

COMMITTEE REPORT

Date: 11 July 2018 **Ward:** Rural West York
Team: Major and **Parish:** Askham Bryan Parish
 Commercial Team Council

Reference: 18/00251/FUL
Application at: Proposed Sports Pitch Development to the South East of
235 Tadcaster Road, Dringhouses, York
For: Change of use from agricultural holding to natural turf sports
pitches including erection of changing facilities, installation of
sub surface land drainage and associated soft landscaping
and formation of emergency/maintenance vehicle access
road.
By: City of York Council
Application Type: Full Application
Target Date: 13 July 2018
Recommendation: Delegated Authority to Approve

1.0 PROPOSAL

1.1 Land to the south east of 235 Tadcaster Road comprises a very substantial area of rough grazing lying within the Green Belt partially bisected by a mature hedge bank together with the York/Selby Sustrans cycle route. York College lies to the North East and the A64 with its associated slip road to the south west. Planning permission is sought for change of use of the site to form playing pitches and training facilities together with a clubhouse for Woodthorpe Wanderers FC who will lose their training ground with the proposed re-development of Lowfield School, and for Bishopthorpe White Rose FC.

2.0 POLICY CONTEXT

2.1 Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') relevant policies

GB1 Development in Green Belt
D6 Archaeology
ENV5 Sustainable Drainage
D2 Landscape Setting

2.2 York Development Control Local Plan 2005 ("DCLP 2005") relevant policies

CGP15A Development and Flood Risk

CYGB1 Development within the Green Belt
CYNE6 Species protected by law

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 Raise no objection to the proposal.

Highway Network Management

3.2 Accept the proposed arrangements whereby car parking spaces would be obtained by agreement within the area of the Askham Bar Park and Ride with access via the Sustrans cycle route crossing the site. Concerns have been expressed in relation to the proposed vehicular access to the site which would be via an existing agricultural access adjacent to the Old London Road Service Station. That would be used for maintenance and disabled access purposes but must not be used for the purposes of "dropping off". A Road Safety Audit has been submitted with the proposal which identifies a number of deliverable improvements and it is intended to provide a solid non-climbable gate. It is also requested that construction site traffic be brought into the site other than via the A1036 Tadcaster Road. The planning permission should be conditioned to secure those requirements.

Public Health (Sport and Active Leisure)

3.3 Any response will be reported verbally at the meeting.

Strategic Flood Risk Management

3.4 Raise no objection to the proposal.

Design, Conservation and Sustainable Development (Ecology)

3.5 The site provides good habitat for a range of species including foraging and commuting bats, hedgehogs and nesting birds. The ecology surveys did not find evidence of great crested newts or water voles. Hedgehogs are known to be present on site which is used as a release site for a local hedgehog rehabilitator. Hedgehogs are a species "of principal importance for the purpose of conserving biodiversity" covered under section 41 (England) of the NERC Act (2006). Hedgehogs are nocturnal animals and it has been confirmed that the pitches will not be used after dark, with no floodlighting. The hedgerows and boundary scrub on site that would be used for daytime shelter and hibernation will be retained. The

proposal will not harm the nearby Askham Bog Site of Special Scientific Interest nor the Sim Hill Site of Importance for Nature Conservation (SINC).

3.6 Conditions are recommended to ensure the protection of trees, hedgerows, ponds and watercourses and to maintain habitats through a landscape and ecological management plan that will include limiting the use of herbicide and pesticides; management of wildflower grassland; hedgerow and tree management; maintaining gaps under fencing for small mammals to pass; provision of purpose-built hedgehog shelters or log piles, protection and maintenance of ponds, and not allowing bonfires.

Design, Conservation and Sustainable Development (Landscape)

3.7 Raise no objection in principle to the proposal but express concerns with regard to the design and location of the proposed club house.

Design, Conservation and Sustainable Development (Archaeology)

3.8 Raise concerns in respect of the potential presence of undisturbed archaeological deposits of Roman date within the site and seek an archaeological evaluation in respect of the proposal.

EXTERNAL

Askham Bryan Parish Council

3.9 Support the proposal.

Bishopthorpe Parish Council

3.10 Support the proposal.

Sport England

3.11 Raise no objection to the proposal.

Ainsty (2008) Internal Drainage Board

3.12 Raise no objection in principle to the proposal but wish to see any permission conditioned to seek submission and approval of a detailed drainage scheme for the site.

Yorkshire Wildlife Trust

3.13 Raise concerns in respect of the proposed drainage pattern for the site, the loss of mature trees and lengths of hedgerow, the use of pesticides and fertilisers to manage the site and the general long term plans for the management and maintenance of the site. They seek that any permission be conditioned to address these concerns.

The British Hedgehog Preservation Society

3.14 Object to the proposal as the proposal would result in a substantial reduction in the area of foraging habitat available within the site with further harm caused by the proposed management and maintenance regime.

Publicity and Neighbour Notification.

3.15 Nineteen letters of objection have been received raising the following planning issues:-

- Loss of an important hedgehog habitat;
- The proposal represents inappropriate development within the Green Belt;
- The proposal would lead to a loss of an important wildlife corridor at the edge of the urban area;
- The proposed access and parking arrangements for the site are substandard.

3.16 Sixty nine letters of support have been received in respect of the proposal raising the following planning issues:-

- Support for the provision of playing and training facilities for Bishopthorpe White Rose Junior Football Club whose facilities are presently sub-standard.

4.0 APPRAISAL

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the open character and purposes of designation of the Green Belt;
- Impact upon local biodiversity;
- Impact upon deposits of archaeological significance;
- Impact upon the safety and convenience of highway users;
- Impact upon local landscape character;
- Provision of formal playing field facilities.

STATUS OF THE PUBLICATION DRAFT CITY OF YORK LOCAL PLAN 2018
("2018 Draft Plan")

4.2 The Publication Draft Local Plan 2018 ("2018 Draft Plan") was submitted for examination on 25 May 2018. The emerging Draft Local Plan policies can be

afforded weight at this stage of preparation in accordance with paragraph 216 of the NPPF subject to the extent to which there are unresolved objections and their conformity degree of consistency with the NPPF. The evidence base underpinning the emerging Local Plan is capable of being a material consideration in the determination of planning applications.

STATUS OF THE YORK DEVELOPMENT CONTROL LOCAL PLAN 2005 ("2005 DCLP")

4.3 The York Development Control Local Plan was approved for Development Control purposes in April 2005; its policies remain material considerations in respect of Development Management decisions although it is considered that any weight is very limited except where in accordance with the National Planning Policy Framework.

The NPPF is the most up to date representation of key relevant policy issues and the proposal should principally be assessed against this policy Framework and the saved Green Belt policies in the RSS.

PLANNING POLICY CONTEXT

4.4 GREEN BELT:- The general extent of the York Green Belt is defined within saved Yorkshire and Humberside RSS Policies YH9C and YIC. The site lies within the general extent of the York Green belt and as such, Central Government Policy in respect of Green Belts as outlined in Section 9 of the National Planning Policy Framework applies. Paragraph 81 indicates that Local Planning Authorities should look for opportunities to support outdoor sport and recreation development within Green Belts. Paragraph 87 of the National Planning Policy Framework indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved other than in very special circumstances. Paragraph 88 establishes that when considering a planning application Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Policy GB1 of 2018 Draft Plan is relevant in this respect and may be given moderate weight at this stage of the Plan making process under paragraph 216 of the NPPF.

4.5 IMPACT UPON LOCAL BIODIVERSITY:- Paragraph 118 of the National Planning Policy Framework indicates that if significant harm to biodiversity arising from a development can not be avoided through locating to an alternative site with less harmful impacts, adequately mitigated or as a last resort compensated for then planning permission should be refused.

4.6 IMPACT UPON REMAINS OF ARCHAEOLOGICAL SIGNIFICANCE:- Policy D6 of the 2018 Draft Plan indicates that development proposals which impact upon the archaeological deposits will be supported where they will not result in harm to the significance of the site, they will help to secure a sustainable future for the site and detailed mitigation including recording, investigation and analysis and publication takes place. This policy may be given moderate weight at this stage of the Plan making process under paragraph 216 of the NPPF.

4.7 IMPACT UPON LOCAL LANDSCAPE CHARACTER:- Paragraph 61 of the National Planning Policy Framework urges Local Planning Authorities to give substantial weight to the means on integration of new development into the existing pattern of built development, historic and natural environment. Policy D2 of the Publication Draft Local Plan indicates that development proposals will be supported where the site's landscape quality would be conserved and the public's experience of it enhanced. At the same time a good understanding should be demonstrated of the relationship between good landscape design and biodiversity enhancement with significant landscape features such as mature trees and lengths of hedgerow being retained. This policy may be given moderate weight at this stage of the Plan making process under paragraph 216 of the NPPF.

4.8 PROVISION OF FORMAL PLAYING FIELD FACILITIES:- Central Government Planning Policy as outlined in paragraph 70 of the NPPF indicates that Local Planning Authorities should plan positively for the provision and use of community facilities (including sports provision) which enhance the sustainability of local communities.

IMPACT UPON THE OPEN CHARACTER AND PURPOSES OF DESIGNATION OF THE YORK GREEN BELT:-

4.9 Central Government Policy as outlined in paragraph 79 of the National Planning Policy Framework establishes. that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence. Paragraph 80 states that the Green Belt serves 5 purposes:

- to check the unrestricted sprawl of large built-up areas
- to prevent neighbouring towns merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns
- and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.10 Policy GB1 of the Publication Draft City of York Local Plan (2018) sets out a firm policy presumption that planning permission for development within the Green Belt will only be forthcoming where the scale, location and design of such development would not detract from the open character of the Green Belt, it would not conflict with the purposes of including land within the Green Belt and it is for one of a number of purposes identified as being appropriate within the Green Belt.

4.11 Paragraphs 89 and 90 of the NPPF set out a number of exceptions where development would not be inappropriate. Paragraph 89 relates to the construction of buildings and indicates that the provision of appropriate facilities for outdoor sport and recreation is considered to not be inappropriate development within the Green Belt providing that (1) the openness of the Green Belt is safeguarded and (2) there would not be a conflict with the purposes of including land within it. The use of the land and the laying out of playing pitches is considered inappropriate development in the Green Belt because it does not fall into any of the categories of development listed in paragraphs 89 and 90 of the NPPF.

4.12 The proposal envisages the layout of up to 10 grass playing and training pitches without lighting for adult and junior football including a club house incorporating toilets and changing facilities for both home and away teams. The application site lies to the south west of Tadcaster Road and the Askham Bar Park and Ride site in a visually prominent site within the York Green Belt presently used for rough grazing. The proposal is seen as necessary to accommodate Woodthorpe Wanderers a local adult league side presently located on the site of the former Lowfield School in Acomb, together with Bishopthorpe White Rose a well established Junior Football team within Bishopthorpe village. Woodthorpe Wanderers train on the former Lowfield School pitches whilst playing their main fixtures elsewhere. The Lowfield site is however allocated for re-development including a mix of residential development with a care home in the Publication Draft Local Plan (and subject to the grant of planning permission) which would extinguish the use of the pitches. Bishopthorpe White Rose presently trains and plays fixtures at a series of locations and lacks facilities specifically geared to its needs.

4.13 Paragraph 80 of the NPPF establishes five purposes for the designation of Green Belt. Two are of potential relevance in the consideration of the current proposal, the prevention of encroachment into open countryside and the safeguarding of the setting of historic towns and cities. The application site is physically removed from the concentrations of built development within the immediate locality and the construction of the club house would not of itself give rise to harm to the present rural ambience of the site although it would constitute minor encroachment into the countryside. In terms of any impact upon the setting of the Historic City the site is physically secluded and does not give rise to any impact upon principal strategic views. As such the proposal does not give rise to any harm to Green Belt purposes. At the same time paragraph 81 of the NPPF indicates that Local Planning Authorities should plan positively for the provision of opportunities for

outdoor sport and recreation within the Green Belt which the current proposal would allow for.

4.14 The proposal envisages the more intensive management of the site including laying of a formalised pattern of drainage. The club house which would lie along the southern boundary of the site would harm the openness of the Green Belt both visually and spatially as such it would not comply with the exception in respect of appropriate facilities for sport and recreation within paragraph 89 of the NPPF. The number and layout of pitches together with the facilities to be provided within the club house are consistent with the reasonable requirements of the intended users and the leagues in which they play and are not felt to be excessive. The design of the clubhouse has subsequently been revised to incorporate the use of timber cladding with some wall climbing plants. The playing pitches, including associated goalposts and other minor are not considered to harm openness although they will impact upon the current informal appearance of the site. It is proposed to retain wide unmanaged margins around the edges of the site and pitches and where appropriate undertake suitable further landscape planting. As such there would not be any material harm in terms of middle and longer distance views into the site notwithstanding the construction of the proposed clubhouse.

4.15 Although the proposal would have only a limited adverse impact on openness, it is not within any of the exceptions in paragraphs 89 or 90 of the NPPF and as such the proposal constitutes inappropriate development which is, by definition, harmful to the Green Belt.

IMPACT UPON LOCAL BIODIVERSITY

4.16 Paragraph 118 of the NPPF indicates that when determining planning applications Local Planning Authorities should refuse planning permission where significant harm to biodiversity may not be avoided or adequately mitigated against. Paragraph 9 of the NPPF indicates that sustainable development should ensure positive improvements in terms of biodiversity. The site which comprises existing agricultural land managed as grassland with two ponds, mature trees and hedgerows has been identified as an important natural habitat for a range of species including hedgehogs and has been subject to specific surveys for both water voles and great crested newts. The site contains habitat suitable for both species and there are recent records of both species being present within the wider locality. However no evidence has been found within the site of either species although one pond did contain both frogs and sticklebacks. In terms of other species present on site there is significant evidence of activity by rabbits and also grazing by roe deer and the boundary habitats are likely to provide good foraging and commuting habitat for bats.

4.17 Concerns have been expressed by consultees in terms of the future management of the site including maintenance and use of pesticides and its

intended pattern of surface water drainage. It is proposed to retain the principal length of hedgerow crossing the site and to retain margins along the site boundaries and where possible around the pitches themselves. Both ponds will be retained within the site and to provide a replacement form of field drainage with attenuation connecting into the existing pattern of water courses to the east and south of the site. Several attenuation areas would also be created which have the potential to enhance the biodiversity value of the site. The precise detail of surface water flows will however need to be conditioned as it may impact upon the ability of the retained planting to access water. It is proposed that any replacement planting would be native species appropriate to the area and terrain. Hedgehogs are nocturnal animals and it has been confirmed that the pitches will not be used after dark, with no floodlighting. The hedgerows and boundary scrub on site that would be used for daytime shelter and hibernation will be retained. Subject to any permission being conditioned to secure the submission and approval of an ecological management plan for the wider site that would include details of how the drainage and landscaping can be developed to enhance biodiversity together with details of habitat management and litter control, then the proposal is felt to be appropriate in terms of its impact upon the local natural environment.

IMPACT UPON DEPOSITS OF ARCHAEOLOGICAL SIGNIFICANCE

4.18 The site has been identified by means of records of past stray finds in the locality, previous archaeological investigations to the north and north east and aerial photographs for having significant archaeological potential for deposits of the Late Iron Age/Romano-British period. Concern has been expressed by consultees that the proposed levelling and drainage works would give rise to significant harm to the identified deposits creating the need for a detailed evaluation followed by excavation if required prior to drainage and layout works taking place. Subject to the detail of the evaluation being satisfactorily resolved by condition it is felt on balance that the proposal is acceptable in terms of its impact upon archaeological deposits of significance. The application therefore complies with Policy D6 of the 2018 Draft Plan.

IMPACT UPON THE SAFETY AND CONVENIENCE OF HIGHWAY USERS

4.19 The application site would be accessed by vehicles from the slip road serving the existing Tadcaster Road petrol station. It would also be served by pedestrian accesses from Sim Balk Lane to the south and from Bishopthorpe via the Sustrans cycle route that bisects the site. The slip road joins the west bound Tadcaster Road close to its approach to the A64 and the approach road to Copmanthorpe village. Associated volumes of traffic are therefore very high. Concerns have been expressed by consultees in respect of the safe operation of the access bearing in mind the high volumes of traffic using the principal road. A detailed road safety audit and revised layout have subsequently been submitted which address the issues involving some improvements to access layout and signage. A substantial gate

would be provided to deter usage of the access for dropping off. Concerns have also been expressed by consultees in respect of the construction site access for the work which should not be via the A1036 Tadcaster Road for highway safety reasons.

4.20 Parking for users of the site is to be provided within the Askham Bar Park and Ride site with the agreement of the operator and when that would not be feasible within the area of York College with agreement. A parking need of approximately 100 spaces has been established and is the subject of a draft lease agreement between the park and ride operator and the primary pitch user. The site would then be accessed via the Sustrans Cycle route on foot. In view of the highly sensitive location of the site in highway terms and the lack of an area suitable for parking on site the provision of the spaces within the adjacent site is fundamental to its acceptability and it is recommended that authority to approve the scheme be delegated to officers upon successful resolution of this issue. The use of the Sustrans route as the principal means of pedestrian access to the site, whilst not ideal would avoid the risk of pedestrian conflict on the A1036 and would not in practise give rise to a significant impediment to cyclists ordinarily using the route. It is recommended that any permission be conditioned accordingly.

IMPACT UPON LOCAL LANDSCAPE CHARACTER

4.21 The application site comprises a large area of rough grazing with mature landscaped boundaries partially bisected by the long distance Selby to York cycle path. Policy D2 of the Publication Draft Local Plan indicates that development proposals will be supported where they recognise the importance of landscaped features such as mature trees and hedges and contain sustainable high quality landscape details. The proposal envisages the layout of up to 10 pitches for a variety of training and match needs which will involve both the layout of a positive system of drainage and earth moving in order to level the site towards its south western edge. The pitches particularly towards their southern edge will appear engineered in character, however with the proposed landscape improvements it is felt that the contribution of the site to the character of the wider landscape will be secured. Floodlighting is not proposed with fencing restricted to a timber post and rail fence along the boundary with the cycle track and a colour coated weld mesh fence at the vehicular access from Tadcaster Road. The site slopes north east south west but is sheltered in long and short distance views by the local topography to the east. Significant areas of additional planting are proposed in order to reinforce the site boundaries, the surface water balancing ponds at the southern edge of the site and the club house. The additional planting would incorporate native species present in the locality. Concern has been expressed by consultees in terms of the design of the proposed club house and its appropriateness for an open countryside location. The design has been amended subsequent to submission to replace the walling material with a timber cladding and to provide for wall climbing plants. With the amended details it is felt that the scheme would not give rise to significant harm to landscape character.

PROVISION OF FORMAL PLAYING FIELDS

4.22 The proposal is intended to provide training and play facilities for Bishopthorpe White Rose and Woodthorpe Wanderers. Bishopthorpe White Rose are a well subscribed Junior Football club based in Bishopthorpe village who do not have their own facilities for training and play. Woodthorpe Wanderers are an adult amateur league team who presently use the site of the former Lowfield School for training purposes. Paragraph 70 of the NPPF indicates that Local Planning Authorities should plan positively for the provision and use of community facilities including sports venues which enhance the sustainability of communities and residential environments. The proposal seeks to provide full playing and training facilities to serve a well subscribed local junior football club which presently lacks facilities of its own and has no room for expansion. As such the proposal would fulfil a demonstrable need for sports and leisure facilities in the locality and the requirements of paragraph 70 of the NPPF would be complied with.

5.0 CONCLUSION

5.1 Land to the south east of 235 Tadcaster Road comprises a very substantial area of agricultural land lying within the Green Belt partially bisected by a mature hedge bank together with the York/Selby Sustrans cycle route. Planning permission is sought for change of use of the site to form playing pitches and training facilities together with a clubhouse for Woodthorpe Wanderers FC who will lose their training ground with the proposed re-development of Lowfield School and for Bishopthorpe White Rose FC. The proposal constitutes inappropriate development within the Green Belt in view of the harm to openness resulting from the proposed building and the definitional harm of the use of land for playing pitches. Inappropriate development should not be approved except in very special circumstances. Very special circumstances will, not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Substantial weight is to be attached to the harm to the Green Belt. Concerns have been expressed in terms of the loss of biodiversity arising from the proposal together with the layout of the service vehicle access. Additional planting and biodiversity enhancements are proposed in conjunction with the proposed surface water drainage scheme and a revised layout and road safety audit have also been submitted. It is felt that subject to any permission being appropriately conditioned that the scheme would be acceptable in highway and biodiversity terms.

5.2 It is considered that the provision of permanent training and playing facilities in an accessible location for Bishopthorpe White Rose FC, whose facilities are currently sub-standard, is a consideration that clearly outweighs the harm to the Green Belt by reason of inappropriateness and any other harm so as to amount to very special circumstances to justify the proposed development. Thus very special circumstances exist to justify development in the Green Belt.

5.3 The presumption in favour of sustainable development contained in paragraph 14 of the NPPF applies to this application to the effect that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole, On that basis it is considered that the proposal would amount to sustainable development in applying the Framework as a whole, and the balance lies in favour of the proposal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: That Delegated Authority be given to Officers to approve the proposal subject to an acceptable agreement being reached in respect of the provision off-site car parking and subject to any additional conditions that may be required to secure this provision..

1 TIME2 Development start within three years

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

Drawing Refs:- 18-1-110-NRS-DR-L-(90)100-P3.3; 18-1-1110-NPS-DR-L-(90)801-P3.2; NPS-00-DR-A(00)-030P2; NPS-00-DR-A-A(00)-031P3; NPS-DR-L-(90)810-P401; NPS-DR-L-(90)801-P401; NPS-DR-L-(90)-805-P3.

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

3 VISQ4 Boundary details to be supplied

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used in the club house hereby authorised shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

5 LC4 Land contamination - unexpected contam

6 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, ground protection, site rules and prohibitions, phasing of works, 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 and marketing suite. 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 covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of this area and/or development.

7 No development shall take place until a detailed landscape scheme has been submitted to and approved in writing by the Local Planning Authority which scheme shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants; seeding mix, sowing rate and mowing regimes where applicable. It will also include details of ground preparation. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which over the lifetime of the development , die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the landscape mitigation and amenity of the development.

8 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their

disposal.

9 No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Design considerations.

The developer's attention is drawn to Requirement H3 of the Building Regulations 2000 with regards to hierarchy for surface water dispersal and the use of Sustainable Drainage Systems (SuD's). Consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort therefore sufficient evidence should be provided i.e. witnessed by CYC infiltration tests to BRE Digest 365 to discount the use of SuD's.

On assessment of the borehole logs attached to the above Report we can agree that soakaways are not suitable as a method of surface water disposal in this location, and therefore;

In accordance with City of York Councils Strategic Flood Risk Assessment and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak surface water run-off from Greenfield developments must be attenuated to that of the existing rate (based on a Agricultural run off rate of 1.40 l/sec/ha). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Agricultural runoff rate of 1.4 l/s/ha is currently quoted to developers. However, it is recognised that this empirical figure may not be appropriate for all soil types and modelling carried out as part of the flood risk assessment specific to a particular development site may establish a different existing runoff from the site on which a design can be based and agreed. We can confirm that the Agricultural runoff has been calculated using HR Wallingford IH124 Methodology and information relating to the soil type as being edited to Soil type 4 has been submitted therefore the total permitted combined treated foul water and surface water discharge rate shall be no greater than 30.64 l/sec.

Suitability (to include its capacity to accept additional surface water flows and offsite route) of the combined treated foul water surface water outfall shall be proven.

The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

Details of the future management and maintenance of the proposed drainage scheme shall be provided

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site.

10 The development hereby approved shall not be occupied until a Full Travel Plan for the approved development has been submitted and approved in writing by the LPA. The travel plan should be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of the approved Travel Plan.

Within 12 months of first occupation of the development approved a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure the development complies with local and national transportation and planning policies to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users.

11 The development shall not be begun until details of the junction between the internal access road and the highway(including signage, drainage and lighting) have been submitted to and approved in writing by the Local Planning Authority, and the development shall not come into use until that junction has been constructed and completed in accordance with the approved plans.

Reason: In the interests of road safety.

12 Safety Audit:

A full 3 stage road safety audit carried out with advice set out in the DMRB HD19/03 and guidance issued by the council, will be required for the internal highway layout and access works and all off-site works requiring alteration, stage 1 of which must be submitted to and agreed in writing by the LPA prior to works commencing on site.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

13 Prior to the commencement of the development hereby authorised full details of the proposed construction site access including dimension, visibility and the location and surfacing of any haul roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved, the arrangements shall remain in place for the duration of the development and the access and any haul road shall be fully reinstated to its prior condition before the pitches are first brought into use. No construction traffic associated with the development shall access/egress the site on to the A1036 Tadcaster Road.

Reason:- To secure the safety and convenience of highway users on the local road network.

14 Prior to the development commencing beyond site layout works full details of the works to the Sustrans cycle route including surfacing detail, boundary works and phasing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved prior to the pitches being first brought into use.

Reasons:- To secure the safety and convenience of highway users.

15 The development shall not be first occupied until a car parking scheme off-site has been submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved prior to the pitches being first brought into use.

Reason:- To secure the safety and convenience of highway users

16 A programme of post-determination archaeological comprising geophysical survey/desk-based study and evaluation is required on this site.

The archaeological scheme comprises 3-5 stages of work. Each stage shall be completed and approved by the Local Planning Authority (LPA) before it can be discharged.

A) No geophysical survey, archaeological evaluation or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. 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 on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) Where archaeological features and deposits are identified through evaluation proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

E) No development shall take place until:

- details in D have been approved and implemented on site

- provision has been made for analysis, dissemination of results and archive deposition has been secured

- a copy of a report on the archaeological works detailed in Part D should be deposited with City of York Historic Environment Record 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 12 of NPPF.

Reason: The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

17 A programme of post-determination archaeological mitigation, specifically an archaeological excavation exercise 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 excavation or 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 excavation or 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 12 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.

18 Prior to the commencement of the development beyond clearance and setting out works a detailed Ecological Management Plan outlining the long term management regime for the site including mowing and use of chemicals, the location of those areas to be retained as natural habitat, the management of hedgerows and the prevention and collection of litter shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Ecological Management Plan shall be implemented as approved during the lifetime of the development.

Reason:- To safeguard the biodiversity value of the site and to secure compliance with paragraph 118 of the NPPF.

19 Prior to the commencement of development beyond site clearance and layout works a detailed design for the surface water drainage balancing and detention ponds shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved prior to the development being first brought into use.

Reason:- To safeguard the biodiversity value of the site and to secure compliance with paragraph 118 of the NPPF.

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 (paragraphs 186 and 187) 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:

- i) Sought clarification of the proposed access and parking arrangements for visitors;
- ii) Sought clarification of the proposed arrangements for surface water drainage;
- iii) Sought clarification of the proposed mitigation of impact upon biodiversity;
- iv) Sought clarification of the proposed mitigation of impact upon archaeological deposits of importance.

2. CONSTRUCTION INFORMATIVE:-

The developer's attention should also be drawn to the following which should be attached to any planning approval as an informative.

1. All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

2. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

3. Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.
https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites

4. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

5. There shall be no bonfires on the site.

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