

Committee date	Tuesday, 6 February 2024
Application reference Site address	23/01173/FUL - Croquet Club House, Cassiobury Park, Watford.
Proposal	Proposed to install an automatic irrigation system for four croquet lawns with water supplied from a new borehole.
Applicant	Watford (Cassiobury) Croquet Club (Dr Simon Hathrell)
Agent	n/a
Type of Application	Full Planning Permission
Reason for committee Item	More than 5 objections received
Target decision date	12 February 2024
Statutory publicity	Neighbour letters
Case officer	Estelle Pengelly, estelle.pengelly@watford.gov.uk
Ward	Park

1. Recommendation

- 1.1 That planning permission be granted subject to conditions, as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The subject site comprises the Croquet Club in Cassiobury Park located east of the Shepherds Road entrance.
- 2.2 The site is not located in a designated conservation area or other Article 2(3) land. The site lies within the Green Belt and Cassiobury Park has a grade II listing on the English Heritage Register of Parks and Gardens of Special Historic Interest.

Summary of the proposal

3. Proposal

- 3.1 Installation of an automatic irrigation system for the four croquet lawns with water supplied from a new borehole. The proposal includes the installation of two water storage tanks to the rear of the club house screened with timber fencing to match the clubhouse. The irrigation system would be operated between 06.00 and 23:00 hours on any day.

Planning officers requested the water tanks be enclosed by a fence and received amended drawings on 19 January 2024.

3.2 Conclusion

The proposed automatic irrigation system, tanks and matching fencing are considered to preserve the openness of the Green Belt and the natural surroundings of Cassiobury Park, and the amenity of neighbouring dwellings would not be impacted.

There are considered to be no adverse effects that outweigh the benefits of the proposal, therefore it is recommended that the application should be approved subject to conditions.

4. Relevant policies

- 4.1 Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 None relevant.

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:

- (a) Principle of development
- (b) Impact on neighbouring properties
- (c) Impact on trees

- 6.2 (a) Principle of development

The application site lies within the Green Belt wherein there is a presumption against inappropriate development. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 149 outlines exceptions to the presumption against inappropriate development. One of these exceptions is for 'the provision of appropriate facilities for outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. The approach taken by the NPPF is supported by Local Plan Policy SS1.1.

- 6.3 Cassiobury Park has a grade II listing on the English Heritage Register of Parks and Gardens of Special Historic Interest. When considering the impact of a

proposed development on the significance of the park, paragraph 199 of the NPPF states that great weight should be given to its conservation. Paragraph 200 states that any harm to the significance of the park should require clear and convincing justification. Local Plan Policies NE9.1 and NE9.2 seek to balance the need for new development while also striving to conserve and enhance the natural environment.

- 6.4 At present, the croquet lawns have to be watered by hand using mains water. The proposal will allow the lawns to be irrigated automatically using groundwater from the proposed borehole. This will reduce demand on the mains water supply. The justification for the installation of the two water tanks enclosed with matching fencing and the automated irrigation system are therefore accepted.
- 6.5 Given that the irrigation system would be below ground level and the water tanks enclosed with a fence matching the existing club house, the proposal is considered to have minimal visual impact. The proposal complies with the Green Belt policy as the proposal is considered to preserve the openness of the Green Belt and the natural surroundings of Cassiobury Park.
- 6.6 (b) Impact on neighbouring properties
- Policy CC8.5 of the Watford Local Plan states that development should be designed to protect the amenity of adjacent land uses and their occupants and local amenity, and to enhance the public realm.
- 6.7 The water tanks would be more than 40m from the rear boundary of the properties on Cassiobury Park Drive. The water tanks might be visible from the neighbours' upper floor rear windows, however, considering the distance the tanks would be from the rear boundaries and the fact that there is already a club house, it would be unreasonable to refuse the application on visual amenity grounds.
- 6.8 In terms of noise, the Council's Environmental Health Officer reviewed the proposal and concluded that due to the launder pump's (70dB(A)) significant distance below ground level, the proposal is unlikely to result in unreasonable noise disturbance to the residents on Cassiobury Park Drive. The other pumps at 25 dB(A) would be located in the water tanks. A 06:00 to 23:00 hours restriction on the use would be placed on the operation of the tanks and the sprinklers by way of a planning condition to limit the operating hours of the system to limit any potential noise impact on the nearby residential properties.
- 6.9 The NPPF makes it clear that planning conditions should only be used where they satisfy all of the relevant tests for conditions, including the enforceability

and reasonable tests. In this case, restricting the operation time of the irrigation system is necessary to prevent the potential for undue noise disturbance to the neighbouring residential properties.

6.10 On this basis, the proposal would not result in any unacceptable effects on the neighbours' residential amenity and therefore the proposal is deemed acceptable.

6.11 (c) Impact on trees

Concerns were raised by the neighbours that the extraction of water from an underground source may affect the growth and safety of the trees in close proximity to the residential houses and could cause damage to the residential properties should the trees become unhealthy and fall down. The Council's Tree Officer visited the site and raised no objection to the proposal. On this basis, the proposal is acceptable in terms of impact on trees.

7. Consultation responses received

7.1 **Statutory consultees and other organisations** – None

7.2 **Internal Consultees** – Tree Officer, Environmental Health Officer. Comments referred to above.

7.3 **Interested parties**

Letters were sent to 13 properties in the surrounding area. Six objections were received. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Excessive noise from pumps, sprinklers and storage tank.	The operation time of the system will be limited from 06:00 to 23:00 hours. The Council's Environmental Health Officer didn't raise any objections to the proposal.
Visual impact of tanks, unclear if the tanks will be covered by fencing.	Officers requested the inclusion of a screening fence. Discussed in paragraph 6.7.
Impact on large trees in this area, and the damage that may be caused by interfering with their water supply. Affected trees could fall onto properties and cause damage.	The Council's Tree Officer visited the site and didn't raise any concerns.

<p>Impact of the heavy tanks sitting upon the Oak tree's roots.</p>	<p>The Council's Tree Officer visited the site and didn't raise any concerns.</p>
<p>The impact of the car movements behind the clubhouse, which will inevitably be shifted towards the oak by the proposed siting of the tanks. There is also no protection fence for this oak and its surface roots, proposed to mitigate the vehicle impact. Note - the vehicles of some club members are regularly driven directly on to the grassed area adjacent to the club, despite this not being a designated parking zone.</p>	<p>This matter is not a material planning consideration. This application is for the installation of an irrigation system. No changes to the existing parking arrangements are proposed.</p>
<p>The pump noise will inevitably get louder as the system gets older and the pump impellers get coated with debris and so out of balance. The proposed tanks can also act as a diaphragm amplifying the pump noise.</p>	<p>The operation time of the system will be limited from 06:00 to 23:00 hours. The Council's Environmental Health Officer didn't raise any objections to the proposal.</p>
<p>This application should be rejected and the system redesigned to minimise noise impact, and there should be a planning constraints on the hours when neighbours are impacted, by sprinklers, mowers and leaf blowers on any subsequent application.</p>	<p>The Council's Environmental Health Officer didn't raise any objections to the proposal and therefore there's no basis for refusal. This planning permission relates to the irrigation system and therefore the operation times can be restricted. This permission cannot restrict other noise generating activities within the park.</p>
<p>The application makes no note of the clay layer above the gravel layer that is present in the ground in this area of Watford, so siting these heavy tanks on a clay layer, so close to the clubhouse should be a concern for building control.</p>	<p>This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation.</p>
<p>The submitted documents are misleading as they are drawn illustrating what appears to be an insignificant little tree adjacent to</p>	<p>These drawings are not to scale. The Council's Tree Officer visited the site and didn't raise any concerns.</p>

the borehole rather what exists in reality - ie. the beautiful giant Oak tree behind the clubhouse.	
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8. Recommendation

8.1 That planning permission be granted subject to the following conditions:

Conditions

1. Time limit

The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

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

2. Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved drawings:

SD2341(P)03,
SD2341(P)01-B,
Site Location Plan.

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

3. Materials

All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building.

Reason: In the interests of the visual appearance of the site and the character and appearance of the surrounding area, pursuant to Policies QD6.2 and QD6.4 of the Watford Local Plan 2021-2038.

4. Operation time limit

The automated irrigation system, pumps and water tanks hereby approved shall only be operated from 06:00 to 23:00 hours on any day.

Reason: To ensure the operation of the irrigation system and equipment does not give rise to noise disturbance to the neighbouring properties.

5. Tree protection plan

No development on site shall commence until details and a method statement in respect of tree protection measures (including ground protection) relating to trees located within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall be implemented prior to the commencement of any works and shall be maintained as such at all times whilst the construction works take place.

Reason: To ensure the existing trees which make a positive contribution to the visual amenity of the area are retained and not harmed by the development in accordance with Policy NE9.1 of the Watford Local Plan 2021-2038.

Informatives

1. IN907 – Positive and proactive statement
2. IN910 – Building Regulations
3. IN912 – Hours of construction