

Town Planning Ref. No. 4/0655/75

Other Ref. No. 1081/75D

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

THE DISTRICT COUNCIL OF DACORUM

IN THE COUNTY OF HERTFORD

To Hemel Hempstead Football & Sports Club, Vauxhall Road, Hemel Hempstead, Herts. Agent: Mr. F. H. Hayward, 15 Seymour Crescent, Hemel Hempstead, Herts.

Erection of 8 floodlighting towers at Vauxhall Road Football Ground, Hemel Hempstead.

Brief description and location of proposed development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby permit the development proposed by you in your application dated 10th July 1975 and received with sufficient particulars on 14th July 1975 and shown on the plan(s) accompanying such application, subject to the following conditions:-

- (1) The development to which this permission relates shall be begun within a period of 5 years commencing on the date of this notice.
(2) The floodlights shall be controlled from a switch panel in the Board Room, each tower being individually controllable.
(3) The floodlights shall not be illuminated after 21.45 hours except with the prior agreement of the Local Planning Authority.
(4) The installation shall be so maintained that no light is emitted from the rear of the lamps and the front illumination directed onto the pitch with no overspill more than 10 ft. beyond the touchlines.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:—

(1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.

(2), (3) and (4)

To minimize the effect of the illumination on the amenities of residents in the vicinity.

Dated.....**2nd**.....day of.....**October**.....19**75**.....

Signed..........

Designation.....**Director of Technical Services**.....

NOTE

(1) If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

(2) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

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Telephone 01-834 6540 ext 634

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271 High Street
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Your reference
Mr R M Bell QC

Our reference
T/APP/5252/A/74/6844/66
Date 5252/A/74/6827/66

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEALS BY HENEL HEMPSTEAD FOOTBALL AND SPORTS CLUB

1. I refer to these appeals, which I have been appointed to determine, against the decisions of the former Heral Hempstead Borough Council, acting on behalf of the Hertfordshire County Council, to refuse planning permission for (1) the extension to club house premises and (2) the installation of four 85 ft high floodlighting towers for the playing pitch at Vauxhall Road, Heral Hempstead. I held a local inquiry into the appeals on 15 April 1975 at the Town Hall, Heral Hempstead.
2. From my inspection of the appeal site and the surrounding area, and bearing in mind the representations made at the inquiry and by petition or letter, I consider that the determining issue in both cases is whether the proposed developments in themselves would result in the character and appearance of the area and the amenities of nearby residents being seriously harmed.
3. You point out on behalf of your clients that the club house was erected in 1939 and there have been subsequent extensions, the most recent being in 1970, and that the present proposals will provide for a much needed private room for officials to meet and a board room, at the same time the inadequacies of the present bar and storage facilities will be dealt with: the existing hall will not be affected or the capacity of the building to accommodate some 150 persons. Sited on the northern side of the existing building the extension will help to soundproof any noise from the hall, and the changes to the front and back of the existing building will also help in this regard. Furthermore if permission is granted for the extension now proposed the Boxing Hall for which planning permission has been granted and a start made, would not be proceeded with, this building is almost as large as the extension now proposed and is much nearer to the residential properties and could be used for activities related to the club. If the Boxing Hall is abandoned and such requirement would be acceptable as a condition of consent for the club house extension, then the situation as it may affect residents would be an improvement over not only the present but the possible future situation.
4. Just as the improvements to the club house facilities are essential to bring the off the field facilities up to a decent standard for a club involved in a senior soccer league, Athenian league, the provision of floodlights is also necessary. The latter would be used for a match one evening a week from 7 pm to 9.30 pm and on some Saturday afternoons when with a 3 pm kick-off it would be too dark to complete the game without artificial lighting. Lighting would be directed down on the playing area and 8 to 10 ft around this area, the reflected light in the vicinity of the ground would not be significantly greater than from street lighting. The

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There are tapering structures, and in this day and age are an acceptable part of a town's leading football club's facilities and indeed approval was given for floodlighting when before re-negotiation, the town club played at Crabtree Lane.

5. There have been many discussions with the Borough Council and much has been achieved in the way of ground improvements and modernisation, these approved schemes like the present proposals would not be detrimental to the amenities of local residents, but unlike the consideration of the approved schemes the Council's consideration of the present proposals has been unduly influenced by the opinions of local residents whose apprehensions, particularly regarding floodlighting, are understood but are misplaced. The new facilities will make no significant difference to matches or the club socials, the attendance at matches will continue to be 2 or 300 though there is a ground capacity of 3,000, and the existing limit of 180 in the hall will not be changed.

6. The planning authority for their part say that the reasonable requirements of the club particularly those associated with the playing activities have been acceptable but the present proposals go beyond what is reasonable, and to extend the club house and erect floodlights can only add to the discomfort of those living within sight and sound of the ground.

7. In the authority's view there would be inevitably an increase in the use of the club house if the extension were to be built, for with the 52 members and the present accommodation limit of 180 there is scope for an increase. Residents already complain of the noise and traffic associated with the social activities and their fears for the future must be well founded. The floodlighting towers apart from their impact upon the immediate surroundings would be very prominent in the landscape of this part of the town. An increase in the status and standing of the football club is out of place at the appeal site. It has grown from its small beginnings but it is time to call a halt for enough is enough in this location.

8. Local residents and club supporters, and the latter include some who live near the ground express in their own way verbally or in writing reasons for objecting to or supporting the proposals. Supporters and objectors alike generally appreciate that a club wishing to maintain or enhance its footballing status seeks improvements, but in the opinion of the objectors the present site is unsuitable, and the further development envisaged in the present proposals would simply add to the environmental problems associated with football and social activities in a residential area served by narrow roads and with limited access.

9. In my view the football ground and its associated activities is an established part of the character of the area, and recently approved schemes notably the car park, training area and new stands endorse this view. To some whether they live nearby or not it is a cherished part, while to others particularly those who have a sensitive awareness and this is equally understandable. It is tolerated and with reservations generally accepted.

10. The additions and alterations proposed to the existing club house will improve its appearance both inside and out, and it seems to me that its function will be much the same as it is now, the main hall is not to be enlarged so the maximum number using the social facilities at any one time would not be materially increased, though the improvement in the quality of the building may result in the capacity of the premises being achieved on more occasions than at present. I do not consider it to be unreasonable to improve the quality of the accommodation even if as a result the average number of those attending shows an increase, such increase may also result from the quality of entertainment offered or trends in social habits. The pleasantness and convenience of the accommodation is only one factor, and I do not think that in this instance where the capacity and use of the building would not be materially

altered that the present situation as far as the amenities of the nearby residents is concerned would be significantly changed.

11. With regard to the floodlighting proposals, I think that the lighting itself for the few hours a week that it may be on during winter months, can hardly affect either the character of the area or the amenities of nearby residents. The lighting towers themselves will be clearly seen for some distance, but to my mind they are essentially concerned with the main function of the ground, the actual match, and are a characteristic feature of sport clubs with pretensions. I feel that it is these pretensions which are the main concern of the planning authority and to a number of local residents. However, the scale of the situation must I think be borne in mind for whatever the pretensions there seems little capacity for the appeal site to be other than small scale. If with the continued growth of Newmarket there were to be a need for a large scheme this may have to be met elsewhere than at the appeal site but such matters are beyond the scope of this present inquiry, and in my view under the developments now proposed the site and its use will remain relatively small scale, as appears to have been the history of the site over the past decades.

12. The existing building has a valid planning permission and work has started on the site. It seems to me therefore that it is a matter for agreement between your clients and the planning authority whether or not the project is abandoned.

13. For the above reasons, and in exercise of the powers transferred to me, I hereby allow those appeals and grant planning permission for the extension to club house premises and the installation of four 65ft floodlighting towers for the playing pitches on Vauxhall Road, Newmarket, in accordance with the terms of the applications (Nos 702/77 and 697/77) dated January 1977 and 7 September 1977 respectively and the plans submitted therewith, subject to the condition that the developments hereby permitted shall be begun not later than 5 years from the date of this letter.

14. This letter does not convey any approval or consent which may be required under any enactment, by any order or regulation other than section 23 of the Town and Country Planning Act 1971. Your attention is particularly drawn to the provisions of section 24A of the Town and Country Planning Act 1971, (inserted into the Act by the Town and Country (Amendment) Act 1974) which came into operation on 31 August 1974 which require consent to be obtained prior to the demolition of any buildings in a conservation area.

I am, Gentlemen,
Your obedient servant


C. C. EVANS (T/PL)
Inspector