either individually or collectively, which could be classed as 'very special circumstances' which clearly outweigh the inappropriateness and harm to openness of the Green Belt.

#### 7.12 Very special circumstances

7.12.1 The primary purpose of the proposed all-weather pitch is to increase grassroots football development at the school for students and for the local community after it was identified that the area of Chorleywood has a shortfall of football 3G pitches which is discussed in more detail below.

- 7.12.2 The NPPF at paragraph 91 states that decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. Paragraph 96 states that access to opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.
- 7.12.3 Policy DM11 of the Development Management Policies LDD states that proposals for new sport facilities will be encouraged if located in the main urban areas subject to the protection of the character of the area and amenity. To support local planning policy, the Council's Strategic Plan (2018-2021) sets out the Council's vision that *"the district should be a better place for every, their neighbourhoods, health, employment and access to services."*
- 7.12.4 In 2019 the Three Rivers Playing Pitch Strategy (PPS) & Action Plan was adopted and provides a robust study to inform decisions on future strategic planning and investment priorities for outdoor sports facilities and was developed in accordance with Sport England guidance. Within the PPS it sets out that there is a current shortfall of 1 full size floodlit pitch as set out in table 1 below.

Sport	Analysis area	Current demand shortfall	Future demand shortfall (2036)
Football (3G AGPs)	Abbots Langley	◀ Shortfall of 1 full size floodlit pitch	◀ Shortfall of 1 full size floodlit pitch
	<b>Chorleywood</b>	◀ <b>Shortfall of 1 full size floodlit pitch</b>	◀ <b>Shortfall of 1 full size floodlit pitch</b>
	Croxley Green	◀ Shortfall of 1 full size floodlit pitch	◀ Shortfall of 1 full size floodlit pitch
	Rickmansworth	◀ Sufficient supply to meet current demand	◀ Sufficient supply to meet future demand
	Sarratt	◀ Sufficient supply to meet current demand	◀ Sufficient supply to meet future demand
	Watford Rural	◀ Sufficient supply to meet current demand	◀ Sufficient supply to meet future demand

Table 1: Identified 3G AGP Sport pitches across Three Rivers District Council (taken from the PPS)

- 7.12.5 Within the PPS it states that *"there is a need to explore the feasibility of future provision at strategic sites in the Abbots Langley, Chorleywood and Croxley Green analysis areas which contain the highest level of football demand. With resources to improve the quality of grass pitches being limited, an increase in 3G provision could also help reduce grass pitch shortfalls through the transfer of play, thus reducing overplay, which in turn can aid pitch quality improvements."*

- 7.12.6 Table 2 below shows the number of current teams across the district and emphasises that there is a current 3G pitch requirement of 5 3G pitches.

Current number of teams	Current 3G requirement	Future number of teams	Future 3G requirement
191	5	210	5

Table 2: Demand for full size 3G pitches in Three Rivers (taken from the PPS)

Analysis area	Current number of teams	3G requirement	Current number of 3G pitches	Potential shortfall
Abbots Langley	77	2	1	1
<b>Chorleywood</b>	<b>27</b>	<b>1</b>	-	<b>1</b>
Croxley Green	25	1	-	1
Rickmansworth	35	1	1	-
Sarratt	13	-	-	-

Analysis area	Current number of teams	3G requirement	Current number of 3G pitches	Potential shortfall
Watford Rural	14	-	-	-
Total	191	5	2	3

Table 3: Number of teams relative to 3G pitches (taken from the PPS)

- 7.12.7 The PPS concludes by stating that the shortfall can be specifically attributed to Abbots Langley, **Chorleywood** and Croxley Green. As a result the PPS Action Plan highlights that Chorleywood is an area whereby future provision should be located. Whilst there is an existing 2G pitch at St Clement Danes it does not meet the current guidelines for football as it is sand based which is not the preferred surface for football.
- 7.12.8 From a strategic perspective it is evident that a further 3G pitch is required within Chorleywood to meet current demand. The PPS Action Plan and Sport England have also stated that St Clement Danes is the only suitable site within Chorleywood for accommodating the identified need and at present is considered to be the only site in the sub-area that has potential to help address this need. This stance has also been supported by The Football Association (FA). Having regard to the local area, it is not considered that there are any other current suitable sites within the Chorleywood area which can facilitate the proposed development while also enabling benefits for the school and community.
- 7.12.9 In addition to the identified need and lack of alternative sites within the local area of Chorleywood, the facility would assist in meeting several important needs. Firstly, the new all-weather pitch will provide existing students with enhanced football facilities and enable active participation throughout the school year. Secondly, and most importantly, the pitch would be available to the local community (condition recommended) including several local football clubs (as set out within the Design & Access Statement), Watford Community & Education Trust and the Hertfordshire County FA for coaching, officiating etc. with the key partner being Chorleywood Youth Football Club which are a 40 plus team club. The Leisure Department at the Council have also confirmed that this proposal will result in considerable benefit to local community clubs and groups in Chorleywood.
- 7.12.10 Consequently, the community use of the facility will ensure assist in facilitating greater participation and will be usable for all parts of society. This would therefore in turn create enhanced conditions for health and well-being, an important aspect of the social objective of sustainable development (NPPF paragraph 8) which must be given weight in favour of the development.
- 7.12.11 As an essential and integral part of the development is to provide community wide benefits it is necessary for the all-weather pitch to be supported by external floodlighting to support its use into the evenings, thereby maximising its potential. Without the floodlighting the associated benefits arising from the development would simply fall away. As a result, the applicant has requested that the pitch is made available for use until 10pm during the week (Monday to Friday) and until 8pm (at weekends and Bank Holidays), although to cover a period of time after its use has ceased a further fifteen minute period has been suggested to allow for equipment and users to safely leave the pitch. The timings are further discussed below.
- 7.12.12 During the application process a planning application was submitted and validated by Buckinghamshire Council (Chiltern area) for sport facilities at Chiltern Hills Golf Course on Green Street. This application does not involve the creation of a 3G pitch, only turf playing pitches. Consequently, in the event that the planning application is allowed at Chiltern Hills, this would not erode the strategic need and benefits which arise from the proposed all-weather pitch.
- 7.12.13 When originally submitted the application also proposed an extension to the car park; however, for reasons detailed within section 6.9 it was felt that as parking provision can



already be accommodated on site and its use controlled by planning conditions, the additional parking area was not required or justified.

### 7.13 Planning balance

7.13.1 Due to the location of the application site there are a number of important factors to balance.

7.13.2 Whilst the development could be regarded as an exception to inappropriate development, it has been found to not preserve openness and thus constitutes inappropriate development and also results in harm to the openness of the Green Belt. This harm weighs against the development and must be given substantial weight in the determination process.

7.13.3 However, it is clearly evident that there is a strategic need for the 3G pitch within Chorleywood and given the lack of alternative sites locally, the application site has been considered suitable by many external bodies (Sport England and the FA). Given the multiple benefits of the pitch, through enhancing existing sport provision within the school and within the local community and providing significant health and well-being benefits, the development is clearly of great public benefit and this has, to some extent, been recognised by the level of support comments received during the process. As a result of the benefits associated with the development this is given significant weight in favour of the development.

7.13.4 However, these benefits must be weighed against the impact on the Green Belt, AONB and neighbouring amenity. Therefore, in order to gain as much of the benefits as possible it is considered that the external lighting for both pitches should continue until 9.15pm during the week (8.15pm at weekends). This is considered to strike a reasonable balance between competing planning constraints and also prevents the significant benefits from being eroded.

7.13.5 Furthermore, as part of the application the existing lights serving the 2G hockey pitch are to be improved, thereby making significant improvements to the landscape character of the AONB and towards neighbouring amenity. This also weighs in favour of the development.

7.13.6 There would also be notable benefits to biodiversity via new landscaping measures.

### 7.14 Conclusion

7.14.1 To conclude, whilst the development constitutes inappropriate development and results in harm to openness it is considered that there are a number of material considerations which collectively combine to constitute 'very special circumstances' that clearly outweigh the identified harm to enable planning permission to be granted subject to a number of conditions.

## **8 Recommendation**

8.1 That subject to the recommendation of approval from the Lead Local Flood Authority (LLFA), that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to the following conditions and any additional conditions as requested by the LLFA:-

#### C1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

#### C2 Plan numbers

The development hereby permitted shall be carried out in accordance with the following approved plans: 19-0209 BM25583 0499 01 Rev 01; 19-0209 BM25583 0499 02 Rev 02; 19-0209 BM25583 0499 03 Rev 02; 19-0209 BM25583 0499 04 Rev 02; 19-0209 BM25583 0499 05 Rev 02; 19-0209 BM25583 0499 06 Rev 01; 19-0209 BM25583 0499 07 Rev 02; 19-0209 BM25583 0499 08; 19-0209 BM25583 0499 09 Rev 02 & 19-0209 BM25583 0499 10 Rev 01.

Reason: For the avoidance of doubt, in the proper interests of planning, to safeguard neighbouring amenity, the openness of the Green Belt and the visual amenity of the area in accordance with Policies PSP2, CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6, DM7, DM8, DM9, DM11, DM12, DM13 and Appendices 4 and 5 of the Development Management Policies LDD (adopted July 2013).

**C3 Construction Management Plan**

No development shall commence whatsoever until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site including any temporary access arrangements;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance Policy CP10 of the Core Strategy (adopted October 2011).

**C4 Hard & Soft Landscaping (including details of sculpted mounds)**

No development shall take place whatsoever until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained and details of the gradients of the sculpted mounds and the type of wildflower species to be planted (as set out within the submitted Preliminary Ecological Appraisal).

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first use of any part of the new all-weather pitch or completion of the development, whichever is sooner.

If any existing tree(s) shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e. November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre-commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C5 Arboricultural Method Statement/ Tree Protection**

No development shall take place whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre-commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C6 Replacement Artificial Cricket Wicket**

No development shall take place whatsoever until details of the design specifications of the replacement artificial cricket wicket as shown on drawing number 19-0209 BM25583 0499 10 Rev 01, together with an implementation programme have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The replacement artificial cricket wicket shall not be constructed other than in accordance with the approved details.

Reason: This condition is a pre-commencement condition to provide continuity of sports facility provision, to ensure the development is fit for purpose and sustainable and to accord with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C7 Changes to existing lights prior to first use of new pitch

Prior to the first use of the new all-weather pitch hereby permitted, all the existing floodlights serving the existing 2G pitch (referred to and labelled as Hockey pitch on the submitted plans) shall be replaced with CHAMPION 2KW HQITSL CL1 WI floodlights in accordance with the details submitted by Thorn Lighting Limited and no other floodlights shall be used thereafter unless future floodlight replacements are first agreed in writing by the Local Planning Authority and permanently maintained in accordance with the approved details.

Reason: To ensure that the replacement floodlights serving the existing Hockey pitch are undertaken prior to the first use of the new all-weather pitch in order to preserve the special landscape quality of the AONB, to improve neighbouring amenity and to enable biodiversity benefits in accordance with Policies CP1, CP12 of the Core Strategy (adopted October 2011) and Policies DM6, DM7, DM9, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C8 Implementation of proposed lights (including louvres)

Prior to the first use of the new all-weather pitch hereby permitted, the floodlighting system shall be installed strictly in accordance with the details submitted as part of this application which include the installation of the Philips OptiVision LED floodlighting system (specific luminaires: OptiVision LED BVP527 OUT T40 50K A55-NB +BL all of which must be fitted with integral LO louvres) in accordance with the 'LED Floodlighting report' prepared by Signify dated 23-12-2019 via. No other lighting system shall be installed.

Reason: To preserve the special landscape quality of the AONB, to safeguard neighbouring amenity and to enable biodiversity benefits in accordance with Policies CP1, CP12 of the Core Strategy (adopted October 2011) and Policies DM6, DM7, DM9, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C9 Community Use Agreement

Prior to the first use of the new all-weather pitch hereby permitted, a Community Use Agreement (prepared in consultation with Sport England) shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the artificial grass pitch and supporting ancillary changing and parking facilities and include details of pricing policy, marketing/promotion, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C10 Car park management plan

Prior to the first use of the new all-weather pitch hereby permitted, a car parking management plan, including specific details on how the school will manage non-school activities which take place elsewhere on the school grounds (i.e within the Barbarolli Hall) at the same time as the use of the all-weather pitch and how it will manage and direct visitors travelling by car to use onsite parking areas; shall be submitted to and approved in writing by the Local Planning Authority. The parking

management plan shall be carried out in accordance with the approved details thereafter.

Reason: To ensure effective management is in place to avoid parking outside the school grounds in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C11 Anti-vibration mitigation

Prior to the first use of the new all-weather pitch hereby permitted, details and locations of the neoprene washers (inserts) fitted to the ball stop fence post / panel fixings shall be submitted to and approved in writing by the Local Planning Authority. The neoprene washers shall be fitted in accordance with the approved details prior to its first use and be permanently maintained therefore.

Reason: To mitigate the noise emission created from the use of the new all-weather pitch in order to safeguard neighbouring amenity in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C12 Biodiversity enhancements

Prior to the first use of the proposed all-weather pitch hereby permitted, the biodiversity enhancements and management as set out at Section 7 of the Preliminary Ecological Appraisal prepared by Middlemarch Environmental dated October 2019 shall be incorporated within the development and be permanently retained thereafter.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C13 Materials / fencing

The proposed new all-weather pitch shall not be erected other than in the details of the fencing/gates, maintenance equipment, floodlight system (i.e. their materials, design, siting and colour) as have been approved in writing by the Local Planning Authority as shown on Drawing Number 19-0209 BM25583 0499 09 Rev 02.

Reason: To ensure that the external appearance and design of the new all-weather pitch is acceptable have regard to Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM7, DM11, DM12 of the Development Management Policies LDD (adopted July 2013).

C14 Layout of all-weather pitches

The proposed new all-weather pitch hereby permitted shall not be constructed other than in accordance with the design and layout details set out on drawing number 19-0209 BM25583 0499 03 Rev 2.

Reason: To ensure that the playing pitches are laid out in accordance with the Design Guidance Notes (The Football Association (FA) / Sport England) to allow for greater community benefits in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C15 Sport lighting restrictions on existing Hockey pitch and new all-weather pitch

The associated sport lighting (as set out within Conditions 7 & 8) serving the existing Hockey pitch and new all-weather pitch shall not be used outside the following hours at any time:

- 9am and 9.15pm Monday to Friday;
- 9am to 8.15pm on Saturday, Sundays (including Bank and Public Holidays).

Reason: To balance illuminating the proposed all-weather pitch for maximum use with the interest of preserving the special character of the AONB, neighbouring amenity and sustainability and to accord with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM6, DM7, DM9, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

**C16 Other external lighting**

No external lighting other than those agreed shall be installed on the site or affixed to the proposed all-weather pitch unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

**C17 Bird nesting restrictions**

No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**8.2 Informatives:**

11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a

Commencement Notice is not required for residential extensions IF relief has been granted.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 13 Extent of Highway:  
Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx).
- 14 Storage of materials:  
The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 15 Obstruction of public highway land:  
It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 16 Road Deposits:  
It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>.

[roads-and-pavements/highways-roads-and-pavements.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements.aspx) or by telephoning 0300 1234047.

- 17 Construction standards for works within the highway:  
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 18 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).

- 19 The applicant is advised that a Public Right of Way runs adjacent to the application site. This Right of Way must be protected to a minimum width of 2m and its current surface condition maintained. The Right of Way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of construction during works. The safety of the public using the route should be paramount. The condition of the route must not deteriorate as a result of the works. All materials are to be removed at the end of construction.

If these standards cannot be reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

- 110 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.