

**4/00366/15/FUL - CONSTRUCTION OF A NEW STORAGE/CHANGING ROOM BUILDING. BERKHAMSTED CRICKET, SPORTS & SOCIAL CLUB, CASTLE HILL, BERKHAMSTED, HP4 1HE.**

**APPLICANT: MR I MERRETT.**

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[Case Officer - Nigel Gibbs]

## **Summary**

The application is recommended for approval.

The site comprises part of an existing established cricket club. It occupies a prominent location in the Green Belt and Chilterns AONB, close to Berkhamsted Castle, the edge of Berkhamsted Conservation Area and Castle Hill housing.

The land forms part of the valley bottom acting as a transitional point between Berkhamsted's defined urban edge and the countryside beyond. It is commonplace for sports pitches and associated ancillary facilities to occupy such 'urban fringe' locations. Such locations are often designated as Green Belt wherein sport and recreation is supported. The small scale ancillary building represents appropriate development in the Green Belt.

There are no overriding design, detailed environmental, layout or access objections.

## **Site Description**

The site forms part of Kitcheners Fields located to the north of Berkhamsted Railway Station and the Castle (an Ancient Monument) beyond the town's defined built up edge.

Access to the Cricket Club is via a roadway just to the north of the Castle Hill-Brownlow Road junction. A parallel roadway, also a designated footpath, leads to the Bowls Club and Berkhamsted School's long established playing fields, changing room/pavilion, tennis courts and car park.

The site is within the Green Belt, AONB, Area of Archaeological Significance no.21 and is close to Ancient Monument no.88. All the land is contained within the Landscape Character Area 119 (Berkhamsted Castle Farmland). The Club's ground occupies a prominent position within the valley bottom in relation to the much higher land to the north.

Due to their location within the valley and open position the Kitcheners Fields playing facilities form a fundamentally important visual/ physical 'urban fringe' transition between the built up edge of Berkhamsted and the open countryside beyond.

## **Proposal**

This is for a 67sq m pavilion located in the western corner of the cricket pitch. The single storey curved building will be finished in timber walls complemented by a flint finished spine wall with an artificial grass flat roof, incorporating a removable match day tented canopy.

It will provide changing rooms , secure storage for grounds maintenance and sports equipment, with an option to use part of the building for teaching.

The pavillion is part of a two fold scheme to upgrade BCC's facilities involving the major refurbishment of the main clubhouse.

### **Important Background to the Proposal: Need for Upgrading Facilities/ Additional Accommodation at Berkhamsted Cricket Club/ BCC Improvement Strategy in Support of the Application**

The Club has provided sports facilities for the local community for over 30 years with an average of 50,000 visitors per year. BCC 's facilities have remained largely unchanged for many years . BCC considers that visitors are using facilities not fit for purpose.

In the Winter the site is used by Berkhamsted Raiders Football Club.

BCC have confirmed:

- Currently some of BCC's existing sporting equipment is stored outside in a number of wooden garden sheds. Other sporting equipment is either permanently stored adhoc throughout the clubhouse, or within the existing cramped changing rooms,creating a hazardous and environment.
- Sporting members using the more remote areas of the grounds do not have easy access to secure changing or storage,shelter whilst playing sport, or a welcoming and enhancing experience to congregate before, during or after sport.
- It does not have the capacity to meet current playing field demand, and the worsening condition of the existing facilities means that BCC is at 'a critical juncture'
- Identified Operational Issues: Summary

The Club has identified several key issues in continuing to operate from the site:

- The facilities dangerous condition and poorly performing standards.
- The failure to meet existing demands for gender, ability and age.
- The need for safe and secure storage of sports equipment and grounds maintenance equipment.
- The viability to market the facilities thus risking economic resilience.

As tenants, the Club has worked over the past 3 years in researching and stakeholder consultation to develop a robust and pragmatic solution to preserve the established community facility.

- BCC 's Projects Core Principles

The remodelling of the existing clubhouse's interior and the provision of a second pavilion to support the two cricket pitches at Kitcheners Field will provide:

- Increased changing room capacity and flexibility to accommodate both male and female users simultaneously,
- Increased storage capacity for sports equipment and to make the storage secure,
- Provision of disabled facilities to support the function and activities of all stakeholders,
- Increased operational capacity and improve the marketability of the facilities,
- Support the opportunity to play sport at all levels,
- Support for the large and wide ranging community events held at the ground,
- Long term economic security, and
- Additional cultural benefit to the town of Berkhamsted and respond to its important heritage.

- BCC 's Approach to Upgrading Facilities: The Proposed Pavilion

The supporting information confirms :

‘The second Pavilion is about enhancing the experience for existing users, providing better resources, and to enable the facilities to meet current demand. The new pavilion is about bringing Kitcheners Field up to standard and securing its future through a flexible facility that enables the existing tenants to play sport by providing a secondary facility that does not require the hiring or use of the main clubhouse and offering segregated changing’.

The new Pavilion will deliver:

- Secure storage for sports equipment.
- Segregated changing rooms.
- Support for annual sporting events.
- Flexible teaching space.
- Improved marketability of the playing fields and their facilities, and raise the profile of the Town.
- Exceptional design and quality whilst significantly reducing costs in relation to similar buildings.
- Opportunities to function independently of the main clubhouse to enable greater operational flexibility for both buildings, and minimising running costs.

- BCC's Approach to the Refurbishment of the Clubhouse Interior

This remodels the existing 4 changing rooms to accommodate 2 main changing rooms based upon the size specified by Sport England. The changing rooms would accommodate adjustable seating and demountable benches and overhead storage. This will enable the changing rooms to be quickly transformed into flexible meeting rooms, teaching spaces and community club spaces.

BCC has confirmed that the refurbished fully inclusive Clubhouse design would provide:

- Improved changing facilities to meet Sport England guidelines for size and

occupancy.

- Separate umpires accommodation /flexible changing.
- Segregated shower areas.
- A disabled toilet and changing facilities and a new entrance with a disabled ramp.
- Increased functionality through flexible changing/meeting rooms.
- Upgraded facilities to meet Building Regulations in terms of safety.
- Capacity and viability for increased teaching space, meeting rooms and space for Community Clubs.
- Increased secure storage.
- Replacement of the dangerous viewing deck.

#### • Design Considerations: Problems of Extending the Existing Clubhouse

BCC has considered an extension which is not feasible due to:

- The existing Clubhouse's building fabric and structure which would not support a second storey without major structural intervention.
- The AONB location makes a second storey a less preferred option.
- Extending the Clubhouse beyond the existing changing rooms is compromised by:

- a).The emergency Services site access route,
- b).The roof joist orientation would require additional intrusive structural intervention,
- c).The sloping site would result in major ground works and below ground drainage intervention, and
- d).The location of cricket nets to Clubhouse.

- Extending the Clubhouse beyond the existing bar area is compromised by:

- a).The roof joist orientation would require additional intrusive structural intervention,
- b).The existing sewage tank and associated below ground services would need relocating, and
- c).The prohibitive costs due to the need for the complete remodelling of existing interior.

#### • The Project's Community Engagement

Note: The supporting information confirms BCC's engagement with a very wide range of community stakeholders including:

- Castle Hill Residents Association,
- Berkhamsted Town Council – Planning Committee,
- The Rotary Club of Berkhamsted and Bulbourne,
- Lions Club of Berkhamsted,
- Berkhamsted Raiders Community Football Club and the FA,
- Sportspace, Dacorum Sports Trust ,
- Herts Sports Partnership ,
- Berkhamsted Sports Ground Charitable Association,
- The Chilterns Conservation Board,
- England Cricket Board (ECB) ,
- Hertfordshire Cricket,
- Hertfordshire Junior League, and

- Sport England.

## **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Berkhamsted Town Council.

## **Site History : Summary**

There is a substantial site history involving the cricket pitch and existing clubhouse. In recent years there has been a grant of permission for cricket nets. An allowed appeal restricted the site's user to only cricket.

## **Other Relevant Recent History at Kitcheners Fields**

There have been refusals for the formation of all weather non floodlit pitch for Berkhamsted School (dismissed appeal) and additional sports pitches for football and a wooden cabin for Kitcheners Bowls Club (allowed appeal).

## **Procedural Issues**

Following the receipt of Berkhamsted Town Council's initial response (see Representations below) the LPA's liaised with BCC (see Representations below)..

In summary BCC responded by providing additional information to the LPA and engaging with BTC.

In BTC's second consideration of the application BTC advised that the Planning Department did not provide the additional information. According to the Department's Planning Registration Team records this was sent to the BTC.

Annex A provides Berkhamsted Cricket Club's response to issues raised by Berkhamsted Town Council.

## **Policies**

### National Policy Guidance

National Policy Planning Framework

### Dacorum Core Strategy

- NP1 - Supporting Development
- CS1 - Distribution of Development
- CS4 - The Towns and Large Villages
- CS5 - The Green Belt
- CS8 - Sustainable Transport
- CS9 - Management of Roads
- CS10 - Quality of Settlement Design
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS13 - Quality of Public Realm

CS23 - Social Infrastructure  
CS24 - Chilterns Area of Outstanding Natural Beauty  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Water and Soil Quality

Dacorum Borough Local Plan (Saved Policies)

Policies 51, 54, 58, 61, 62, 63, 67, 73, 79, 86, 89, 97, 99, 100 and 113

Appendices 5 and 7

Supplementary Planning Guidance

Dacorum Landscape Character Assessment  
Chilterns Design Guide  
Environmental Guidelines

**Representations**

Berkhamsted Town Council

- Initial Response .Object.

*Policy*

Dacorum Borough Local Plan Policy 97 for the Chilterns Area of Outstanding Natural Beauty relevant to this application states that:

A development must not be intrusive in terms of noise, light pollution, traffic generation and parking.

Structures must be sympathetic sited and designed having regard to natural contours.

Intrusive illumination is not acceptable.

*The Site*

Although it is described as being of a temporary style wood structure or even just a 'timber shed', the new building will be a permanent structure. The proposed building is not sympathetically sited; it is intrusive; and it will adversely impact on the as yet uncluttered and open view across the Area of Outstanding Natural Beauty in which it would be situated.

The proposed building is not designed with regard to natural contours of the land. Nor would it be in harmony with the significant sloping hillside.

The front wall will be built of breeze blocks faced with flints to echo the walls of the Castle, but the foundations will necessitate digging into AONB land and possibly levelling the contours of the site.

The proposed new pavilion would be 'under the canopy of mature trees clustered within the corner of the field providing year round visual obstruction to the residents living on Castle Hill'. Therefore the trees are essential to the application, but no Tree Survey has been provided in accordance with the requirements of the application form.

### *Design Features*

Despite this proposal being in the Chilterns AONB, the application does not demonstrate any awareness of, or how it might be in accord with, the recommendations in the Chilterns Conservation Board *Chilterns Buildings Design Guide*, as advised in Paragraph 1.21 of that Guide.

Many aspects of this proposal are contrary to the design specification such as avoiding prominent skylines, open slopes and flat roofs, and being in harmony with the landscape.

The proposal attempts to make a curved 'natural' design using flint, but this is not consistent with the *Chilterns Building Design Guide*. We also object to the canopy roof to the building in winter, which would be visually intrusive and incongruent in the AONB (photograph from pre-application meeting attached).

The plans appear to show a footpath leading from the car park to the new structure and a possible paved area around the pavilion. There is no mention of materials to be used or whether they would be sympathetic to the environment. In any event, the footpath and paved area would be visually intrusive and impact on the view across the AONB

The breeze block wall is said to be necessary to support an artificial grass roof. This proposed flat roof would be inappropriate in the AONB, and contrary to the *Chilterns Building Design Guide*, as would the proposed artificial turf, which refused on appeal in an adjacent part of the AONB (Kitcheners Field 4/00875/11/MFA).

The site is a part of the AONB where illumination, whether permanent or portable, is not acceptable.

We would not support any proposal for any portable lighting/ illumination to be used at the site.

The plans indicate that lighting is not applicable in this application, consistent with Saved Local Plan Policy 97. However, without lighting it is difficult to see how the rooms could be used for players, their partners and children when, in the absence of windows, they would be without any natural light.

Our concern over illumination is heightened given the proposals provided for outdoor film shows at the pre-application meeting (photograph from pre-application meeting attached).

### *Uses for the building*

The stated aim is 'to construct a timber shed for secure storage and over spill changing facilities on match days.

The proposal tries to justify the new building and expansion beyond cricket to other sporting activities and a wide range of community activities beyond sporting and associated social activities.

Opening hours for the new building would be am – 11.30 pm (Mona – Saturday) and 8 am – 11 pm (Sundays and Bank Holidays) throughout the year. This is excessive.

This goes against a previous Inspector's view that they should limit themselves to 'small town cricket' given they are in the AONB.

Such proposals for increased use and extensive opening hours would also mean the proposed development would be highly intrusive in terms of noise, light pollution, traffic generation and parking.

Contrary to the National Planning Policy Framework and Saved Local Plan Policy 97 and without regard to the *Chilterns Buildings Design Guide*.

• Additional Information. Object.

The original objection remains.

Contrary to the National Planning Policy Framework and Saved Local Plan Policy 97 and without regard to the *Chilterns Buildings Design Guide*. No details of the amendment had been submitted. It was noted that the Case Officer had ongoing discussions with the architect about the nature of the building and that the flint wall cause difficulties for the players. One of the rooms was being used as a training facility and may need hard roadway access.

Strategic Planning

The application site is located in the north of Berkhamsted town centre, immediately to the north of the site of Berkhamsted Castle. Access to the existing cricket club and playing pitches is gained off Castle Hill and is located at the end of a long access road.

In terms of planning designations, the site is situated within the Green Belt and Chilterns AONB) The site is also just outside an Area of Archaeological Significance which encompasses Berkhamsted (no. 21) and close to a Scheduled Ancient Monument relating to the site of Roman buildings north of Berkhamsted Castle (no. 88).

*Principle and Green Belt:*

The proposed development would include the construction of a single storey, flat roofed building, covering 67.5m<sup>2</sup>, in the south-west corner of the playing fields. This would be utilised as an equipment store and over spill changing facility from the clubhouse and in association with the existing use of the site for sport and recreation. Core Strategy Policy CS5 states that small-scale development will be permitted within



the Green Belt including buildings for the uses defined as appropriate in national planning policy.

Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate development in the Green Belt with the exception of, inter alia, the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposed development would seek to provide a building which is considered to be ancillary to an established sport and recreation site and therefore acceptable in principle as an appropriate facility for outdoor sport. In terms of openness, the building would be sited at a corner of the site which appears to benefit from mature tree cover and would be constructed with a relatively low profile in terms of height and massing. Whilst this would result in a new structure in an otherwise open part of the site, the impact upon the openness of the Green Belt is not considered to be significantly adverse, particularly when considered against the purposes of including land within the Green Belt.

This impact is partly mitigated by the existence of mature trees to the rear of the proposed building which would screen views from visually sensitive receptors such as the residential properties on Castle Hill. This can be further enhanced by the addition of landscape planting which can be secured by planning condition if appropriate. However, siting the building in closer proximity to the existing clubhouse at the site would further reduce any impact upon the openness of the Green Belt.

Nevertheless, the principle of the proposed development within the Green Belt is considered to be acceptable and, on balance, the impact of the development on the openness of the Green Belt is not considered to be significantly adverse.

#### *Design and the Chilterns AONB:*

Core Strategy Policy CS24 supports application of the policies and actions set out within the Chiltern Conservation Board's Management Plan and the Chilterns Building Design Guide. Saved Local Plan Policy 97 states that the prime planning consideration is the conservation of the beauty of the area but the economic and social well-being of the area and its communities will also be taken into account. Specifically for new buildings (a), any development must:

- Not be intrusive;
- Be sympathetically designed having regard to contours, landscape, planting and other buildings; and
- Colours and materials used must fit in with the traditional character of the area.

The proposed development is considered to accord with the above principles and policies of development within the Chilterns AONB by virtue of its proposed design, construction and use of materials. Specifically, the proposal seeks to utilise materials which would reinforce local distinctiveness, namely the use of flint on the curved outer wall to emulate Berkhamsted Castle and timber cladding on the more subordinate facades to reflect the surrounding agricultural character. The building would also have a low-profile in terms of scale, massing and height, with the highest element being the curved wall at just over 3 metres high. As such it would not be overly obtrusive within,

or harm the scenic beauty of, the Chilterns AONB, particularly considering existing landscape vegetation and the fact that this can be improved with additional screen planting.

#### *Historic Environment:*

Although not sited within any designated heritage asset, the proposed building's design is considered to be sympathetic to the setting of nearby designated heritage assets and incorporates elements which contribute, and visually link, to the site's surroundings. This includes the use of a local flint stone panel to the front which emulates the materials which are/would have been synonymous with the Norman Berkhamsted Castle. This is considered to accord with paragraph 80 of the NPPF (in respect of Green Belt) insofar as the proposed building design would preserve the setting and special character of a historic town. The proposal also complies with national planning policy in regard to the historic environment, including paragraph 131 which states that local planning authorities should take account of the desirability of new development making a positive contribution to local character.

In terms of any archaeological heritage assets (known or as yet undiscovered), SP note that the County Council's Historic Environment Advisor has provided comments on the planning application recommending two conditions to be attached to any forthcoming planning permission.

#### *Other Considerations:*

SP also wish to also highlight the technical work currently being completed by the Strategic Planning Team as part of the early partial review of the adopted Core Strategy (as advised by the Planning Inspector at Examination) and in preparation for a new single Local Plan. An element of this evidence gathering includes completion of an Outdoor Leisure Facilities Assessment Report (published September 2014) and subsequent Playing Pitch Strategy and Action Plan which is due to finalised and published by mid-May 2015.

This work has so far highlighted that there is a Borough-wide shortage of cricket pitches and concern that the quality of ancillary facilities are preventing the maximised use of existing sites. Also, sport-by-sport demand trends identify that participation in women's and girl's cricket is a national priority which highlights the need to ensure clubs provide segregated changing facilities to support that growth in participation.

#### *Conclusion:*

In summary, the proposed development is considered to be acceptable in principle and would not have a significantly adverse impact upon the openness of the Green Belt. In terms of design and the impact upon the Chilterns AONB, the proposed building would be relatively low-key and sympathetic to this designated landscape and respects the policies and principles advised by the Chilterns Conservation Board. Finally, with historically sensitive and designated heritage assets surrounding the application site, the proposal is considered to acknowledge and contribute positively to the local historic environment. Therefore, the Strategic Planning Team raises no objections.

#### Conservation & Design

- Initial Response

Concern with the proposed location of the pavilion with respect to the sports pitches and specifically as indicated in the layout plan that of the adjacent football pitch the corner of which would only be around 2 metres from the proposed curving flint spine wall of the pavilion. As such the close proximity to the football pitch of the pavilion at that point is considered to be potentially dangerous for players (being pushed off the pitch or sliding off) and could even prove to be a hindrance to players taking corner shots/throw in's. This is would be even more likely to be the case were there to be the need for some form of surface treatment proved necessary. This could easily be resolved by either moving the building slightly to the north or shortening the length of the pavilion.

With respect to the flat roof design of the pavilion it is considered there are at least two areas of concern, not least the proposed use of an artificial grass covering for the roof. One of the concerns here is the appropriateness of a flat roof form given the proposal to site the structure below the canopy of existing mature trees as there would appear to be without regular maintenance drainage issues especially in the autumn when the trees shed their leaves, a situation likely to be further exacerbated by the proposed use of an artificial grass covering. The use of artificial grass for a roof covering may well help camouflage the pavilion's roof during those months when the trees are in leaf but is equally likely to be very conspicuous when there are no leaves on the trees.

It is suggested that given the height of the spine wall the pavilion structure behind could easily take a low mono pitched roof which with the right covering say a lead substitute or rubberised covering would be more likely to be recessive in character.

Curved flint screening walling – it is noted that the suggestion is that the use of this material is a reference to the material of the nearby ruined castle where the flint to be seen is actually the course flint rubble core to once dressed stone walling, the stone have long since been robbed. Whilst Conservation and Design appreciate the proposed curved spine walling to the pavilion do however believe a flint wall would be quite stark and prominent feature set against the existing vegetation and tree canopy. There is also concern given the very limited information as to the means and form by which this flint wall would take.

It is believed that a vertical timber walling would provide a more in keeping and recessive form than the hard and prominent flint wall.

It is considered that the positioning of the two changing room door so close to each other and taking into account the spine walling directly opposite the doorways creates a somewhat awkward and potentially dangerous pinch point for those entering and leaving. It is considered to be a missed opportunity here to have a greater degree of separation between the entrances to the changing rooms and an opportunity for people to use both end of the most forward of the curved spine walls to get to and from the changing rooms.

It is believed given the likely usage of the pavilion throughout the year that there would be a need for some sought of surface treatment around the entrances to avoid the ground being eroded or becoming muddy and worn.

Lastly the submitted drawings do appear somewhat basic and do not provide the necessary level of details with respect to the form of the spine wall , exterior doors or drainage and ventilation, all of which would have a bearing on the quality and appearance of the finished building.

It is believed if the above were to be addressed then Conservation and Design would be likely to no longer have concerns over this proposal.

- Further Advice

There has been a review of the overall design following a site meeting and the receipt of additional information.

The conclusion is that there remains a fundamental concern regarding the proposed artificial grass roof.

This can be entirely addressed by the use of an alternative substitute material such as lead or artificial / synthetic lead.

#### Building Control

No adverse comments.

#### Trees & Woodlands

Notwithstanding the need for extra storage facilities it seems unfortunate that the development is pushing out into the green space when perhaps it could be included within the existing cluster of buildings.

If the proposed development goes ahead in the current position please include usual protection for the corner trees.

#### Rights of Way

No response.

#### Scientific Officer

- Initial Response

The site is not located within the vicinity of potentially contaminative former land use; as such I have no comments to make in respect of contamination.

- Further Response

No specific comments to make in respect of the notification of amended and/or additional plans/information.

In reference to the application proposals in general, it is understood that Kitcheners Fields were used for military purposes during World War 2. There exists the slight

possibility that this activity may have affected the application site with potentially contaminated material. Therefore, would it be possible to amend my original response to recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

#### Noise/Pollution

No response.

#### Food/ Hygiene / Health & Safety

No response.

#### Hertfordshire County Council: Historic Advisor

The site lies within Area of Archaeological Significance No.21, within 180m of the Scheduled remains of a Roman building (SM HT88). The potential for regionally and nationally important heritage assets extends well beyond the Scheduled areas, including into the proposed development site.

The position and details of the proposed development are such, that it should be regarded as likely to have an impact on significant heritage assets. It is therefore recommended that the following provisions be made if the LPA grants planning permission:

- The archaeological evaluation of the proposed building footprint by means of strip, map and sample methodology.
- Construction of access, service runs, landscaping etc. should be archaeologically monitored.
- A contingency for the archaeological investigation of any remains encountered during the monitoring programme
- The analysis of the results of the archaeological work and the production of a report and archive.
- Such other provisions as may be necessary to protect the archaeological interest of the site.

These recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal.

These recommendations closely follow the policies included within National Planning Policy Framework (policies: 135, 141 etc.), and the guidance contained in the Historic Environment Planning Practice Guide.

In this case two appropriately worded conditions on any planning permission relating to these would be sufficient to provide for the level of investigation that this proposal warrants. The following are recommended:

#### Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research

questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

### Hertfordshire Ecology

The application site impacts upon an existing sports field which is regularly used. HE has no records for the site and Hertfordshire Ecology has no reason to consider that there is any significant ecological interest associated with the application site.

The scrub in the corner of the site will not be affected by the proposals. Some additional scrub planting next to the building may help to reduce its immediate visual impact locally, or perhaps new hedgerow planting along the existing adjacent field boundaries may further soften any new building feature. Any additional planting would provide some local ecological enhancement at the site level.

However currently the area is generally largely open and a view may need to be taken on the impact of a hedge in this area if the open character is to be maintained. Notwithstanding this, the sports pitches do represent very visible formal leisure facility in an otherwise significant open valley environment.

There is no reason to object to the proposals on the grounds of ecology and there is no reason to consider there are any other ecological issues associated with this proposal.

### Hertfordshire Fire & Rescue Service

#### • Initial Response

Based upon the examination of the drawing HFRS note that the provision for hydrants or access does not appear to be adequate.

- The nearest hydrant is outside no. 6 Castle Hill some 200m + from the existing building and 400m+ from the proposed structure.

- The access road appears to finish at the existing building (unless the red line on the plan indicates a new access road).

Access and facilities. Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 15 tonnes. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.

Water supplies. These should be provided in accordance with BS 9999.

Hydrants. This authority would consider the following hydrant provision adequate:

- Not more than 60m from an entry to any building on the site.
- Not more than 120m apart for residential developments or 90m apart for commercial developments.
- Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
- Not less than 6m from the building or risk so that they remain usable during a fire.
- Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
- Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.

Other. Buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

#### • Second Response

HFRS held a meeting with the applicant on 9/9/15 to discuss other arrangements for the proposed new changing rooms at the . The following issues were discussed:

- The nearest fire hydrant is 400m from the proposed building and 200m from the existing one.
- Access to the proposed building is not possible for a fire appliance as there is approx. 200m of rough ground between the existing building and the proposed one.
- The above factors would cause a delay in the commencement of tackling any fire at the proposed and existing building.

Bearing these factors in mind the following course of action was agreed:

- The proposed building would be considered to be sacrificial.
- The two changing rooms *could* be fire separated (to a 30 minute standard) to

restrict the growth and spread of fire.

- An Emergency Water Storage Tank could be added straight away or at a later date which would benefit the proposed and existing buildings.
- This tank must be *at least* 6m from any existing structure so that it remains usable in the event of a fire in that structure.
- In this case the tank must have a minimum capacity of 25,000 litre's and be charged from a mains water supply.
- In the meantime (or if the tank is not added) there must be a robust evacuation strategy in place to ensure both buildings are cleared of persons prior to the arrival of the fire service due to the difficulty of putting a water supply in place.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

#### Hertfordshire Constabulary: Crime Prevention Design Advisor

Whilst not against the proposed development, it is advised:

1. Recess areas: There are recess areas by the various access doors. HC would advise these should be removed, so as to not provide any hiding areas. Also this will aid natural surveillance over the proposed building from the club house.
2. Height of building: Being single story it will be important that the roof will be high enough to deter youths trying to climb on top, as well as not having any bins at the side or similar that could be used as an informal climbing aid.
3. Alarm: If anything valuable is stored within the building, then consideration should be given to fitting an alarm.

It is hoped the above is of use to the LPA in its deliberations and will help the development achieve that aims of the National Planning Policy Framework: Para 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and Decorum Core Strategy Policy CS12: safe access, layout and security.

#### Chilterns Conservation Board

It will not be commenting on the planning application.

The Board recommends that the decision-maker takes into account the following:

- The Chilterns AONB Management Plan.
- The Chilterns Buildings Design Guide and Supplementary Technical Notes on Chilterns Building Materials (Flint, Brick and Roofing Materials).
- The Environmental Guidelines for the Management of Highways in the Chilterns.
- The Board's Position Statement on Development Affecting the Setting of the Chilterns AONB.

#### Environment Agency

This site is in Flood Zone 1 and is under a hectare. Therefore cell F5 of the



consultation matrix applies and there's no need for consultation.

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

The Environment Agency recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development.

If the Council has identified drainage problems at this site through your Strategic Flood Risk Assessment or Surface Water Management Plan, the LPA may want to request a formal Flood Risk Assessment from the applicant in line with Flood Risk Assessment Guidance Note 1.

#### English Heritage/Historic England

Clarification upon response awaited.

#### EDF Energy

No response.

#### Sport England

##### • Initial Advice

The consultation is statutory as it affects a playing field. Unfortunately, SE is not currently in a position to make a substantive response to the consultation because insufficient information has been provided to allow SE to make an informed assessment of whether the proposal would accord with SE's playing fields policy, A Sporting Future for the Playing Fields of England [www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/](http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/) and paragraph 74 of the NPPF . In order to allow SE to carry out a fully informed assessment SE request the following information to be provided: regarding Playing Pitch Impact:

Site plans (to scale) showing the existing winter (football) and summer (cricket) playing pitch layouts on the playing field where the changing facility is proposed.

An existing site plan has not been provided to allow an informed comparison to be made.

An issue of potential concern is the run-off area (safety margin) around the football pitch. The FA recommend a minimum of 3m around the perimeter of the whole pitch which is clear of obstructions but the proposed site plan indicates that the run off area around the corner of the existing pitch may be less than 2m. Ideally the proposals would allow the recommended 3m but as an absolute minimum 1.83m should be provided. It would therefore be helpful if the plans could confirm the extent of the run-off area, both existing and proposed. In the event that the proposed plans show that

an insufficient run-off would be provided, it is advocated that this be addressed through minor amendments to the extent of the proposed spine wall or re-aligning the football pitch without reducing its dimensions. This information is requested to allow an informed assessment to be made of the impact of the proposals on the use of the playing field.

The above information has been requested to allow an informed assessment to be made of the proposals against our playing fields policy. .

Until then, Sport England's interim position on this proposal would be a holding objection. This would be removed following receipt of the requested information. The provisions of The Town and Country Planning (Consultation) (England) Direction 2009 would apply if the Council were minded to resolve to approve the planning application (i.e. the application would need to be referred to the Secretary of State) before the requested information is provided.

As SE is currently unable to make a substantive response, in accordance with the Town and Country Planning (General Development Procedure) (Amendment) Order 2005, the 21 days for responding to the consultation will not commence until I have received the information requested above.

- Main Advice

No objection as a statutory consultee. The principle is supported as a non statutory.

- Comments made as a statutory consultee

The site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184). The consultation is therefore statutory and Sport England has considered the application in the light of the National Planning Policy Framework (in particular Par 74) and its policy to protect playing fields, 'A Sporting Future for the Playing Fields of England (see link below).

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Essentially Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one of 5 exceptions applies.

The proposal is for a small changing and storage pavilion that would be sited in the corner of Berkhamsted Cricket Club's second cricket ground. The rationale for the facility is explained in detail in the Design & Access Statement. In summary, additional changing facilities would support the development of ladies cricket on the second ground, support the development of short cricket formats such as Kwik and limited overs cricket and provide facilities to support the growth in the need for the second ground to accommodate more cricket matches and training on the site.

The existing cricket pavilion facilities do not have the capacity for meeting these needs and are not well suited for serving the second ground. The changing facilities would also be used by football and lacrosse clubs that are based on the site which use the

outfield of the cricket pitch in the winter. The storage facilities would provide secure equipment storage for the sports that are played on the site. This would help ensure that the football and lacrosse clubs stay on the site which would contribute to the overall sustainability of the cricket club facilities.

In terms of the impact on the playing field, while SE have not visited the site, the new pavilion would be sited in the south west corner of the cricket ground and would partially be under the canopy of mature trees. While the building would slightly encroach onto the playing field, the cricket pitch outfield area would not be affected. Whilst the siting would reduce the run-off area around the corner of the existing football pitch that is marked out in winter, it is understood that the pitch can be moved slightly to ensure that the minimum run-off area is maintained.

As the development would provide enhanced ancillary playing field facilities to meet the needs of the sports users of the site, the proposals would be clearly ancillary to the principal use of the site as a playing field.

In this instance, Sport England is therefore satisfied that the proposal meets exception E2 of the above policy, in that the development is ancillary to the principal use of the site as a playing field and does not affect the quantity or quality of existing pitches, or adversely affect their use. This being the case, Sport England **does not wish to raise an objection** to this application as a statutory consultee.

- Comments made as a non-statutory consultee

#### *Principle of the Development*

Sport England has assessed the application in the light of its Planning for Sport Aims and Objectives Guide (2013) [www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/](http://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/) which is consistent with the NPPF. This Guide's Objective 2 relates to ensuring that the best use is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable. This includes encouraging new and wider provision on existing sports facility sites.

The proposal would provide a significant enhancement to the ancillary facilities that support the use of the playing field by Berkhamsted Cricket Club and other community sports clubs which would help grow and sustain participation in sport and assist with sustaining the facilities over a long term period.

It should be emphasised that modern pavilion facilities are considered to be essential to support the use of community playing fields. Without such facilities being provided this can reduce the quality of the overall playing field facility and can be less attractive to potential playing field users, particularly from groups in the community that are less likely to participate in sport.

The development would clearly accord with Sport England's Planning for Sport objective 2. Sport England would therefore wish to confirm its **support** for the principle of this planning application.

Also in according with Sport England's planning policy objectives, Sport England consider that the proposal would accord with the relevant aspects of Government

planning policy in the NPPF. In particular, the proposal would accord with paragraph 70 which in order to deliver the social, recreational and cultural facilities and services the community needs, advises planning decisions to plan positively for the provision of community facilities (which specifically includes sports venues).

### *Green Belt Policy*

When assessing proposals on playing field sites in the Green Belt, attention often focuses on the acceptability of the ancillary facilities that support playing fields especially pavilion/changing room buildings. The Government's policy in paragraph 89 of the NPPF is that while new buildings in the Green Belt are generally inappropriate, an exception to this relates to the provision of appropriate facilities for outdoor sport. The need for the replacement pavilion has been explained in detail in the planning application documents. A small building with a set of team changing rooms and an equipment storage area is considered to be necessary and appropriate in scale to support the scale of activities that take place on the site.

### *Principle of the Development*

Sport England has assessed the application in the context of its Planning for Sport Aims and Objectives Guide (2013) [www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/](http://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/) which is consistent with the NPPF.

The Guide's Objective 2 ensures that the best use is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable. This includes encouraging new and wider provision on existing sports facility sites.

The proposal would provide a significant enhancement to the ancillary facilities that support the use of the playing field by the Cricket Club and other community sports clubs which would help grow and sustain participation in sport and assist with sustaining the playing field over a long term period.

It should be emphasised that modern pavilion facilities are considered to be essential to support the use of community playing fields. Without such facilities being provided this can reduce the quality of the overall playing field facility and can be less attractive to potential playing field users, particularly from groups in the community that are less likely to participate in sport.

The development would clearly accord with Sport England's Planning for Sport objective 2. Sport England would therefore wish to confirm its **support** for the principle of this planning application.

In addition to according with Sport England's planning policy objectives, the proposal would accord with the relevant aspects of the NPPF. In particular, the proposal would accord with paragraph 70 which in order to deliver the social, recreational and cultural facilities and services the community needs, advises planning decisions to plan positively for the provision of community facilities (which specifically includes sports venues).

### Response to Site Notice/ Newspaper Advertisement/ Neighbour Notification

## 6 Castle Hill

The planned increase in capacity at the site will result in increased activity, more people and more cars, and the site does not have sufficient infrastructure to support this.

The submitted photographs to illustrate the irresponsible nature of the Clubs current activity and the impact it has on the surrounding residential area. The Club does not have sufficient parking capacity at present and uses the approach road and Castle Hill. This problem will be exacerbated by adding additional changing facilities.

Traffic parking measures were introduced some years ago to ensure parking on Castle Hill was restricted, This restriction applies only to weekdays, but Clubs activities would justify extending this restrictions to the weekends. The area was not designed to accommodate hundreds of vehicles and there is often congestion at the entrance to the club, on the bend on Castle Hill, which creates a traffic hazard.

In addition to the noise and nuisance factor to local residents that this area of countryside has already been over developed. Plans by Berkhamsted School (4/02338/11/MFA) to develop their own sports field were rejected by the Council, and at appeal, because it was considered visually intrusive and it would have a “detrimental impact on an Area of Outstanding Natural Beauty and the associated Green Belt area”.

The Council considered this area of Berkhamsted to be of extreme importance to the town, and confirmed that they had an obligation to preserve it from development, both now and for generations to come.

This application by BCC should be considered in exactly the same ways as Berkhamsted School’s application. The principle is the same, and the Council should reject this application in order to ensure a consistent approach and to save the area from incremental erosion.

### **Considerations**

#### Policy and Principle:Green Belt

Core Strategy Policy CS5 and the National Planning Policy Framework policies support opportunities for outdoor sport and recreation. The NPPF explains that provision of appropriate facilities for outdoor sport / recreation are not inappropriate development and therefore acceptable in the Green Belt. This is so long as they preserve the openness of the Green Belt and do not conflict with the purposes of including the land within it. Moreover, the NPPF supports the delivery of sports, social and recreational facilities for community needs in 'Promoting Healthy Communities'. The proposal is community orientated.

The Green Belt's 5 purposes are:

- To check the unrestricted sprawl of large built areas,
- To prevent neighbouring towns merging,
- To assist safeguarding the countryside from encroachment,
- To preserve the setting and special character of historic town, and
- To assist in urban regeneration, by encouraging the recycling of derelict and other land.

The NPPF confirms that once defined LPAs should plan to positively enhance the beneficial use of the Green Belt. This includes opportunities to provide access and outdoor sport and recreation, to retain and enhance landscapes and in the interests of visual amenity and biodiversity.

The 'starting point' in this case is that the proposal will be on the site of an existing sporting facility within the Green Belt.

Policy CS5 confirms that small-scale development will be permitted within the Green Belt including buildings for the uses defined as appropriate in national planning policy. Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate development in the Green Belt with the exception of, inter alia, the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposal is a building ancillary to an established sport and recreation site and therefore acceptable in principle as an appropriate facility for outdoor sport. Sport England considers that the proposal accords with Green Belt policy – 'a small building with a set of team changing rooms and an equipment storage area is considered to be necessary and appropriate in scale to support the scale of activities that take place on the site'.

In terms of openness, the building's location benefits from the existing vegetation and is relatively low profile in terms of height and massing. Whilst this would result in a new structure in an otherwise open part of the site, the impact upon the openness of the Green Belt is not significantly adverse, particularly when considered against the purposes of including land within the Green Belt. The effect of the new canopy would be limited to match day uses.

Therefore there are no objections to the principle of the development.

Design/ Visual Implications by Day: AONB / Visual Amenity of the Green Belt/ Setting of Berkhamsted Castle/ Arboricultural- Soft Landscaping Implications

This is with due regard to the site's very sensitive setting, the specialist advice of the technical consultees and the raft of relevant NPPF, Core Strategy and saved DBLP policies which aim to safeguard the natural and built environment/ heritage.

*BCC's Approach to Design*

The supporting statement confirms the following approaches to the pavilion's design:

- The new small pavilion is about enhancing the experience for existing users, improving resources, and delivering operational flexibility.
- Siting the pavilion in its corner location shelters the timber structure under the mature tree canopy and out of view from the residents of Castle Hill.
- This location provides the maximum shelter from prevailing winds through the valley and avoids prominent skylines. With the playing fields being so large, the proposed pavilion provides a 'destination' to visitors and crowds who have come to watch sport, whilst providing some of the best views through the valley.
- The design directly responds to its location. With Berkhamsted Castle located close by, the flint wall directly reflects the building materials used at the Castle and in many of the historic buildings around the Town and surrounding Hertfordshire. The pavilion's curved form directly follows the land's topography. The three elements of location, form and construction material will minimise the buildings impact whilst harmoniously enhance its surroundings.
- The removable 'match day' canopy with a double pitch design refers back to a historical sporting past when marquees were used. Its ability to be demounted and remounted means that the pavilion footprint is minimised in comparison to a traditional pavilion viewing 'deck' or 'balcony' when it is not in use. However, when mounted, optimises the location to provide an iconic building that celebrates the theatre of sport.
- The natural materials and the buildings temporary form helps to compliment and not distract attention from the function of the Main Clubhouse, but instead, provides an overall positive addition to the playing fields.
- In addition to extensive consultation and engagement with the wide range of stakeholders, Berkhamsted community and governing bodies in developing the designs in the construction of a new storage/changing room building and the refurbishment of the existing Clubhouse, BCC has developed its design under the 'Chiltern Building Design Guide' (Para 1.22), and the 'Chiltern District Local Plan – Recreational Provision' (Chapter 10). It has also sought 'design leadership' from the Chilterns AONB Dunstable Downs Visitor Centre for what is acceptable within the Chiltern landscape. There has also been specific design reference to surrounding buildings which overlook Kitcheners Field. These include an Art Deco house on Castle Hill and the Headlands House on Shenstone Lane.

### *Policy Context*

Core Strategy Policy CS24 supports the application of the policies and actions set out within the Chiltern Conservation Board's Management Plan and the Chilterns Building Design Guide.

Saved DBLP Policy 97 states that the prime planning consideration is the conservation

of the beauty of the area but the economic and social well-being of the area and its communities will also be taken into account. Specifically for new buildings any development must:

- Not be intrusive;
- Be sympathetically designed having regard to contours, landscape, planting and other buildings; and
- Colours and materials used must fit in with the traditional character of the area.

### *Assessment*

This is with due regard to the Conservation Officer's very recent specialist advice, that from Strategic Planning and that Chilterns Conservation Board has not decided to provide a detailed response.

At this typical transitional point close to the urban edge featuring established sports pitches there is an inevitable demand for associated recreational facilities such as changing rooms/ pavilions.

The proposed building accords with the approach towards new development in the AONB by reason of its proposed design, construction and use of materials. Specifically, the proposal seeks to utilise materials which would reinforce local distinctiveness, namely the use of flint on the curved outer wall to emulate Berkhamsted Castle and timber cladding on the more subordinate facades to reflect the surrounding agricultural character. The building would also have a low-profile in terms of scale, massing and height, with the highest element being the curved wall at just over 3 metres high.

The building will be clearly visible within the landscape in this prominent and isolated location. The collective effect of its low profile form, levels and its setting in relation to existing planting and the rising land behind have all been taken into account in softening its assertiveness but providing a strong and not overly obtrusive presence with key references to the historic context and local materials, reinforced by the temporary demountable tented structure only used on match days.

The AONB can support contemporary designs in prominent locations, so aptly demonstrated by the Dunstable Downs Centre. Rather than the 'standard' utilitarian timber clad shed' the pavilion's innovative and different design represents a refreshing change .

There is a need to use an alternative material to the proposed artificial grass roof which is addressed by a recommended condition. On this basis the building can be supported in association with soft landscaping conditions with no harm to the AONB's scenic beauty.

### Impact upon Residential Amenity

This is in the context of Dacorum Core Strategy Policy CS12 and the NPPF's paragraph 133. There is a longstanding relationship between the nearby housing and



the sports facilities in the immediate locality.

The use of the building as an ancillary facility to the main Clubhouse should ensure that the current harmonious relationship/ coexistence between the housing and sports facilities can be maintained, with no resultant harm to the residential amenity of locality. This with regard to noise / disturbance and privacy.

#### Highway Safety/ Access/ Emergency Access/Parking/ Traffic Generation/ Sustainable Location /Inclusive Access/ Access for Persons with Disabilities

**Traffic Generation.** As the building's use is to be ancillary to the main Clubhouse, and with due regard to the information provided by BCC, it is not considered that there would not be resultant traffic generation issues. A recommended condition addresses the use of the building for teaching to take into account the traffic implications.

**Fire Access.** Currently there is a safe access and an associated turning facility between Castle Hill Avenue and the existing Clubhouse and its car park. However, HFRS initially identified fundamental problems with the lack of a safe fire access between the Clubhouse and the proposed building. Based upon the Club's subsequent site meeting with HFRS, the HFRS considers that the proposal can be supported without the provision of the normal fire access requirements.

**Parking.** Additional parking is not necessary given the building's ancillary use.

**Sustainability.** The site is a sustainable location. A Green Transport Plan is recommended, consistent with the approach towards new approved additional facilities serving the Borough's sporting facilities. Recent examples include Hemel and Kings Langley Football Clubs, Berkhamsted ,Bovingdon/ Flaunden Tennis and Long Marston Tennis Clubs.

**Access for Persons with Disabilities/ Inclusive Access.** The overall approach to upgrading BCC's site is to improve its facilities at Berkhamsted Cricket Club in a wholly inclusive way.

#### Ecological Implications/ Biodiversity

There are no adverse ecological implications. Biodiversity benefits will result from new hedge/ tree planting.

#### Flood Risk/ Drainage/ Contamination

There are no fundamental flood risk, drainage or contamination objections. A recommended informative addresses the need for a watching brief for contamination.

#### Crime Prevention/ Security

Hertfordshire Constabulary Crime Prevention Design Officer has expressed some significant concerns regarding its design and by implication its vulnerability in this relatively isolated location.

The Club is aware of these concerns and is confident that there are no overriding

problems. This has been further discussed with Hertfordshire Constabulary. As HC has not recommended refusal and there is not a high level of crime in the area, there would not be a case to resist the proposal based upon crime/ security issues. However, an informative recommends that the Club liaises with the Hertfordshire Constabulary to maximise site security. The use of natural lead as an alternative roofing material is not considered appropriate due to the building's relative vulnerability.

#### Exterior Lighting/ Light Pollution/ Visual Impact at Night

In this very sensitive location there is the need to ensure the strict control of external lighting. There is no proposed external lighting . With regard to the impact of internal lighting there are no windows. A restrictive lighting condition is recommended.

#### Archaeological Implications

Conditions are recommended.

#### Sustainable Construction

A condition is recommended which can address sustainable drainage.

#### Article 35

There has been dialogue between the local planning authority and the agent in accordance with normal Article 35 procedures.

### **Conclusions**

The Council is very supportive of the provision of sporting and community facilities within the Borough.

The proposal will provide a very important complementary / ancillary small scale facility to serve the Club to enable it to consolidate and diversify its very inclusive community role at the site with full support from Sport England.

The building's design principles in making references to the town's heritage provides the historic context. Its design is innovative and different and will make a significant positive 'visual statement' at a prominent location within the AONB with its low profile form, set against the retained boundary planting and the rising land behind. The retention of existing vegetation complemented by additional planting will facilitate the 'visual fusion' of the building within the landscape.

In recommending permission there are now no design objections raised by the Conservation and Design Team, with significantly no adverse response from the Chilterns Design Board, with a comprehensive supportive approach from Strategic Planning. It is fully acknowledged that due to the building's location the issues of fire

access and site security are far from ideal, however neither Hertfordshire Fire and Rescue Service or Hertfordshire Constabulary have recommended refusal

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The building hereby permitted shall only be used as ancillary to the main clubhouse on the land edged blue on the location plan for changing rooms and storage unless the use for teaching rooms is in accordance with full details submitted to and approved in writing by the local planning authority.**

Reason: The submitted application form specified use for the building is changing rooms and storage. It has been wholly on this basis that the local planning authority and technical consultees have considered the application. The use for classrooms/ teaching would need an associated assessment of the various implications. This is with regard to Policies CS5, CS9, CS12 , CS24, CS25 , CS29 and CS32 of Dacorum Core Strategy with regard to the various environmental , access and highway implications.

- 3 **Notwithstanding the submitted details this planning permission does not extend to the use of artificial grass for the roof of the building hereby permitted and no development shall take place until details of an alternative roof material(s) to be used in the construction of the roof and other external surfaces (including samples) of the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the character and appearance of the Chilterns Area of Outstanding Natural Beauty in accordance with Policy CS24 of Dacorum Core Strategy and saved Policy 97 of Dacorum Borough Local Plan.

- 4 **No development hereby permitted shall be commenced until an arboricultural method statement is submitted to the local planning authority. This statement shall show precisely how the development shall be constructed in relation to the existing vegetation including reference to the identified roots, ground conditions, foundations, method of construction ( hand and or machine excavation) and how the vegetation will be safeguarded/ protected during construction. The development shall be carried out fully in accordance with the approved details.**

Reason: To ensure that there is a long term compatible relationship between the development and the adjoining vegetation to accord with to accord with the requirements of Policies CS7, CS10, CS24, CS25 and CS27 of the Dacorum Core Strategy .

- 5 **Within the first planting season following the first use of the building hereby permitted full details of all proposed planting and a scheme to retain existing retained planting (including planting times) shall be submitted to the local planning authority. All the approved planting shall be be carried out in accordance with those details fully in accordance with the approved details. For the purposes of this condition the planting season is between 1 October and 31 March.**

Reason: To safeguard the local environment in accordance with the requirements of Policies CS12, CS24, CS25 ,CS26 and CS29 of the Dacorum Core Strategy.

- 6 **If within a period of 5 years from the date of the planting of any tree, shrub or section of hedge, that tree, shrub or section of hedge or any section of hedge planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.**

Reason: To safeguard the local environment in accordance with the requirements of Policies CS12, CS24, CS25 ,CS26 and CS29 of the Dacorum Core Strategy.

- 7 **There shall be no exterior lighting installed at the building.**

Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS24 , CS24, CS25, and CS32 of the Dacorum Core Strategy and Polices 97 and 113 and Appendix 8 of the saved Dacorum Borough Local Plan.

- 8 **Before the commencement of the development hereby permitted a Sustainable Design and Construction Statement shall be submitted to the local planning authority. The development shall be constructed and maintained in accordance with approved scheme.**

Reason: To ensure the sustainable development of the site in accordance with Policy CS29 of the Dacorum Core Strategy.

- 9 **No Development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

1. **The programme and methodology of site investigation and recording**

2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To safeguard the site archaeology to accord with the requirements of Policy CS27 of the Dacorum Core Strategy.

- 10 **Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 8 and the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To safeguard the site archaeology to accord with the requirements of Policy CS27 of the Dacorum Core Strategy.

- 11 **Within two years of the date of the first use of the building hereby permitted a Green Travel Plan shall be submitted to the local planning authority for its approval in writing. The Travel Plan shall provide details of measures for reducing car dependency, the need to travel to site by car whilst promoting alternative modes of transport such as walking, cycling and use of public transport. The approved Travel Plan shall then be implemented in accordance with the approved details within 3 months of the date of its approval in writing by the local planning authority. The Travel Plan shall then be operated for at least 5 years from the date of its first implementation. During this period the effectiveness of the Travel Plan shall be monitored by the operator. At the end of this period results of the monitoring shall be submitted to the local planning authority in writing, and modified, if necessary, in accordance with the local planning authority's approval.**

Reason: To accord with the principles of sustainable transportation in accordance with Policy CS8 of the Dacorum Core Strategy.

- 12 **Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following drawings:**

**Location Plan No1  
Proposed Floor Plan No2  
Axonometric No3  
Proposed Front Elevation No4  
Proposed North Elevation No 5**

**Roof/Block Plan No 6**  
**Proposed Floor Plan No 7**  
**Proposed South Elevation No 8**  
**Proposed Sections No 9**

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

NOTE 1:

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**Informatives**

Liaison with Hertfordshire Constabulary Crime Prevention Team

It is recommended that the Club liaise with Hertfordshire Constabulary Crime Prevention Design Advisor/l Crime Prevention Design Service, Hertfordshire Constabulary, Police Headquarters, Stanborough Road, Welwyn Garden City, Hertfordshire AL8 6XF

Site Contamination

There exists the slight possibility that this activity may have affected the application site with potentially contaminated material. The developer should keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

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**ANNEX 1: Berkhamsted Cricket Club's responses to concerns raised by Berkhamsted Town Council**

Concern 1: The development must not be intrusive in terms of noise, light pollution, traffic generation and parking.

- Cricket is played during the day, there are no windows in the new temporary pavilion to stop any light pollution from the changing rooms.
- The number of games played over the weekend will not change. During the week, BCC would like to see a small increase in the field use to ensure the playing fields financial future, but BCC are not a profit making business.

- With two playing fields, peak attendance numbers to the site will not increase.

Concern 2: Structures must be sympathetically sited and designed having regard to natural contours.

- BCC believe that it has selected the most appropriate position on the site to minimise visual impact to residence, shielding it almost in its entirety by trees from the residence of Castle Hill. The single storey design with a flat roof is shallower than a traditional pitched roof pavilion design. The building design follows exactly the contours of the site and the choice of materials are chosen due to their local reference, of high quality and finished detail.

Concern 3: Foundations will necessitate digging AONB land and positively levelling the contours of the site.

- Minimal foundations are planned, with screw piles used in the main.
- No landscaping is planned in the proposal. The land at the proposed site is suitably level.
- Mitigations to preserve the land would be taken under professional advice and guidance.
- The natural slope of the site will be retained (as seen in the planning drawings).

Concern 4: Tree survey not provided.

- Advice will sought from The Council's Trees & Woodlands Team and the Environment Agency, who are technical consultees.

Concern 5: Does not demonstrate any awareness of, or how it might be in accord with the recommendation in the Chiltern Building Design Guide (para 1.21).

- BCC has developed our design under the Chiltern Building Design Guide para 1.22. Consulting extensively to develop a proposal that meets all of the Chiltern Building Design Guide's recommendations with sympathy.

Concern 6: Many aspects of this proposal are contrary to the design specification such as avoiding prominent skylines, open slopes and flat roofs, and being in harmony with the landscape.

- BCC believe the proposal is not contrary to the design specifications.
- Single storey flat roof avoids prominent skyline intrusion.
- The building seeks to be in harmony and enhance its landscape.

Concern 7: Canopy

- This roof will only be installed during match days during the summer minimising the overall buildings impact when it is not being used.
- The flint wall is the local stone as is directly responsive to the local vernacular / surrounding building such as the Art Deco building on Castle Hill.

Concern 8: The plans appear to show a footpath to the site and around the building.

- This is not a new path, it just shows reference to site access from the road during construction.

Concern 9: The breeze block wall is said to be necessary to support the grass roof.

- This is agreed. The breeze block wall will be clad in flint and is both structural and visual to respond to Berkhamsted's historical heritage and to fit in with the Chilterns traditional building material and local vernacular.

Concern 10: The site is part of the AONB where illumination is not acceptable.

- The planning application does not refer to any external lighting and there is no plans for sports flood lighting.

- The proposed pavilion has been designed specifically without glazing to prevent any light pollution coming from the building.