



**Town and Country Planning Act 1990 (as amended)**

**DECISION NOTICE**

**HCC Application No: 0/0682-04 CM591**

**Description & Location of Development:**

**APPLICATION FOR THE VARIATION OF CONDITIONS 3 (TIME LIMIT), 5 (LANDSCAPING) AND 6 (COURSE LAYOUT) OF PLANNING PERMISSION 0/0910-99 AT BRIDGEDOWN GOLF COURSE, ST ALBANS ROAD, BARNET.**

**To: Bridgedown Limited Ltd  
Bridgedown Golf Club  
St Albans  
Herts  
EN5 4RS**

In pursuance of its powers under the above Act and the Orders and Regulations for the time being in force thereunder, the Council hereby **PERMITS** the development proposed by you in your application dated 21 June 2004 (received with sufficient particulars on 22 June 2004) including the supporting statement which accompanied the application and the plan(s)/drawing(s) numbered: C9308/VC/01 and C9308/VC/02/R7, subject to the sixteen conditions which are detailed in the attached schedule with the reasons for their imposition.

**Dated: ..... day of..... 2008**

**Signed: .....  
DEVELOPMENT CONTROL MANAGER**

## TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Department for Communities and Local Government.

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 Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Customer Support Section, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or from the Planning Inspectorate's website at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

The Department for Communities and Local Government can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Department for Communities and Local Government need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Department for Communities and Local Government does not refuse to consider appeals solely because the local planning authority based its decisions on a direction given by him.

### **Purchase Notices**

If either the local planning authority or the Department for Communities and Local Government refuses permission 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 can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Department for Communities and Local Government on appeal or on reference of the application to her.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

**Dated:** ..... day of..... 2008

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**PROPOSED VARIATION OF CONDITIONS 3, 5 AND 6 OF PLANNING PERMISSION 0/0910-99 FOR THE RE-CONTOURING OF THE EXISTING GOLF COURSE AT BRIDGEDOWN GOLF COURSE, ST ALBANS ROAD, BARNET, HERTFORDSHIRE**

Schedule of conditions numbered 1 – 16 attached to planning permission 0/0682-04

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**COMMENCEMENT OF DEVELOPMENT**

1. The development hereby permitted shall commence before the expiration of one year from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

**TIME LIMIT FOR COMPLETION**

2. The development to which this planning permission relates shall be completed within 18 months of the date of this decision. For the purposes of this condition completion shall include all operations authorised or required by the permission but shall exclude those relating to aftercare and landscaping (tree, shrubs and hedgerow replacement).

Reason: To minimise the impact on amenity and to ensure that the development is completed within a reasonable timescale.

**LANDSCAPING**

3. Within three months of the date of this planning permission, a phased scheme of landscaping shall be submitted for the written approval of the Waste Planning Authority. The approved details shall be implemented in full, during the 2008/09 planting season, as shown on Drawing C9308/VC/02 (R7), or such further drawings submitted to and approved in writing by the Waste Planning Authority. The details shall incorporate the general principles indicated in the application and shall include provision for:
  - a) the retention of established trees and hedgerows within the site and on the site boundaries, these being accurately defined on a plan, and measures to protect these trees and hedgerows from damage during operations, including a defined buffer zone;
  - b) where the Waste Planning Authority agrees that any existing trees or hedgerows should be replaced, the replacement tree should be identified and protected in the same manner as existing trees or hedgerows;
  - c) details of new tree and shrub planting following the completion of restoration in each phase;
  - d) additional tree and shrub planting to ensure the land is absorbed into the local landscape;
  - e) details of the planting specification, species, size, spacing and number of trees, shrubs and hedgerows to be planted, and measures to protect and maintain the trees, shrubs and hedgerows in accordance with good silvicultural practice;
  - f) a timetable within which the submitted scheme shall be implemented.

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**(condition 3 continued)**

**Any trees, shrubs and hedgerows planted under the scheme shall be maintained throughout the duration of the operations permitted by this permission and for a period of five years following completion of the development. Any trees, shrubs or hedgerows which within 5 years of planting die, are removed or become seriously damaged or diseased shall be replaced during the first available planting season following such occurrences with a species and size approved under the scheme.**

Reason: To comply with Section 197 of the Town and Country Planning Act 1990, to improve the appearance of the site in the interest of visual amenity, to screen the workings, assist in absorbing the site back into the local landscape and protect existing habitats.

- 4. Within three months of the date of this planning permission, a revised golf course layout plan, based on plan ref. C9308/VC/02/R7, shall be submitted for the written approval of the Waste Planning Authority. The revised plan shall include the following matters:-**
- a) additional waterbodies as a means of harvesting surface water run-off for golf course irrigation purposes;**
  - b) the relationship of proposed holes 9 and 13 on the main course and the A1081 St Albans Road in respect of the position of tee 13 and greens 9 and 13;**
  - c) the proximity of the dog leg points of holes 9 and 11 to the allotment gardens;**
  - d) the proximity of green 4 and proposed hole 5 to the permissive footpath on the par 3 course;**
  - e) any other changes or variations to the proposed final layout or contours of the golf course.**

**The approved plan shall be implemented in full, within 18 months, as shown on Drawing No C9308/VC/02/R7, or such further drawings as submitted to and approved in writing by the Waste Planning Authority.**

Reason: To prevent the increased risk of flooding elsewhere and ensure that the development does not impinge upon the safety of the public highway and the general public.

#### **DRAINAGE**

- 5. Within 3 months of the date of this planning permission, a detailed drainage scheme, to manage surface water on the restored golf course, shall be submitted to and approved in writing by the Waste Planning Authority. Unless otherwise agreed in writing by the Waste Planning Authority, the scheme shall be implemented in full, within 18 months. The scheme shall include a timescale for full implementation and shall include, where necessary, any intermediate or provisional drainage measures to be employed.**

Reason: To ensure that the site supports tree and vegetation growth and that the site is suitable for golfing purposes, free from waterlogging.

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## **PROTECTION OF WATER RESOURCES**

- 6. Throughout the period of aftercare, including the reinstatement of tees, green and fairways, the operator shall ensure that drainage from the areas adjoining the site is not impaired or rendered less efficient by the permitted operations. The operator shall take steps, including the provision of any necessary works, to prevent damage by erosion, silting or flooding and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations.**

Reason: To ensure that the drainage of the site and adjoining land affected is not affected and that existing watercourses are not adversely affected.

- 7. An 8m wide 'buffer' strip shall be established adjacent to the Barnet Ditch and the lakes, which shall be preserved and maintained for the duration of the development hereby permitted, unless otherwise agreed in writing by the Waste Planning Authority. A 6m wide 'buffer' strip shall be established adjacent to all other watercourses, which shall be preserved and maintained for the duration of the development hereby permitted unless otherwise agreed in writing by the Waste Planning Authority. The buffer zones hereby required, shall be protected from damage or encroachment and shall be clearly defined on the plan to be submitted in accordance with Condition 5 of this permission.**

Reason: In the interests of flood defence and to maintain the character of the watercourse and provide undisturbed refuges for wildlife.

- 8. Prior to completion of the development hereby permitted, a scheme for the management and planting of suitable marginal and aquatic species within the waterbodies shall be submitted to and approved by the Waste Planning Authority.**

Reason: To enhance the ecological value of waterbodies.

- 9. Any oil, petrol, diesel oil, lubricant, paint or solvent within the site shall be so stored or used as to prevent such materials from contaminating topsoil, subsoil or soil making materials, or polluting any surface or ground water.**

Reason: To minimise the risk of groundwater pollution.

## **SOIL HANDLING**

- 10. Soils, including topsoil and subsoil, shall only be handled when they are dry and friable. There shall be no trafficking on restored areas except for essential seasonal maintenance operations and using appropriate 'low ground pressure' vehicles. No soils, whether indigenous, imported or processed, shall be exported from the site, unless otherwise agreed in writing by the Waste Planning Authority.**

Reason: The recycling and exportation of waste at the site raise environmental and amenity issues which would require consideration afresh and to ensure the effective restoration to the proposed afteruse.

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## **BUILDINGS, PLANT AND MACHINERY**

- 11. Prior to completion of the development hereby permitted, other than is permitted under the terms of this planning permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, or any enactment that may revise or replace the Order, planning permission shall be obtained for the erection of any building, fixed plant, fixed machinery or structures on the land. Other than is hereby permitted under the terms of this planning permission, the written approval of the Waste Planning Authority shall be obtained prior to placing on site any portable buildings or structures for the purposes of the development hereby permitted.**

Reason: To minimise the adverse impact of operations on the surrounding countryside in terms of visual intrusion and to help maintain the openness of the Green Belt.

## **AFTERCARE**

- 12. Within 3 months of the date of this decision, an aftercare scheme requiring such steps as may be necessary to bring the land to the required standard for the use of the land as a golf course and associated landscaping shall be submitted for the written approval of the Waste Planning Authority. Aftercare shall be implemented in accordance with the approved scheme for a period of 5 years.**

**The submitted Scheme shall:**

- a. provide an outline strategy in accordance with Annex A of MPG7 for the five year aftercare period. This shall specify steps to be taken and the period during which they are to be taken. The scheme shall include provision for additional course drainage if required by the Waste Planning Authority in consultation with an expert party. The scheme shall also provide for an annual meeting between the applicants, the Waste Planning Authority and the expert party.**
- b. Provide for a detailed annual programme in accordance with Annexes A and B of MPG7 to be submitted to the Waste Planning Authority not more than two months prior to the annual Aftercare meeting.**

**Unless the Waste Planning Authority, after consultation with an expert party, agree in writing with the person or persons responsible for the undertaking, the Aftercare shall be carried out in accordance with the submitted Scheme.**

Reason: To enhance the satisfactory restoration of the site for amenity purposes.

## **GENERAL**

- 13. Unless otherwise agreed in writing by the Waste Planning Authority, no floodlighting shall be erected or used within the site.**

Reason: In the interests of local amenity.

- 14. Precautions shall be taken at all times to prevent unauthorised access to the site.**

Reason: To safeguard public safety.

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**15. Within 3 months of the date of this decision, the operator shall submit a written report to the Waste Planning Authority detailing progress of the final working in Phases 5 and 6 together with any other works carried out in the completion of the restoration of the site. The report shall include:-**

- a. a review of the operations at the site in relation to this scheme of conditions;**
- b. the progress and completion of final working and restoration at the site; and**
- c. an outline of any remaining works and allied working programme for their completion, including the removal of any structures that are no longer required for the use, including aftercare as hereby permitted.**

**This report shall contain, amongst other things, details of:-**

- i) the extent of areas already re-contoured, areas where final restoration is being undertaken, areas which have previously been restored, and the location of soil bund storage areas. This will be achieved through a topographical site survey of these areas and features. The topographical survey data shall be shown on a plan not less than 1:2000 scale and shall include levels related to Ordnance Datum;**
- ii) details of the nature of the different types of materials deposited at the site, including within Phases 5 and 6, including a record of the results of the analysis of samples taken in such numbers, and at such locations at the site that they provide a reliable indication of the chemical composition of the deposited materials. The report shall show the number, the precise location and the depth the samples were taken;**
- iii) the total volume of materials deposited, in cubic meters, at the site, including the specific figures for Phases 5 and 6 and the volume of soils used within the site;**
- iv) details of any alterations that have occurred and the reasons for these alterations.**

Reason: To assist the Waste Planning Authority in monitoring the operations at the site and to assess the working and restoration of the site in relation to the approved scheme.

**16. A copy of these conditions and any schemes submitted and approved pursuant to this consent shall be displayed in the site office and the contents shall be made known to any persons given responsibility for operational management or control of the site.**

Reason: To ensure that an orderly programme of operations is carried out in such a manner and any adverse effects on the local amenity are kept to a minimum.

**Footnote:** This application has been determined having regard to the relevant policies of the Development Plan, that is:  
Hertfordshire Waste Local Plan 1995-2005 - adopted January 1999 - Policy 24 (landraising) and Policy 33 (landscape intrusion)  
Hertsmere Local Plan 2003 – 2011 (adopted May 2003) – Policy C10 (landscape character).

**Dated:** ..... day of..... **2008**

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