**9. 16/1167/FUL – CONSTRUCTION OF ALL-WEATHER PLAYING FIELD AND ERECTION OF FENCING AND FLOODLIGHTING at Rickmansworth Sports Club, Park Road, Rickmansworth, WD3 1HU for Rickmansworth Sports Club**

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| Parish: Non- Parished | Ward: Rickmansworth Town |
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| Expiry Statutory Period: 4 August 2016 | Officer: Amy Atkins |
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| Recommendation: That planning permission be Approved | |
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| Reason for consideration by the Committee: Proposed development is on Three Rivers District Council land. | |

1 **Relevant Planning History**

* 1. W/1037/70 - Extension to changing room. Permitted.
  2. W/2146/70 - Nursery school. Permitted.
  3. W/2286/71 - Changing rooms extension. Permitted.
  4. 8/377/74 - Use land for storage of six caravans. Refused.
  5. 8/275/75 - Single storey sports pavilion with associated car park. Permitted.
  6. 8/578/78 - Alterations to toilets, bar store. Permitted.
  7. 95/0035 - Erection of cricket score board incorporating storage area. Permitted.
  8. 13/1009/FUL - Development of an all weather playing field with fencing and lighting. Permitted 16.08.2013.

2. **Site Description**

2.1 The application site is located within a recreational area known as Scotsbridge Playing fields. The red line identifies an area approximately 75 metres wide by 100 metres long located towards the southern end of the playing fields. The applicant, Rickmansworth Sports Club, are based in the Sports Club Building to the west of the application site within another large sports ground which is separated from Scotsbridge Playing Fields by a narrow ditch and mature trees and hedges along the boundary, and appears to be predominantly used for cricket. The Sports Club Building is also home to a day nursery and Pilates class amongst other uses. To the west of the Sports Club Building is a large car park providing parking for approximately 60 vehicles, although spaces are not marked. The car park is accessed from Park Road adjacent to No. 17. There is currently no direct access from the Sports Club Building to the application site, with access from Park Road adjacent to the pavilion.

2.2 To the east of the application site is a large children's play area which has been recently extended and updated, and a small car park; beyond this is the Scotsbridge Mill Public House. To the south of the application site are three tennis courts and a single storey pavilion building housing a children's nursery. Between the pavilion building and Park Road is a private car park which is understood to be for use by residents in Park Road. The playing fields extend to the north of the application site and rugby posts are laid out. The far northern boundary of Scotsbridge Playing Fields is screened by vegetation. The closest residential properties are those on Park Road.

2.3 The site is within the Metropolitan Green Belt.

3. **Detailed Description of Proposed Development**

3.1 Planning permission is sought for the development of an all weather playing field with fencing and lighting. Planning permission was granted under 13/1009/FUL for an identical scheme.

3.2 The playing field would measure 97.4 metres in length by 62 metres in width. Fencing would surround the playing field, set back from its edge by approximately 5 metres to the west, 2.5 metres to the east and 3 metres to the north and south. The playing field would be orientated with its end elevations to the north and south and side elevations to the east and west. The proposed fencing is described as high weld mesh fencing. To both side elevations the fencing would have a height of 3 metres, to the end elevations the fencing would have a height of 3 metres for part with a central section (approximately 19.6 metres wide) measuring 4.5 metres in height behind each goal. A bund is proposed to the west of the playing field approximately 1.2 metres in height with a base of 4.2m wide.

3.3 The playing field is proposed to be lit by 6 x 15 metre high flood lighting columns. These would be set back approximately 1 metre behind the fence line, with 3 columns along each side elevation of the playing field. The submitted application form indicates that it is proposed to use the pitch, and therefore floodlights, between 9am - 9.30pm Monday to Sunday. Technical specification details for the proposed lighting have been submitted with the application.

3.4 There is currently no direct access from the Sports Club Building to the site of the proposed playing field, so the application proposes the creation of a pedestrian access from the Sports Club to the south-west corner of the playing field.

3.5 The submitted Design and Access Statement states that the proposal is for an all weather surface to meet the needs of the Sports Club and its hockey section, the school [Rickmansworth School] and local demand through Three Rivers Council. Additional information submitted during the course of the application provides justification for the proposed siting of the playing field, and includes reference to the proximity of the site to the Sports Club Building and car park and the fact that it would enable the retention of 2 grass pitches at the far end of playing fields.

4. **Consultation**

4.1 Local Plans Section: No objection- *“This proposal is a resubmission of approved application 13/1009/FUL, replacing the existing turf playing field with an all-weather playing field. The original proposal was supported by Sport England, who felt the benefits of the new all-weather playing field outweighed the loss of the existing turf playing field.*

*As highlighted in Strategic Objective S11 of the adopted Core Strategy (2011), the Council supports the provision of sports facilities to increase opportunities to exercise as part of a healthy lifestyle for the whole community. This is supported by policy CP1 which seeks to protect and enhance existing community, leisure and cultural facilities and provide new facilities. Policy DM11 of the Development Management Policies LDD (2013) also states that proposals for new sports facilities will be encouraged.*

*The site is located within the Metropolitan Green Belt. Policy CP11 of the Core Strategy states that there will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Paragraph 89 of the National Planning Policy Framework (NPPF) sets out the exceptions to inappropriate development in the Green Belt. This includes the provision of appropriate facilities for outdoor sport, and is supported by paragraph 81, which states that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, such as providing opportunities for outdoor sport. Policy CP11 states that the Council will encourage appropriate positive use of the Green Belt.*

*The issue then, is whether the all-weather playing field will affect the openness of the Green Belt, and if so whether the benefits the facilities provide outweigh the harm to the Green Belt. The fencing and floodlighting may be considered to have a negative impact on the openness of the Green Belt. However, as the all-weather playing field will make it possible to increase the intensity of use, and would be the only all-weather playing field in Rickmansworth, the proposal would be in line with paragraph 89 of the NPPF, and would be considered an appropriate positive use of the Green Belt.*

*Policy DM13 Parking of the Development Management Policies LDD requires development proposals to make provision for parking in accordance with the standards set out in Appendix 5 of the same document. The proposal will not provide any additional parking, however the existing hockey club car park will be used which provides 75 spaces, and as such meets the requirement set out in policy DM13.*

*The NPPF, Policy CP1 of the Core Strategy and Policy DM11 of the Development Management Policies LDD, aim to protect existing sport and recreation facilities in order to provide opportunities for recreation and make an important contribution to the health and wellbeing of local communities. As such the proposal is supported, as long as it is in accordance with other relevant planning policies and material considerations.”*

4.2 Hertfordshire County Council Highways: No objection- *“Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.*

*This application proposes the construction of an all-weather playing surface within the grounds of the existing sports club. The existing parking facilities within the site are not proposed to be altered. The existing access onto the adjacent highway network is of a suitable standard. On street parking is not available immediately adjacent to the highway access and consequently any additional parking demand generated by the proposal will need to be accommodated within the site. The completed development is not expected to result in a significant impact on the safety and operation of the adjacent highway network. The details submitted include a Construction Management and Method Statement document giving consideration to construction activities to ensure that any inconvenience to users of the adjacent highway is kept to a minimum. The Highway Authority has not identified any highway related issues with regarding the proposed development and therefore does not raise any objection to the application.”*

* 1. National Grid: No comments received to date.
  2. Sport England East: No Objection- *“Sport England –Statutory Role and Policy*

*It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years,  as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.*

*Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England’s policy on planning applications affecting playing fields ‘A Sporting Future for the Playing Fields of England’ (see link below):* [*www.sportengland.org/playingfieldspolicy*](http://www.sportengland.org/playingfieldspolicy)

*Sport England’s policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.*

*The Proposal and Impact on Playing Field*

*The planning application is for an artificial grass pitch on part of the playing fields at Rickmansworth Sports Club.  Sport England was consulted on a similar planning application in 2013 (Ref: 13/1009/FUL) and no objection was made as a statutory consultee as the proposal was considered to accord with exception E5 of the above policy which states:*

*E5 - 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.*

*The current application is a renewal of the 2013 planning permission as the current permission is due to expire shortly.  The only difference between the current and previous applications appears to be that some of the technical details that were required to be submitted and approved as pre-commencement conditions imposed on the previous application have been submitted with the current application to reduce the need for similar conditions to be imposed on any new planning permission relating to the current application.*

*Conclusions and Recommendation*

*As the planning application appears to be essentially the same as the previous one permitted in 2013 and there have been no changes in circumstances that would materially affect out assessment of the proposals in the intervening period I can advise that Sport England does not wish to raise an objection to this application as a statutory consultee as it is considered to meet exception E5 of the above policy.  No planning conditions are requested to be imposed on this occasion.  I can also advise that Sport England is supportive of the principle of the planning application as a non-statutory consultee.  I attach our formal response to the 2013 planning application which provides our detailed assessment of the proposal against the above policy as a statutory consultee plus non-statutory comments which should be treated as being applicable to the current application.*

*Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.*

*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 any National Governing Body of Sport to support for any related funding application.”*

* 1. Leisure Development Manager: No comments received to date.

4.6Landscape Officer: No objection- *“My comments on this scheme are very similar to my comments on the previous 2013 scheme.*

*I do not have an objection to the proposal on tree grounds.*

*There are a number of trees, mostly Maple, Lime and Willow growing on both sides of the ditch, which are an important ‘hedge’ feature, although individually they are not of particular individual significance.*

*The proposals seem to outline some sort of bunding to a maximum height of 1.5m which may have an impact on the rooting system of the several trees on the eastern side of the ditch, however providing the bunding does not directly abut the stems of these trees any damage will be limited.*

*While the proposals appear to be on the whole outside of the canopy area of the trees growing within the hedge line, it is difficult to identify on the drawings exactly where the perimeter fencing and floodlighting is going to be positioned. This will need to be agreed by condition, together with any necessary works to trees.*

*The drainage at the site is not ideal for such a use and has from time to time in recent history become very waterlogged/ flooded. I do not however believe that the proposals will worsen the situation.*

*I would request that some amendments are made to the Construction Method Statement as follows:*

*Currently it reads in paragraph 10. ‘TREE PROTECTION: No trees are in the vicinity of the site so protection is not needed.*

*This is not technically true and trees on the boundary of the site should be protected by fencing at the outset of the works. This fencing should be positioned at the extent of the pitch location in order that no storage of materials or other works impact on these trees. It is not clear quite how close the 15m high floodlights are going to be from these boundary trees and it would be very useful for a plan to be provided that shows this and illustrates any necessary works to reduce these trees back from the lighting columns. Any such works shall be carried out in full accordance with BS3998: Tree Work Recommendations 2010 prior to the development of the site.*

*With also need to understand fully how the construction phase will work and how the site will be accessed. I think we will need plans showing this in order that we can ensure no conflict with other users of the site and that there is no increased risk to site users from construction traffic.”*

5. **Neighbour Consultation**

5.1 No. consulted: 28 No. responses: 1

5.2 Site Notice: Posted 28 June 2016 and expired 19 July 2016.

Press Notice: Not required.

5.3 Summary of Responses:

5.3.1 In support but requested clarification on key holders, litter, parking permits and access.

6. **Reason for Delay**

6.1 Committee cycle.

7. **Relevant Local Planning Policies:**

7.1 National Planning Policy Framework (NPPF)

7.1.1 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The adopted policies of Three Rivers District Council reflect the content of the NPPF.

7.2 The Three Rivers Local Plan Core Strategy:

7.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: CP1, CP9, CP10, CP11 and CP12.

7.3 Development Management Policies LDD:

7.3.1 The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant policies include: DM2, DM6, DM8, DM9, DM11 and DM13 and Appendix 5.

7.4 Other

7.4.1 The following Acts and legislation are also relevant: The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 Habitat Regulations 1994, the Localism Act 2011 and the Growth and Infrastructure Act 2013.

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

8. **Analysis**

8.1 Principle of Development

8.1.1 The application site is located within an existing area of playing fields known as Scotsbridge Playing Fields. The applicant; Rickmansworth Sports Club is located in an adjacent sports ground, however, their hockey section are currently unable to play in Rickmansworth due to the absence of an appropriate pitch and as such currently play at Clement Danes School in Chorleywood. The proposal is to provide an all weather playing field in Rickmansworth for use by the hockey club, in addition to local schools and community groups.

8.1.2 Policy DM11 of the Development Management Policies LDD (adopted July 2013) relates to 'Open Space, Sport and Recreation Facilities and Children's Play Space' and states that a) development proposals which result in the whole or partial loss of existing open space, sport and recreation facilities will only be permitted where (for example), i) "The proposed development includes provision for open space, sports and recreation facilities of sufficient benefit to recreation provision to outweigh the loss". Whilst the proposal would result in the loss of an existing grass playing field, it is considered that the provision of an all weather playing field in its place would not result in the loss of existing provision and is in fact more likely to enable the area to be used more regularly and by different groups.

8.1.3 It is noted that officers within the Local Plans department support the principle of a new artificial pitch on Scotsbridge playing fields, recognising that the new facility would provide opportunities for recreation and make an important contribution to the health and wellbeing of local communities.

8.1.4 Sport England have no objection to the proposal and have commented that; they consider that the potential sports development benefits that the proposal would offer would clearly outweigh the detriment caused by the impact on the playing field.

8.1.5 The principle of the development is considered acceptable as it would enhance the sport and recreation provision within Rickmansworth.

8.2 Impact on Metropolitan Green Belt

8.2.1 The application site is located wholly within the Metropolitan Green Belt. The NPPF states at paragraph 79 that;

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

8.2.2 Paragraph 89 of the NPPF advises that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, however, exceptions to this include 'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it'.

8.2.3 The purposes of including land within the Green Belt are listed at paragraph 80 of the NPPF which states that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;

- To prevent neighbouring towns merging into one another;

- To assist in safeguarding the countryside from encroachment;

- To preserve the setting and special character of historic towns; and

- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

8.2.4 The National Planning Policy within the NPPF is supported by Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013). Policy DM2 states that; "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".

8.2.5 The proposal relates to the provision of an all weather playing field within an existing larger area of playing fields. Whilst the proposal comes from the requirements of Rickmansworth hockey club to have an appropriate playing surface within the area, sports provision would be enhanced in general by the provision of an all weather surface which could be used by various groups. It is considered that the proposed development constitutes an 'appropriate facility for outdoor sport'. It is therefore necessary to assess whether the openness of the Green Belt would be maintained and whether the proposed development would conflict with any of the purposes of including land within the Green Belt.

8.2.6 The pitch would be sited within the southern section of Scotsbridge Playing Fields, which is arguably the more built up area with the children's play area to the east, tennis court, pavilion and road to the south and boundary hedge to the west with the Sports Club Building beyond. The proposal would concentrate the further built development within this southern section of Scotsbridge Playing Fields closest to the road, ensuring that the open grass playing fields would remain to the north. The playing field would have a length of 97.4 metres and width of 62 metres, surrounded by fencing of 3 and 4.5 metres in height, with six 15 metre floodlighting columns. Whilst vegetation cannot be relied upon to provide screening, it should be noted that there is an extensive tree/hedge boundary to the west of the site which would largely screen views of the development from this direction. From the northern end of Scotsbridge Playing Fields the development would be visible, but within the setting and backdrop of the adjacent children's play area and tennis courts. From the south from Park Road the development would be set back behind the tennis court and pavilion, a distance of approximately 60 metres from Park Road, as such it would not appear prominent. There would be views of the development from the east; however, the large children's play area would be in the foreground. The bund would be between the existing hedge line and playing field and of limited height and would not appear prominent against the hedge line.

8.2.7 The top surface of the pitch is described as 'sand dressed synthetic carpet'. It is common for such synthetic surfaces to be green in colour, which would be supported in this location as it would help to reduce the prominence of the playing field against the backdrop of the wider Scotsbridge Playing Fields. No details of the colour of the synthetic surface have been provided at this time, however, it is considered that such details can be secured by condition.

8.2.8 The proposed fencing would predominantly measure 3 metres in height, although 4.5 metre high sections are proposed to each end behind the goals for safety reasons. The fencing is described as high weld mesh fencing (green plastic) and would be of similar appearance to that surrounding the existing tennis courts to the south of the site, albeit of greater height. It is considered that green fencing would be less prominent within the landscape and against the backdrop of the vegetation screen to the west and the weldmesh design would retain a degree of openness.

8.2.9 The lighting columns would have a height of 15 metres, however, they are restricted to 6 in number and are of a slim line design. Whilst the slim line design is such that the floodlighting columns themselves would have little impact on the openness of the Green Belt, it is also necessary to consider the impact of the proposed lighting. Technical details have been submitted with the application which demonstrate that the directional nature of the lights is such that light spillage would be contained within the application site. It would however be appropriate to attach a condition regarding the hours of usage, this is also in the interests of residential amenity as discussed below.

8.2.10 It is not considered that the proposed development would facilitate the unrestricted sprawl of large built up areas or allow neighbouring towns to merge into one another. The siting of the playing field to the south of Scotsbridge Playing Fields, closest to the existing buildings, tennis courts and play area is considered appropriate as it will assist in safeguarding the countryside from encroachment as the northern section would remain undeveloped. The development would not affect the setting or special character of a historic town.

8.2.11 In summary, it is not considered that the development would be significantly harmful to the openness or visual amenities of the Green Belt. Furthermore, the playing field is considered an appropriate use within the Green Belt that would not conflict with the purpose of including land within the Green Belt.

8.3 Impact on Character & Appearance

8.3.1 Policy CP12 of the Core Strategy (adopted October 2011) requires development to; "Have regard to the local context and conserve or enhance the character, amenities and quality of an area".

8.3.2 The proposed development would be set back from Park Road within the existing Scotsbridge Playing Fields, and therefore it would not appear prominent within the street scene or result in demonstrable harm to the character or appearance of the area in general and as a playing pitch would not be an unexpected feature within the playing fields site, which already includes tennis courts.

8.4 Impact on Residential Amenity

8.4.1 Policy CP12 of the Core Strategy (adopted October 2011) requires development to; c) "Protect residential amenities by taking account the need for adequate levels and disposition of privacy, prospect, amenity and garden space". Whilst the site is within an existing playing field, there are residential properties in the vicinity, the closest to the development being the terraced properties on Park Road. The closest dwelling of which would be sited approximately 80 metres from the development at the closest point.

8.4.2 The proposed playing field would be sited sufficient distance from residential properties so that it would not result in demonstrable harm by virtue of its size, design or siting in terms of overshadowing or loss of light.

8.4.3 In terms of noise and disturbance from the proposed used, it is necessary to have regard to the existing site circumstances and to this extent it is recognised that the existing lawful use of the site is as a playing field and that some noise through its use and comings and goings would be reasonably expected. Whilst the creation of an all weather pitch may provide greater opportunities for the site to be used, it is not considered that it would result in a significant increase in opportunities for noise and disturbance. The application form indicates that the playing field would potentially be used between 9am - 9.30pm Monday to Sundays which is considered acceptable and it is considered appropriate to attach a condition restricting the use of the floodlights outside these times. As a result it is not felt that the proposed floodlights would cause demonstrable harm to neighbouring properties.

8.5 Highways, Access and Parking

8.5.1 No alterations are proposed to the existing vehicle access or parking arrangements. The car park which serves the Sports Club is accessed from Park Road and is located to the west of the Sports Club Building, spaces are not marked out, however, there is space for approximately 60 vehicles to park.

8.5.2 A Construction Management Plan and Method Statement were submitted as part of the proposal. Hertfordshire Highways have been consulted in relation to the proposed development and raise no objections. They note that no alterations are proposed to the existing parking facilities and consider the existing access onto the highway to be of a suitable standard. A new pedestrian access would be provided from the Sports Club Building for users, providing a more direct route than existing.

8.5.3 With regards to parking provision, Appendix 5 of the Development Management Policies LDD requires 50 spaces per hectare for outdoor sports grounds without football pitches. The application site has an area of less than a hectare and there are 60 parking spaces for use which would exceed the requirement. It is noted that the car park would be used by other members of the Sports Club and playing field, however, the provision is considered to be acceptable given that there would be no change in the use of the land.

8.6 Flood Risk

8.6.1 Core Strategy Policy CP1 sets out that development should avoid areas at risk from flooding. Policy DM8 of the Development Management Policies document sets out that in accordance with National Policy, the Council will only permit development if it is demonstrated that there will be no adverse impact on areas at risk of flooding. Development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risk of flooding elsewhere.

8.6.2 The site is not within a designated flood zone where a flood risk assessment would generally be required; however the applicant has provided a Drainage Strategy as part of the application. The submitted strategy states; “The pitch is constructed, and acts, as a large soakaway.  Rainwater percolates through the artificial grass and the sand ballast through a porous tarmac into the sub base of min 250mm of Type 1 stone.  This is separated from the base soils by a terram layer to prevent stone and soils mixing. Therefore, it is likely to drain better than the natural soils around”.

8.6.3 It is also noted within the Drainage strategy that; “The main issue in relation to maintaining the drainage regime is to ensure that the pitch is properly looked after.  It is usual that the pitch would be maintained once a week to allow movement of the sand ballast so that it cannot become clogged with detritus.  Deep cleans are usually undertaken by the contractors company at least once a year.  Assuming that this is done, and it is in the interests of the club for performance reasons as well as drainage, there is unlikely to be any issues relating to pooling of water or reduced drainage capacity”.

8.6.4 As a result of the details submitted in the Drainage Strategy it is not felt that the proposed development would exacerbate the risk of flooding on site or to the nearby area. As a result it would comply with the requirements of the Environment Agency's Flood Risk Standing Advice and the proposal would comply with Core Strategy Policy CP1 and Policy DM8 of the Development Management Policies LDD, however a condition would require that the pitch is constructed and maintained in accordance with the Drainage Strategy.

8.7 Landscaping & Trees

8.7.1 Policy DM6 of the Development Management Policies document sets out that development proposals should seek to retain trees and other landscape and nature conservation features and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. Planning permission will be refused for development resulting in the loss or deterioration to protected woodland, trees or hedgerows unless conditions can be imposed to secure their protection. Development likely to result in future requests for significant topping, lopping or felling will be refused.

8.7.2 The Landscape Officer has commented that there are a number of trees growing along both sides of the adjacent ditch which whilst not individually significant, together form an important 'hedge' feature. The proposals include a low bund to the west of the playing field, which the Landscape Officer has commented may have an impact on the rooting system of several trees, although this is likely to be limited assuming the bund does not directly abut the stems.

8.7.3 The Landscape Officer has commented that whilst the proposals appear to be outside of the tree canopy, it is difficult to identify the precise location of the proposed fencing and lighting relative to the trees. As such it is considered appropriate to attach a method statement condition to include details of the location of fencing and lighting in relation to the trees to the west.

8.7.4 The Landscape Officer has also requested changes to the Construction Method Statement requesting that trees on the boundary of the site should be protected by fencing at the outset of the works. The Landscape Officer commented that it is necessary; “to understand fully how the construction phase will work and how the site will be accessed. I think we will need plans showing this in order that we can ensure no conflict with other users of the site and that there is no increased risk to site users from construction traffic”.

8.8 Wildlife & Biodiversity

8.8.1 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.

8.8.2 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 (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013). National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken. However with the previous application 13/1009/FUL, a Biodiversity Checklist was completed by the applicant which identified the need for further surveying work to be undertaken. As such an Ecological Assessment was undertaken and the results submitted with the previous planning application. The Assessment makes various recommendations to ensure that wildlife is protected, such as ensuring vegetation is not cleared during bird nesting season and also ensuring that any excavations are covered over night to prevent wildlife becoming trapped. It is therefore considered appropriate to attach a condition requiring the implementation of recommendations within the Ecological Assessment.

9. **Recommendation**

9.1 That subject to no new material considerations being raised, PLANNING PERMISSION BE GRANTED subject to the following conditions;

C1 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 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC001, TRDC002, 1041/1A, Edge Detail, Proposed Elevations, Proposed Drainage Plan, 1213/02, Folding Floodlighting Columns, Path Detail, Bund Detail.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6, DM8, DM9, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed surface materials. Such details should include design, materials and colour. The development shall be erected and maintained in accordance with the approved details.

Reason: This is a pre commencement condition to ensure that the character and appearance of the area and openness of the Green Belt are maintained, in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

C4 The external floodlights hereby permitted shall not be used before 9am or after 9.30pm.

Reason: In the interests of the visual amenity of the Metropolitan Green Belt and landscape, wildlife and residential amenity in accordance with Policies CP1, CP9, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C5 All recommendations in the submitted Ecological Assessment dated 18 June 2013 shall be implemented and adhered to on site for the duration of works.

Reason: In the interests of safeguarding protected species 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)

C6 No development or other operation shall commence on site until a method statement 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 on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. This method statement shall also include further details on the precise location of perimeter fencing and flood lighting, where it is in proximity to the trees situated to the west of the site. 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 fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C7 No development shall take place, including any works of demolition, until an updated Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The updated Statement shall provide for:

Protection of trees during construction, including with regard to providing access to the site.

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C8 The development shall be carried out and maintained in accordance with the Drainage Strategy (July 2016).

Reason: To prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

9.2 Informatives

I1 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 application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £97 per request (or £28 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. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. 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.

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 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 submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.