

DEVELOPMENT MANAGEMENT COMMITTEE – 2 FEBRUARY 2022

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| Application Number | 3/21/2353/FUL |
| Proposal | Construction of an artificial turf pitch (use class F2c), associated footpaths, fences, a storage container, flood lighting and creation of a localised bund. |
| Location | Grange Paddocks Pool And Gym Rye Street Bishops Stortford Hertfordshire CM23 2HD |
| Applicant | East Herts Council |
| Parish | Bishop's Stortford Town Council |
| Ward | Bishop's Stortford Meads |

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| Date of Registration of Application | 27/09/2021 |
| Target Determination Date | 27/12/2021 |
| Reason for Committee Report | Application submitted by East Herts Council |
| Case Officer | Jill Shingler |

RECOMMENDATION

That planning permission is **GRANTED** subject to the conditions set out at the end of this report. That delegated authority is granted to the Head of Planning and Building Control to finalise the detail of the conditions as set out.

1.0 Summary of Proposal and Main Issues

- 1.1 The proposal seeks permission for the construction of a full size artificial pitch together with associated floodlighting, fencing, bunding and ancillary storage.
- 1.2 The proposal is to site the pitch partially on the site of the original Grange Paddocks Leisure Centre (which is in the

process of being demolished) and on existing grass playing fields.

- 1.3 The pitch is to be a 3G pitch, or Third Generation artificial pitch, consisting of 3 elements; synthetic turf, sand infill and a further crumb infill to create a natural feeling playing surface. Initially the application proposed that the additional crumb infill was to be of rubber, which is the standard infill for this type of pitch, however following concerns with regard to potential pollution issues, related to microplastics, the proposal has been amended such that the crumb infill is to be an organic material.
- 1.4 The surrounding fencing is proposed to be 4.5metres high and of green galvanised mesh; the proposed 4 floodlighting columns are 15m in height. It is proposed to site a green shipping container within the outer fencing to provide storage for the maintenance equipment.
- 1.5 Within the application site, 2, two metre high grassed bunds are proposed which will provide a vantage point for spectators to view activity on the pitch.
- 1.6 The submission includes details of proposed sustainable drainage.
- 1.7 No changes are proposed to the existing vehicular access and parking arrangements.
- 1.8 The main issues for Members consideration are:
 - The principle of the development in the Green Belt
 - Leisure provision and impact on playing fields
 - Impact on landscape and visual amenity
 - Impact on residential amenity
 - Impact on the natural environment

- Climate Change
- Flood risk and sustainable drainage
- Impact on Heritage Assets

2.0 Site Description

- 2.1 The red lined application site encompasses 1.15 hectares of Council owned land within the Green Belt to the north of Castle Park Bishop's Stortford. The site includes the site of the 1960's leisure centre which is in the process of being demolished following the completion of the new Leisure Centre to the south.
- 2.2 To the immediate west of the site is the main leisure centre car park and to the north and east are grass playing fields. The River Stort runs to the west of the car park and the nearest residential properties are to the west of the river in Reynard Copse.
- 2.3 The site forms part of the Town Meads and is designated in the Neighbourhood Plan as a "Green Lung" area. To the north is more open space, leading out into open countryside. To the south lies the Bishops Stortford Town Centre Conservation Area within which lies Waytemore Castle which is a Scheduled Ancient Monument. The site is within an area that is identified as being of Archaeological Significance.
- 2.4 The site is predominantly within flood zone one, a small part of the proposed pitch is in flood zone two and most easterly part of the red lined area is within flood zone 3.
- 2.5 A small children's play area lies within the red lined site and is proposed to be retained.

3.0 **Planning History**

3.1 The following planning history is of relevance to this proposal:

| Application Number | Proposal | Decision | Date |
|---------------------------|--|-------------------------|-------------|
| 3/19/1642/FUL | Demolition of existing Leisure Centre and the development of a replacement leisure centre with associated cycle parking facilities, landscaping, footpaths, children's play area, flood attenuation and amendments to playing pitches. | Granted with conditions | |

4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework 2021 (NPPF), the statutory development plan comprised of the East Herts District Plan 2018, the Hertfordshire County Council Waste Core Strategy and the Bishop's Stortford (Silverleys and Meads) Neighbourhood Plan 2016 (the NP).

4.2 Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

- 4.3 Relevant District and Neighbourhood Plan policies are noted below, along with a reference to the material consideration of the NPPF guidance relevant to this application:

| Main Issue | NPPF Chapters | District Plan | NP policy |
|--|-----------------------------|--------------------------------|---------------------|
| Principle of development | Section 2, ,4, 7, 8, 12, 16 | GBR1, CFLR1, CFLR9 | SP1, SP2, SP3, GIP2 |
| Impact on character and appearance of the area | Section 11, 12, 16 | DES4 HA1 HA2 HA4 | |
| Impact on neighbour amenity | Section 8, 12 | DES4, EQ2, EQ3 | HDP2, HDP3 |
| Impact on natural Environment | Section 15 | DES2, NE1, NE2, NE3, NE4, WAT3 | GIP4 |
| Climate Change | | CC2 | |
| Flood Risk | Section 14 | WAT1, WAT5, | GIP7 |
| Heritage Assets | Section 16 | HA1, HA2, HA3, HA4 | HDP9 |

Other relevant issues are referred to in the 'Consideration of Issues' below.

5.0 Consultee Responses

- 5.1 Bishop's Stortford Town Council: The Committee strongly object to this application due to lack of information from Environmental Health (which has been redacted and is incomplete).The objections include light pollution, noise pollution, intrusive to residents properties (due to hours of

operation) and the effect on nocturnal animals. The environmental impact of the loss of a permeable surface and likely contamination of watercourse, soil contamination from the artificial pitch microbeads not being encapsulated within the bund area.

- 5.2 Sports England: raise no objection to the application as a statutory consultee, which is considered to meet exception 5 of the adopted Playing Fields Policy and para 99 of the NPPF, subject to conditions relating to Artificial Grass Pitch Certification and provision of a Temporary Playing Field Mitigation Programme.
- 5.3 EHDC – Landscape Officer: Raises objection and requests amendment. Considers there to be no unacceptable impact on trees and the proposed location to be acceptable in principle, but is concerned about the proximity of the development to the position of the existing play area and that the pitch is not aligned to fit well with the existing geometry and character of the surroundings. Suggests the removal of the play area and the slight realignment of the pitch.
- 5.4 EHDC – Conservation and Design : The proposals will have a neutral impact on the setting of the Bishop’s Stortford Conservation Area and there are no in principle objections to the proposals. However they note that the Landscape Officer has raised issues with detailed design, and amendments are encouraged to address these concerns.
- 5.5 EHDC – Environmental Health (Air/Land): Has no comment.
- 5.6 EHDC -Environmental Health (Noise/Light): Raises no objections subject to conditions.
- 5.7 HCC - Ecology: Raises no objection subject to conditions

5.8 The Environment Agency Initially raised concern regarding potential impact on water voles, but have now confirmed no objection subject to conditions regarding lighting levels and ecological enhancements.

5.9 Ward Councillors

5.9.1 Councillor Mione Goldspink – Raises Objection: Objects to the use of artificial rubber granules (microplastics) and the plastic pitch itself. Microplastics will be gradually kicked off the pitch and be washed into the river where they will cause serious pollution and damage to the environment and wildlife. Also considers that it is most unwise to be covering up more grass in the flood plain as this reduces the ability of the ground to absorb more water when there is heavy rain, and this will increase the risk of flooding further downstream. For the sake of the environment generally, we should be reducing our use of plastic, which ultimately comes from fossil fuels. Please do not grant this planning application.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Summary of Other Representations

6.1 The application has been advertised by letter consultation to 59 properties and by press and site notices. A total of 13 responses have been received; objecting to the application on the following grounds:

- Concern over loss of natural grassed area.
- Concern over use of SBR as an infill as this could cause harm to environment and water, no way to prevent crumb from being washed or dragged off the site and entering the water system. Microplastics are a known problem.

- Concern over noise pollution.
- Floodlights will cause excessive light pollution.
- Potential to increase anti social behaviour.
- Harm to residential amenity of residents of nearest properties in Reynard Copse.
- The area is liable to flood therefore not a logical location, would be better near the railway line.
- The lighting will adversely impact on wildlife habitats.
- The proposed bund may prevent flooding of the fields and increase risk of flooding downstream.
- It would be better located close to the railway line, where it will have less impact on residents.

7.0 Consideration of Issues

Principle of Development

- 7.1 Policy CFLR1 of the District Plan states that proposals for new indoor and outdoor sport and recreation facilities which meet identified needs will be encouraged in suitable locations.
- 7.2 Despite being within very close proximity to the Town Centre, the site lies within the Metropolitan Green Belt wherein most forms of development are inappropriate. The NPPF states that;

137. 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.

138. Green Belt serves five purposes:

- 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.*

7.3 Para 149 of the NPPF sets out that the construction of new buildings within the green belt should be regarded as inappropriate, but that exceptions to this include: “b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.

7.4 In addition, at Para 150 the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes; b) engineering operations.

7.5 Although the proposed development is clearly for outdoor recreation, it is considered that it would fail to preserve the openness of the green belt due to the high fencing, storage container, lighting columns and bunding and is therefore inappropriate development in the Green Belt, by definition

harmful.

- 7.6 Permission should not therefore be granted unless there are very special circumstances sufficient to outweigh the harm to openness and any other harm. This will be explored in the course of the report.

Playing Field Provision

- 7.7 National and Local policies identify the need to promote health and wellbeing and it is recognised that sports and leisure facilities are an important element in achieving a fit and healthy population. CFLR1 in particular supports proposals for outdoor sport where they meet identified need and CFLR9 promotes health benefits, in particular through healthy exercise. The population of Bishops Stortford and the surrounding area is expected to grow significantly over the next 30 years.
- 7.8 The 2017 East Hertfordshire Playing Pitch Strategy and the Football Foundation's East Hertfordshire Local Facilities Plan 2020, have identified a major shortfall of Full Size 3G pitch provision in the District for meeting the current and future football training and match needs. The Football Facilities Plan identifies that there is a need for 6 additional 3G Artificial Grass Pitches (AGP) in the District even if this current proposal is implemented. Both documents identify that the Bishop's Stortford sub area is a priority for addressing this need due to demand outstripping supply.
- 7.9 The proposal offers the potential to meet the match and training needs of a range of local football clubs and community groups.
- 7.10 The proposed pitch enables much more intensive and prolonged usage, compared to the existing grass pitches at

Grange Paddocks.

- 7.11 Sport England is a statutory consultee with regard to the proposals as they impact on the existing grass playing fields. They conclude that the potential sports development benefits that the proposed AGP would bring would outweigh the detriment caused by the impact on the existing playing fields. A pitch mitigation strategy has been provided to ensure that adequate pitch provision is available while the 3G pitch is being constructed and a condition is required to ensure that this is followed.
- 7.12 The Green Belt is drawn tightly around the built up area of Bishop's Stortford and it is not considered that there is any suitable available non green belt site in the locality on which the pitch could be located.
- 7.13 It is considered therefore that the identified need for the facility, together with the clear benefits of the location with regard to accessibility by the target population and the lack of alternative suitable non Green Belt sites, weighs significantly in favour of the development.

Impact on Landscape and Visual Amenity

- 7.14 It is accepted that the introduction of a floodlit pitch and associated storage etc here will have an impact on the visual amenity of the area.
- 7.15 The existing playing field area is by definition largely open and free from development and the introduction of high metal fencing and floodlights will inevitably impact on the character of this part of the park, although it is not unusual for leisure uses or playing fields to have some enclosures or ancillary structures.

- 7.16 The siting of the pitch in this specific location within the wider park has however been the subject of significant discussion. Early proposals were to site it to the south of the new leisure centre in an area of scrubland close to the River but following advice from The Planning Service this was discounted due to the proximity to the river, the loss of habitat and trees and adverse impact on the Conservation Area. Locations further east adjacent to the railway line were rejected by the applicant due to the distance from the changing rooms, impact on more of the existing playing pitches and the lack of overlooking of the site from the leisure centre, which would potentially result in safety and security issues.
- 7.17 The current proposed site was considered most appropriate as it restricts the intrusion into previously undeveloped land, as it is partially on the site of the original leisure centre, and is adjacent to the car parks which are already lit at night. In addition there is easy access to the changing rooms at the new leisure centre and there are windows in the leisure centre that allow views of the pitch.
- 7.18 In terms of impact on the landscape, the Landscape Officer has raised no objection to the principle of the location here but is concerned regarding proximity to the existing play area, between the proposed pitch and the car park (which he considers will make the site appear cramped), and also that the pitch is not aligned with the orientation of the adjacent grass pitches.
- 7.19 The suggestion was that the pitch should be realigned and the play area removed.
- 7.20 This suggestion was considered but to be realigned as suggested the playing area of the pitch would move partially into Flood Zone 3 and this has implications for the use and maintenance of the pitch. In addition the adjacent children's

play area is relatively new, and although a further play area is being developed as part of the new leisure centre development it would be inappropriate to require the removal of this facility unless there is clear justification to do so.

- 7.21 The play area is clearly defined by a low metal fence and the proposed layout leaves adequate space between the area and proposed hedge around this section of the pitch enclosure. It is not considered that the relationship between the areas would be so visually incongruous as to warrant removal of the existing play area. It is not unusual to find play facilities close to enclosed sports areas within parkland.
- 7.22 The use of powder coated green mesh fencing is considered appropriate and the location of the storage unit within the fenced area reduces its visual impact, in addition the proposed hedging and bunding will help soften the impact of the development.
- 7.23 The proposed two metre high grassed bunds have been designed to allow spectators to have an informal vantage point to view activity within the pitch area and as such are to be gently sloping with a flat area at the top. It is considered that although these will not be naturalistic in design, they will provide a useful function and add interest to this part of the site.
- 7.24 The proposals include the removal of a small group of young trees; 6 of these trees were agreed to be removed as part of the previous leisure centre approval, the 7th is a tree of low amenity value and the Landscape Officer raises no objection to this.

Impact on Residential Amenity

- 7.25 The proposed development is sufficient distance from any residential properties to not have any direct physical impact in terms of overshadowing, loss of light or overlooking. The main potential impacts on neighbours relate to noise and disturbance from the use of the pitch and light intrusion.
- 7.26 Policy EQ3 in the District Plan requires all external lighting schemes to ensure they do not have an unacceptable adverse impact on neighbouring uses or the wider landscape.
- 7.27 Relevant policies of the plans include (District Plan): DES4, (and NP): HDP2 and HDP3. These seek to ensure that new development avoids having a significantly detrimental impact on the amenity of existing and future residential occupiers.
- 7.28 The site is already in use as playing pitches and a public park and there are existing play areas and a car park adjacent, therefore noise in terms of intermittent shouting etc. during play is not considered likely to be worse than existing, although there is potential for the facility to be utilised later at night, particularly in the winter months.
- 7.29 A noise impact assessment was submitted with the application and has been considered by the Council's Environmental Health Officer, who is satisfied that in terms of noise the proposals are acceptable, subject to the imposition of conditions including a noise management plan; the use of neoprene (or similar) isolators on the fencing to reduce the noise from balls impacting on the fence and restrictions on the hours of use of the facility to 08:00 to 22:00 Monday to Friday and to 09.00 to 20.00 on Saturdays, Sundays and Bank holidays.
- 7.30 With regard to the proposed floodlighting, full technical details have been submitted and the Environmental Health Officer is satisfied that the lighting will not cause a statutory nuisance to

any residential properties as the proposals comply with the Institution of Lighting Professionals Guidance Note 01/20 "Guidance Note for the reduction of Obtrusive Light."

- 7.31 Based on this assessment it is considered that the proposals comply with the requirements of policies EQ2 and EQ3 of the District Plan and HDP2 and 3 of the Neighbourhood Plan, with regard to noise and light pollution impact on neighbours.

Impact on the Natural Environment

- 7.32 District Plan policies require that developments result in a net increase in the ecological value of a site.
- 7.33 The site is predominantly managed grass playing pitches and the remains of the original leisure centre building and as such it is of little current ecological value.
- 7.34 The trees to be removed are used by nesting birds and therefore care needs to be taken with regard to the timing of their removal and this can be secured by condition.
- 7.35 A preliminary Ecological Assessment was submitted with the application which concludes that there will be negligible impact on designated and non-designated nature conservation sites and no impact on habitats of wildlife significance or specific scarcity. No bats were found to be roosting within the application site. The report however suggested that a further study was required with regard to the potential impact of the floodlights on bats.
- 7.36 This survey has been carried out, and confirms that there is a great deal of bat activity within the vicinity of the pitch with bats foraging and using the existing hedgerows and tree lines within the park and adjacent to the railway line and river. However the species of bat that were found to be overflying

the pitch were not light averse species and would not therefore be adversely impacted by the proposed floodlighting.

- 7.37 Outside of the pitch area, within the vicinity of the treelines and in particular around an adjacent ancient oak some light averse species of bat were found to be foraging, including the rare Barbastelle bat. As such it is considered vital to ensure that light spillage from the floodlighting is minimised and in particular that it does not impact on the veteran oak.
- 7.38 The submitted lighting report indicates that the proposed lighting scheme will be extremely well focussed and that there will not be light spillage beyond the pitch area itself and as such it is considered that there will be no harm to the bats in the locality. Both Herts Ecology and the Environment Agency are satisfied that the proposals will not adversely impact on bats subject to a lighting condition.
- 7.39 The Environment Agency originally raised concerns that the drainage scheme might result in changes in water levels and the construction of an outflow structure in a drainage ditch which was suitable for water voles to be present. Further investigatory work has shown that the ditch is not suitable for water voles and the EA has withdrawn their concern.
- 7.40 The proposals do not include any specific details with regard to achieving a net gain in biodiversity, but an area of hedging is proposed which would help improve biodiversity within the red lined site area. It is considered however that there are opportunities within the wider park area to make further enhancements through the introduction of additional bat and bird boxes and additional planting and management of the existing hedgerows that provide foraging routes for bats and other species. In addition the Environment Agency has advised that gains could be made by improving the vegetation of the

drainage ditch to the west of the pitch. As these areas are within the same ownership it is considered that such biodiversity enhancements can be required by condition.

- 7.41 Hertfordshire Ecology has confirmed that they have no objection to the proposals subject to conditions, and these have been included.

Microplastics

- 7.42 Concern was raised by the Parish Council and by residents that the scheme as put forward proposed the use of a rubber crumb as well as sand within the artificial grass surface. This infill material is incorporated to achieve a more natural feeling playing surface and has been used for 3G pitches for many years.
- 7.43 The concern raised is that this crumb is difficult to contain within the confines of the pitch as it can be washed out if the site floods and carried or dragged out in the boots of players, and from there can contaminate the surrounding area or enter watercourses causing damage to the environment.
- 7.44 The applicant considered these concerns and amended the proposals to remove the use of the rubberised crumb and to instead utilise an organic alternative crumb. It is understood that waste streams from food production, such as coconut husks, olive pits and walnut shells can be used to create a suitable, more sustainable and less environmentally harmful crumb, or alternatively wood or cork products can be sourced. As yet the final choice of organic material has not been made, but a condition is proposed to require the details to be submitted and agreed prior to installation and for any future infill required in the lifetime of the pitch to also be of organic material.

- 7.45 It is considered that given the proximity of the river to the site and the propensity of the adjacent area to flood, the use of an appropriate natural material is a more environmentally sound option and the change is welcomed.

Climate Change

- 7.46 The District Plan seeks to ensure that new development is adaptable to climate change and can demonstrate how carbon dioxide emissions will be minimised across the development site. In this instance, no new buildings are proposed so there can be no assessment in relation to current building regulations standards.
- 7.47 However sustainability and energy consumption matters can be considered and it is considered that the location of the pitch close to the town centre and with good public transport, walking and cycling links is likely to minimise levels car usage.
- 7.48 With regard to the proposed floodlighting the submission argues that the chosen system is highly directed and utilises flexible LED lights that can be easily controlled to minimise electricity usage.

Flood Risk

- 7.49 A Flood Risk Assessment was submitted in support of the application. It advises that the site falls predominantly within flood zones 1 and 2 and none of the new pitch area will be within flood zone 3.
- 7.50 Surface water discharge rates from the site will be restricted to the existing greenfield runoff rates and attenuated up to the 1 in 100 year + 40% climate change level utilising the existing surface water drainage network serving the Grange Paddocks site, via a newly installed pitch drainage network

which will incorporate a hydrobrake chamber to restrict outflow.

- 7.51 The pitch therefore is not directly at risk of flooding nor will it increase the risk of flooding elsewhere. As such the application is compatible with Policy WAT1 and paragraph 167 of the NPPF.

Impact on Heritage Assets

- 7.52 The site lies approximately 200 metres north of Bishop's Stortford Conservation Area and over half a kilometre from the Scheduled Ancient Monument of Waytemore Castle. There are no listed buildings adjacent to the site. It is considered that given the distance the development will have a neutral impact on the setting of the Conservation Area and the Castle.
- 7.53 The site is within an identified area of Archaeological Significance and Policy HA3 of the District Plan requires that where development is permitted on sites containing archaeological remains, suitable excavation and recording and storage and display of material is required.
- 7.54 An archaeological Assessment has been submitted with the application which states that a programme of archaeological evaluation was undertaken earlier this year in accordance with a scheme of investigation agreed with the County Archaeology Section; in which 6 trenches were excavated across the proposed pitch footprint. This revealed a continuation of a Roman Settlement previously identified at this location and most recently investigated by excavations previously carried out to the south of the evaluation area in 2019.
- 7.55 This indicates that there are important archaeological remains, including burials, at a relatively shallow level and a condition is required to ensure that the significant remains

beneath the proposed pitch site will be excavated and removed prior to the construction of the pitch and appropriately recorded stored and publicised.

- 7.56 Overall is considered that the proposal will have neutral impact on Heritage assets and therefore accords with policies HA1, HA2, HA3 and HA4 of the District Plan and the NPPF.

8.0 Response to representations received:

- 8.1 The majority of issues raised in objection have been addressed within the body of the report. With regard to the remaining comments the following applies:

- 8.2 Potential increase in anti -social behaviour- Whilst the proposed development will result in usage of the playing field later into the evening than is currently possible, in the winter months, it is not considered that this in itself will result in an increase in anti -social behaviour. The pitch is located close to a relatively busy part of the park adjacent to the already lit car park, the proposed mesh fencing will not obscure views and the area is easily viewable from the adjacent leisure centre.

9.0 Planning Balance and Conclusion

- 9.1 The site is within the Green Belt and some aspects of the proposal will have an adverse impact on openness, therefore there need to be very special circumstances sufficient to outweigh this harm and any other harm, for the proposal to be policy compliant.
- 9.2 It is considered that the clear identified need for additional 3G pitches to provide for the growing local population, together with the very sustainable/accessible location, the already established use of the site for playing fields and the lack of alternative suitable non Green Belt locations, in combination,

amount to very special circumstances sufficient to outweigh the relatively limited harm to the Green Belt and to the purposes of including land within the Green Belt that will result from the development.

- 9.3 There is some additional visual harm to the character of this part of the park from the intrusion of high fencing, and floodlighting, but it is considered that this location within the park is the most appropriate and that the adverse impact is localised. Again the need for the facility and the benefits it will bring in terms of increased accessibility to sport and recreation throughout the year is considered sufficient to outweigh this localised impact. As such the development is considered to accord with Green Belt policy.
- 9.4 The proposals raise the opportunity to improve biodiversity within the park and the proposed drainage scheme will reduce the risk of flooding both on and off the site as runoff will be better attenuated.
- 9.5 It is considered that the proposals, subject to conditions will not result in harm to neighbouring amenity from excessive noise or from light pollution, and there will be no adverse impact on any heritage assets, either designated or undesignated.
- 9.6 Accordingly is considered that the proposals accord with relevant policies of the District and Neighbourhood Plans and that the planning balance falls in favour of the development. It is therefore recommended that conditional planning consent be granted.

10.0 Recommendation

That planning permission be **GRANTED** subject to the conditions set out below.

11.0 Conditions

1. Time Limit

The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

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

2. Approved Drawings

The development hereby approved shall be carried out in accordance with the approved plans, documents and reports listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

3. Type of Crumb Infill

Prior to installation of the pitch hereby approved full details of the proposed organic infill crumb shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be completed in accordance with the approved details and the same or similar organic crumb shall be utilised for the lifetime of the development.

Reason: To ensure a satisfactory surface finish that will not pose a risk to water quality and the water environment in accordance with policy WAT3 of the East Herts District Plan 2018

4. Noise Management Plan

Prior to first use of the artificial turf pitch hereby approved a Noise Management Plan (NMP) for use of the said pitch shall

be submitted to and approved in writing by the Local Planning Authority and the Plan shall include the following:

- a) a method of informing users that any anti-social behaviour including swearing is unacceptable and that the centre reserves the right to dismiss users from the pitch and ban future use if this is the case;
- b) confirmation that it will be a booking term / condition of use for users to abide by the above and that they understand their booking / use can be terminated with immediate effect for any breach;
- c) arrangements for neighbours to be given a facility to report excessive noise or anti-social behaviour directly to the operator;
- d) details of how any complaints received will be investigated and addressed quickly;
- e) details of likely action to be taken where necessary and how any complainant will be kept informed of progress, especially where it is not possible to address or resolve complaints straight away;
- f) provision for a written action plan to deal with complaints and confirmation that this will be provided to staff on site and that they will be made familiar with it;
- g) confirmation that staff will have the ability and authority to warn or ban user groups from the pitches if any user(s) are in breach of the NMP.
- h) a template form to log complaints received and the action(s) taken in respect thereof, including (as a minimum) the day, date and time of complaint, nature of complaint, member of staff receiving complaint, action taken, who by, and when and how complainant updated;
- i) arrangements for the safe storing and ready-access to the complaint log, and confirmation that this will be provided to Officers from the Council's Environment Team upon reasonable request.

The use shall be carried out in accordance with the approved details.

Reason: In order to ensure an adequate level of amenity for residential occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

5. Perimeter Fencing

All perimeter fencing shall be fixed to the support posts with neoprene (or similar) isolators installed to fully isolate the panels from the posts so as to reduce the 'rattling' noise associated with ball impacts on metal fencing.

Reason: In order to ensure an adequate level of amenity for residential occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

6. Floodlights

The floodlighting hereby approved shall be installed in full accordance with the submitted lighting details and thereafter maintained such that light spillage beyond the boundary of the playing surface at no time exceeds the levels indicated within the approved Floodlighting Performance Report. The lights shall be fitted with a timer so as to automatically turn the lights off to ensure no use of the artificial pitch can continue beyond the hours of use specified in condition 7 or at times when the pitch is not in use.

Reason: In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policy EQ3 Light Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018 and to minimise impact on bats in accordance with Policy NE3 of the East Herts District Plan 2018.

7. Hours of use

The use of the artificial pitch hereby approved shall be restricted to the hours of Monday to Friday from 08:00 to 22:00, Saturday from 09:00 to 20:00 hours and Sundays / Bank and Public Holidays from 09:00 to 20:00 hours.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

8. Pitch Quality

Use of the artificial grass pitch hereby permitted shall not commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met the FIFA Quality accreditation or equivalent International Artificial Turf Standard (IATS); and
- b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches;

have been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.

Reason: To ensure the development is fit for purpose and sustainable and provides sporting benefits, sufficient to outweigh the Green Belt harm and to accord with Policies CFLR1 and GBR1 of the East Herts District Plan 2018

9. Football Pitch Mitigation Scheme

The development hereby permitted shall take place fully in accordance with the Grange Paddocks 3G Football Pitch Mitigation Scheme unless otherwise agreed in writing with the Local Planning Authority following consultation with Sport England.

Reason: To minimise the impact on sports facilities from loss of availability of use during the construction of the development and to accord with Policy CFLR1 of East Herts District Plan Policy.

10. Biodiversity Enhancement

Prior to first use of the pitch hereby approved details of ecological enhancements to be carried out within Town Meads and a timetable for their implementation together with details of ongoing management shall be submitted to and agreed in writing by the Local Planning Authority. These enhancements shall include the provision of bat and bird boxes and enhancement and management of hedgerows and drainage ditches to improve biodiversity. The works shall thereafter be implemented and maintained in accordance with the agreed details and timetable.

Reason: To ensure that a net gain in biodiversity is achieved in accordance with Policy NE2 of the East Herts District Plan 2018

11. Scheme of archaeological works

No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made

Reason: To ensure suitable protection of heritage assets in accordance with Policy HA3 of the of the East Herts District Plan 2018.

12. Flood Risk Mitigation

Prior to first use of the development hereby approved the drainage scheme shall be completed in accordance with the submitted Flood Risk Assessment and drawing number GPL-SSL-XX-ZZ-DR-A-05 Rev 1

Reason: to ensure that the development will not result in an increase in flood risk in accordance with policy WAT1 of the East Herts District Plan 2018

13. The trees indicated to be removed shall not be removed between the dates 30th of March and 1st of September.

Reason: To protect nesting birds in accordance with policy NE3 of the East Herts District Plan 2018.

12.0 Informatives

1. Details of lighting scheme

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; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.