

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 27 April 2016

Application Number	3/15/1957/FUL
Proposal	Creation of two new hockey pitches, associated fencing and floodlighting. Enlargement to car park.
Location	Bishop's Stortford Sports Trust, Cricketfield Lane, Bishop's Stortford, CM23 2SZ
Applicant	Bishop's Stortford Sports Trust
Parish	Bishop's Stortford
Ward	Bishop's Stortford - Silverleys

Date of Registration of Application	1 October 2015
Target Determination Date	31 December 2015
Reason for Committee Report	Major Planning application
Case Officer	Martin Plummer

RECOMMENDATION

That Planning Permission be **GRANTED** subject to conditions.

The details of any requirements to be secured through Conditions are set out at the end of this report.

1.0 Summary

- 1.1. The development proposal incorporates the provision of sports pitches for the playing of primarily hockey and other sports including tennis and the provision of a car park. The application site forms land owned by the BSST (Bishop's Stortford Sports Trust) which manage a range of existing sports pitches and an area outside of the ownership of the Trust and which forms an open space. The site is located within the Green Belt wherein restrictive policy requirements for development applies and is located within a designated area known as Ash Grove in the Bishop's Stortford Neighbourhood Plan (Silverleys and Meads).
- 1.2. The development proposal will provide sports pitches to meet the identified need for playing pitches in the Neighbourhood Plan and will provide sport and recreational activities for the local and wider community and provide sport development opportunities for young people. The development will bring the hockey club to the site which has the potential to positively impact on the long term vitality and viability of the Sports Trust and its management of the site.

- 1.3. Against those positive elements of the development, the harmful impacts have to be judged. The development represents inappropriate development in the Green Belt. The development comprising of sports pitches associated with fencing and flood lighting will result in harm to the openness of the Green Belt. Other harm is associated with the main hockey pitch (which is to be located to the north of the site beyond the first eleven cricket pitch) in terms of the impact on the character of the site and views of the site from public rights of way.
- 1.4. The NPPF requires that substantial weight be attached to any harm to the Green Belt and very special circumstances will not exist unless the harm to Green Belt by reason of inappropriateness and other harm is clearly outweighed by other material considerations. The Neighbourhood Plan also requires a balancing exercise to be undertaken, with the harm to identified Local Green Spaces weighed against the benefits of any proposals.
- 1.5. In reaching that balancing conclusion, your Officers conclusion is that the beneficial impacts in this case do clearly outweigh the inappropriateness of the development and harm to the Green Belt and the protection that is proposed to local green spaces in the Neighbourhood Plan. As a result it is considered that very special circumstances are demonstrated. In such circumstances planning permission can be granted.

2.0 Site Description

- 2.1. The site is located to the northern part of Bishop's Stortford and to the north of Cricketfield Lane. Along Cricketfield Lane are a number of residential dwellings. The Northgate Primary School is also located along this road. To the north of Cricketfield Lane are recreational playing fields which are under the ownership of Bishop's Stortford Sports Trust (BSST). The land to the north of Cricketfield Lane and where the development proposals are located is within the Green Belt.
- 2.2. There are two Public Rights of Way (PRoW) which run through the recreational playing fields from Cricketfield Lane. Bishop's Stortford 003 follows a more or less northerly direction from Cricketfield Lane for around 500metres where it meets Dane O'Coys Road. Bishop's Stortford 001 runs from the south eastern part of the BSST site (to the east the lawn tennis courts) from Cricketfield Lane in a north westerly direction for around 300metres where it also meets Dane O'Coys Road. These are shown on the OS location plan.
- 2.3. The eastern part of the BSST site comprises of a cricket pitch (known as the second eleven pitch, which has its own dedicated pavilion to the

south west corner of that pitch); lawn tennis courts (which are immediately adjacent to Cricketfield Lane) and; a football pitch (known as the plateau pitch. There is also a parcel of land to the north of the second eleven cricket pitch which also forms a further cricket pitch, although it is not currently being used for such sports provision.

2.4. The western part of the BSST site features the Trusts clubhouse and associated pavilions. The first eleven cricket pitch is located between the second eleven cricket pitch and the club house. To the south of the club house is a car park. To the west of the pavilion and car park are further tennis courts (clay and all-weather pitches) and some junior tennis pitches. A further car park is also located here. There are currently 57 parking spaces in total. These various elements are all shown on the OS location plan.

2.5. The development proposals comprise two main elements –

- 1) To the north of the first eleven cricket pitch a new all-weather hockey pitch is proposed. The proposed hockey pitch measures 101 x 61 metres and features a fence netting around the pitch which is 8 metres high to the north and south sides around the goal ends and 5 metres to the rest of the east and west sides. Flood lighting (8 columns) at a height of 15 metres is also proposed.

Between this proposed hockey pitch and the first eleven pitch is a small drainage ditch and a line of mature trees. The site is located within a Wildlife Area and is also referred to as Ash Grove in the Bishop's Stortford Town Council Silverleys and Meads Neighbourhood Plan (hereinafter referred to as the Neighbourhood Plan, NP) and is designated as a local green space.

There is an informal path which is located to the immediate north of the proposed pitch and which branches off and links to footpath 001 referred to above. This part of the site is generally open and comprises of a mixture of open grassland, trees, water features and open landscape.

- 2) The second element of the development proposals is located to the west of the club house. This incorporates the provision of hard standing for additional parking (amounting to 52 spaces) and; the erection of a MUGA (multi-use games area) for hockey training/warm-up for hockey matches on the main hockey pitch. The MUGA may also be used for a range of other sporting activities. The MUGA measures 64 x 52 metres and is enclosed

with a 5 metre fence and flood lighting (6 columns) at a height of 10 metres.

This part of the site is characterised by enclosed hard surface tennis courts and parking area. This part of the site is at a higher level than Cricketfield Lane and there are a number of landscape features between the application site and the road.

- 2.6 The planning application originally proposed refurbishment of the existing tennis courts on the site. That element of the application has however been withdrawn during the process of the application.

3.0 Background to Proposals

- 3.1 The applicant has ownership of the various sports pitches and land to the north of Cricketfield Lane. The application itself is for two sports pitches which will primarily be used for the playing of hockey by the Bishop's Stortford Hockey Club, which forms part of the BSST. As indicated, the MUGA, can be used for other sporting activities.
- 3.2 Historically the site formed open fields and woodland. A cricket pitch is recorded on the 1898 Ordnance Survey map. Cricket has therefore been played on the site for over 100 years. Over the years the land has been put to other sporting uses and the site now incorporates sports pitches for cricket, tennis and squash. The club house located within the site is a building which is used ancillary to the main sporting activities on the site and is a place where players and members of the various sports clubs can gather for social occasions and after sports matches/training etc.
- 3.3 Hockey was previously played on the site on the grass to the south of the cricket pitches at the east side of the site. However, changes to the rules for the playing of hockey resulted in the need for competitive hockey to be played on artificial surfaces as opposed to natural grass.
- 3.4 To meet this need, the Hockey Club, in collaboration with Hockerill School, were granted planning permission for an all-weather sports pitch within the grounds of that school. Since the early 1990's the Club have used that pitch for the playing of hockey.
- 3.5 However, the hockey club have always formed part of the BSST and the playing of hockey in a different part of the town has resulted in a reduced use of the club house and its facilities by members of the hockey club. This leads to less cohesion for the club, as members are unable to meet after sporting events and has an impact on the viability and cohesion of

the Trust overall. The pitches at Hockerill School are being used at capacity with no scope to expand.

- 3.6 The NP sets out that Bishop's Stortford has high quality sporting clubs and identifies that in order to maintain existing high standards the town expands and improves the supporting facilities to meet demands. It is acknowledged that this involves the construction of new facilities and expanding or improving accessibility to the existing ones.
- 3.7 The Council has endorsed a Sports Investment Strategy (December 2015) associated with the legal agreement requirements of the Bishop's Stortford North development. That strategy identifies local needs and future needs associated with the expansion of town through the Bishop's Stortford North development. The strategy identifies that there is an unusually high proportion of facilities available through dual use of secondary school facilities which has the effect of limiting access to evenings and weekends and their usage capacity is therefore limited. In terms of hockey provision the strategy identifies that there are two synthetic pitches in the town with an additional pitch at Bishop's Stortford College with no scope to increase community access. All pitches are used at capacity during the peak period and the lack of a clubhouse at the Hockey Club is detrimental to its operation.
- 3.8 This Strategy represents early work by the Council, in advance of the development of a significant number of new homes in the town at Bishop's Stortford North and elsewhere, to plan for additional sporting infrastructure for new residents – but which will also be available to existing residents and to assist existing pressure on facilities in the town.
- 3.9 The applicants want to consolidate the playing of hockey with the other facilities at Cricketfield Lane. This, will allow the hockey users easier access to the facilities at the BSST site and support the use of those facilities. The Trust have indicated that the relocation of the hockey club to the site and the potential for increased revenue generation by use of the Club House by hockey club members will assist in the long term future viability of the site and its management.
- 3.10 BSST have secured a significant grant from Sport England, totalling some £500,000 towards the construction of the hockey pitches – there is a requirement that a training pitch to encourage youth development must be provided to secure the funding. The application therefore forms two parts – the provision of the main hockey pitch (herein referred to as such) and a MUGA which will also be used as a training pitch and for youth hockey matches as well as other sporting activities.

4.0 **Key Policy Issues**

- 4.1. These relate to the relevant policies in the National Planning Policy Framework (NPPF), the East Herts Local Plan Second Review April 2007 and: the Bishop's Stortford Town Council Neighbourhood Plan Silverleys and Meads.

Key Issue	NPPF	Local Plan policy	NP
The appropriateness of the development in the Green Belt	87, 88 and 89	GBC1	
Impact on openness of the Green Belt and other harm	Section 9	GBC1	
Impact on the character and appearance of the site and surroundings and the local green space	76, 77, 78	ENV1	GIP 1
Impact on Ecology	118	ENV16	GIP4
Impact on trees within and adjacent to the site	58	ENV2 and ENV11	
Car parking provision and access	39, 75	TR7, LRC9	TIP8, GIP5
The case in support of the application – sport provision and impact on existing sports provision at the site	69, 70, 73, 81,		SP1, SP2
Impact on neighbour amenity		ENV1	
Surface water drainage matters	103	ENV21	
Impact on archaeology	Section 12	BH1, BH2, BH3	

5.0 **Emerging District Plan**

- 5.1 The policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Given its stage in preparation, little weight can currently be accorded to the emerging Plan.

6.0 **Summary of Consultee Responses**

- 6.1 Hertfordshire County Highways comment that they make no objection to the development proposals and request that conditions be attached relating to the design of the sports facilities. The Highway Authority refer

to the PRow which run adjacent to the site and the requirement to ensure no impact on that right of way.

- 6.1 Sport England consider that the provision of the sports pitches at the site for the hockey club will have benefits in terms of income generated by use of the clubhouse by Members. If an all weather pitch is not secured at this site for the hockey club the club would need to look elsewhere, hence severing ties with the site and resultant impact on the sustainability of the sports facilities at the site. The provision of sports facilities on site would also address the club fragmentation issues of matches/training taking place on a separate site to where the club is based.

The provision of new facilities will allow the hockey club to grow and expand and develop its training for junior sections. The clubs ability to grow and serve junior sections is limited by the over capacity use of the shared facilities at Hockerill.

The hockey club is one of the key clubs in the region with very strong community links and a growing and thriving, membership. The development will enhance the club environment and create additional capacity for growth.

Sport England comment that the proposed development will not impede existing space which is used for the playing of sport.

The proposed floodlighting is welcomed and considered essential as this will offer significant sports development benefits in terms of facilitating use by the hockey club and other users during peak periods. Without the 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 funding towards its implementation will be diminished.

- 6.1 The Landscape Officer recommends that planning permission be granted for the sports pitch to the west of the site (the MUGA) and recommends refusal of planning permission for the main hockey pitch.

The Landscape Officer comments that the development to the west of the site to provide the MUGA will result in the removal of five trees but this is acceptable. The development comprising of the main hockey pitch to the north will require the removal of a number of large mature trees and groups of trees and there may also be damage to or loss of several trees along the PRow to allow construction of the access track.

The proposed main hockey pitch is a form of development that does not assimilate well with the topography (requiring re-grading of the contours of the site) or landscape character of the surroundings. The site is well enclosed by boundary vegetation with views to the west and north limited by the surrounding topography and natural ridge line. There is currently a distinct transition from formal sports field provision to the more rural landscape character (in the form of emerging woodland) displayed by the site and immediate surroundings as experienced by users of the rights of way and other informal footpaths running through the site. The loss of trees on the southern boundary to provide new access and hard standing for sports equipment shelters plus team shelters plus spectator area, the re-contouring of the site and the erection of eight metre high perimeter ball stop fencing will have adverse visual impact on the rural character of this section of urban fringe to Bishop's Stortford.

This site should also remain as part of the planned green space infrastructure associated with Bishop's Stortford North development by keeping the green connective link to and between Hoggates Wood and Ash Grove.

- 6.1 The Woodland Trust have commented that the many aspects of the proposal are likely to affect an area of potential ancient woodland, Ash Grove together with associated wildlife populations which is unacceptable. The Trust recommend further assessment of the quality of the trees. This has been undertaken by the Landscape Officer (as noted above) and by the applicant in the Tree Survey submitted with the application.
- 6.1 The Ramblers Society comment that the development is contrary to the Neighbourhood Plan and that the PRoW must be safely kept open at all times.
- 6.1 The County Council Historic Environment Unit comment that the site is within an area of archaeological significance and there is evidence of multi-period activity and occupation. The County Archaeologist comments that the position of the proposed development is such that it should be considered as likely to impact on heritage assets of archaeological significance and it is therefore necessary and reasonable to require further archaeological work.
- 6.1 Natural England comment that the development is unlikely to affect any statutory sites or landscapes. Natural England refer the Council to their standing advice in respect of protected species and advise that the Council ensure that it has sufficient information to determine the impact on any local wildlife site.

- 6.1 Herts Ecology comment that ecological interest is present on the (main hockey pitch part) of the site, but that it has not been managed for many years. This has led to a degradation of the original grassland interest, for which there is no historic information, which makes it difficult to sustain an objection to the proposals.

A grassland mitigation strategy is proposed which will limit the habitat loss and outlines an acceptable and positive approach to the management of grassland. Further information is required in relation to this matter which is required as a planning condition and it is recommended that planning permission be granted if it can be demonstrated that such grassland mitigation can be implemented and monitored effectively.

- 6.1 The Councils Environment and Engineering Team comment that site is located in flood zone 1 and is situated mostly away from the Environment Agencies designated surface water inundation zone. The Team comment that the details as submitted would help to reduce flood risk, reduce pollution and provide amenity bio diversity habitats.

- 6.1 The Environmental Health Team recommend that planning conditions be attached relating to hours of use; that the flood lighting be carried out in accordance with the details submitted with the application and, that a noise survey be undertaken once the development has been implemented to ensure that noise levels are within existing guidelines.

7.0 Town Council Representations

- 7.1. The Bishop's Stortford Town Council object to the application and comment that the development is contrary to the Neighbourhood Plan. Policy GIP1c).

8.0 Summary of Other Representations

- 8.1. 81 letters of representation have been received in objection to the development proposals the concerns raised can be summarised as follows:-

- Inappropriate development in the Green Belt (contrary to Local Plan policy and the NPPF) and harmful impact on openness and rural character and appearance of site and surroundings;
- Loss of Local Green Space and conflict with Neighbourhood Plan policy GIPc);

- No planning considerations which amount to very special circumstances;
 - Harmful loss of trees and amenity;
 - Light pollution from flood lighting;
 - Harmful impact on Wildlife Site and loss/impact on protected species and biodiversity;
 - Harmful impact on living conditions of neighbouring properties in terms of noise and disturbance;
 - Insufficient parking and harmful impact on congestion and parking along Cricketfield Lane;
- 8.2. A petition with 251 signatures has been received in objection to the development. The petition comments that the site is allocated as a local green space in the Neighbourhood Plan and the sports pitch is neither small scale nor essential.
- 8.3. 479 letters in support of the application have been received and the general theme from those representations is that the development will provide enhanced facilities for the club which will help support the continued growth of sport in the Town, particularly for youth development. The development will help support the wider sustainability and viability of the Sports Trust.

9.0 Planning History

- 9.1. Various permissions relating to the development for outdoor sport have been granted over the years.
- 9.2. The most significant planning history relating to the site is the refusal of planning permission for the erection of a hockey pitch on land to the east of the site and known as the plateau pitch (LPA reference 3/09/0002/FP). That scheme incorporated the provision of one single hockey pitch with associated hard surfacing, fencing and floodlighting occupying land to the east of the second eleven playing pitch.
- 9.3. The proposals were refused for reasons relating to the impact on the Green Belt, neighbour amenity impact and parking associated with the development.
- 9.4. An appeal was made against that decision and the Inspector did not consider that there would be any undue harm in terms of parking or residential amenity. The Inspector considered that advantages to the Bishop's Stortford Hockey Club of having an all weather floodlit playing pitch on the established sports site and the reduction in car trips and associated inconvenience that would ensue were considerations of some weight in favour of the development as was the wider community use of

the facility. However, the Inspector considered that the harm associated with that scheme was not outweighed and very special circumstances did not exist.

10.0 Consideration of Relevant Issues

10.1 The main issues are as follows:-

- 1) Whether the proposal would be inappropriate development in green belt terms having regard to the Development Plan (which includes the East Herts Local Plan Second Review April 2007) and the NPPF;
- 2) Other harm – including the effect of the proposed development on openness, the character and appearance of the area (including the impact on the local green space as defined in the Neighbourhood Plan and impact on existing landscape features);
- 3) Highway and parking matters;
- 4) Drainage, ecological and archaeology issues;
- 5) The impact on neighbour amenity in terms of noise and floodlighting;
- 6) The positive benefits of the development proposals

Development in the Green Belt

- 10.2 The site is located within the Green Belt. The NPPF states that the essential characteristic of Green Belt is its openness and permanence. Inappropriate development in the Green Belt is, by definition, harmful and should not be approved except in very special circumstances. The NPPF requires that Local Planning Authorities attach substantial weight 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, is clearly outweighed by other considerations.
- 10.3 The NPPF sets out a range of development which is not inappropriate development in the Green Belt which includes the provision of appropriate facilities for outdoor sports - as long as these preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy GBC1 of the Local Plan is broadly consistent with the NPPF and therefore full weight can be attached to that policy.
- 10.4 The proposed pitches and training area would potentially be appropriate outdoor sports facility in accordance with policy GBC1(b) and paragraph 89 of the NPPF. However, the NPPF confirms that such facilities are not inappropriate on the provision that they preserve openness. The planning application includes two separate sports pitches each of which would be surrounded by fencing which would be 5 metres high (8 metres

high at the goal ends of the main hockey pitch) and there would be several floodlight columns (10metres high for the MUGA and 15 metres high for the main hockey pitch). The application also incorporates an enlarged parking area to the east of the site. The fencing and floodlights represent additional structures in the Green Belt and the proposals therefore fail to preserve openness. The proposals therefore are considered as inappropriate.

- 10.5 Whilst that is the case, the NPPF sets out that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt including looking for opportunities to provide access and opportunities for outdoor sport and recreation. It appears that, with the requirements for high quality sporting facilities for the future, there are going to be few occasions where this positive approach will be met if the positive weight that can be given to the provision of facilities is never held to outweigh the harm by way of inappropriateness and any other harm.
- 10.6 The NP policies set out that the provision of facilities will have regard to any Bishop's Stortford or neighbourhood sports strategy that is in place at the time and the balance between manageability, which favours centralised facilities, and locality, which favours distributed facilities. (Policy SP1). The NP does not add to the Green Belt policy context, but identifies the main proposed hockey pitch location as a local green space. The report returns to that issue below.
- 10.7 Given that the proposals are identified as inappropriate development in Green Belt terms, they are then by definition harmful. Substantial weight must be assigned to that harm.

Other harm

Impact on openness and Local Green Space

- 10.8 The NP sets out that the main pitch site is within the Ash Grove area which achieves the criteria in the NPPF (para 76 and 77) for designation as a Local Green Space. Policy GIP1 of the NP sets out that any proposals in these locations must respect them as green lungs which will principally be used for recreation and open space. It sets out, (part c) that, in relation to Ash Grove, where development is incompatible with the importance of the space as an attractive publically accessible informal recreational area it will not be allowed - unless there are very special circumstances where the benefit of the development clearly outweighs any harm. The Town Council and a number of representations refer to this policy and consider that the development would result in significant harm to the local green space.

- 10.9 The proposals (the main pitch located within the Ash Grove area) are clearly for formal sport rather than informal recreation. They are contrary to the NP policy and therefore a similar balancing exercise needs to be undertaken weighing the harm to the local green space against whether there are any 'very special circumstances' in NP terms. In relation to the local green space, harm is identified by virtue of the fact that the proposals would reduce the area which is available for informal recreation and would be likely to impact on character and appearance, changing the nature of it. This is addressed below.
- 10.10 It is considered important to note, at this point, that both green belt and NP policies do not automatically rule out the provision of formal recreational facilities in this location. Both require a balancing of all the relevant material considerations to be undertaken before a decision is reached.
- 10.11 With regard to openness, the details of enclosure to the pitches and floodlighting columns have been referred to above. These will have a further impact on the openness of the green belt. The structures are not solid or constitute buildings. There will be some further harm in this respect, in relation to green belt policies, but it is considered that lesser weight should be assigned to this.

Character and appearance

- 10.12 With regard to the proposed MUGA, this element is well related to the existing sports pitches to the west of the BSST site and there are no nearby PRow or viewpoints which this sports pitch will be directly viewed from. The sloping nature of this site is such that quite significant engineering operations to create a level sports pitch will be required. However, as acknowledged by the Landscape Officer, such works will not be out of keeping with the character of this area, where there are terraced or levelled areas for sports pitches and the parking area. Having regard to those considerations and the limited views of this development proposal, the proposed MUGA sports pitch is not considered to result in significant harm to the character or appearance of the area.
- 10.13 The proposed parking area in-between the existing tennis courts to the south west of the site will alter the character of this part of the site. There are currently grassed banks with trees which will be replaced with a car park for some 52 additional vehicles. This part of the site as existing does however form part of a complex of sports pitches and there is a large area of hard surfacing which serves a parking area to the west of the site. The proposed parking area sees the retention of some existing

trees along the frontage with Cricketfield Lane and further planting can be added to strengthen existing planting within the site. This part of the proposal is also considered not to result in significant harm to the character or appearance of the site or surroundings.

10.14 The more significant aspect of the development proposal is the main hockey pitch. The NP comments that the space between Cricketfield Lane and Dane O'Coys Road is well used for general recreation and by dog walkers and this is reflected in the representations received in objection to the development. The proposed sports pitch will be clearly viewed on immediate approach to the main BSST site from the south and north along the PRow. The routes of those PRow will not be obstructed by this development (in accordance with policy LRC9 of the Local Plan) and the way in which the sports pitch is cut into existing levels on the site will help to reduce its impact. Nonetheless, there will be a significant change to the views from the PRow which run very close to the eastern and northern boundary of the site.

10.15 Views of the main hockey pitch from Cricketfield Lane and the surrounding countryside to the north will be less significant, having regard to the distance between those viewpoints and existing levels and landscape features. The main impact of the main hockey pitch is therefore in views from the PRow which run to the east and north of the site and the way in which those rights of way are experienced by users of them.

10.16 The development requires the removal of a number of trees around the main hockey pitch location and the verdant edge to the northern part of the first eleven cricket pitch will be pushed back to beyond the proposed pitch. None of those trees are protected by Tree Preservation Order or Conservation Area designation. The proposed fencing is wire mesh and whilst not solid, will clearly result in a change to the character of this part of the BSST site. The development incorporate the provision of replacement planting which, over the passage of time, will go some way to off setting the visual impact of the development in viewpoints from the north and south.

10.17 As noted by the Landscape Officer, there is a clear boundary between the open formal recreation playing fields and the more informal sylvan character of the land to the north. The proposals for the main pitch will result in a change to the character of this part of the site which must be considered harmful when judged against the policies of the NP.

Ecology

- 10.18 The main hockey pitch which is located within a designated Wildlife Site and a number of representations have raised concern that the development will result in harm to that designated area. Herts Ecology comment however that the Wildlife Site has not been managed for a number of years and this has led to a degradation of the original grassland interest. This makes it difficult to sustain an objection to the development proposal. No further objection from that consultee or Natural England are raised with regard to the impact on any protected species.
- 10.19 The proposals contain provision for replacement wildlife habitat to be provided, on the margins of the main pitch and at other locations through the BSST site. Whilst these elements are to some degree fragmented, their implementation will result in enhanced wildlife provision. Whilst not related to this proposal with regard to this issue, there will also be a requirement for management proposals for the wider Ash Grove site and other areas to be provided as green space as part of the Bishop's Stortford North, to be submitted, agreed and implemented as part of that development. There are currently no other provisions available to the planning authority to enhance wildlife provision in this area.
- 10.20 Herts Ecology recommend that planning permission be granted subject to planning conditions to secure the replacement provision. Such planning conditions are necessary and reasonable and will provide compensatory provision across the site as a whole. Having regard to the advice received it is considered that there will be no adverse effect on the Wildlife Site or protected species in accordance with policies ENV14 and ENV16 of the Local Plan. This issue is treated as neutral in the balance to be undertaken.

Neighbour amenity

- 10.21 The siting of the proposed development is such that it will not result in material harm to living conditions of neighbouring properties with respect to any overbearing impact, loss of privacy, overlooking or overshadowing. The main considerations in relation to amenity relate to the noise impact associated with the development and the impact associated with floodlighting.
- 10.22 Concerns have been raised through the consultation process in regard to the impact of the proposed floodlighting. The floodlighting proposed is designed to concentrate the light to the playing areas with minimal light spillage beyond. Given the distance between the development proposals and the nearest dwellings (approximately 100metres as a minimum), the fact that the footpaths near to the development would be unlikely to be

used after nightfall when the floodlight would be largely in use, it is not considered that there would be a significant impact on the living conditions of local residents by virtue of the floodlighting.

10.23 With regard to the noise impact associated with the development, various representations have been received which raise concern with this matter. The Environmental Health Team initially objected to the application commenting that insufficient information in the form of a noise assessment had been submitted to enable an assessment of the noise impact. Subsequent to those comments a noise assessment has been submitted which the Environmental Health Team have commented on.

10.24 The Environmental Health Team recommend that planning conditions be attached with any grant of planning permission. The conditions recommended include a restriction on the hours of operation of the sports pitches, that the lighting strategy be implemented and, that a noise assessment be undertaken after the development has been implemented to assess the effectiveness of the noise mitigation measures proposed on the living conditions of neighbouring residential properties.

10.25 The main hockey pitch is located approximately 190 metres from properties in Cricketfield Lane and approximately 240 metres from properties to the north east along Dane O'Coys Road. The MUGA is located closer to residential properties in Cricketfield Lane (approximately 100 metres) and approximately 120 metres from properties to the west centred around Dane O'Coys Farmhouse. There are existing sports pitches in use at the site including the cricket pitches and the tennis courts. The cricket pitches are not subject to any planning conditions and can be used at any time for the playing of sport (albeit this will likely be limited to daylight hours as there is no floodlighting). The tennis courts, which are located in between the proposed MUGA and residential properties along Cricketfield Lane have floodlighting but their use is restricted between 8am and 10pm (similar to the hours of operation as is proposed in this application (9am-10pm)).

10.26 The previous proposal for a hockey pitch referred to in the history above, which was dismissed at appeal (LPA reference 3/09/0002/FP), was located approximately 60 metres from properties in Barrells Down Road. In that case, the Planning Inspector raised no objection in terms of the noise impact on the living conditions of neighbouring properties.

10.27 The noise assessment submitted concludes that the development proposal is acceptable in environmental noise terms and that noise emission can be adequately controlled at nearby residential properties.

This is a conclusion which the Environmental Health Team do not dispute but they do recommend the inclusion of a planning condition requiring that a noise assessment be carried out after the development has been completed and is being operated.

10.28 In light of the planning history relating to the wider site, the distance and relationship between the development proposals and neighbouring properties and the previous appeal decision, Officers consider that the proposed development will not result in material harm to the living conditions of neighbouring properties with regard to noise impact. Again, this issue is considered to weigh neutrally in the balance to be undertaken.

10.29 The planning condition recommended by Environmental Health, requiring further noise assessment once the development is implemented, is not considered to be reasonable or necessary. However, it is reasonable to require that the mitigation measures as set out in the noise assessment are implemented and that a restriction on the hours of use of the sports pitches is also attached.

Flood risk – drainage

10.30 The site is not located within an area of high flood risk and the development proposal incorporates the provision of water storage within the proposed sports pitches (by virtue of the materials of the surfaces from which they are to be constructed) which will be discharged into existing watercourses at a greenfield run-off rate.

10.31 The proposed car park also includes a permeable surface. The Council's Engineers consider that the drainage strategy as proposed is acceptable and will not result in harm in terms of flood risk. The development is therefore considered to be acceptable in terms of surface water drainage in accordance with policy ENV21 of the Local Plan and the NPPF. This is a neutral factor in the balance.

Parking and highways

10.32 Within the previously refused scheme referred to in the history, the Planning Inspector noted that there is a considerable degree of kerbside parking along the surrounding roads and that the existing car park to the sports grounds is relatively small. However, in that case, the Planning Inspector did not raise objection to the development or consider there to be conflict with Local Plan policy TR7 which relates to parking standards.

- 10.33 The existing sports ground has two cricket pitches; one junior cricket pitch (although this is not of a standard which cricket can be played); a football pitch; 16 tennis courts and 2 squash courts. Having regard to policy TR7 there is a requirement then for around 200 parking spaces. The application form confirms that, as existing there are 57 parking spaces and there is therefore currently significant under-provision.
- 10.34 The application proposes the provision of 52 addition parking spaces on land to the west of the site. This will create the provision of 109 parking spaces in total to serve the existing sports facilities together with the proposed facilities.
- 10.35 The proposed sports pitches require, as a maximum in their own right, 45 parking spaces, having regard to policy TR7 of the Local Plan. So, whilst this requirement is met, the existing under provision position remains.
- 10.36 Provision for sporting facilities such as this are always likely to be located in a peripheral site in relation to the town. There are certainly no central sites that are likely to become available. Given the proposals for the development of Bishop's Stortford North, this site can be considered to become contained to some degree within the town and is certainly well located in relation to future demand which may be generated. The site can be accessed by a range of sustainable modes of transport including walking and cycling. Public transport travel to uses such as this is always going to be limited. However, there is the potential for shared vehicle journeys given the often specific timing of the use (for match and training fixtures etc).
- 10.37 Overall, it is considered that, because the proposals identify provision to meet the parking demand generated by them specifically, it cannot be considered that they will materially exacerbate any existing parking pressure problems. No other highway impact matters have been identified. Given that the parking may ease some of the existing pressure, some moderate positive weight is assigned to this matter in the balance.

Archaeology

- 10.38 The comments from the County Archaeologist are noted. Having regard to that advice received and, taking into account the requirements of policies BH1, BH2 and BH3 of the Local Plan and section 12 of the NPPF it is considered to be necessary and reasonable to attach planning conditions relating to this matter and, given that any development carried out prior to an agreed archaeological investigation

of the site may result in irrevocable harm to any archaeological remains on the site, such a condition is required to be pre-commencement. This matter is neutral in the balance.

Need for new and additional sports facilities

- 10.39 The NP sets out that there is currently provision for some 106.07ha of outdoor sports provision (which includes pitches, courts and greens based on 2009 East Herts Supplementary Planning Document). This provides a provision of 3ha per 1000 people. The target is 3.79ha per 1000. There is therefore under-provision. The NP also sets out that it is important to maintain high standards of sporting provision through expansion and improvement of facilities to meet the demands of the town. There is an identified need in the NP for shared all-weather 5 a side football pitches and hockey pitches and all weather tennis courts. The NP acknowledges that there is a need for new and additional facilities in principle.
- 10.40 The town will expand through the development of Bishop's Stortford North and other housing developments that will come forward. The Council have endorsed a Sports Investment Strategy which provides a proactive approach for providing sporting provision to address future sporting need associated with both existing needs and the expansion of the town. The Strategy identifies the need for sports provision and clearly identifies that existing provision in terms of hockey cannot be used any more intensively. The lack of a clubhouse with the hockey club is identified as being detrimental to its operation. The work on the strategy by the Council has been in a clear effort to seek to ensure that some elements of sporting infrastructure to meet the demand of new (and existing residents) is in place at an early stage.
- 10.41 Sport England set out the circumstances in sport provision terms which have resulted in this application. The hockey club use the existing all-weather pitches at Hockerill Club which are being used 'at capacity'. The provision of pitches at Cricketfield Lane will provide additional capacity required to expand and develop the club. The club is said to be one of the key clubs in the region with very strong community links and a growing and thriving membership and this is evidenced in the many representations in support of the application which set out the way in which the club encourages youth development, sport and healthy lifestyles.
- 10.42 The applicant sets out and is reiterated in the comments from Sport England that, the relocation of hockey pitches at Cricketfield Lane will result in a greater level of use of the sporting and other facilities at the

site. If the pitches are not located at the Cricketfield Lane site there is a risk that this will impact on the financial viability of the Trust. The hockey club are fragmented with the playing of sports matches, training and other related events and social events taking place in different locations, which results in a negative impact on sport development and which is described as detrimental to the hockey club operation in the Sports Investment Strategy.

10.43 The applicant has confirmed their commitment to provide shared access to the new facilities for existing local schools including Northgate Primary School and Herts and Essex Girls School. The applicant is also committed to allow access to the new schools associated with Bishop's Stortford North to which this site is well positioned. The applicant has also set out a commitment to provide sporting facilities for disabled people and children, this development making the necessary provision and addressing the identified need in the NP. The potential use of the development by existing local schools and future schools which are coming forward through the Bishop's Stortford North development would introduce very significant numbers of pupils to hockey and other associated sports the MUGA can be used for.

10.44 It is clear then that the proposals would enable significant benefits in terms of the availability of sports provision of good quality, availability of provision to a range of users in the community and more cohesive and viable provision for the particular sports club and the BSST generally. This must be afforded some substantial positive weight in the balance to be undertaken.

10.45 In terms of alternative possible provision, Bishop's Stortford is surrounded by Green Belt and there are various green fingers of land designated in between the built up areas where land is also designated as Green Belt. Land availability for sporting provision, within the built up area of the town is extremely limited. It is almost inevitable therefore that, regardless of any alternative locations, there are likely to be a range of equally harmful impacts. This consideration is not comparing potential alternative sites of course, and the consideration is restricted to weighing the benefits and harm in this case.

11.0 Planning Balance and Conclusion

11.1. The development represents an inappropriate form of development in the Green Belt and, by definition is therefore harmful. Substantial weight is to be assigned to that harm. Other harm is associated with the main hockey pitch with regard to the conflict with NP policy GIP1 c). There will

also be a harmful impact on openness and the character and appearance of the site. Other matters were considered to be affected neutrally.

- 11.2. The judgement to be made then is whether the benefits of the development proposed clearly outweigh the harm, in green belt terms and in relation to national and Local Plan policies and whether the harm to the local green space is outweighed, with regard to the NP policy.
- 11.3. The need for the enhanced provision is set out in the Councils Sports Investment Strategy, by Sport England and by the applicant. The greater cohesion and viability that the provision would achieve is also set out. The location is judged well in relation to potential future additional demand. It is considered that substantial weight should be assigned to the need and demand for facilities both now and in the future. Additionally above, modest additional positive weight can be assigned as a result of the increased parking provision.
- 11.4. Weighing these issues it is your Officers conclusion that the benefits do amount to such that they clearly outweigh the acknowledged harm. It is concluded that, both in green belt terms, and in relation to the issues addressed in the NP in relation to local green spaces, there are very special circumstances demonstrated by the balance of issues in this case.
- 11.5. It is recommended that planning permission can be granted in this case.

Conditions

1. Three year time limit (1T121)
2. Approved plans (2E103)
3. Programme of archaeological work (2E02)
4. Prior to the first use of the development, details of a scheme to make the sports pitches hereby approved available for community use including local schools, shall be submitted to and approved in writing by the Local Planning Authority, and the facilities shall thereafter be made available in accordance with the approved scheme.

Reason

To ensure that dual use is made of educational facilities in accordance with policy LRC2 of the East Herts Local Plan Second Review April 2007 and policy SP2 of the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Ward (2014-2031).

5. The development hereby approved including operation of the floodlighting shall only be used between the hours of 09:00AM and 22:00PM Monday – Friday and 09:00AM and 20:00PM Saturday, Sunday and Bank Holidays and at no other time outside of those hours.

Reason

In the interests of living conditions of residential properties.

6. Tree/hedge retention and protection (4P05)

7. Replacement tree planting and soft landscaping shall be carried out in accordance with plan reference JKK8593 _Figure 03.01 Rev C and the Tree Survey and Arboricultural Implications Assessment dated 14 August 2015. Any such trees or plants that, within a period of five years after planting are removed, die or, in the opinion of the Local Planning Authority, are seriously damaged or defective, shall be replaced as soon as is reasonably practicable with other species, size and number as originally approved unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and section 7 of the National Planning Policy Framework.

8. Prior to the commencement of any above ground building work, landscape design proposals for the area around the approved parking area and multi-use games area, including replacement and additional planting along the southern boundary of the application site with Cricketfield Lane shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a) finished levels or contours; b) planting plans; c) Written specifications; d) schedules of plants noting species, planting sizes and proposed numbers and densities and; e) implementation timetables. Any such trees or plants that, within a period of five years after planting are removed, die or, in the opinion of the Local Planning Authority, are seriously damaged or defective, shall be replaced as soon as is reasonably practicable with other species, size and number as originally approved unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and section 7 of the National Planning Policy Framework.

9. Prior to the construction of the proposed construction and emergency track as shown on drawing reference JKK8593 _Figure 03.01 Rev C, details of the foundations, structure and material of that surface shall be submitted to and approved in writing by the Local Planning Authority. The Development shall therefore be carried out in accordance with the approved details.

Reason

To avoid damage to the health of existing trees and landscape features which are proposed to be retained in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

10. The development shall be carried out in accordance with the Grassland Mitigation Strategy dated 06 March 2016. Prior to first use of the development, additional information including plans, shall be submitted to demonstrate which areas of grassland will be cut, where and when and a long term management plan for those areas shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan and additional information relating to the cutting and management of the grassland shall thereafter be carried out in accordance with the approved details.

Reason

To ensure appropriate mitigation to offset the impact of the development on the Local Wildlife Site and in accordance with policy ENV14 of the East Herts Local Plan Second Review April 2007 and section 11 of the National Planning Policy Framework.

11. The floodlighting shall be installed in accordance with the Surfacing Standards Limited Lighting Impact Statement dated August 2015, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of living conditions of residential properties and the character of the surroundings.

12. Before first use of the development hereby approved the mitigation measures as set out in the Environmental Noise Report dated March 2016 shall be fully implemented and permanently retained.

Reason

In the interests of living conditions of residential properties.

13. The surface water strategy shall be implemented in accordance with the Flood Risk Assessment (dated 24 January 2016) unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of flood risk in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

14. The hard surface material for the car park shall be implemented in accordance with the Aggregate Industries document 'Drainasphal' unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of flood risk in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

15. Prior to the commencement of any development, details of the removal of any resultant spoil associated with the changes in levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

In the interests of the appearance of the site and surroundings in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007. This condition is required to be pre-commencement owing to the likely significant amount of spoil removal.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007 and the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Ward 2014-2031); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies and the relevant material considerations in this case is that permission should be granted.

KEY DATA**Non-residential Vehicle Parking Provision**

Appendix II of the East Herts Local Plan Second Review April 2007 sets out that the following requirements for sports provision:-

Description of sporting provision	Maximum parking standard	Existing provision	Maximum parking provision	As proposed	Maximum parking provision
Tennis court	4 spaces per court	16 courts	64	-	-
Squash court	3 spaces per court	2 courts	6	-	-
Outdoor sports pitch (football)	20 spaces per pitch	1 pitch	20	-	-
Outdoor sport pitch (non football)	50 spaces per Ha	Approximate area of existing cricket pitches = 3.62Ha	181	0.9Ha (6185m2 (main hockey pitch + 3136m2 (MUGA) = 9,321m2)	45
		Total	271	Total	45

The draft Vehicle Parking Standards adopt a similar approach for parking provision as set out above – the only difference being a requirement for 4 spaces for a squash court.