

PLANNING COMMITTEE – 14 JULY 2022

PART I - DELEGATED

9. **22/0962/FUL - Installation of an electronic scoreboard and protective roller shutter on the external wall of the Pavilion facing the cricket pitch at CHORLEYWOOD CRICKET CLUB, CHORLEYWOOD COMMON, RICKMANSWORTH ROAD, CHORLEYWOOD, HERTFORDSHIRE, WD3 5SG (DCES)**

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 19 July 2022

Ward: Chorleywood North and Sarratt
Case Officer: Lauren Edwards

Recommendation: That Planning Permission be Granted

Reason for consideration by the Committee: The application as called in by Chorleywood Parish Council unless officers were minded to refuse on the grounds of the impact of the proposal on the Chorleywood Conservation Area.

1 Relevant Planning History

- 1.1 18/1569/FUL - Single storey side and rear extension, extension to covered area to front, replacement roof including increased ridge height and insertion of clock tower within pitched roof – Permitted
- 1.2 19/2089/FUL - Demolition of existing cricket club and construction of two storey cricket pavilion including WCs and changing facilities, cafe and kitchen, gift shop, meeting and training space and other associated support/facility areas and viewing terrace – Permitted and under construction
- 1.3 22/0548/FUL - Erection of 3 temporary buildings to accommodate Cricket Club facilities and changing rooms for a period of 25 April 2022 until 5 September 2022 –Permitted and implemented

2 Description of Application Site

- 2.1 The Chorleywood Cricket Club is sited on the northern edge of Chorleywood Common where it abuts Rickmansworth Road. The playing pitch is sited between the gravel car park and club house, accessed from Rickmansworth Road, and an access lane leading to both the rear of Christ Church and to Christ Church JMI School, which overlooks the cricket pitch. A partially surfaced parking area is sited forward of the school abutting the common and playing field. To the south of the grass playing fields and grassland area surrounding it is the expanse of Chorleywood Common which is predominantly wooded in this part.
- 2.2 The existing cricket 'square' (the rectangular central playing area of the field accommodating the wickets) is sited towards the centre of the field. The pre-existing pavilion had a flat roof with red painted wooden cladded elevations however the new pavilion consented via 19/2089/FUL is currently under construction.
- 2.3 The application site is located within the Metropolitan Green Belt, Chorleywood Common Conservation Area and within a designated Wildlife Site.

3 Description of Proposed Development

- 3.1 Full planning permission is sought for the installation of an electronic scoreboard and protective roller shutter on the external wall of the Pavilion facing the cricket pitch.

In 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

6.2 The Three Rivers Local Development Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP6, CP9, CP10, CP11 and CP12

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM3, DM6, DM8, DM9, DM10, DM12 and DM13.

The Chorleywood Common Conservation Area Appraisal 2010 is also relevant.

The Chorleywood Neighbourhood Development Plan is also relevant, specifically Policies 1, 2 and 11.

6.3 Other

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

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

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

7 Planning Analysis

7.1 Impact on the Metropolitan Green Belt

7.1.1 The application site is located within the Metropolitan Green Belt with the local area largely characterised by open countryside, woodland and some detached dwellings.

7.1.2 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green

Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development.

- 7.1.3 The NPPF identifies at Paragraph 138 the five purposes of including land in Green Belt.
- 7.1.4 The requirements of the NPPF are considered to reflect adopted policies of both the Three Rivers District Council Core Strategy and Local Plan. Policy CP11 of the Core Strategy (adopted October 2011) states that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt. Inappropriate development is, by definition, harmful to the openness of the Metropolitan Green Belt. Policy DM2 of the Development Management Policies LDD (adopted July 2013) replicates Government guidance contained in the NPPF. Policy DM2 sets out guidance for development in the Green Belt however is silent on this development type.
- 7.1.5 Paragraph 149 of the NPPF also states that LPAs should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions include 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.
- 7.1.6 The proposed scoreboard would be sited within roller shutter housing. It would not increase the overall apparent bulk of the building and would not be an uncommon feature to expect to see within the context of the use of the building and adjacent land. The proposed development is not considered to comprise inappropriate development as it would not represent a disproportionate addition to the host building. Additionally it would support the function of an existing sport and recreation facility which forms one of the exceptions set out in paragraph 149 of the NPPF. The proposal would not result in harm to openness or conflict with the purposes of the land within it as it would be affixed to the existing building.
- 7.1.7 In summary the proposed development would be appropriate development in the Green Belt and as a direct result would not impact on openness. The development therefore complies with Policy CP11 of the Core Strategy (adopted October 2011), and the NPPF (2021).
- 7.2 Impact on Character of Heritage Assets and Street Scene
- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 7.2.2 In respect of Conservation Areas Policy DM3 outlines, amongst other points, that development will only be permitted if the proposal would retain historically significant boundaries, important open space or other elements including gardens. Development should ensure that it does not harm views into, or out of, the Conservation area and should protect landscape features, hedgerows and trees.

7.2.3 Policy 1 of the Chorleywood Neighbourhood plan outlines that development within the Chorleywood Common Conservation Area should have regard to the relevant part of Annex C1 and should preserve or enhance the character of the Conservation Area.

7.2.4 The Chorleywood Neighbourhood Plan is now relevant. Policy 2 of the Chorleywood Neighbourhood Plan states:

'All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.'

7.2.5 It is acknowledged that views of the proposed scoreboard and shutters/shutter housing would be had from a number of angles across the Conservation Area and common. However the proposed scoreboard would be sited on the front elevation of new pavilion at the point furthest from the road. The development would be visible from some vantage points within the common to the front of the building but would not be readily apparent from the wider extents of the common to the south. It is not considered that the presence of an electronic scoreboard would be at odds within the setting of the Cricket pavilion and pitch. It is also noted that the scoreboard would be behind the shutters for the majority of the time when a match is not in progress. The use of black metal shutters would introduce a new material to the main pavilion building however the use of a different approach for example timber doors would not be practicable owing to the siting of the scoreboard at first floor level therefore necessitating automatic operation rather than manual opening. The suggestion of an alternative option was explored with the applicant however officers were advised that an alternative option was not possible (for example vertical timber). Whilst recognising that an electronic scoreboard and shutters are features not characteristic of the conservation area, it is Officers opinion that when viewed in conjunction with the main building, their impact on the character and appearance of the conservation area is mitigated to an acceptable degree and would not be uncommon within its sporting context. Whilst the pre-existing pavilion had a manual floor mounted scoreboard there are practical limitations to a scoreboard of this traditional nature.

7.2.6 As such when considered in the context of the new pavilion and wider cricket club pitches it is not considered that the proposed scoreboard and shutters would result in demonstrable harm, preserving the character or setting of the Chorleywood Conservation Area. The proposal would therefore be in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013), The Chorleywood Common Conservation Area Appraisal (2010) and the Chorleywood Neighbourhood Plan (2021).

7.3 Impact on amenity of neighbours

7.3.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness whilst Policy CP12 of the Core Strategy states that the Council expects all development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.

7.3.2 Owing to the relatively isolated location of the cricket club the proposed scoreboard would be sited with residential properties several hundred metres away it is not considered that the proposal would result in harm to neighbouring amenity.

7.4 Highways, parking and access

7.4.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.4.2 The main parking area serving the cricket club is currently serving as a construction compound for vehicles and materials involved in the construction of the new cricket pavilion.

However the proposed scoreboard would not result in any alteration to the requirement for or provision of parking to serve the new pavilion.

7.5 Wildlife and Biodiversity

7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.5.3 The application has been submitted with a Biodiversity Checklist. The scoreboard would only be in use during matches and would not otherwise be illuminated. As such it is not considered that it would result in any adverse impact to protected species.

7.6 Trees and Landscaping

7.6.1 Owing to the location of the proposed scoreboard on the front elevation of the main pavilion it is not considered that it would result in any adverse impact to any nearby trees.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Existing side elevation), TRDC 002 (Proposed section), HCC-871-SB-011 and HCC-871-SB-201.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the residential amenity of neighbouring occupiers and the openness of the Metropolitan Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM6, DM7, DM8, DM9, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), The Chorleywood Common Conservation Area Appraisal and the Chorleywood Neighbourhood Plan (2021).

C3 The proposed external protective roller shutter shall be finished in 'black metal' (RAL 9004) as more particularly shown in drawing HCC-871-SB-201 and be permanently maintained in that colour thereafter.

Reason: In the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013), The Chorleywood Common Conservation Area Appraisal (2010) and the Chorleywood Neighbourhood Plan (2021).

- C4 The proposed electronic scoreboard shall only be in operation throughout the duration of cricket matches being played within the area labelled as 'cricket ground' as enclosed in blue on drawing number HCC-871-SB-011.

Reason: In the interests of the visual amenities of the locality, to preserve the character and appearance of the Chorleywood Conservation Area in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM6, DM8, DM9, DM13 of the Development Management Policies LDD (adopted July 2013), The Chorleywood Common Conservation Area Appraisal (2010) and the Chorleywood Neighbourhood Plan (2021).

8.2 **Informatives:**

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

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

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

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

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

- 12 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

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