

ITEM NUMBER: 5c

24/02359/FUL	Removal of tower mast and associated cabins, relocation of two storage containers to one single storey building and one two storey building with accommodation facilities in loft, construction of single storey buildings for a swimming pool.	
Site Address:	Chiltern Young Riders Motocross Track, Shootersway, Berkhamsted, Hertfordshire, HP4 3TY	
Applicant/Agent:	Mr Simon Newell	Mr James Joyce
Case Officer:	Colin Lecart	
Parish/Ward:	Northchurch Parish Council	Northchurch
Referral to Committee:	Objection received from Parish Council (See Appendix A)	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed development seeks to regularise changes to canopy buildings A and B which were originally granted planning permission in 2018. The proposed swimming pool building has not been constructed and remains the same as previously proposed in 2018. These elements were considered to not have a greater impact on the openness of the Green Belt at the time. Canopy Buildings A and B are larger than previously proposed. However, the NPPF (2024) has amended the relevant Green Belt test in relation to development on previously developed land within the Green Belt to not cause substantial harm on the Green Belt.

2.2 Given the limited changes to the buildings from how they were originally granted and conditions that can restrict the use of the development, it is considered that the development would not cause substantial harm to the openness of the Green Belt.

2.3 In addition to the above, the site is heavily screened and in an area located on relatively low lying/flat topography. The immediate area is dominated by heavy vegetation screening the site, the A41 to the south, and a commercial compound to the east. It is considered that the development would not have an impact on the special qualities of the Chilterns National Landscape or the general character of the area due to these factors.

3. SITE DESCRIPTION

3.1 The application site is located to the southwest of Shootersway, to the north of the A41 and comprises a motor cycle track and mobile phone tower and associated compound. The area is screened to almost all sides by mature trees and woodland other than the entrance which has metal gates and signage and is accessed via a narrow unmade track which has restricted access.

3.2 The site housing the telecommunications equipment within the wider site is enclosed by a high metal fence. A substantial metal tower containing the relevant communications equipment is located within the enclosure together with a number of different metal structures to provide power and the other workings of the tower.

3.4 Planning Permission was granted in 2018 (4/02425/18/FUL) for "removal of tower mast and associated cabins, relocation of two storage containers into building with accommodation facilities at first floor and construction of swimming pool building". The two storage buildings (Canopy Building A and B) granted under the permission have been constructed on site, albeit differently to

the original permission. The swimming pool building has not been constructed, and the telephone mast and cabin buildings have remained in place.

3.5 The site is located within the Green Belt, Area of Archaeological Significance (Grims Ditch) and Chilterns Area of Outstanding Beauty. It also located within an area close to Little Dickshill Wood, which is an Ancient Woodland.

4. PROPOSAL

4.2 The motorcycle track is run by the applicant as the Chilterns Young Riders which is an organisation that seeks to introduce young people, many of which have social or physical difficulties, to motorcross. The use as a track was originally granted permission in 1994 for a temporary period of two years. The use was made semi- permanent in 1997 and is restricted to only being carried out by the applicant. Hours of operation were amended by way of condition restricting the use to 10:00 hours and 16:00 hours on Saturdays and Sundays, except in school holidays in Hertfordshire and Buckinghamshire when the use may be carried out between 10:00 hours and 16:00 hours on weekdays, provided that the use shall not take place on more than 5 days or part thereof in any individual week In 2010 the construction of an ancillary clubhouse building was also granted on appeal.

4.1 This application seeks planning permission for the removal of a tower mast and associated cabins, relocation of two storage containers to one single storey building and one two storey building with accommodation facilities in loft, construction of single storey buildings for a swimming pool

4.2 The application is largely a replication of planning permission 4/02425/18/FUL, though canopy Buildings A and B have been constructed differently to how they were originally approved. These buildings house the storage containers for the motorcross bikes and other equipment at ground floor with over night accommodation facilities situated at first floor. The accommodation facilities would be for users of the motocross track and security personnel.

4.3 The previously approved dimensions of buildings A and B alongside the now proposed dimensions are shown in the table below:

	Previously approved	Proposed
Building A	6.525 (height) x 12.25m (length) x 7.06m (width)	7.3m (height) x 14.65m (length) x 9.1m (width)
Building B	5.56m (height) x 7.375m (length) x 5.86m (width)	7.35 (height) x 8.09m (length) x 6.7m (width)

4.4 The proposed swimming pool building remains the same as previously approved in 2018 under this application. This building would be for the use of motorcross students already visiting the site as well as for private swimming lessons.

5. PLANNING HISTORY

22/00105/FUL - Demolition of existing mast and associated structures and equipment on site A and construction of new a 27.5m high slimline lattice mast, 15 no. antennas and associated antenna equipment located on a headframe on the mast, 2 no. 0.6m & 2 no. 0.3m transmission dishes located on the mast, 9 no. small scale equipment cabinets and associated equipment at ground level, minor ancillary works including a 2m high fenced compound on Site B

PDE -

22/02764/FUL - Installation of wind generator to supplement solar on site.
GRA - 17th November 2022

23/00976/DRC - Details as required by conditions 4 (external colour), and 6 (foundation sections) attached to planning permission 22/02764/FUL (Installation of wind generator to supplement solar on site.)
GRA - 21st August 2023

23/02475/ROC - Variation of condition 5 (Written scheme of investigation) and Condition 7 (Bunkhouse facility) attached to planning permission 4/02425/18/FUL - Removal of tower mast and associated cabins, relocation of two storage containers into building with accommodation facilities at first floor and construction of swimming pool building.
DET - 20th August 2024

23/02549/LDE - Construction of a detached building as a canopy to cover storage contains and with a storage loft.
GRA - 10th February 2025

4/02425/18/FUL - Removal of tower mast and associated cabins, relocation of two storage containers into building with accommodation facilities at first floor and construction of swimming pool building.
GRA - 27th November 2018

4/01805/17/FUL - Removal of tower mast and associated cabins, relocation of two storage containers to two single storey buildings, construction of two single storey buildings for a swimming pool and accommodation facilities
REF - 8th November 2017

Appeals

24/00002/NONDET - Variation of condition 5 (Written scheme of investigation) and Condition 7 (Bunkhouse facility) attached to planning permission 4/02425/18/FUL - Removal of tower mast and associated cabins, relocation of two storage containers into building with accommodation facilities at first floor and construction of swimming pool building.
DIS - 20th August 2024

4/01805/17/FUL - Removal of tower mast and associated cabins, relocation of two storage containers to two single storey buildings, construction of two single storey buildings for a swimming pool and accomodation facilities
DIS - 6th September 2018

6. CONSTRAINTS

Advert Control: Advert Spec Contr
Ancient Woodland: Ancient & Semi-Natural Woodland
Area of Archaeological Significance:
Area of Outstanding Natural Beauty: CAONB outside Dacorum
BCA Townscape Group
CIL Zone: CIL1
Green Belt: Policy: CS5
LEADS Ecology:
Parish: Northchurch CP
RAF Halton and Chenies Zone: Red (10.7m) / DOTTED BLACK ZONE
Parking Standards: New Zone 3
EA Source Protection Zone: 3

Tree Preservation Order: 381, Details of Trees: W2 - Mixed Species
Tree Preservation Order: 381, Details of Trees: W1 - Mixed species
Wildlife Sites: Little Dickshill Wood & Great Dickshill Wood

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2024)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy (2013):

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24 – Chilterns AONB

Local Plan (2004):

Policy 97 – Chilterns Area of Outstanding Natural Beauty
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Policy 101 – Tree and Woodland Management

Supplementary Planning Guidance/Documents:

Car Parking Standards (2020)
Hertfordshire Place and Movement Design Guide (2024)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)

Supplementary Planning Guidance/Documents:

Place and Movement Planning and Design Guidance for Hertfordshire (2024)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Chilterns Building Design Guide (2010)
Planning Obligations (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity and the Chilterns National Landscape;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The application site is located within the Green Belt. Paragraph 154 of the National Planning Policy Framework (NPPF) (2024) states that one of the exceptions to inappropriate development in the Green Belt is buildings for agriculture and forestry.

9.3 Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted for buildings for the uses defined as appropriate in national policy provided that it has no significant impact on the character and appearance of the countryside.

9.4 Paragraph 154 of the NPPF (2024) states that development in the Green Belt is inappropriate and goes on to list a number of exceptions to this. One of these exceptions is:

9.5 "Limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt".

9.6 The site has historically been characterised by the motorcross track, the existing club lodge building, storage containers, and the telephone mast compound. It is therefore considered the site can be considered previously developed land as this has been established under historic appeal decisions such as APP/A1910/W/17/3189969 and the planning permission on site for two canopy storage buildings and swimming pool building ref. 4/02425/18/FUL. The principle of accommodation on site and the swimming pool was established at the appeal and by the 2018 planning permission.

9.7 Furthermore, the site could potentially be considered Green Belt Land under paragraph 155 of the NPPF (2024). However, the below assessment has firstly concentrated on whether the development would result in substantial harm to the Green Belt under exception g of Paragraph 154 of the NPPF.

9.8 Due to the above, it is considered that the proposed development is acceptable in principle, subject to it not resulting in substantial harm on the Green Belt.

Impact on Green Belt

9.10 It should be noted that the revisions to the 2024 version of the NPPF altered the wording of Paragraph 154 with respect to previously developed land. Previously the test was that there would be "no greater harm". This has been amended to no substantial harm".

9.11 The application site consists of a gravelled access and car park, a two-storey brick and timber-clad lodge building with a hipped and pitched roof, and a telecommunications compound

sited to the south of the Chiltern Young Riders (CYR) MX track. In addition to this, two of the previously granted canopy storage buildings have been constructed.

9.12 The site and the adjacent MX track are enclosed by trees on all sides, with the open countryside of the Chilterns Area of Outstanding Natural Beauty (AONB) lying beyond the trees. Views into the appeal site from Two Ponds Lane and the public right of way running off Pea Lane to the north are therefore limited during the summer due to this existing vegetation.

9.13 The rationalisation of the storage containers to within 2 canopy shelters would reduce the level of visual clutter within the appeal site. While the proposed canopy shelters would be higher than the existing storage containers, they would create a small cluster of similar buildings reminiscent of a grouping of farm buildings. This is in line with the Council's Conservation Officer's advice on the 2018 permission. It was considered in 2018 that the canopy shelters would have a limited positive effect on openness by reason of the consolidation of containers across the appeal site and the enhancement of their visual appearance. Therefore, it was considered that the buildings would not result in greater harm to the openness of the Green Belt, which was the test prior to the 2024 amended NPPF.

9.14 The buildings have been built out differently to the plans on the 2018 permission. The approved and proposed dimensions of the buildings are shown in the proposals section of this report.

9.15 Overall, the combined footprint of Canopy Buildings A and B have increased from an approved 129sqm to 182sqm, an increase of 53sqm.

9.16 It is important to note that Canopy Building B has been granted a Lawful Development Certificate under ref. 23/02549/LDE, as its construction was completed more than 4 years ago. This building is therefore lawful, despite having been constructed differently to the 2018 Planning Permission.

9.17 Therefore, whilst Canopy Building A has increased in size, it is considered that the increase of this building alone does not result in substantial harm to the Green Belt. Both Canopy Buildings are still situated between the motorcross track, the existing lodge building, and the telecommunication compound, with the A41 located close by to the south. The site is also visually enclosed by vegetation from a visual perspective.

9.18 The proposed swimming building is the same as it was originally approved in 2018. This permission is not extant as a pre-commencement condition relating to archaeology was not discharged prior to commencement on site. However, the previous assessment would still be relevant.

9.19 The previous assessment for this building referred to a previous appeal decision on the site whereby it was considered the building would not have greater harm on the openness of the Green Belt do the removal of the tower mast and the visual clutter of building within the compound. It was also not be prominent from the surrounding area.

9.20 Overall, the replacement of the telecommunications compound with the proposed swimming pool building has been assessed by both the Planning Inspectorate and Dacorum Borough Council, and it was determined that it had no greater impact on the openness of the Green Belt. As stated, the amendments to the NPPF in 2024 have raised the test to a proposal having no substantial harm rather than no greater harm on the Green Belt. It is considered that the proposed swimming pool building does not result in substantial harm to the openness of the Green Belt.

9.21 In terms of use, it is also noted that the bunkhouse in the first floor of Canopy Building A has reduced from the approved 3 bedrooms to 2 bedrooms. However, canopy building B now has two bedrooms within the first floor alongside other living accommodation.

9.22 The proposed accommodation facilities are for use of people visiting the site for the MX use. The hours of use and days of this use are restricted by condition tied to a historic planning permission. It is considered that having overnight visitors drawn from those already visiting the site for the use would not significantly increase the intensity of the use of the site significantly as visitors using this accommodation would be drawn from existing visits to use the MX site.

9.23 With regards to the use of the new swimming pool building, this was assessed on the 2018 permission, where it was noted that the building was be used by people travelling to the site for the MX use. It would also attract people to the site for private swimming lessons. Whilst the pool would not be a public swimming pool, it would nonetheless generate additional vehicle movements above the existing use. It is acknowledged that the proposed development would give rise to a greater intensity of use of the site in terms of comings and goings by car, the relatively low level of this additional activity would have a limited detrimental effect on openness.

9.24 The proposed building and its intended use remain the same. In addition to this, the tests for the impacts to the Green Belt have changed, with the test being to avoid substantial impact on the Green Belt, rather than no greater impact at the time of the original permission. It is considered that the uses of the buildings would not result in substantial impact to the Green Belt.

9.23 Due to all of the above, it is considered that the proposal would not result in substantial harm to the openness of the Green Belt and therefore complies with Policy CS5 of the Core Strategy (2013) and paragraph 154(g) of the NPPF (2024).

Impact on Character of the Surrounding Area and Chilterns National Landscape

9.24 Core Strategy (2013) Policies CS10, CS11 and CS12 highlight the importance of high-quality sustainable design in improving the character and quality of an area, seeking to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance.

9.25 Core Strategy (2013) Policy CS24 and Local Plan (2004) Policy 97 seek to conserve the special qualities of this area. Additionally, Paragraph 189 of the NPPF (2024) states that great weight should be given to conserving landscape and scenic beauty in the National Landscapes.

9.26 The site is well screened to the south by a belt of trees that separates the site from the access track. It is also surrounded to the north and east by woods, subject to a Tree Preservation Order. To the northwest of the telecommunications site is the existing ancillary building. When considering the impact that this building would have on the Chilterns Area of Outstanding Natural Beauty (AONB), the Inspector considered (APP/A1910/A/10/2121953) that it could not be easily seen at any time of the year, and would not be prominent or intrusive. The design was also considered to be acceptable and accordingly it would have little if any impact on the character and appearance of the AONB.

9.27 Similarly, the proposed buildings would be well screened from wider viewpoints with similar building design and use of materials to the clubhouse.

9.28 The proposed bulk, and height of the swimming pool building was acknowledged on the previous permission. However, due to the heavy screening surrounding the site, it was considered a refusal on these grounds would be unsubstantiated due to this proposed element not being visible from the street scene, or surrounding AONB. This situation remains the same and it is further noted that a commercial compound is located to the east of the site, in a more exposed position within the landscape. The immediate area is also heavily dominated by its proximity to the A41 to the south.

9.29 Overall the design of the buildings is considered acceptable within the context of the immediate surroundings and is not visible in long range views within the Chilterns National Landscape. Therefore, the development would not have a detrimental impact on the character of the surrounding area and would not have an impact on long range views which would be detrimental to the special qualities of the Chiltern National Landscape in this location.

9.30 As a result, the proposed shed would not have a significant impact on the landscape of the Chilterns National Landscape and comply with Policy CS24 and CS25 of the Core Strategy (2013) and Policy 97 of the Local Plan (2004).

Impact on Residential Amenity

9.31 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space.

9.32 There are no residential properties in the surrounding vicinity which the proposals would have an impact on in terms of loss of light, outlook and privacy.

9.33 The proposed overnight accommodation would not be occupied on a permanent basis.

9.34 The proposal would be acceptable with respect to the impact on the residential amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2024).

Impact on Highway Safety and Parking

9.35 Policy CS12 of the Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users. Policy 54 of the Local Plan (2004) states that new development proposals will be expected to meet current national and local standards for highway design.

9.36 The council's parking standards are comprised within Appendix A of the Parking Standards SPD (2020).

9.37 The site is currently accessed off Two Ponds Lane and no alterations to this are proposed. Hertfordshire Highways were consulted on the previous application and had no objection to the proposal.

9.38 There is a large existing area on site for the parking of vehicles. 15 spaces are marked on the proposed site plan but there is space for overflow parking above this level.

9.39 The swimming pool would be 140sqm. The Parking Standards SPD would require 1 parking space per 15sqm which would attract a requirement of 9 spaces which is accounted for on the site plan.

9.40 Whilst this would leave 6 spaces for motorcross spaces for mx students, it is considered that there is ample space within the site for additional parking to meet the needs of these visitors. In addition to this, it is likely the requirement for swimming pools within the Parking Standards SPD relates to public swimming pools. The proposed swimming pool building would be used for private swimming lessons which would be booked in advance.

9.41 It is noted that the plans indicate room in the pool for 18 students and 2 teachers. Whilst the proposal complies with the Parking Standards SPD, it is considered reasonable to apply a condition to any permission that is granted to require that prior to the first use of the swimming pool, the parking spaces shown on the plan are laid out and demarcated for visitors. This would be to ensure the efficient parking of vehicles within these spaces to retain extra room on site for any overflow parking that may be required.

9.42 It is considered that the proposed development will not have a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal is acceptable in highway terms and complies with Policy CS12 of the Core Strategy, Policy 54 of the Local Plan and the Parking Standards SPD.

Other Material Planning Considerations

Overnight Accommodation

9.42 The principle of an overnight accommodation use being situated on site was established under the previous planning permission. 3 bedrooms were previously proposed in Canopy Building A. This has been reduced to 2 bedrooms in this building with 2 bedrooms being located in Canopy Building B. Therefore, the proposal increases the number of bedrooms on site by 1.

9.43 At the time of the site visit, it was acknowledged that one of the bedrooms in building B was being used for storage. The applicant has accepted a condition stipulating that overnight accommodation on site will be restricted to three overnight rooms in total use at any given time and that these shall be used by people attending the motorcross curriculum and site security. This would maintain the total number of overnight accommodation as previously approved.

9.44 The division of bedrooms across both buildings has occurred to provide flexibility to the applicant in catering to the needs of different visitors and their carers. It is also noted the in some instances security personnel is required to stay overnight, in which case they would lodge in a separate building to visitors of the mx track.

9.45 The above condition would replace the originally worded Condition 7 of the previous planning permission which limited the use of the bedrooms to children attending the motorcross curriculum. There is a need for site security to stay on site on some occasions. The intensity of the use of the overnight accommodation is limited by the total number of bedrooms available on site and therefore there is no objection to this.

Swimming Pool

9.46 The hours of use of the pool were restricted by condition 3 of the previous planning permission:

The use of the swimming pool hereby permitted shall only take place in accordance with the following restrictions:

Mondays to Fridays (inclusive)

Between 09:00am – 22:00pm.

Saturdays and Sundays and Bank Holidays

Between 09:00am and 18:00pm.

9.47 The condition above will be attached to any grant of planning permission for the current proposals.

9.48 In addition to this, there was a condition (Condition 8) which required a swimming pool standpoint to be installed for water supply. This related to fire tender access in relation to the overnight accommodation facilities. The condition referred to a specific water supply method. This condition has been reworded to seek details of water supply to the satisfaction of the Fire Service prior to the first use of the overnight accommodation.

Archaeology

9.49 The archaeology officer at Hertfordshire County Council was consulted but has not responded formally to the application. However, multiple discussions have taken place with the officer and they have recommended an appropriately worded condition relating to underground heritage assets that will be attached to a grant of planning permission for this application.

9.50 It is noted that Condition 5 of the previous planning permission was never discharged and two buildings on site have now been constructed. The wording of the condition recognises this and requires the submission of a Written Scheme of Investigation to address this.

Ancient Woodland/Trees

9.51 The footprint of the buildings do not encroach into the Ancient Woodland. A condition will be attached to the permission requiring the submission of a tree protection plan prior to the commencement of the development of the swimming pool building.

9.52 Hertfordshire Ecology have reviewed the proposal and have no objection, subject to the inclusion of a lighting informative

Biodiversity Net Gain

9.53 The development is exempt from Biodiversity Net Gain requirements as it does not impact on 25sqm or above of non-priority habitat. The affected areas and their surroundings consist of gravel, pavement and vegetated un-sealed surfaces

Chilterns Beechwood SAC

9.54 The Chilterns Beechwoods Special Area of Conservation ("SAC") includes a number of separate sites in the Chiltern Hills and spans three counties. A SAC is an internationally recognised designation with habitats and species of significant ecological importance. The relevant sites to Dacorum are the Ashridge Commons and Woods Sites of Special Scientific Interest ("SSSI") and the Tring Woodlands SSSI.

9.55 As part of Dacorum's emerging Local Plan, evidence was found that additional residential development in the Borough would lead to more visitors to these protected sites and an increase in adverse activities e.g. trampling. To limit this impact, a Habitat Regulations Assessment ("HRA") is required for any development that results in an additional residential unit within the 'zone of influence'.

9.56 The proposals are linked to an outdoor sporting use that exists on site. Whilst there is an overnight accommodation element of the proposal, this is ancillary to the main use and a condition of the permission would restrict users of this accommodation to users of the mx track and site security. Therefore, the proposals do not result in an increase in residential dwellings on site and an appropriate assessment is not required under Dacorum's Chiltern Beechwood SAC Mitigation Strategy.

9.57 A condition attached to the permission would restrict the use of the accommodation to motorcross students and site security. As previously stated, these principle of these ancillary facilities on site have been established by a historic appeal decision and a 2018 planning permission.

10. CONCLUSION

10.1 The proposed development seeks to regularise changes to canopy buildings A and B which were originally granted planning permission in 2018. The proposed swimming pool building has not been constructed.

10.2 The proposed development would not result in substantial harm to the Green Belt and given its limited size and positioning, would not impact upon its openness. It would not have a detrimental impact on the special qualities of the Chiltern National Landscape or the general character of the area in this location and would not result in adverse impacts to the safety and operation of the adjacent highway.

10.3 Therefore, the proposal complies with Policies CS5, CS11, CS12 and CS24 of the Core Strategy (2013), Policy 97 of the Local Plan (2004) and the NPPF (2024), as well as the Parking Standards SPD (2020)

11. RECOMMENDATION

11.1 That planning permission be GRANTED, subject to the conditions below:

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:**

Proposed Site Plan (4061 1.02 G)
Proposed Swimming Pool (4061 1.03 C)
Proposed Canopy Shelters over containers (4061 1.04 E)

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

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. **The use of the swimming pool hereby permitted shall only take place in accordance with the following restrictions:**

Mondays to Fridays (inclusive)

Between 09:00am - 22:00pm.

Saturdays and Sundays and Bank Holidays

Between 09:00am and 18:00pm.

Reason: To enable the local planning authority to maintain control over the use of the site in the interests of the amenity of the locality and protection of the Green Belt; in accordance with Policies CS5 and CS12 of the Core Strategy (2013)

5. **Prior to the first use of the swimming pool building hereby permitted, the parking spaces as shown on the proposed site plan shall be laid out and demarcated for visitors to the site.**

Reason: To enable the local planning authority to maintain control over the use of the site in the interests of providing sufficient parking and space for servicing in accordance with Policy CS12 of the Core Strategy (2013)

6. **No groundworks associated with the development of the swimming pool building will take place until a written scheme of investigation has been submitted to and approved by the Local Planning Authority in writing. The methodology will be either trial trenches or a watching brief involving a 'strip, map and record' of the footprint of the swimming pool to the archaeological horizon, followed by such appropriate conservation measures indicated as necessary during the evaluation. These may include preservation of archaeological remains and/or mitigation. The Scheme shall include an assessment of significance and research questions, and the following items:**

- (a) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**
- (b) The programme and methodology of site investigation and recording to mitigate the impact of the buildings already constructed without the implementation of an archaeological WSI**
- (c) The programme and methodology of site investigation and recording**
- (d) The programme and methodology of site investigation and recording as required by the evaluation**
- (c) The programme for post investigation assessment**
- (d) Provision to be made for analysis of the site investigation and recording**
- (e) Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- (f) Provision to be made for archive deposition of the analysis and records of the site investigation**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 207 of the National Planning Policy Framework (2024).

7. **i.) Demolition of the telecommunications compound and development of the swimming pool building shall take place in accordance with the Written Scheme of Investigation approved under Condition 6.**

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 6.

The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition 6 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the development does not adversely affect scheduled ancient monuments or other nationally important sites and monuments; in accordance with Saved Policy 118 of the Local Plan (2004).

8. **Overnight accommodation on site shall be restricted to three overnight rooms in total in use at any one given time. The overnight uses shall only be for the use of persons attending the motorcross curriculum and site security.**

Reason: To ensure the facility remains ancillary to the use of the site in order to prevent the development from being severed in order to provide a self-contained dwelling units, since this would be contrary to the provisions of Policies CS5 and CS12 of the Core Strategy (2013) and NPPF (2024).

9. **Prior to the first use of the overnight accommodation hereby permitted, details of either a swimming pool standpipe or other such method of water supply, as agreed by the local fire authority, shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of health and safety; in accordance with Policy CS12 of the Core Strategy (2013).

10. **No work (including site clearance) in relation to the development hereby approved shall be undertaken until full details setting out how retained trees shall be protected, in accordance with BS5837:2012 (Trees in relation to design, demolition and construction), have been submitted to and approved in writing by the Local Planning Authority. Details shall include:**

- **A scaled Tree Protection Plan showing the approved development layout and retained trees (surveyed in accordance with BS5837:2012), to include their accurate crown spreads and root protection areas (RPAs).**
- **The sequential order of events required for tree protection.**
- **The position and specification of tree protection fencing in accordance with BS5837:2012 (as applicable).**
- **The position and specification of ground protection in accordance with BS5837:2012 (as applicable).**
- **Details of hard surfacing constructed using no-dig techniques where proposed over the RPA of retained trees (as applicable).**
- **Details of proposed levels.**
- **The position of service routes and drainage (to include soakaways), and means of installation if these encroach through the RPA of retained trees.**

- **The position(s) of welfare site cabins and areas for the storage of materials.**
- **Tree protection measures during the landscaping stage(s).**
- **Details of arboricultural site supervision to include timing and how each site visit shall be recorded.**

There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.

The works must then be carried out according to the approved details.

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 187 of the National Planning Policy Framework (2024).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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. All works (including vehicle movements, materials and waste), must be kept strictly within the curtilage of the proposed development site, and under no circumstances should there be any detrimental physical impact to the adjacent Local Wildlife Site (Little Dickshill Wood & Great Dickshill Wood).

Any external lighting should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Ecology	<p>Hertfordshire Ecology initially had concerns with the proposal and requested further information in relation to the site. As a result an Ecology Report was submitted by the applicant which included photographs of the existing buildings on site and an assessment of surrounding trees on site.</p> <p>12.12.2024:</p> <p>Overall Recommendation:</p> <p>Application can be determined with no ecological objections (with any informatives/conditions listed below).</p> <p>Summary of Advice:</p>

- o Lighting informative.

Comments:

The site is of very limited ecological interest, however, Dickshill Wood Local Wildlife Site (ancient woodland) is adjacent to the northern, southern, and eastern boundary.

A site walkover survey has been submitted (Ecology Resources, October 2022). Whilst this report is over two years old, given the nature of the site, I do not consider this a constraint.

There is one tree onsite with low roosting potential for bats, and the adjacent habitats will be of value for roosting, foraging, and commuting bats. Given the nature of the proposals, I do not consider the proposals will negatively impact bats, or any other protected species. Although, given the high-value habitats adjacent to the site, I advise the following informative relating to lighting should be added to any permission granted:

"Any external lighting should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites".

Biodiversity net gain: In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets

1. De-minimis exemption.

The Ecology Service (LEADS) has not undertaken any scrutiny of the validity of the claimed exemption, but taking it on face value in this instance the requirement for mandatory 10% biodiversity gain does not apply.

I trust these comments are of assistance,

	<p>Overall Recommendation: Application can be determined with no ecological objections (with any informatives/conditions listed below).</p> <p>Summary of Advice: o Lighting informative.</p> <p>Comments: The site is of very limited ecological interest, however, Dickshill Wood Local Wildlife Site (ancient woodland) is adjacent to the northern, southern, and eastern boundary.</p> <p>Creating a cleaner, greener, healthier Hertfordshire A site walkover survey has been submitted (Ecology Resources, October 2022). Whilst this report is over two years old, given the nature of the site, I do not consider this a constraint.</p> <p>There is one tree onsite with low roosting potential for bats, and the adjacent habitats will be of value for roosting, foraging, and commuting bats. Given the nature of the proposals, I do not consider the proposals will negatively impact bats, or any other protected species. Although, given the high-value habitats adjacent to the site, I advise the following informative relating to lighting should be added to any permission granted: "Any external lighting should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites".</p> <p>Biodiversity net gain: In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.</p> <p>The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets:</p> <p>1. De-minimis exemption. The Ecology Service (LEADS) has not undertaken any scrutiny of the validity of the claimed exemption, but taking it on face value in this instance the requirement for mandatory 10% biodiversity gain does not apply.</p>
The Chiltern Society	The Chiltern Society objects to this proposed development situate in the green belt. The requirement in the green belt is for any construction of

	<p>new buildings is inappropriate unless an essential facility for outdoor sport and outdoor recreation.</p> <p>The description of the development is a bunkhouse with storage at ground level and a flat above. No justification of need for any flats has been given, and the description of canopies is misleading, the canopy B has another flat above more container storage below. What is the need for residential use?</p> <p>In addition, the proposed swimming pool is very substantial and again no justification is given. This is not an outdoor sport or recreation facility.</p> <p>Turning to the site being within the Chilterns AONB, the requirement is to conserve the beauty of the area. A 2 storey development and large swimming pool does not in our view satisfy this requirement.</p> <p>For these reasons we object to this application.</p>
Northchurch Parish Council	<p>Objection, on the grounds that the area is designated as a Green Belt and an Area of Outstanding Natural Beauty. The proposed two residential units and indoor swimming pool are not compatible with the purpose of outdoor sporting facilities.</p>
BCA Townscape Group	<p>The BCA is concerned about the misleading description of the development as 'canopies' and 'shelters' when in fact they are sizable buildings.</p> <p>The site lies within the Green Belt wherein the construction of new buildings is inappropriate unless they are an 'essential facility for outdoor sport and outdoor recreation'.</p> <p>At present the only buildings shown on the existing site plan are several containers and cabins used for storage and maintenance. This application is for considerable new development on the site.</p> <p>The new buildings are a 'bunkhouse' which has container and open storage on the ground floor and a self contained flat on the first floor (Canopy A), a building notated as Canopy Shelter B which has 2 containers on the ground floor and a self contained flat on the first floor, and a substantial new building containing a swimming pool.</p> <p>There is no justification for these buildings which are not an essential facility for the use of the site, introducing two residential units on the site and an indoor swimming pool which not an outdoor facility. Therefore the proposal is contrary to Green Belt policy.</p> <p>In addition, the site is within the Chilterns Area of Outstanding Natural Beauty (now known as National Landscape) wherein the primary concern is the conservation of the beauty of the area and any development which would detract from this is not acceptable. Clearly the provision of two storey buildings and an indoor swimming pool building (31.5m in length) will not assimilate into the countryside.</p> <p>Therefore, the BCA objects to the application.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	1	0	0	1

Neighbour Responses

Address	Comments
Hawkins Eades Associates 100 High Street Great Missenden HP16 0BE	<p>With reference to the objections raised by The Chiltern Society and the BCA Townscape Group we note that original Case Officer in granting the original application 4/02425/18/FUL, had considered all of the objection points now raised for this application.</p> <p>There is no change of use, purpose, or times of use, which were all originally granted within the conditions of 4/02425/18/FUL. This application shows an increase in overnight accommodation capacity by one single person bedroom: a three single bedroom facility within one canopy bunkhouse was originally granted; this application divides the accommodation into the second canopy giving two single bedrooms per unit.</p> <p>There is no change to the swimming pool, its capacity and usage, nor to the overall number of buildings within the site as previously granted.</p>