

**Dacorum Borough Council**  
**Planning and Regeneration**  
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**DECISION NOTICE**

**Application (full) for planning permission.**

*Town and Country Planning Act 1990*

|                   |   |
|-------------------|---|
| <b>Reference:</b> | 21/01081/FUL  |
| <b>Proposal:</b>  | Multi Use Games Area (MUGA) restoration and canopy construction.        |
| <b>Address:</b>   | Hemel Hempstead School Heath Lane Hemel Hempstead Hertfordshire HP1 1TX |

Your application received 15th March 2021 and registered on 9th April 2021 has been **GRANTED** subject to the conditions overleaf.

Assistant Director  
Planning, Development and Regeneration  
Dacorum Borough Council

## Condition(s) and Reason(s):

1. The development hereby permitted shall begin 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 development hereby permitted shall be carried out in accordance with the following approved plans/documents:

TigerTurf Brochure;  
TigerTurf Data Sheet;  
THHS-01-A REV 0 (Chiltern Sports - 4 MUGA Drawing);  
THHS-02-A REV 0 (Chiltern Sports - 5 MUGA Drawing);  
Heritage Statement by BEAMS Ltd;  
2021 CAS 025 015 (Proposed Elevations);  
2021 CAS 025 013 (Proposed M.U.G.A Layout);  
2021 CAS 025 011 (Block Plan);  
Able10566 (Site Location Plan - Canopy);  
Able10569 (Canopy Elevation Plan);  
Able10567 (Canopy Block Plan);

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

3. No development shall take place until the final detailed design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted FRA and Drainage Strategy prepared by JNP Group reference M43675-JNP-XX-XX-RP-C-1001 dated October 2021 including Surface Water Drainage Strategy Drawings 1001 and 1002 dated 06 October prepared by JNP Group. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
2. Condition survey of the existing car park drainage used to connect the MUGA areas into the Thames Water sewer.
3. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, reducing the requirement for any underground storage.
4. Provision of half drain down times for surface water drainage within 24 hours.
5. Silt traps for protection for any residual tanked elements.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface and to accord with paragraph 167 of the National Planning Policy Framework (2021).

4. The development permitted by this planning permission shall be carried out in accordance with the FRA and Drainage Strategy prepared by JNP Group reference M43675-JNP-XX-XX-RP-C-1001 dated October 2021 including Surface Water Drainage Strategy Drawings 1001 and 1002 dated 06 October prepared by JNP Group and the following mitigation measures:

1. Provide conveyance of surface water run-off via an infiltration trench into a geocellular soakaway to manage surface water run-off and volumes from the proposed canopy area;
2. Provide attenuation of surface water run-off managed by pervious surfacing and subbase with a surface water discharge rate of 1.6l/s to discharge into an existing Thames Water sewer at Heath Lane for the MUGA Areas.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to accord with paragraph 167 of the National Planning Policy Framework (2021).

5. Upon completion of the drainage works for the site in accordance with the timing/phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority:

1. Provision of a complete set of as built drawings for site drainage.
2. A management and maintenance plan for the SuDS features and drainage network.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to accord with paragraph 167 of the National Planning Policy Framework (2021).

6. Use of the replacement surface on the Lower Multi-Use Games Area shall not commence until:

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

have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with policies 73 and 116 of the Dacorum Borough Local Plan (2004) and to accord with paragraphs 93 and 99 of the National Planning Policy Framework.

7. Prior to first use of the multi-use games areas but following completion of the development hereby permitted, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing

by the Local Planning Authority, and a copy of the completed approved agreement will be provided to the Local Planning Authority. The agreement shall apply to the Upper and Lower multi-use games area and the supporting car park as a minimum and include details of hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with policies 73 and 116 of the Dacorum Borough Local Plan (2004) and to accord with paragraphs 93 and 99 of the National Planning Policy Framework.

8. The development shall be carried out in accordance with the approved lighting scheme designed by Luminance Pro Lighting Systems Ltd. (described in the submission as Option 1) received by the local planning authority on 15th March 2021.

There shall be no additional exterior lighting installed at the site.

Reason: To comply with Sport England's Artificial Sports Lighting design guidance and to safeguard the character and appearance of the site to accord with the requirements of Policies CS12 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the Dacorum Borough Local Plan (2004).

9. The floodlights and MUGAs hereby permitted shall only be used during the following times:

- Monday to Sunday 08:30 to 22:00 hours and at no other time.

Reason: In the interests of safeguarding the residential amenity of the area and the local environment to accorde with the requirements of Policies CS12, CS29, and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the Dacorum Borough Local Plan (2004).

10. The existing car park (car park 4) shall be available at all times for the parking of vehicles for the users of the MUGAs hereby permitted.

Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining highway to accord with Policies CS8 and CS12 of the Dacorum Core Strategy and Policy 58 of the Dacorum Borough Local Plan.

### **Informatives:**

1. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.
4. In relation to Condition 3, the applicant is advised that the pitch should be tested every three years by an accredited testing laboratory in order to achieve and maintain FIFA Quality.

**This application was supported by the following documents:**

- 0 (Planning Statement)
- 011 (Block Plan)
- 012 (Existing Plans - General)
- 013 (Proposed Plans - General)
- 014 (Existing Elevations)
- 015 (Proposed Elevations)
- 020 (Existing Plans - General)
- 021 (Existing Plans - General)
- 022 (Proposed Plans - General)
- 023 (Proposed Plans - General)
- 10566 (Additional Plans)
- 10567 (Block Plan)
- 10568 (Existing Plans - General)
- 10569 (Proposed Plans - General)
- 14 (Photos)
- 15 (Flood Risk Assessment)
- 19 (Heritage Statement)
- 2 (Site plans)
- Whole Site (Site Location Plan)
- South (Site Location Plan)
- North (Site Location Plan)



## Notes:

### Appeal to the Planning Inspectorate

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Before making any appeal you should first consider re-engaging with the local planning authority to discuss whether any changes to the proposal would make it more acceptable and likely to gain planning permission. A revised planning application could then be submitted.

Applicants should give consideration to the merits of the case, and whether there are strong grounds to contest the conditions or reasons for refusal of planning permission before submitting an appeal. Parties who pursue an appeal unreasonably without sound grounds for appeal may have an award of costs made against them.

Most planning appeals must be received within six months of the date on the decision notice. Where the appeal relates to an application for householder planning consent, and is to be determined via the fast track Householder Appeals Service, there are only 12 weeks to make the appeal. Appeals related to shop fronts must also be submitted within 12 weeks. Advertisement consent appeals must be submitted within 8 weeks. If an appeal on an application for planning permission is linked to enforcement action, there are only 28 days to make the appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone: 0303 444 5000.

### Compensation

In certain circumstances, compensation may be claimed for the Borough Council if permission is refused, or granted subject to conditions, by the Secretary of State on appeal or on reference of an application to him. These circumstances are set out in Parts VI and VIII and related provisions of the Town and Country Planning Act 1990 and Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission/consent to develop land, or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state, nor render the land capable of a reasonably beneficial use, by the carrying out of any development or works that have been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990 and Part I, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Community Infrastructure Levy (CIL)

Dacorum Borough Council is a Charging Authority for Community Infrastructure Levy (CIL). It is your responsibility to clarify the CIL liability on your development. The Council will make every effort to ensure that notices for liable developments are dispatched as soon as possible following planning permission or consent being granted. If you do not receive a liability notice please contact the Council. It is important that all CIL matters be in place before any works begin on site – including any demolition. Further information regarding CIL, including FAQs, access to all CIL forms and information on appeals can be found on our website at [www.dacorum.gov.uk/cil](http://www.dacorum.gov.uk/cil) or you can contact us at [CIL@dacorum.gov.uk](mailto:CIL@dacorum.gov.uk).

### Building Regulations

The proposed works may require building regulations approval. Please contact Dacorum Borough Council's Building Control Department who can help you through the process. They can be contacted via telephone (01442 228 587) or email ([building.control@dacorum.gov.uk](mailto:building.control@dacorum.gov.uk)).

### Creating New Addresses

If you are creating a new commercial or residential postal address, you must notify the Council's Address Management Team when works are commenced. This can be done [online](#) or by emailing [address.management@dacorum.gov.uk](mailto:address.management@dacorum.gov.uk).

### Pollution Act

When arranging building works both the employer and the builder are responsible for works being undertaken within the hours of construction of the Control of Pollution Act 1974. Further information can be found on our [website](#).