

COMMITTEE REPORT

Date: 5 December 2019 **Ward:** Huntington/New Earswick

Team: East Area **Parish:** New Earswick Parish Council

Reference: 19/01667/FULM

Application at: York St John University Sports Centre Haxby Road York YO31 8TA

For: Erection of indoor tennis facility.

By: York St John University

Application Type: Major Full Application (13 weeks)

Target Date: 1 November 2019

Recommendation: Approve

1.0 PROPOSAL

1.1 The application seeks permission to replace the existing two outdoor tennis/netball courts with three indoor tennis courts at the Mille Crux York St John University Sports Park at Haxby Road.

1.2 The site comprises land either side of Haxby Road, for which planning permission was granted in February 2013 for outdoor sports facilities. The site, which covers 24ha, comprises the Northfields site (to the West of Haxby Road) which has 2 football/rugby pitches, 3 football pitches and up to 3 junior pitches. The Mille Crux site (to the east) comprises of a full size 3G all-weather football/rugby pitch, a sand based hockey/multi-sport pitch, 3 outdoor tennis courts and 2 outdoor tennis/netball courts together with grass pitched and a running track along with the Sports Hub building containing teaching facilities, changing facilities, social space and indoor sports hall.

1.3 The application site comprises of an area occupied by two macadam surfaced outdoor courts to the east of the existing Hub building and sports hall. The courts are used for netball and tennis and are enclosed by 3m fencing and illuminated by 6 floodlights on 10m high masts. The site also includes a strip of playing field to the south of the courts and a section of the footpath to the north of the courts.

1.4 The building itself would be a permanent structure comprising of a white tensile membrane roof supported by a wooden framework with metal bracing and steel sheet cladding to the lower level (4m). It would measure approximately 50m by 39m

and would have a curved roof extending between 7m and 11m at its highest. It would accommodate three hard surfaced tennis courts with run back and side runs, meeting standards set by the Lawn Tennis Association. The white roof cover would allow optimal brightness during the day and internal lighting to allow for evening use. Access would be from the north west corner of the building, adjacent to the sports hall, and a short section of covered walkway would be provided along the existing path between the sports hall and existing artificial pitches.

RELEVANT HISTORY

12/03606/FULM - Outdoor sports facilities with floodlighting and associated access, parking and landscaping - Approved 22.02.2013

13/02399/NONMAT - Non-material amendment to approved application 12/03606/FULM to alter car and cycle parking, add vehicle track, extend all-weather pitch and reduce amount of proposed netball courts - Approved 16.08.2013

14/02836/FULM Construction of sports hall with associated changing, teaching and social facilities following demolition of pavilion - Approved 06.03.2015

15/02140/FUL Erection of equipment store and grounds keeping building -Approved 16.11.2015

18/01133/FULM Construction of a 3G sports pitch with associated lighting, fencing and viewing embankments – Approved 17.10.18

2.0 POLICY CONTEXT

City of York Local Plan – Publication Draft February 2018

ED5	York St John University Further Expansion
GI1	Green Infrastructure
G15	Protection of Open Space and Playing Pitches
HW3	Built Sports Facilities

City of York Draft Local Plan Incorporating the 4th set of changes – Development Control Local Plan. Approved April 2005

CYGP7 - Open Space

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 It is unlikely that the proposal will create additional noise to the existing use. Conditions are proposed in connection with details of any machinery to be installed on the building.

Highway Network Management

3.2 No objections but recommend a CEMP condition is attached

EXTERNAL

Yorkshire Water

3.3 No objections on the basis that there is no foul water drainage involved and that surface water is shown to be drained via two outfall positions into the adjacent watercourse

New Earswick Parish Council

3.4 No objections

Clifton Without Parish Council

3.5 Awaiting response

Huntington Parish Council

3.6 Awaiting response

Foss Internal Drainage Board

3.7 The Board has assets adjacent to the site in the form of the River Foss. Under the Land Drainage Act 1991 and the Board's byelaws, the Board's consent (outside of the planning process) is needed for any connection and / or discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse in the Board's district.

3.8 The applicant is connecting into the existing surface water drainage system. The Board has previously agreed a discharge rate of 6.02 litres per second for the overall Sports Centre facility. As such the discharge rate should remain the same. The Board asks that the storage water system is reviewed in full and for the applicant to provide details of the proposed system and evidence of storage calculations. A condition is proposed to restrict the rate of discharge.

Sport England

3.9 No objections. The proposal has a very limited impact on the playing field, and thus Sport England is able to conclude that the proposal meets playing field policy – exception E5. Sport England is satisfied that the LTA's involvement and part funding of this development obviates the need for conditions securing community use and adherence to technical design guidance.

Lawn Tennis Association

3.10 Support the application. There is currently a significant gap in indoor tennis provision in York compared to other similar sized cities. The only publicly accessible indoor tennis courts in York that does not require membership, are the 3 indoor courts at the University of York and these are not able to meet demand for the number of people that want to play tennis throughout the year.

3.11 The proposed new centre will deliver a broad ranging tennis programme that will help support the development of healthy and active lifestyles for people of all ages in York. There will be an extensive junior tennis programme for children from the age of 3 years. There will be a range of sessions for adults of all ages and standards and will include women's tennis and 50+ session's groups. There is also currently a large tennis programme for people with disabilities as part of the York Disability Tennis Network; however a number of the sessions do not take place during the winter because they are unable to access indoor courts. The new indoor centre will enable these sessions to take place throughout the year and will enable people with different disabilities to continue to enjoy playing tennis during the winter months.

3.12 The centre will also become a regional competition hub, providing more localised tournaments for players in the region.

Flood Risk Management

3.13 The report quotes that the new building will be constructed directly over the area of the existing tennis courts. However, it does in fact extend beyond this and increase the connected impermeable area in excess of 475m². An appropriate drainage design should be provided which should be in line with our Sustainable Drainage Systems Guidance for Developers.

4.0 REPRESENTATIONS

4.1 Neighbours and Publicity – No responses received

5.0 APPRAISAL

KEY ISSUES:-

Principle

Visual Impact

Lighting

Nature Conservation

Community Use

Drainage

5.1 Section 38(6) of the Planning and Compensation Act 2004 requires determinations be made in accordance with the development plan unless material considerations indicate otherwise. There is no statutory development plan for York other than the retained policies in the Yorkshire and Humber Regional Spatial Strategy ("RSS"), saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013.

National Planning Policy Framework

5.2 The National Planning Policy Framework (NPPF) was published in July 2019. It sets out government's planning policies and is material to the determination of planning applications. The NPPF is the most up-to-date representation of key relevant policy issues (other than the saved RSS Policies relating to the general extent of the York Green Belt) and it is against this policy Framework that the proposal should principally be addressed.

5.3 Paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with

applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.4 Paragraph 96 states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

5.5 Paragraph 97 is also relevant which states: 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- 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 or former use.

Publication Draft Local Plan 2018

5.6 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 the 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).

5.7 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications. Policies ED5

'York St John University Further Expansion', G11 'Green Infrastructure', G15 'Protection of Open Space and Playing Pitches' and HW3 'Built Sports Facilities' are all relevant to consideration of this application.

5.8 The site is allocated in the Emerging Local Plan as 'Existing Open Space. Policy ED5 'York St John University Further Expansion' states that 'To support the continued success of York St John University the following Sites, as shown on the proposals map, are allocated for the use below: Sports Uses at Land at Northfield, Haxby Road. Paragraph 7.15 states that the allocation of the site reflects York St. John University's ambitions and supports it's major investment in the Sports Park. It will assist in further extension of its strategy for sport that supports the teaching of a range of sports degrees but also for the general fitness and enjoyment of students and community teams who use the site. Paragraph 7.16 states that providing they comply with relevant policies in the rest of the plan, appropriate uses of the allocated sites may include:

- outdoor sports facilities, together with associated car and cycle parking and floodlighting;
- appropriate indoor sports facilities; and
- other outdoor recreational activity

5.9 Policies G11 'Green Infrastructure' states that in planning positively for the creation, protection, enhancement and management of York's networks of green infrastructure it is essential that the Local Plan conserves and enhances York's landscapes, geodiversity, biodiversity and natural environment, recognising the important role of green infrastructure. Section 11 states 'the protection and enhancement of existing recreational open space in York, and through increasing provision in areas where a deficiency has been identified'

5.10 Policy G15 'Protection of Open Space and Playing Pitches' are also relevant. This states that 'Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced in the area of benefit and in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost. Development proposals will be supported which:

- protects playing pitch provision except where a local area of surplus is indicated in the most up to date Playing Pitch Strategy;

- improves the quality of existing pitches and ensure that any new pitches are designed and implemented to a high standard and fully reflect an understanding of the issues affecting community sport; and
- meets the deficit of pitches in geographically appropriate and accessible way. This could be rectified through re-designation of any current surplus facilities in the area of benefit

5.11 Policy HW3: Built Sports Facilities, of York's emerging Local Plan (2018) indicates that development for new or expanded built sports facilities will be supported where a deficiency in current provision has been identified and where it is well located, accessible to all, and when suitable infrastructure exists or can be created to manage the facility. The policy also states that development of new sports facilities should be co-located with other health and community facilities and schools, where possible to encourage participation in exercise. Any future demand should, in the first instance, be met through extensions and expansion of existing high-quality sustainable sites.

City of York Draft Local Plan Incorporating the 4th set of changes – Development Control Local Plan. Approved April 2005

5.12 The Development Control Local Plan 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 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 (2018).

5.13 The application site is allocated as 'open space' in the Development Control Local Plan. The application site is not within the Green Belt and the open space allocation offers a lower level of protection and importance as open land than a Green Belt designation. The text supporting Development Control Local Plan Policy GP7 'Open Space' states that such land can contribute significantly to the form and character of the City. Open spaces are considered to serve several functions all at once, often combining opportunities for recreation with general amenity or nature conservation value.

Other relevant legislation

5.14 There is no currently adopted Play Pitch Strategy for the City. However, at this stage of preparation it identifies 14 tennis clubs with varying numbers of members and 98 courts ranging from those of poor quality, those in public parks and those on

school sites. The best quality courts were identified as being owned by private fitness clubs and those provided by large community clubs.

5.15 As the application relates to the provision of a new outdoor sports facility on the existing playing field it needs to be considered against exception 5 of Sport England's Playing Fields Policy, which states:

'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

5.16 The City of York Local Plan Evidence Base Study: Open Space and Green Infrastructure Update (September 2017) is of relevance to this application and the analysis and conclusions of the Open Space and Green Infrastructure Study support the criteria in Policy HW3. The site of the proposed 3G pitch lies within the Huntington and New Earswick Ward where a surplus of outdoor sports facilities is identified. The remainder of the site lies within the Rawcliffe and Clifton Ward, again which has a surplus of outdoor sports provision and within the Heworth Ward which has a deficit. It is noted that the application does not result in the loss of sports provision and would lead to improved facilities on the site.

PRINCIPLE

5.17 The proposed development will provide three covered tennis courts in support of the established use of the site as part of the York St John University Sport Park. The emerging Local Plan allocates the site for sporting use in connection with the University, and supports the provision of appropriate supporting uses, including indoor sports facilities.

5.18 The site currently provides five floodlit outside tennis courts. The use of these pitches is weather dependant and as such they cannot be used year round. In addition the indoor facilities would provide an additional court for use.

5.19 The siting of the development would not impede the implementation of the recent approval for a new 3G pitch to the south of the tennis centre. Plans have also been submitted which identify that there is adequate space to retain the existing Rugby pitch and run off areas which are currently marked out on site and being used until the 3G pitch has been constructed. As such there would be no impact upon existing facilities and no net loss of facilities, with the advantage being one additional court and the facilities being available all year round.

5.20 Concerns have been raised that the only courts that are marked out as netball courts are the two which are proposed to be redeveloped and as such would be lost. However, the applicant has confirmed that existing courts within the sports hall are marked up as tennis/netball courts. The provision of the new internal tennis courts would free up the use of these existing courts to be available for use for netball. Further indoor netball facilities are also available at the Lord Mayor Sports Hall. The applicant has also confirmed that the outdoor netball courts were only used by one community team on 5 occasions so far in 2019.

5.21 The development would therefore accord with the requirements of the NPPF, in particular paragraph 96 which states that access to opportunities for sport and physical activity is important for the health and well-being of communities.

VISUAL IMPACT

5.22 The site context has change considerably over recent years. The site is now relatively built up with the Sports Hub building sited centrally within the site, approximately 70m back from Haxby Road, with the existing fenced sports pitches lying to the north. Planning permission has also been granted for a large 3G pitch to the south measuring 130m by 80m including fencing, floodlight and perimeter fencing, although this has not as yet been implemented.

5.23 Due to site restrictions there is insufficient space for the tennis centre to run in line with the Sports Hub, to its rear, and as such it would be located at 90 degrees. Whilst the majority of the building would still be located behind the Sports Hub, 21m of the tennis centre would project out over the existing outdoor tennis courts and grassed area to the south. In order for the tennis centre to run in line with the Hub one indoor courts would be lost.

5.24 The tennis centre would be of a similar height to the existing Sports Hub building (10.4m) and as such would provide some screening. It would be located 156m back from Haxby Road and would be seen in close context with the existing buildings, pitches, fencing and floodlighting. The sports hall to the rear of the Sports Hub has been constructed with grey cladding to the lower portion with a white upper section and roof. The tennis centre is proposed of similar coloured materials and as such would sit comfortably with the existing buildings on site and as such would not look out of character within the site.

5.25 Views from outside of the site are limited. Mature hedging and trees are located around the perimeter of the site. The nearest residential properties lie approximately 61m to the north of the site and are separated by the River Foss and mature boundary treatment. Whilst these properties lie on slightly lower lying land the distance of separation is considered to be acceptable.

5.26 The development would therefore accord with the requirements of the NPPF, in particular paragraph 96 which states that access to opportunities for sport and physical activity is important for the health and well-being of communities.

AMENITY

5.27 The site of the proposed tennis centre is located some distance from residential properties, the nearest being approximately 61m to the east with those to the south over 200m away. These properties are separated from the application site by the River Foss and landscaping. The proposed development is approximately 11m in height and due to the distance of separation unlikely to resulting any loss of light. Furthermore, as the tennis centre would now provide three indoor tennis courts as opposed to the outdoor courts the level of noise being generated from the site would be reduced. Visitors to the site would be via the main access and walkway to the rear of the building, thus preventing any additional noise disturbance from arising. However, a condition restricting the hours of use of the facility in line with the existing sporting facilities has been proposed.

LIGHTING

5.28 The tennis centre would be internally lit and due to the translucent roof there would be an element of light spillage arising when the centre is in use during darker hours. However, the two existing tennis courts are lit by floodlights at present and whilst the new tennis centre would be larger it is considered that the level of light generated from the development would be limited. Furthermore, a distance of approximately 61m is present to the nearest residential property and natural screening along the boundary is present. A condition restricting the hours of use of the facility is also proposed.

COMMUNITY USE

5.29 The proposals for the tennis centre have been brought forward with the support of and funding from the Lawn Tennis Association. The university have also worked

closely with York Community Tennis Network and Down the Line Sports, who run the tennis programme. The University's existing tennis programme for the courts includes a range of coaching, competition and other activities including student recreation, junior coaching and tennis camps, adult coaching and York league tennis.

5.30 York St John will implement a broad ranging Tennis Development Plan that will help support and maximising tennis participation at the facility for University students and local players of all ages and ability. The Plan will ensure the new facility will secure year round benefits to tennis in York across a wide range of areas, including;

- A student tennis programme providing sessions for players of all standard from recreational tennis to BUCS team matches
- An indoor coaching programme encompassing mini and junior tennis through to adult coaching
- Development of effective links with local schools, providing opportunities for children to try tennis, and participate in programmes and competitions
- Establishing weekly disability coaching sessions and competitions in connection with the York Disability Tennis Network
- Enhance existing tennis programmes/clubs in the area, including the provision of access to local clubs through the winter
- Providing an all year round competition venue, giving players within York and the surrounding area more competitive opportunities and providing a central venue for events
- Providing a facility to host coaching education courses, and establishing and managing a workforce with the skills to facilitate tennis development

The university have worked in partnership with the Lawn Tennis Association and the scheme has been partially funded by them. However, it is considered appropriate to attach a condition securing adequate community use of the facilities.

NATURE CONSERVATION

5.31 An Extended Phase 1 Habitat Survey has been undertaken in connection with the proposed development. The report states that the development will not have an adverse impact on any protected species and associated habitats, including on foraging and commuting bats on the River Foss.

DRAINAGE

5.32 The application site is within Flood Zone 1, and the site is considered to be at low risk of flooding from the river. The site has been developed as a whole with a surface water storage system to restrict run-off from the site before discharging into the River Foss. The tennis centre would be constructed on the existing tennis courts but also on an area which is currently grassed. As such the level of impermeable surface and surface water runoff will increase. The applicant is preparing an updated Drainage Strategy to demonstrate that the site is capable of providing satisfactory discharge rates in line with council guidance. Officers consider that the site is capable of providing a satisfactory drainage arrangement and as such are proposing conditions if the strategy is not received prior to committee.

HIGHWAYS

5.33 The site has been developed as a sports hub and the highway infrastructure is already in place. The scheme only proposes the increase of a single tennis court and it is considered that adequate car parking and cycle parking spaces are available on site for the additional players. A temporary access track is proposed to the front of the sports Hub building to allow for the construction of the new tennis centre as there is no access to the rear of the building due to the presence of the existing pitches. The access track would be served off the existing section of road that exits the site, clear of the junction with Haxby Road, and as such there would be no highway safety implications.

6.0 CONCLUSION

6.1 The provision of the tennis centre would allow for improved sports provision at the Haxby Road site which has the benefit of being able to be used year round. An existing community use agreement is in place at the site. The site is relatively well screened from the highway and the visual intrusion would be limited. It is considered that the application accords with the NPPF, particularly paragraphs 96 and 97, policies ED5, GI1, GI5 and HW3 of the Publication Draft Local Plan (2018) and Policy GP7 of City Of York Draft Local Plan (2005).

COMMITTEE TO VISIT

7.0 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:-

Proposed Site Layout YSJU/2018/TH/04

Proposed Layout YSJU/2018/TH/02 Rev D

North and West Elevations 'Tennis Hall' dated 23/4/2019

South and East Elevations and Cross Section 'Tennis Hall' dated 23/4/2019

Floor Plan 'Tennis Hall' dated 23/4/2019

Tree Protection Measures BA9327AIA Rev A dated 12/7/2019

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

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

4 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation

measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed 46dB(A) LA90 1 hour during the hours of 07:00 to 23:00 or 38dB(A) 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

5 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/excavation/preparatory and construction works shall be submitted to and approved in writing by the LPA. Such a statement shall include at least the following information:

- a dilapidation survey jointly undertaken with the local highway authority
- the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- how vehicles are to access and egress the site
- how pedestrians are to be safely routed past the site
- details of any implications to the highway of demolition and waste removal vehicle operation
- where contractors will park to avoid affecting the highway
- how large vehicles will service the site
- where materials will be stored within the site
- measures employed to ensure no mud/detritus is dragged out over the adjacent

highway.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

6 VISQ8 Samples of exterior materials to be app

7 HWAY31 No mud on highway during construction

8 No development shall take place until details of the proposed means of surface water drainage, including details of any balancing works and off site works, have been submitted to and approved by the Local Planning Authority.

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.

If the proposed method of surface water disposal is via soakaways, these should be shown to work through an appropriate assessment carried out under BRE Digest 365, (preferably carried out in winter), to prove that the ground has sufficient capacity to except surface water discharge, and to prevent flooding of the surrounding land and the site itself.

City of York Council's Flood Risk Management Team should witness the BRE Digest 365 test.

If SuDs methods can be proven to be unsuitable then In accordance with City of York Councils City of York Councils Sustainable Drainage Systems Guidance for Developers (August 2018) and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven by way of CCTV drainage survey connected impermeable areas). 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 30% 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.

If existing connected impermeable areas not proven then Greenfield sites are to limit the discharge rate to the pre developed run off rate. The pre development run off rate should be calculated using either IOH 124 or FEH methods (depending on catchment size).

Where calculated runoff rates are not available the widely used 1.4l/s/ha rate can be used as a proxy, however, if the developer can demonstrate that the existing site discharges more than 1.4l/s/ha a higher existing runoff rate may be agreed and used as the discharge limit for the proposed development.

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.

9 The building hereby approved shall only be used between the hours of 08:00

to 22:00.

Reason: To safeguard the amenities of nearby occupants.

10 The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

11 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-university 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

8.0 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 additional information in connection with on site drainage

Attached appropriate conditions

2. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch 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.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) 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.

(d) 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_site

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

3. The applicant should be advised that the Foss (2008) Internal Drainage Board's prior consent is required for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a new discharge to the watercourse will also require the Board's prior consent.

Contact details:

Case Officer: Heather Fairy

Tel No: 01904 552217