

Date of Meeting: 13 June 2019

APPLICATION NO: 18/2376/FUL

DATE OF APPLICATION: 20 December 2018

STATUTORY START DATE: 25 January 2019

SITE LOCATION

Medburn Sports Ground, Watling Street, Radlett, Hertfordshire,

DEVELOPMENT

Change of use of agricultural land to create additional sports pitches. (Amended Plans received 30 Apr 2019).

AGENT

DLA Town Planning Ltd
5 The Gavel Centre Porters Wood
St Albans
AL3 6PQ

APPLICANT

Belstone FC
The Medburn Sports Ground,
Watling Street
Radlett
WD6 3AB

WARD: Aldenham East

GREEN BELT: Yes

CONSERVATION AREA: No

LISTED BUILDING : No

TREE PRES. ORDER: No

REASONS FOR COMMITTEE CONSIDERATION

This is a major development exceeding the threshold of delegated authority in the constitution

1.0 SUMMARY OF RECOMMENDATION

1.1 Grant permission subject to conditions

2.0 APPLICATION SITE AND SURROUNDINGS

2.1 The Application site is former agricultural land adjacent to the existing sports ground for Belstone FC.

2.2 The current site comprises a clubhouse and approximately 3 hectares of land including 3 football pitches and parking areas. The site is within the Metropolitan Green Belt. The application site includes land to the south between the existing pitches and Butterfly Lane, and to the west of the existing

land. There are residential dwellings in Watling Street to the north, but the site is bounded by open land on the other sides. The site is 2km south of the centre of Radlett and 3km from the centre of Borehamwood.

3.0 THE PROPOSAL

3.1 The application proposes the following:

- Change of use of former farmed land to sports for Belstone FC.
- There is no change to the existing car parking arrangement.

3.2 Key Characteristics

Site Area	64000 square metres
Density	Sport Play Ground
Mix	Community Facilities
Dimensions	Proposed <ul style="list-style-type: none"> • Three 5-a-side pitches, • One 7-a-side pitch • One 9-a-side pitch.
Number of Car Parking Spaces	The original parking layout showed 49 spaces in the main car park and 36 spaces in the overflow car park.

4.0 RELEVANT PLANNING HISTORY:

Reference number	Description	Date and outcome
TP/78/0497	ALTERATIONS TO BUILDINGS FOR SHOWER BLOCK AND TOILET CUBICLE	14 August 1978 Approval
TP/96/0922	Change of use of land from agriculture to sports playing field WITHDRAWN 26/2/97	26 February 1997 Application Withdrawn
TP/91/0259	Demolition of existing single storey pavillion and erection of new pavillion	30 April 1991 Grant Permission

5.0 CONSULTATION & RESPONSES

5.1 Notices

Site Notice (Generic) 20th February 2019 Expiry Date: 13th March 2019
Herts Advertiser 7th February 2019 Expiry Date: 28th February 2019

5.2 Summary of consultation responses

Consulted:

Consultee	Date Consulted
The Ramblers' Association	12 February 2019

Consultee	Date Consulted
Highways HCC	28 January 2019
Sport England	28 January 2019
HCC - Rights Of Way Countryside Access Officer	28 January 2019
Radlett Society And Green Belt Association	28 January 2019
Aldenham Parish Council	28 January 2019
Natural England Consultation Service	28 January 2019
Parks & Cemeteries - Waste & Street Scene	28 January 2019
Senior Flood Risk And SuDS Officer	28 January 2019
Highways England	28 January 2019
Senior Traffic Engineer	28 January 2019
Tree Officer	28 January 2019
Policy & Transport - Majors Only	28 January 2019
Transport For London	28 January 2019
Policy & Transport - Majors Only (LW)	28 January 2019
Senior Flood Risk And SuDS Officer	13 March 2019

Responses:

Consultee	Comment
Highways HCC	No Objections
Sport England	No Objections subject to condition
Senior Flood Risk And SuDS Officer	No Objections
Aldenham Parish Council	No Objections
Natural England Consultation Service	No Objections
Environmental Health & Licensing	No Objections
HCC - Rights Of Way Countryside Access Officer	No Objections
Senior Traffic Engineer	No Objections
Transport For London	No Objections
The Ramblers Association	No Objections

5.3 Neighbour responses

In Support	Against	Comments	Neighbours Notified	Contributors Received
0	1	2	31	3

- Two comments have been raised in support of this application and one objection in relation to noise, traffic, footfall and pollution.

6.0 PLANNING POLICY CONTEXT

6.1 National Policy/Guidance

National Planning Policy Framework 2019
 Planning Practice Guidance

6.2 **Core Strategy (CS) 2013**

SP1 Creating sustainable development
CS12 The Enhancement of the Natural Environment
CS13 The Green Belt
CS16 Environmental Impact of New Development
CS19 Key Community facilities
CS22 Securing a high quality and accessible environment
CS26 Promoting Alternative to the car

6.3 **Site Allocations and Development Management Policies Plan (SADM) 2016**

SADM10 Biodiversity and Habitats
SADM26 Development Standards in the Green Belt
SADM27 Diversification and Development supporting the Rural Economy
SADM30 Design Principles
SADM32 Key Community facilities
SADM34 Open Space, Sports and Leisure Facilities
SADM40 Highway and Access Criteria for New Development

7.0 **ASSESSMENT AND REASONED JUSTIFICATION**

7.1 **Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material consideration indicate otherwise'.**

7.2 The proposal raises the following key issues:

- Background
- Principle of Development (Green Belt, Agricultural land)
- Impact on visual Amenity
- Impact on Residential Amenity
- Flood Risk
- Public Right of Way
- Car Parking and Access
- CIL
- Equalities and Diversity

Background

7.3 Belstone FC was founded in 1983 and moved to its current home “The Medburn Ground, WD6 3AB” in 1992. Formerly a derelict sports ground used by Travellers, the current facilities have all been built and funded by its committee and members.

7.4 Originally just one senior men’s team, Belstone FC now has 2 men’s teams and 13 youth teams from Under 7’s up to Under 18’s. Since its formation, the Club has been winners or runners up an impressive 111 times. Belstone FC

also runs development groups for mixed ability children, those too young to play in organised football and, more recently, started a Girls Academy. The Club achieved Chartered Standard status in 2010, adhering to and following the FA's best practice guidelines.

- 7.5 Belstone FC aims to develop and improve every player, so that hopefully one day they will be ready to represent the Club at the highest level. Many of the Club's original Youth Team players still play for its highly successful senior teams, others have gone on to have successful professional careers. The Club is run by volunteers and is a "not for profit" organisation.
- 7.6 The Club currently has one full size 11 a-side pitch, one junior 11 a-side pitch and one 5 a-side pitch. With 15 teams, 14 of them playing on a Sunday, the current provision of 3 pitches is insufficient. Currently most of the 'home' matches have to be played on hired local authority or school pitches, reversed to be played at the opposition's ground, or in the worst case, postponed. The wear and tear on the currently overused pitches also makes them prone to cancellations during the winter months thus exasperating the problem. Training sessions are also held elsewhere to avoid damage to the pitches. The proposed expansion would allow the majority of the home games to be played at "home".

Principle of Development

- 7.7 The overarching principle of the NPPF is to achieve sustainable development in order to meet the needs of the present without compromising the needs of future generations to meet their own needs. This includes securing net gains across each pillar of sustainability including building a strong, responsive economy; supporting strong, vibrant and healthy communities and protecting and enhancing our natural, built and historic environment.
- 7.8 The NPPF 2019 states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be given to the need to support economic growth and productivity; including the retention and development of community facilities such as sports venues, so long as such development is sensitive to its surroundings. Paragraph 96 of the NPPF 2019 states that providing access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 7.9 This principle is reiterated by Policy CS18 which advocates the need to support key community facilities subject to the environmental constraints of the site.
- 7.10 In this instance, the proposed development will support the provision of a key community facility and provide further service for the local community, including greater opportunities for sport and physical activity. Therefore, the principle of the development is considered acceptable, subject to the environmental and planning constraints of the site.

Green Belt

- 7.11 The site is wholly located within the Metropolitan Green Belt; the Government's guidance on Green Belt is contained within Chapter 13 of the NPPF (2019). Paragraph 133 states 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." Openness and permanence relate not only to the physical amount of development, but freedom from development. Development not only relates to the construction of new buildings but also changes of use.
- 7.12 Furthermore, Paragraph 143 and 144 of the NPPF 2019 states that "inappropriate development by definition, is harmful to the Green Belt and should not be approved except in very special circumstances" and "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt". Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm caused are clearly outweighed by other considerations.
- 7.13 Policy CS13 of Hertsmeire's Core Strategy 2013 reaffirms this presumption against inappropriate development within the Green Belt. Furthermore, Policy SADM26 of the Site Allocations and Development Management Policies 2016 states that "the scale, height and bulk of the development should be sympathetic to, and compatible with, its landscape setting and not be harmful to the openness of the Green Belt".
- 7.14 Paragraph 134 of the NPPF outlines the five fundamental purposes of the Green Belt, which include;
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.15 Paragraph 146 (e) of the NPPF 2019 states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One of these forms is a material changes in the use of land, such as changes of use for outdoor sport or recreation.
- 7.16 In this instance, the application proposes the change of use of an L-shaped agricultural field adjacent to the existing sports ground for Belstone FC to use for additional sports pitches. No structures are proposed and so the openness of the Green Belt would be retained. The use for sport and recreation would not conflict with the purposes of including land within the Green Belt and as such would comply with the relevant policies.

Use of Agricultural land for Development

- 7.17 Chapter 15 of the NPPF 2019 places emphasis on the enhancement and the conservation of the natural environment. Planning policies and decisions should contribute towards local environments by; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land.
- 7.18 This emphasis is further supported by policy CS12 of the Core Strategy 2013 and SADM11 which highlight the importance of maintaining the highest quality agricultural land (Grades 1, 2 and 3a). Proposals will only be permitted where there is no likelihood of the land being sterilised for future agriculture or mineral extraction.
- 7.19 Policy SADM27 also emphasises the need to diversify and develop the rural economy, stating that development may be permitted where;
- the site is of a lower agricultural land grade;
 - there is a robust case that overrides the need to protect agricultural land of a higher quality;
 - there is a reliable prospect that the land will be restored to at least its original quality.
- 7.20 In this instance, an agricultural land classification survey has been submitted with the application. The survey concludes that the quality of agricultural land is limited, the combination of the topsoil texture (heavy clay loam), Wetness Class (IV) and the number of Field Capacity Days (147.5) results in ALC Grade 3b for Type 1 soils. On this basis and subject to responses from statutory consultees "Natural England and Hertfordshire County Council" the change of use of the agricultural land would be acceptable and as such would comply with the relevant policies.

Character and Appearance

- 7.21 Chapter 12 of the NPPF 2019 advises that the creation of high quality places is fundamental to what the planning and development process should achieve. This is further reiterated by policies SP1, CS22 and SADM30 of Hertsme's local development plan.
- 7.22 In this instance, as stated above in the Green Belt assessment, the proposal will not result in any alterations, the submitted plans with the application show that only 5 new different size pitches would be proposed, No structures are proposed nor would any netting or buildings be required. The application is for the change of use of the land only.
- 7.23 Sports England has been consulted and no objections have been raised. The principle of the planning application is supported subject to planning condition requiring further information in relation to playing field sizes and design.

- 7.24 Overall, it is considered that the change of use of the land would still retain the open, green character of the existing site and is unlikely to be significantly detrimental to the character and appearance of the street scene or the surrounded area and therefore would comply with the relevant policies.

Living Conditions

- 7.25 The proposal would introduce three 5-a-side pitches, one 7-a-side pitch and one 9-a-side pitch. For background information, the 5-a-side pitches are only used for Under 7s and under 8s games. At this level the players do not tend to communicate between themselves and the loudest noises are likely to be the coach's voice and the whistle.
- 7.26 The pitches will only be used at the same times as the existing ones, primarily at weekends and occasionally mid-week. The pitches would be mainly for children's matches at a grass roots level, no crowds with singing, chanting or any other ancillary noises. With one exception (Medburn Lodge), the new pitches will be further away from the properties close to the ground. A minimum distance of 35m between the corner of the proposed pitch and the nearest noise sensitive premises Medburn Lodge, Butterfly Lane.
- 7.27 The nearest residential dwelling is situated 35 metres away ("Medburn Lodge"). The property is well screened by existing vegetation, the proposed change of use is not therefore considered to give rise to an unacceptable loss of residential amenity for the occupier of these dwellings. Moreover, No lighting is proposed. As previously mentioned, the pitches are to be used by young children. They will not be used after dusk, so there is no need or requirement for any additional lighting.
- 7.28 Therefore it is considered that taking into account the likely use of the pitch, the distance from Medburn Lodge and Butterfly Lane in between, that there would not be a harmful level of noise resulting from the development.
- 7.29 An objection has been received in respect to the noise impact on Medburn House (lighting and traffic is also discussed in the report. The distance from existing football pitches to Medburn house is not changing. The proposed football pitches would be to the other side of the site. Environmental Heath stated in their consultation that the only affected property is Medburn lodge and no other properties would be affected. As such, Medburn House would not have more than existing impacts and the proposal would not have any adverse impacts on this property.
- 7.30 Environmental health has been consulted and raises no objections with respect to lighting and noise that might result from additional young children football playing. In conclusion, it is not considered that the proposal would cause any significant harm to residential amenity as discussed above and is therefore considered to be compliant with the NPPF 2019, policies CS22 and SADM30.

Car Parking Provision and Highways Safety

- 7.31 The proposal is to introduce three 5 a side pitches, one 7 a side pitch and one 9 a side pitch.
- 7.32 The Club has 2 full size 11 a side Pitch, 1 Junior 11 a side Pitch and one 5 a side Pitch. Parking requirements should be 22 parking spaces over the 42 spaces for existing Pitches.
- 7.33 The applicant has submitted a timetable for Sunday matches which relates to Sundays shows demonstrating that the theoretical maximum number of cars for each match, but in practice the away team would do some car sharing, cutting the total down by 10-20% for each game. The maximum number at any time without car sharing reduction would be 86 for the afternoon games.
- 7.34 The original parking layout showed 49 spaces in the main car park and 36 spaces in the overflow car park. The club already achieves a higher level of parking in the existing areas and the main car park accommodates 57 cars. This can rise to 70 cars if the parking is supervised. Thus the existing parking level is 93 without supervision which exceeds the maximum proposed number of 86 cars on a Sunday and considerably less on other days.
- 7.35 It is considered that the required level of parking can be incorporated within the existing Parking spaces on site. Hertfordshire Highways have been consulted and have raised no objection in relation to the access to the site. Consequently, the proposal is not considered to cause a detrimental impact to the highway and is compliant with the NPPF 2019, policies CS25 and SADM40.
- 7.36 Environmental health raised concerns with regards to the construction of the new pitches. The applicant confirms that there would be no new soil to be brought on the site. The project will see the current fallow fields left un-used by the farmer stone buried, box levelled and seeded to provide a similar surface to those of our existing pitches.

Public Right of Way

- 7.37 Referring to the plans in the application, public footpath PFP Aldenham 44 runs north-southward inside the north-west corner of the application site.
- 7.38 The Herts County Council Rights of Way Officer has been consulted on this application and has commented that this area is very popular with walkers. There is a public footpath to the corner of the proposed land. In view of the infrequent proposed use of the pitch in this location. It would be used for approximately 2 hours once a week. The pitch layout would not encroach on the public footpath and the proposal would not result in any impacts on that footpath.

- 7.39 The Ramblers Association have been consulted and have not raised any objections.

Drainage and Flood Risk

- 7.40 A flood Risk Assessment has been submitted with the application. Hertfordshire County Council SuDS have been consulted and raised no objection to the proposal in terms of flooding.

Other Matters

Community Infrastructure Levy

- 7.41 The Community Infrastructure Levy (CIL) is a charge to support the delivery of funds to infrastructure in Hertsmere. The Planning Authority became a CIL charging authority as of 1st December 2014. The proposal is not chargeable under the Community Infrastructure Levy Regulations 2010 (as amended) as it does not include the creation of any residential units.

Equalities and Diversity

- 7.42 The Equality Act 2010 came into force in April 2011. Section 149 of the Act introduced the public sector equality duty, which requires public authorities to have 'due regard' to the need to eliminate discrimination on the grounds of the relevant protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation, and to advance equality of opportunity. In relation to this specific application due regard has been made to the protected characteristics and it is considered that there would be no adverse impact caused following this development.

8.0 CONCLUSION

- 8.1 The proposal does not constitute inappropriate development within the Green Belt. Furthermore, the impact to the character and appearance of the area, the residential amenity of nearby dwellings and highways would be minimal. The proposal is therefore compliant with the NPPF 2019, policies SP1, CS12, CS13, CS19, CS22, CS25 and CS26 of the Core Strategy 2013, policies SADM26, SADM27, SADM30, SADM32, SADM34 and SADM40 of the Site Allocations and Development Management Policies Plan 2016 and the Parking Standards SPD.

9.0 RECOMMENDATION

Grant permission subject to conditions

CONDITIONS/REASONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

BFC SIGNAGE DETAILS (Received 30 May 2019)
Construction Phase Health and Safety plan (Received 24 May 2019)
PLANNING STATEMENT APR 2019 (Received 03 Apr 2019)
NEW PITCH LAYOUT (Received 03 Apr 2019)
500-10-D PROPOSED BLOCK PLAN (Received 03 Apr 2019)
Belstone Football Club, Watling Street - ALC report (Received 29 Apr 2019)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place unless and until:
 - a. A detailed assessment of ground conditions of the land proposed for the new/retained/replacement playing field land as shown on drawing number 500-10-D shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b. Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with LP Policy CS19 and SADM34.

GENERAL REASON(S) FOR GRANTING PERMISSION

0. The proposal does not constitute inappropriate development within the Green Belt. Furthermore, the impact to the character and appearance of the area, the residential amenity of nearby dwellings and highways would be minimal. The proposal is therefore compliant with the NPPF 2019, policies SP1, CS12, CS13, CS19, CS22, CS25 and CS26 of the Core Strategy 2013, policies SADM26, SADM27, SADM30, SADM32, SADM34 and SADM40 of the Site Allocations and Development Management Policies Plan 2016 and the Parking Standards SPD.

10.0 BACKGROUND PAPERS

1. The Planning application (18/2376/FUL) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
2. Replies from Statutory consultees and correspondence from third parties.
3. Any other individual document specifically referred to in the agenda report.
4. Published policies / guidance

11.0 INFORMATIVES

1. This decision is based on the following development plan policies: NPPF 2019, policies SP1, CS12, CS13, CS19, CS22, CS25 and CS26 of the Core Strategy 2013, policies SADM26, SADM27, SADM30, SADM32, SADM34 and SADM40 of the Site Allocations and Development Management Policies Plan 2016 and the Parking Standards SPD.
2. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone us for fees guidance on 01438 879990.

We can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in our acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Hertsmere Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

Case Officer Details

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