

1.4 The proposal is for a fenced and flood lit artificial grass pitch (AGP), car parking and associated works at the school, including new drainage for the pitch, earth works, widening of the access from Philadelphia Terrace and additional cycle storage. The AGP would measure 82m by 50m plus a safety margin of 3m on all sides resulting in a total enclosure of 88m by 56m plus goal recesses and hardstanding. The pitch is not a full size adult pitch, but an U13/14 size pitch for 11 a side matches. It can also be used for other sports and would be marked out for three smaller cross pitch play/training areas separated by retractable nylon nets. 3G refers to 'third generation' artificial grass pitch with longer pile and rubber crumb dressing. It is the preferred surface for football. It is not suitable for hockey.

1.5 At the western corner of the pitch would be a container for the storage of AGP maintenance equipment. The pitch would be surrounded by moss green powder coated welded mesh fence 4.5m in height with access gates and recesses for goal storage. There would be 8no. 13m high galvanised steel 'raise and lower' floodlighting columns, four on each side of the pitch. Since the original submission, revised plans now also show a 3m high close boarded timber noise barrier fence along the south-western boundary of the pitch.

1.6 A new 40no. space car park would be provided adjacent to the pitch. The existing single width access road from Philadelphia Terrace would be widened to 5m to enable two-way access into the school site and ramped down to this new car park. Additional cycle storage is proposed. New drainage from the car park and beneath the pitch would be provided connected to a now soakaway trench adjacent to the pitch.

1.7 The facility would be available for the schools in the South Bank Academy Trust including Millthorpe, Scarcroft and Knavesmire, other local schools and local sports clubs requiring a floodlit all-weather surface for training and competitive sport. Being an artificial pitch with flood lighting, the pitch will extend the 'playing day' and allow for continued use during all but the most inclement weather. Proposed plans show that the existing athletics track can still be accommodated on these playing fields, although it will be reorientated and require the removal of a small cluster of trees.

1.8 The proposed hours of use have been revised since submission. The applicant is seeking opening hours between 1st September until 30th April of 08:00 to 22:00 Monday to Thursday, 08:00 to 21:00 on Fridays, 09:00 to 20:00 on Saturdays and 10:00 to 20:00 on Sundays. From 1st May to 31st August, the hours of use would be reduced to 20:00 in the evenings every day.

2.0 POLICY CONTEXT

2.2 Policies:

York Local Plan Publication Draft (February 2018)

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DP2: Sustainable development
HW3: Built Sport Facilities
ED6: Education
ED8: Community access to sports and cultural facilities on education sites
G15: Protection of open space and playing fields
T7: Minimising and accommodating generated trips
D1: Placemaking

City of York Draft Local Plan (incorporating 4th set of changes, April 2005)

GP1: Design
NE1: Trees
HE10: Archaeology
ED1: Education

3.0 CONSULTATIONS

CONSULTATION PRIOR TO PLANNING APPLICATION SUBMISSION

3.1 The applicant and representatives from the Council's school services have undertaken consultation with local community about the expansion of Scarcroft School and the need to provide additional outside sports facilities. A number of options have been presented to the community for comment, including the provision of an artificial sports pitch on Scarcroft Green or at the Nunthorpe Avenue end of the Millthorpe School site.

3.2 Officers are advised that in July 2016, the South Bank MAT with CYC undertook 6 weeks of consultation with the local community, including a public meeting, on options for creating additional play space for the school. It is understood that 110 local residents attended the meeting with ward Councillors and representatives of the Council. Four solutions were presented including using part of the Scarcroft school car park as a playground, providing a fenced area on Scarcroft Green next to the school, providing an artificial pitch at Millthorpe School and providing replacement car parking for Scarcroft staff at Millthorpe School. The fenced area on Scarcroft Green proved highly contentious and was dropped but the other options have been pursued as solutions to meet Government requirements.

INTERNAL

School Services

3.3 Verbal advice from school services is that that the expansion of Scarcroft School would not have been approved by the Department for Education (DfE) without the additional outdoor space provision secured through the planning permission

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18/00379/FUL and the funding secured from CYC for the AGP. The AGP must be provided on the Millthorpe site and during consultation it was deemed the best location, as is proposed in this application.. The additional play space at Scarcroft School and the AGP will bring the provision much closer to the DfE's outdoor play space recommendations and in line with most other primary schools in the city.

Strategic Planning

3.4 Given the advanced stage of the Plan's preparation, the lack of significant objection to the emerging policies relevant to this application and the stated consistency with the National Planning Policy Framework, officers advise that the policy requirements of the emerging Plan can be applied.

3.5 Both the City of York Local Plan Evidence Base Study: Open Space and Green Infrastructure Update (September 2017) and The Active York Built Sports Facilities Strategy (2013) evidence bases have shown that there is a deficit of outdoor sports facility provision in the Micklegate Ward and in particular there is a need for 3G pitches. This application would help to address that deficit and provide the City with additional AGP. The proposal is in line with policy HW3 and GI5 of the emerging Local Plan. No policy objection to the proposals.

Design, Conservation and Sustainable Development (Landscape architect)

3.6 The original scheme was not supported due to the loss of trees behind the gymnasium which are worthy of a TPO. The belt of trees around the perimeter of the site are also worthy of TPOs due to their contribution to the amenity of the surrounding streets and setting of the school. The reorientation of the running track to accommodate the AGP results in the removal of a few trees in the southwest corner of the playing field. Whilst this loss is not to be encouraged, given the value of the proposed facility, the proposed development outweighs the limited impact on the integrity of this woodland belt.

3.7 Following revisions to plans whereby the second car park behind the gymnasium was removed from the application and the trees thus retained, the officer has advised that the scheme can now be supported providing a condition is attached to agree an Arboricultural Method Statement to protect the existing trees around the perimeter of the works.

Design, Conservation and Sustainable Development (Ecology)

3.8 The main habitat within the site is existing amenity grassland, managed and used as sports pitch/playing field, and is considered to be of low ecological value. The boundary vegetation, comprising of mature and semi-mature trees, rough grassland and tall ruderal is of greater value. Two ponds within the wider site boundary tested negative by eDNA for Great Crested Newt. The trees on site were assessed as having

none/negligible and low-high potential bat roost potential. Those proposed for removal (original scheme) were assessed as having low potential and whilst their loss was regrettable it was not objected. The introduction of additional artificial light might mean bats and other nocturnal animals are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. However the impact of lighting is an emerging and complex area of research with many knowledge gaps remaining.

3.9 Some of the mature trees on the western boundary may be affected by light spill from new floodlighting but the use of a timer system will help reduce the impact on foraging and commuting bats. The application is supported subject to the attachment of conditions for provision of bird and bat boxes and works to trees in relation to protecting bats.

Design, Conservation and Sustainable Development (Archaeology)

3.10 The heritage project officer considered there may be archaeological deposits on site, including potential Roman burials. Since the original submission, the developer has undertaken two pieces of archaeological investigation; a geophysical survey followed by limited evaluation to test the disturbance of the site. The results suggest that no significant archaeological resource is present across the playing field area following the stripping and levelling of the site. The natural clay is situated c.0.3m below the current ground level. A watching brief will be required to cover all areas of groundworks for proposed areas of parking around the school given the possibility of encountering human remains. This can be conditioned.

Highways Network Management

3.11 The original Transport Assessment was inadequate and the officer has worked with the applicant with the intention of securing a robust travel assessment supported by a traffic count to ensure that there is sufficient parking on site for the users of the AGP and the traffic generation will not have an adverse impact on the local highway network. Following various submissions, the officer concludes that the scheme can only be supported with conditions to secure a minimum 20 minute break between bookings, sole use of the new AGP car park for users of the pitch, a car park management plan, traffic regulation order for additional 'no waiting restrictions at any time' to create formal passing places on Philadelphia Terrace, Ovington Terrace and Albemarle Road.

Flood Risk Management

3.12 From a flood risk and drainage viewpoint the revised drainage layout and submitted drainage details are satisfactory and the application can be supported.

Public Protection (PP)

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3.13 The noise assessment was reviewed by PP. Whilst noise would be less than that defined as a statutory nuisance, if the noise levels are above 30dB within bedrooms up until 2300hours and residents wish to use the bedrooms before 2300hours, then sleep disturbance may occur and this could have an adverse impact on residential amenity. The officer suggested that the hours of use be reduced.

3.14 The applicant submitted an additional noise report (received 29.10.2018) with revised hours of use and the erection of a noise barrier. PP reported that the approach of combining the installation of the noise barrier and the varied hours of use with earlier closure in summer months was supported. The proposed flood lighting and revised lighting spillage plot demonstrates that the lighting scheme is acceptable in terms of impact on residential amenity.

3.15 No information has been supplied on the potential for contaminated land to be found on site but that the standard condition on the reporting of unexpected contamination should be attached to any permission. Other conditions advised including construction hours and the provision of an electric vehicle recharging point.

Public Health

3.16 Officers support the proposals as there is no loss of existing sport provision. A Playing Pitch and Build Sports Facilities Strategies for York assessment is underway and it will identify shortage of AGP space in the city. Public Health is supportive of 3G as the preferred surface for this pitch. The proposed revised hours are broadly in line with other similar facilities on community and school sites across the city. The investment in sports facilities is supported and seen as very positive for the South Bank Academy Trust. The facility benefits the local community to maintain and increase their physical activity levels and for voluntary sports clubs to benefit from year round training opportunities. A community use agreement for the facility should be conditioned and should specify the number of hours it should be available and having a pricing policy in line with other similar facilities.

EXTERNAL

Sport England

3.17 The proposal is for an artificial grass pitch (AGP) that will be used for football. Sport England has sought the views of the Football Association (The FA) and the England Cricket Board (ECB). The FA have confirmed full support for the proposal and note there are a number of clubs nearby who may want to use the facility as there is an undersupply of AGPs in York and therefore the proposal will meet a demand.

3.18 The AGP will be available for community use and this is welcomed. A large number of sporting facilities are located on school sites and making these available to

sports clubs can offer significant benefits to both the school and the local clubs. Community use will also bring sufficient benefits to the development of sport as to outweigh the detriment caused by the loss of the grass playing field. The application meets exception five of our adopted Playing Fields Policy. The application is supported subject to a condition to secure community use of the facility.

Environment Agency

3.19 No response received.

Yorkshire Water

3.20 Yorkshire Water state that they have no comments on the proposal.

Ainsty Internal Drainage Board

3.21 The IDB have no comments to make.

Micklegate Planning Panel

3.22 The Panel object to the proposal in terms of traffic, noise impact, loss of trees and light pollution. Evening hours should be reduced to 8pm, access on bicycle and foot should be encouraged, and access should be from both Ovington Terrace and Nunthorpe Avenue. The Ovington Terrace wall should be replaced at its current maximum height along its length to reduce noise impact. The woodland should be retained and new trees and shrubs planted. Lighting should be modern, light efficient and non-polluting. The Panel request that the pitches be provided at the Focus College instead.

Neighbours/interest parties

3.23 Neighbours have been consulted three times by letter and or site notice. The first two were on the application proposals, the third consultation on proposed additional sections of no waiting restrictions ('yellow lines') to provide passing places on selected streets close to the site.

Initial period of consultation (Summer 2018)

3.24 The comments received largely relate to the original submission. They should be read in the context that a leaflet was distributed in the local area containing inaccurate information including that the proposal was for 'three floodlit pitches which will be rented out to clubs as far away as Leeds' and a 'massive grassy area will be concreted over'. The title of the leaflet was 'Stop the Mega Millthorpe MUGA!' It has not been possible to separate objections based on inaccurate information to those responding to the details in the application but it has been clear from comments that

there has been misinformation circulating. The total number of neighbours objecting has been reported, but this leaflet and the circulation of inaccurate information should be borne in mind.

3.25 One petition from 27 residents on Nunthorpe Avenue objecting to the scheme has also been received. However some of these people have also objected separately so should be reduced to 23 individuals.

Comments in support

3.26 The following comments have been received in support of the scheme from local residents, staff at Millthorpe and York High School and other interested parties. Active York, York City Football Club Foundation, and Ovingham Cricket Club have also written in support of the scheme. In total, 35 neighbours/interested parties have commented in support (11 of these live in the streets immediately bordering the proposal). A summary of comments in support are as follows:

- The pitch will benefit local school children and residents.
- Schools need to invest in modern facilities to prevent decline and to match provision at other schools in the city.
- Most of the school field and trees will remain intact and this is welcomed.
- The pitches will provide significant opportunities for sport, health and wellbeing for young people at the two schools and other members of the community. The facility will be safe and secure and help foster a life long love of sport for children.
- Additional sports will be accessible.
- High quality all weather surfaces are essential for training for local clubs and to enable year round play which Little Knavesmire and the school cannot currently provide.
The existing parking at the school is inadequate and staff have to double park causing issues for deliveries, bin men and potential emergency services. Extra parking will reduce the need to park on local streets.

Objections

3.27 A total of 130 neighbours have objected to the planning application. The following issues have been raised:

- Perceived inadequate consultation before the application submission and since.
- The location for the AGP is now in a more invasive location than previously proposed.
- The scheme does not provide practical extra outdoor play space for pupils of Scarcroft School as it is too far away. Millthorpe School have sufficient play space for pupil numbers.

- The facility is seen as a commercial venture for the MAT and / or Millthorpe School.
- Neighbours accept school use of the grounds, but not wider community use.
- Many residents state they would not object to the AGP if it were only used by children/local residents/with reduced hours. There should be respite in the school holidays.
- Children do not need the latest technology and an artificial pitch with floodlighting etc. to take part in sport and lead healthy lifestyles.
- There are other floodlit pitches in the city that residents can access, including York College, Energise or the approved facility south-east of Askham Bar Park and Ride near Bishopthorpe. Could a flood lit facility on Little Knavesmire near the Pavilion not be provided?
- Increased and unacceptable levels of noise from use of the pitch and from the parking areas. Use of the facility until 22:00 hours will cause sleep disturbance particularly for children and shift workers.
- The anticipated noise is above the WHO recommended threshold of 50dB, being 60 dB. It is a theoretical report, not based on fact. Existing sporting events at the school are noisy but infrequent so are tolerated. Such events every day are not considered acceptable.
- Light pollution from the flood lights disturbing local residents and causing harm to wildlife. The flood lights will harm outlook for residents and general visual amenity.
- Artificial light and noise, particularly unpredictable noise, is particularly bad for physical and mental health. The health benefits of the facility for users do not mitigate for the unacceptable impact on local residents from the facility.
- Cumulative and increased impact of noise and disturbance to residents of the area combined with additional events on the Racecourse (eg. music concerts and race days etc.)
- Lack of transport assessment and travel plan to support the scheme. There should be further encouragement of sustainable travel choices.
- Increase in traffic and congestion. Inconvenience for local residents who wish to park on street near their properties. There are already problems; this proposal will exacerbate it further. Safety concerns for local residents, school children, cyclists (Philadelphia Terrace is a main cycle route). Increased damage to property and parked vehicles.
- Albemarle Road, Ovington Terrace and Philadelphia Terrace are all essentially single carriageway due to parked cars. The junction at Ovington Terrace and Philadelphia Terrace causes a backlog when two cars are coming from opposing directions. There are 90 degree blind turns along these streets. The streets are unsuitable for minibuses and coaches. The entrance to the site is unsuitable. School drop off and collection times are particularly hazardous.
- Access to the pitch should also be from Nunthorpe Avenue out of school hours.

- 83 additional car parking spaces on site seem excessive.
- Other schools which benefit from artificial pitches have good access from main roads, already ample parking and are not so close to residential properties. An alternative location should be considered.
- Increase in air pollution and corresponding health problems from the additional traffic.
- Loss of trees, loss of wildlife habitat within the site and wider impact on the wildlife in Scarcroft allotments.
- Inadequate drainage for the proposed car parks and MUGA.
- Concerns about security with increased use of the school site outside of school hours.
- Unsocial activities (noise, drinking, speeding) from users of the pitch following play. Existing community uses at the school are largely indoors.
- The comments in support of the proposals are largely not from local residents.

Reconsultation

3.28 A further period of consultation was taken on the proposed sections of 'no waiting' (double yellow line) restrictions (February 2019) advised as being necessary by the Council's highway engineers in conjunction with the revised Transport Assessment. In total, 20 neighbours objected (6 are new objectors who have not previously commented) and 3 offered support. In addition to the above issues raised, the following points were made:

- Inadequate and overspill parking for the AGP will result in parking in the surrounding streets. There is little resident parking anyway; any further reduction is not supported.
- Resident parking zones elsewhere on South Bank have increased on-street parking and congestion on 'free parking' streets.
- Philadelphia Terrace residents already have to park in neighbouring streets; currently 15 spaces for 24 houses. Further reduction is not supported.
- Local streets can not accommodate further increase in traffic, they are already congested.
- There is no mention of teams arriving by bus and how these vehicles will be accommodated.
- Currently residents can park outside their property after 6pm. The AGP use until 10pm and overspill will mean even this is not possible either for residents or their friends and relatives.
- Questioning of the assumptions and conclusions in the Transport Assessment and lack of reference to the Council's transport objectives.
- Requirement for sections of double yellow lines on the surrounding streets indicates that the proposed development has an unacceptable impact on local residents (in addition to other concerns; noise, lighting etc).

- Opposition to any resident parking zone and financial implications which may be required as a result of overspill parking from the development.
- Support for the resident parking zone proposals which should be considered instead / as well as double yellow lines.
- The Transport Assessment's scale and technical detail indicate that the proposals are a 'done deal'.
- The waiting areas/passing places will not resolve the issue of congestion or drivers trying to pass on a single width road.
- TA does not recognise the expensive damage to cars in the vicinity of the site prior to the proposals.
- Yellow lines 'formalise existing habits': Therefore there are no improvements at all with simply a further reduction in parking available to local residents.
- Double yellow lines should be extended all along the east side of Ovington Terrace, up to and around the junction with Southbank Avenue.

4.0 APPRAISAL

KEY ISSUES

4.1 The key issues are considered to be:

- Principle of development
- Impact on neighbour amenity
- Highways - access, safety, parking, impact on local streets
- Trees and ecology
- Drainage

The National Planning Policy Framework (February 2019) (NPPF)

4.2 The revised National Planning Policy Framework was republished with very minor modifications on 19th February 2019 (NPPF) and its planning policies are material to the determination of planning applications. It is against the NPPF (as revised) that this proposal should principally be assessed.

4.3 Development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies or where they are out of date, planning permission should be granted unless policies in this framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

4.4 The NPPF sets out the Government's overarching planning policies. Paragraph 7-10 explains that the purpose of planning is to contribute to achieving sustainable development.

4.5 Section 8 promotes healthy and safe communities including development which supports social interaction and promotes healthy lifestyles, such as new sports facilities. Planning decisions should plan positively for the provision and use of shared space, community facilities (including sports venues) and other local services. Sufficient choice of school places should be made available to meet the needs of existing and new communities. Great weight should be given to the need to create, expand or alter schools. However existing open space, sports and recreational land, including playing fields, should not be built on unless ... (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current use (paragraph 97).

4.6 Section 12 underlines good design stating that the creation of high quality buildings and places is fundamental to planning. Paragraph 127 states that developments should function well and add to the overall quality of the area, be visually attractive and create places which promote health and well being with a high standard of amenity for existing and future users.

4.7 Section 9 promotes sustainable transport. Safe and suitable access to the site must be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, should be mitigated. Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe. Priority should be given to pedestrian and cycle movements.

York Local Plan Publication Draft (February 2018)

4.8 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF as revised in July 2018, the relevant 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under

transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

4.9 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

4.10 DP2 Sustainable development sets overarching principles, including facilitating the provision of sufficient educational facilities, ensuring development is in acceptable locations, reduces flood risk and limits environmental nuisance (including light and noise pollution). D1 Placemaking (with update) states that amongst other principles, development should consider residential amenity so that residents living nearby are not unduly affected by noise or disturbance.

4.11 Policy HW3 supports development of built sport facilities for use by residents. Such sports facilities should be co-located with other health and community facilities and schools, where possible, to encourage participation in exercise.

4.12 Policy ED6 on schools states that the provision of sufficient modern, educational facilities to support education and to meet identified need will be facilitated. New or enhanced facilities will be permitted if they are in sustainable locations, would not have a significant adverse impact on the amenities of neighbouring property, and provide community access where there is deficiency in community sports provision. Policy ED8 'Community access to sports and cultural facilities on educational sites' states that community use of new/extended education facilities will be expected and should be incorporated into the design to enable optimal use. Agreement for wider community use will be secured unless a local sufficiency can be demonstrated.

4.13 Policy G15 protects playing fields. Development proposals will not be permitted which would lead to the loss of recreational space unless they will be replaced with facilities of an equal or better standard in terms of quality, quantity and access. Proposals which improve the quality of existing pitches to a high standard and reflect the understanding of the needs of community sport will be supported.

4.14 Policy T7 requires development that could have a significant impact on the transport network to be supported by a transport statement, assessment and possibly a travel plan. Any resultant new traffic generated by new development should be safely accommodated on the local highway network or can be made safe. Measures should be put in place to minimise trip generation, particularly by car.

City of York Draft Local Plan (incorporating 4th set of changes, April 2005)

4.15 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for development management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are

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considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF as revised in July 2018, although the weight that can be afforded to them is very limited. The following are noted:

- Policy GP1 'design' seeks appropriate scale of development and protects residential amenity.
- Policy NE1 protects trees of landscape, amenity or nature conservation value.
- HE10 Archaeology requires field evaluation as required for development which disturbs existing ground levels.
- ED1 education supports expansion of schools to meet needs and where of an appropriate scale and sufficient open space and playing fields is provided. Where it is capable of dual use by the community this should be incorporated into the design.

CONSIDERATION

Background to the planning application

4.16 It was agreed at the March 2017 Executive that £1m of basic need funding for a full size multi-use games area (MUGA) should be provided at Millthorpe Secondary School with additional parking spaces, some of which should be available for Scarcroft School staff. The South Bank Multi Academy Trust (MAT) agreed that during the school day the AGP would be available for use by a number of schools in the area including Scarcroft Primary and those in the MAT. The MUGA will enable the Council to meet its statutory duties to provide sufficient school places in this part of York. With the expansion of Scarcroft School from 1.5 form entry to 2 form entry (60 pupils per year group) there is a Government requirement to provide additional outdoor space. Even before the expansion of the school, Scarcroft School was the most deficient in supply of outdoor recreational space for use by the pupils in the city.

4.17 It was agreed, in consultation with the community, that Scarcroft School should be expanded on the existing site rather than elsewhere. However as the school does not have sufficient outdoor space, an AGP should be provided nearby. As well as general use by the school, it would enable Scarcroft to host inter-school competitive matches and improve the quality and range of sports provision (and thereby competitive play) for a number of schools and community teams in this part of York. Therefore the need for the facility is well established, although it should be noted that planning officers have not previously been involved in the proposals for the AGP.

Principle of development

4.18 The proposed site in this application is an area of the main existing playing fields, to the south of Millthorpe School's buildings. As such it is already used for

sporting and recreational use, including junior football, rugby, athletics and rounders. In the centre of the fields is a cricket square, predominantly used by the nearby Ovington Cricket Club. However the provision of the AGP will result in more intensive use of the playing fields, and for longer periods of the day and evening with associated increased traffic, use of floodlighting and potential associated noise as a result of both the schools and wider local community use.

4.19 Planning policy and relevant consultees including Sports England and Public Health all strongly support the development of the AGP at Millthorpe School for both school and wider community use. The pitch provides additional benefits over the existing grassed playing pitch through providing an artificial 3G surface enabling both football and other sports to be played to a competitive level throughout the year. The need for such facilities to be made available for wider community use is a fundamental requirement of the provision of an artificial pitch to encourage healthy, sociable lifestyles. Strategic Planning and Public Health underline that there is a deficiency in supply for such AGP pitches in this part of the city. The NPPF at paragraph 94 advises that great weight should be given to supporting the expansion and alteration of schools. Paragraph 92 states that planning decisions should positively support the provision of shared community facilities to meet social, recreational and cultural facilities to meet need. Thus the need for the facility and its availability for use by the wider community is given great weight in the planning balance by officers. However, a suitable location, design, parking provision and protection of residential amenity are important considerations.

Neighbour amenity

4.20 The proposed 3G playing pitch is not suitable for hockey, which is widely accepted as being the noisiest sport due to the hitting and rebounding of balls off hockey sticks and boundaries. It is the preferred surface for football.

4.21 The pitch is not full size, but the recommended dimensions for a single U13/14 youth team playing an 11v11 game. To facilitate use for a variety of sport, including training, the pitch will be marked out for smaller matches for younger players (5, 7 and 9 aside matches). A 4m wide spectator area will also be provided.

4.22 During the school day the facility would be used by Millthorpe and other local school children who would access the site predominantly on foot. As the area of land is already used for playing a variety of sport, it is the after school hours, either by the school or local community, that would create additional noise and activity with potential impact on residential amenity. However community use of school facilities, including both inside and outside activities is well established. Wednesdays and Saturdays are the days with greatest community use, including evening classes (eg. arts, wood carving, pilates), rugby and soccer coaching, and on Saturdays music lessons, gymnastics and Polish club. Wednesday evenings see a total of 130 people accessing the school site and 300 on a Saturday. Vehicle access is already from both

Philadelphia Terrace and Nunthorpe Avenue. It is against this background of activity that the new and more intensive use of the pitch should be considered.

4.23 During the week, up to 20 people could be using each third of the pitch for training in 60 minute slots between the hours of 17:00hrs to 22:00hrs. This would equate to up to 60 people and 6 coaching staff. At weekends, numbers are likely to be less; 22 players with 7 officials and managers.

4.24 A noise assessment has been submitted with the application and reviewed by environmental health officers. Comprehensive modelling software indicated that the noise level increase at 14 Nunthorpe Grove was 1dB and at Ovington Terrace 7dB. The overall maximum noise level of 49dB at Ovington Terrace was below the WHO recommended noise level for external areas. Internal levels of 34dB at first floor met WHO guidance for bedrooms and living rooms during the daytime (07:00 to 23:00). Whilst noise at this level would be less than that defined as a statutory nuisance, if the noise levels are above 30dB within bedrooms up until 2300hours and residents wish to use the bedrooms before 2300hours, then sleep disturbance may occur and this could have an adverse impact on residential amenity. The officer suggested that the hours of use be reduced.

4.25 The applicant submitted an additional noise report received 29.10.2018 with revised hours of use and the erection of a noise barrier along the south-west boundary of the pitch closest to Ovington Terrace being the nearest residential properties. PP reported that although the internal bedroom noise levels will be 3dB above the recommended level to ensure no sleep disturbance, this will only occur up until 8pm during the summer. From September to May, windows may be closed due to colder weather and therefore this exceedance will not occur. It is highlighted that the recommended level of 30dB is from 23:00 hours to 07:00 hours. The approach of combining the installation of the noise barrier and the varied hours of use is therefore supported by PP. The proposed acoustic fence barrier details are acceptable.

4.26 The pitch would be lit by 8no. 13m high galvanised steel flood lights. These can be turned off as required so only one third of the pitch is illuminated and will be set on a timer system that will shut all the lights off at curfew. The nearest floodlight would be 30m from the closest residential property at No.2 Ovington Terrace. The nearest flood light to Nunthorpe Grove properties would be 90m. At this distance they would have minimal impact on middle distance views.

4.27 The proposed site characteristics are important. To the west of the site is the belt of mature deciduous trees on the western boundary of the site with Ovington Terrace. The proposed sections provided by the applicant show that the AGP is set in a lower plateau to the school buildings and Ovington Terrace and this will reduce light spillage and views of the floodlights over the wall and trees.

4.28 Environmental health officers reviewed the details. The revised lighting spillage plot demonstrates that the lux levels at the nearest residential premises are 1 lux and this is an acceptable level for lighting at residential premises. There would be no harm to neighbour amenity from the floodlights. Moreover, officers note that when the flood lights are in use in winter months, residents are more likely to close curtains and blinds to their properties, but this is not a requirement as in any case, providing that the floodlights are installed in accordance with the submitted details, there will be no harm to neighbour amenity from the flood lights.

4.29 In conclusion, the concerns of neighbours regarding the impact of noise and light spillage from the AGP have been taken into account, the evidence and technical data has been reviewed and assessed by specialist officers and concluded as not causing undue harm to neighbour amenity. The close boarded timber fence noise barrier is shown on revised plans and the revised hours of use can be conditioned.

Trees

4.30 Existing public views of the school grounds are restricted by the brick boundary wall, which runs alongside the entire length of the school playing field where it borders Ovington Terrace in the west and Southbank Avenue in the south. A distinct belt of trees is visible over this wall and a line of trees along South Bank Avenue.

4.31 The reorientation of the running track to accommodate the AGP results in the removal of a few trees in the southwest corner of the playing field because the track would encroach into the established tree belt. The losses would be visible from Ovington Terrace; however the large Beech would be retained, thereby maintaining the main foreground canopy cover as viewed from the street. Such a loss is not to be encouraged but given the value of the proposed facility, the proposed development probably outweighs the limited impact on the integrity of this woodland belt. The trees behind the gymnasium by Coggan Close are no longer proposed to be removed. Subject to an arboricultural method statement being agreed prior to development commencing the scheme is supported from a landscape perspective.

Parking and highway impact

4.32 Millthorpe School has two vehicular entrances; the main entrance being from Nunthorpe Avenue with a second access from Philadelphia Terrace. There is a third, pedestrian entrance, from Southlands Road. In addition to school use and the parking needs of staff and visitors, the school site also provides for a range of clubs and evening classes throughout the week. An outside company, 'School Plus' manage these bookings. As shown on the existing plan, the school's formal car park is accessed from Nunthorpe Avenue and provides parking for 49 vehicles in marked out spaces. This is insufficient for current school needs and thus various other informal parking areas at the school, from both vehicular entrances, are currently used. These informal parking areas include along the internal access road and grass verge and on

playground spaces. The applicant has advised that these unmarked spaces allow another 59 vehicles to park on site, totalling 108 vehicles parking spaces.

4.33 Reference has been made in the application to 14 car parking spaces being allocated for Scarcroft School Staff. It is officers opinion that this does not comprise development under the Planning Act, and thus not require planning permission and has been excluded from the consideration.

4.34 The application proposes a new 40 space car park adjacent to the AGP, accessed via a widened entrance to allow two way traffic from the Philadelphia Terrace entrance. A new ramp with 1:12 fall leads down the embankment into the car park. Three new 16 space bicycle sheds will be provided.

4.35 Due to the existing congested car parking on site, existing community use out of school hours and narrow streets leading to the school entrance (Ovington Terrace, South Bank Avenue, Philadelphia Terrace and Albemarle Road), officers requested that a Transport Assessment, supported by Traffic Counts be undertaken and submitted in support of the proposals. The applicant has also submitted revised versions of a Travel Plan for the school.

4.37 The reports present information on existing access to the site, anticipated trip generation and parking requirements for the proposed AGP use. It has been an iterative process with the Council's highways officers. Information has been submitted on existing users of the school grounds including school staff, visitors and community users. Wednesdays and Saturdays have been identified as the peak days for community use with 130 people between 16:30 and 21:00 on a Wednesday evening and 300 people attending classes on a Saturday between 09:00 and 14:00. Traffic counts confirmed both entrances were used for dropping off and parking on site and accident data has been referenced.

4.38 The applicant has advised that as the AGP can be divided into thirds with retractable netting, the maximum number of players on site at any time, as worst case scenario, could be 20 players per third or 60 in total plus 6 coaches who would arrive independently and remain on site for the duration of training. This figure has been used. The final revised Transport Assessment (received on 31st January 2019) superseded other previous documents.

4.39 However, highways officers have not agreed with assumptions of the Transport Assessment's, calculations and conclusions and have struggled to reconcile the reports with established methodologies, and found the reports to contain conflicting information, mistakes and unsubstantiated assumptions. Due to the removal of the previously proposed overspill car park, the applicant has relied on informal parking areas at the Philadelphia Terrace end of the school site which will be unmarked and tightly packed around buildings with no pedestrian circulation space. In reality, fewer spaces will be available than suggested. Calculated peak hours at the site are not adhered to in the reports, giving lower trip rates for the development proposal than

should be, existing traffic exaggerated. Evidence of anticipated trip rate and car parking for other community uses on the school site is not robust with redistribution of car parking to the Nunthorpe Avenue end of the school site proposed in the reports. It is not clear if this will work. Officers do not have confidence in the assessment with concerns about potential overspill parking onto surrounding streets and safety and congestion issues within the site.

4.40 Highways officers undertook their own calculations for a robust assessment. They concluded that the new 40 car parking spaces would accommodate 1.5 players per car (taking the maximum 60 players on the pitch at one time) which is an average of the two figures given originally by the applicant as example parking generation at other sites. Staff would be extra so would need to park elsewhere. Bus stops are over 400m away which is considered unattractive to people visiting the place for a 60 to 90 minute visit. A proportion of visitors will car share or walk/cycle, the remaining arriving in single occupancy vehicles (possibly with parents/carers). Thus the requirement is considered reasonable. If given a break between sessions, the AGP could use this as their main visitor car park, which would give early arrivals or those wishing to drop off the opportunity to fall back on other spaces within the school. This would be clearly manageable.

4.41 With a break between bookings, highways officers calculate that traffic generated would still result in peak hour movement of 86 (46 in, 40 out) extra to that experienced on a weekday evening, though continuing throughout the evening. This trebles the existing peak hour traffic to 130 movements in any hour. It assumes that the car remains on site whilst play takes place, so could be subject to slight increase should players be dropped off. Though the wider highway network will accommodate this traffic, highways officers have particular concerns over conflicts on Philadelphia Terrace and Albemarle Road, which are narrow streets subject to parked cars reducing the operating width to one lane.

4.42 To assist mitigation of the impact of traffic in the nearby streets, officers advise additional parking restrictions on Philadelphia Terrace, Ovington Terrace and Ablemarle Road should be conditioned to provide places for traffic to pass each other. These are designed to limit the impact to residents' available on-street parking by formalising junction protection and existing white bar markings protecting cross-overs. This has been subject of the third period of consultation on this application reported in this report with plans showing the proposed 'no waiting at any time' marked passing places prepared by the Council.

4.43 The applicant has proposed a Car Park Management Plan for the school to incorporate all users of the school parking and this is welcomed and can be conditioned. In addition to this, as highways officers analysis confirms, to reflect the potential impact of the AGP, a condition to provide gaps between session of a minimum of 20 minutes to allow the management of parking, and sole use of the new car park for the AGP outside of school hours is advised. Should the AGP /school be

able to prove that there is sufficient parking on site following a reasonable settling in period they would be able to apply to remove this condition at a future date.

4.44 This solution of a break between booked sessions has been resisted by the applicant as not commercially viable as it would result in a reduced number of bookings. A further revision of a Travel Plan was submitted on 5th March 2019 by the applicant, setting more detailed measures for promoting sustainable travel to the school. However, such measures are not considered sufficient to address officers' concerns and the 20 minute break in bookings will provide sufficient confidence that the on site parking can work without detriment to the surrounding community. The car park can be cleared of players before the next booking arrives.

4.45 The NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impact on the road network would be severe. The proposed conditions are considered reasonable and enforceable and without such conditions, officers would recommend refusal of planning grounds for the reasons above. The breaks between bookings will allow the AGP and new car park to operate almost as a distinct entity within the site, reserved for users of the pitch whilst allowing other community uses at the school to operate as is. With these conditions, officers are confident that there would not be detrimental impact on the highway network nor the safety of users of the school grounds and the proposal can be supported.

Drainage

4.46 The site will not become impermeable and the proposal includes a new surface water drainage scheme from the car park and pitch to a line of crates and long soakaway trench to the immediate south east of the pitch. The Council's flood risk engineer has reviewed the submitted details in the application and confirmed that the scheme can be supported.

5.0 CONCLUSION

5.1 The NPPF sets a strong positive policy context for the AGP at Section 8 and the need to support new sporting facilities and the expansion and alteration of schools to meet community needs. AGPs offer benefits by being available throughout the year and into the evening over transitional grass pitches. The 2018 Draft Plan particularly supports the principle of the proposal at Policy HW3 'built sport facilities'. Policy ED6 'education' offers similar in principle support providing there is not significant adverse impact on neighbouring amenity.

5.2 The applicant has reduced the hours of use during summer months (when residents are more likely to open windows) to 20:00 hours and to start no earlier than 9:00 and 10:00 at the weekends. A noise barrier is proposed on the western boundary of the pitch (closest to Ovington Terrace) resulting in forecast noise levels from the

pitch being at an acceptable level. Proposals for a new car park with loss of a significant number of mature trees has been removed from the application. Evidence has been provided that floodlighting will not harm residential amenity. Conditions are recommended to ensure minimum 20 minute gaps between bookings, sole use of the new car park by AGP users and additional double yellow markings on surrounding streets to provide passing places and the safe flow of traffic.

5.3 With the strong policy context and support from key consultees on the provision for an artificial pitch at the Millthorpe School site with associated community use and wider health benefits for pupils and residents, the application is considered to be in accordance with The National Planning Policy Framework (February 2019) (NPPF) sections 8, 9 and 12, relevant policies listed at section 2 in the report from the Publication Draft City of York Local Plan 2018.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Site location plan, MSS-40 revision A, received 26.02.2019

Proposed site plan, MSS-42 revision H, received 26.02.2019

Proposed site plan 1:200, MSS-43 revision D, received 26.02.2019

Proposed site sections, MSS-44 revision B, received 28.02.2019

Proposed drainage, MSS-45 revision D, received 26.02.2019

Proposed AGP Layout & elevations, MSS-46 revision A, received 15.11.2018

AGP typical section, MSS-47, received 22.05.2018

AGP typical fence detail, MSS-48, received 22.05.2018

Proposed site plan with grass pitch markings, MSS-61 revision D, received 26.02.2019

Sound screen details, MSS-64, received 15.11.2018

Appendix 5 - Tree protection plan, D-3252-02.03, December 2018

Flood lighting - vertical illumination MSS-30 revision D received 28.02.2019

Data and specification for Noisestop's reflective acoustic screen dated August 2014

Mason Clark Associates' Drainage details 16608-Y-DR-202 P1 received 19.02.2019

SJB Floodlighting's Millthorpe School Floodlighting Report dated 13.07.2018 including luminaire details and installation data

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The use of the artificial grass pitch hereby approved for the playing of sports or any other function shall be restricted to the following times:

From 1st September until 30th April inclusive:

Monday to Thursday - 08:00 to 22:00 with floodlights switched off no later than 22:15;
Friday - 08:00 to 21:00 with floodlights switched off no later than 21:15;
Saturday - 09:00 to 20:00 with floodlights switched off no later than 20:15; and
Sunday - 10:00 to 20:00 with floodlights switched off no later than 20:15.

From 1st May to 31st August inclusive:

Monday to Friday - 08:00 to 20:00 with floodlights switched off no later than 20:15;
Saturday - 09:00 to 20:00 with floodlights switched off no later than 20:15; and
Sunday - 10:00 to 20:00 with floodlights switched off no later than 20:15.

Reason: In the interests of the residential amenity of surrounding occupants.

4 The artificial pitch shall not be used until the areas shown on the approved plans for widening the access, parking and manoeuvring of vehicles (and cycles) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

5 A minimum of a 20 minute gap between each booked session of the artificial pitch after 17:00 on any week day and at any time at the weekend shall be maintained at all times for the lifetime of the development.

The owners/operators shall maintain an up-to-date register of each booking including duration of booking, individual, company or club name and their address for the above specified hours, and shall make this information available at all reasonable times to the local planning authority. Users of the pitch shall be informed of the car parking arrangements at the time of booking.

Reason: To enable adequate breaks between bookings so that users of the new dedicated car park immediately adjacent to the artificial pitch can be used solely by these users, to maintain the safe and free flow of traffic within the school site through providing sufficient time for users to exit the site before the next users arrive and to enable other community users of the school site (other sports clubs, music centre, evening classes etc) to continue to park within other parking areas at the school without the need to park on the surrounding streets. Such overspill onto surrounding

residential streets would be detrimental to the surrounding residential community who are already largely restricted to parking their own vehicles on street or insufficient parking on site would encourage drop-off on no waiting restrictions close to the school with associated safety and highway implications.

6 The development hereby permitted shall not come into use until the following highway works (which shall include works associated with promoting, revoking, amending and implementing any Traffic Regulation Order(s) required as a result of the development, including signing, road marking and other related works) have been completed in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority:

- Measures to prohibit sections of on-street parking on Philadelphia Terrace, Ovington Terrace and Albemarle Road as shown on the approved plans : City of York Council's Albemarle Road (Telford Terrace to Philadelphia Terrace) proposed 'no waiting at any time' (double yellow line) plan dated 16.01.2019, City of York Council's Albemarle Road (junction with The Mount) proposed 'no waiting at any time' (double yellow line) plan dated 16.01.2019 and City of York Council's Philadelphia Terrace & Ovington Terrace proposed 'no waiting at any time' (double yellow line) plan dated 21.01.2019.

Reason: In the interests of the safe and free passage of highway users through the provision of passing places on these narrow streets.

Informative: The applicant is advised that the scheme required by this condition involves the implementation by the Highway Authority of a Traffic Regulation Order under the Road Traffic Regulation Act 1984 (TRO). The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 9 months from instruction to implementation. All necessary costs will have to be funded by the applicant and you are advised that the TRO process cannot commence until payment of the TRO fees are received.

7 Prior to the development coming into use, details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The artificial pitch shall not be used until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

8 Prior to the artificial pitch first coming into use, a Car Park Management Plan (CPMP) shall be prepared and submitted to the local planning authority for approval in writing. Thereafter, the CPMP shall be implemented in accordance with the approved

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details for the lifetime of the development. Should user requirements change, a revised version of the CPMP shall be prepared and agreed with the Council.

The new car park immediately adjacent to the artificial pitch shall be used solely by users of this pitch and this will be detailed in the CPMP. Details of a suitable sign stating such shall be positioned at the top of the access ramp down to the car park prior to the pitch first coming into use. The details of this sign and method of illumination shall be agreed in writing with the local planning authority prior to installation. It shall thereafter be erected in accordance with these details and maintained in this position for the lifetime of the development.

Reason: To ensure appropriate management of parking and other community uses on the school site and to minimise any adverse impact on the surrounding highway network through the effective communication of car parking policy.

9 Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of a reasonable pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility and to ensure sufficient benefit to the development of sport in line with planning policy.

Informative: A model Community Use Scheme is available on the Sport England website www.sportengland.org

10 Unless otherwise approved in writing by the local planning authority, the fenced enclosure and steel container shall be painted RAL 6005 Moss Green, and maintained as such for the lifetime of the development.

Reason: To protect visual amenity for local residents and users of the pitch.

11 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

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out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12 No removal or works to trees identified as having low roost suitability for bats in the Preliminary Ecological Appraisal by Brooks Ecological Ltd dated May 2018 should be undertaken, unless a suitably qualified ecologist is present, or has undertaken a recent survey and confirmed the likely absence of bats. In the unlikely event that bats are discovered when branches are removed or trees felled (particularly in winter), work must stop immediately and Natural England or the Bat Conservation Trust contacted.

Reason: To ensure that bats are protected from harm during construction.

13 Prior to first use of the development hereby approved 3 woodcrete bat boxes (e.g. Schwegler type) must be installed in a nearby mature tree by an ecologist, and 4 hard wood bird nest boxes within the school grounds to compensate for the loss of nesting habitat.

Reason: To contribute to and enhance the natural and local environment by taking opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity NPPF 2018 paragraph 175.

14 A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site.

The archaeological scheme comprises 3 stages of work. Each stage shall be completed and approved by the Local Planning Authority before it can be discharged.

A) No development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by the Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report (or publication if required) shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 3 months of completion or such other period as may be agreed in writing with the Local Planning

Authority.

This condition is imposed in accordance with Section 16 of NPPF.

Reason: The site is considered to be a site of archaeological interest. Therefore, the development may affect important archaeological deposits which must be recorded prior to destruction.

15 Prior to first use of the pitch, the noise barrier shall be installed in accordance with the approved plans and details in the addendum to the noise report prepared by Apex Acoustics dated 25.10.2018:

As shown on these plans, the barrier shall be a minimum of 3.0m in height, close boarded fence with no gaps and the density must be a minimum of >10kg/m².

Reason: For the avoidance of doubt and to protect the amenity of local residents by reducing the noise levels to an acceptable level

17 The drainage scheme shall be fully implemented in complete accordance with the approved details on the following plans and documents:

Proposed Drainage MSS-45 Revision C dated November 2018 by Steve Wells Associates;
Drainage Details 16608-Y-DR-202 P1 dated July 2018; and
Drainage Calculations 16608-Y-CA R1 dated 23rd July 2018 both by Mason Clark Associates.

Reason: To facilitate adequate surface water drainage of the site.

18 Before the commencement of development an Arboricultural Method Statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Amongst others, this statement shall include details and locations of protective fencing, phasing of works, ground protection, site rules and prohibitions, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site compound. The document shall also include methodology and construction details and existing and proposed levels where a change in surface material and boundary treatments is proposed within the root protection area of existing trees. A copy of the document will be available for inspection on site at all times.

Reason: To protect existing trees which are considered to make a significant

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contribution to the amenity of this area and/or development.

19 Except in case of emergency no demolition and construction works or ancillary operations, including deliveries to and dispatch from the site which are audible beyond the boundary of the site shall take place on site other than between the hours of 08:00-18:00 Monday to Friday and between 09:00-13:00 on Saturdays.

Reason. To protect the amenity of local residents

20 Before first use of the AGP, 1no. Electric Vehicle Recharging Point shall be provided in a position and to a specification to be first agreed in writing by the Council. Within 3 months of the first occupation of the development, the owner will submit to the Council for approval in writing (such approval not be unreasonably withheld or delayed) an Electric Vehicle Recharging Point Maintenance Plan that will detail the maintenance, servicing and networking arrangements for each Electric Vehicle Recharging Point for a period of 10 years.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy (LES) and the National Planning Policy Framework (NPPF).

To Note: Electric Vehicle Charging Points should incorporate a suitably rated 32A 'IEC 62196' electrical socket to allow 'Mode 3' charging of an electric vehicle. They should also include facilities for 'Mode 2' charging using a standard 13A 3 pin socket. Each Electric Vehicle Charge Points should include sufficient cabling and groundwork to upgrade that unit and to provide for an additional Electrical Vehicle Recharging Point of the same specification, should demand require this in this future. Charging points should be located in a prominent position on the site and should be for the exclusive use of zero emission vehicles. Parking bay marking and signage should reflect this. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015)."

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- Requested a transport assessment to be submitted to enable the highway

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impact to be assessed. Worked with the applicant to try and help prepare a robust assessment.

- Agreed to allow small extension of the application site to include proposed drainage, earthworks and cycle stores.
- Advised on the lack of support for the loss of trees behind the gymnasium and allow the application to be revised.
- Sought solutions through proposed conditions to secure gaps between booked sessions and passing places on the surrounding road network rather than refuse planning permission.

2. BREEDING BIRDS

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Contact details:

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