

COMMITTEE REPORT

Date: 30 January 2025 **Ward:** Fulford And Heslington
Team: East Area **Parish:** Fulford Parish Council

Reference: 23/02384/FUL
Application at: Fulford School Fulfordgate York YO10 4FY
For: Construction of a 3G Artificial Grass Pitch with perimeter fencing, acoustic fencing, hardstanding areas, storage container, floodlights, an access footpath, and modular changing room building
By: Mr Gary Hennigan
Application Type: Full Application
Target Date: 22 November 2024
Recommendation: Approve

1.0 PROPOSAL

The Site

1.1 The application site is Fulford Secondary School, located outside of the Fulford/Heslington Lane Conservation Area. The rear of the school has a large sports field and tennis courts which are laid out to the south and east and border on to residential areas. The school has car parking and pedestrian entry from Fulfordgate and a second access on Porter Avenue for pedestrians and vehicle access restricted to school coaches to leave the school grounds following pupil drop off and collection times.

1.2 The school site is located within Flood Zone 1 (low risk).

The Proposal

1.3 This application seeks planning permission for the construction of a 3G multi-use artificial grass sports pitch (AGP) to the south- western corner of the school field. This is an all-weather surface sports pitch with porous layers to allow rainwater to drain. The AGP pitch will include 13no. slimline flood light columns arranged around the pitch, a perimeter fencing, acoustic fence, (ball stop) barrier fence, maintenance equipment store and new porous macadam foot paths and a topsoil bund embankment. In addition, the proposal seeks permission of a single storey modular changing room building for use in association with sports activities and located adjacent to the pitch and at the rear of existing school buildings.

1.4 Recent Site History

- 20/00733/FUL - Erection of temporary 2no. storey mobile unit classroom block -Approved
- 14/02167/GRG3 - Erection of two storey classroom block and single storey sports block including sports hall and changing rooms – Approved
- 14/00641/GRG3 - Erection of detached building to house electrical substation -Approved
- 21/00737/FULM - Erection of two storey teaching block following partial demolition of Hawking Building and removal of temporary buildings, erection of temporary buildings, installation of external lift to Bronte Building and the creation of a vehicle access to the southern boundary of the site -Approved

2.0 POLICY CONTEXT

Legislation Context

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework (December 2024)

2.2 The revised National Planning Policy Framework (NPPF) and its planning policies are material to the determination of planning applications. Paragraph 8 of the NPPF promotes sustainable development.

2.3 Policies associated to sport, community welfare and education are contained in Paragraph 96 (Promoting healthy and safe communities) which states that planning policies and decisions should aim to achieve healthy, inclusive and safe places to enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

2.4 Paragraph 103 (Sports and Open Space) states 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 and can deliver wider benefits for nature and support efforts to address climate change. 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.

2.5 Paragraph 104 includes policy that existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

2.6 Policies associated to design, appearance and amenity are contained in paragraph 135 of Section 12 (Achieving well-designed places) of the NPPF, including that planning decisions should ensure that development...creates places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users...

2.7 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios.

The Draft Local Plan 2018

2.8 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. The plan has been subject to examination. The Draft Plan policies can be afforded weight in accordance with paragraph 49 of the NPPF. The relevant policies are listed below.

2.9 Policy ED1 (primary and secondary education facilities) states that planning applications for extended primary education facilities will be granted permission if it would meet a recognised need, and the proposed development is of a scale and design appropriate to the character and appearance of the locality.

2.10 Policy D1 Placemaking states that development proposals that, fail to take account of York's special qualities, fail to make a positive design contribution to the city and/or cause damage to the character and quality and protect the amenity of neighbouring residents of an area will be refused.

2.10 Policy T1 states that development will be permitted where it minimises the need to travel and provides safe access for all transport users such that it maximises the use of more sustainable modes of transport.

3.0 CONSULTATIONS

Internal

Public Protection Unit

3.1 The Public Protection unit have considered the proposal in terms of environmental matters of dust, contamination, noise, and air quality. Conditions are recommended to protect neighbours from lighting and noise disturbance and in respect of potential contaminated land.

Highway Development Control

3.2 Highway Officers are satisfied with the Transport Assessment and car parking provisions. There are concerns with how Fulfordgate will operate with the additional traffic once the pitches are available to the community and implications during construction. Highway Officers consider that Traffic Regulation Orders will be required have requested that a developer contribution for £15,000 to be repaid back within 5 years to implement parking management measures on Fulfordgate in the event of any potential parking and access issues occur once the pitches are in place.

Flood Risk and Drainage Engineer

3.3 The Flood Risk Engineer has considered the proposal in conjunction with the Internal Drainage Board. A condition is recommended. In terms of the proposed changing room modular building, a condition is required for further details of suitable foul water disposal to be approved prior to the commencement of the development.

Ecology

3.4 The City Ecologist has reviewed the Preliminary Ecological Appraisal and has no objections subject to biodiversity enhancement conditions.

Archaeology

3.5 The City Archaeologist has established Fulford School lies within an area of archaeological interest and the development may affect important archaeological deposits which must be recorded prior to destruction. The City Archaeologist has requested a condition for a programme of post-determination archaeological mitigation, specifically strip, map and record, is required on this site. The archaeological scheme comprises 2 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

3.6 Also, Officers would like to encourage an element of engagement with the school community such as a talk by the archaeologists to pupils about the landscape the school sits within. This option can be added as an informative to the school in the event of planning permission being granted.

External

Fulford Parish Council

3.7 No comments have been received.

Ouse and Derwent Internal Drainage Board

3.8 The Internal Drainage Board has no objections in principle subject to compliance with the submitted Drainage Report and conditions for details of foul water disposal from the changing room building.

Yorkshire Water

3.9 Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed by Internal Drainage Board.

4.0 REPRESENTATIONS

Councillor Ravilious Fulford and Heslington Ward

4.1 Cllr Ravilious has raised concerns the proposal is likely to generate a significant increase in vehicle traffic on Fulfordgate on weekday evenings at changeover times between sessions when 130 children will be leaving, and a fresh 130 children might be arriving. Fulfordgate has street parking for residents which would have implications for the comings and goings of vehicle traffic. Cllr Ravilious considers it valuable to witness and gather some data on the traffic associated with the Fulford School opening evenings, to understand vehicle traffic implications outside school hours.

Neighbour notification and Publicity

4.2 There have been three responses received on the following matters listed below.

Parking and Access

- The proposal would generate more traffic on Fulfordgate and Eastward Avenue which would impact on residents and cause local friction.
- The current dropping off and collecting of pupils from school causes problems to highway and public safety and blocks driveways of the residential houses.
- The school should provide more sufficient car parking to house the numbers of people involved in the activity to address highway safety problems.
- The car parking should be restricted within the school grounds.

- Large numbers of vehicles entering and exiting the school will cause congestion on Heslington Lane.
- Congestion on Heslington Lane should be monitored and a management plan for additional traffic generated by the pitched to ensure residents and can access Fulfordgate and Eastward Avenue daily between 5pm and 6pm.
- Recommendations for a one-way traffic system around the school for vehicles to enter via Fulfordgate and exit via Porter Avenue at Germany Beck.

The use (AGP) pitch and health matters

- The hardstanding for the pitches is a poor surface because it is too hard and causes knee damage and friction burns.
- The material uses in the pitches could jeopardise the future health of young people and Adults and it a material that will be banned by 2030.
- There is no information on other provisions for PE to be included in the pitches.
- The proposal does not improve the quality or range of physical activities available to the school.

5.0 APPRAISAL

5.1 Key issue(s):

- The Principle of the Proposed Development
- Visual Amenity
- Residential Amenity
- Archaeology
- Access and Parking
- Flood Risk and Drainage
- Ecology and Biodiversity Enhancement

The Principle of The Proposed Development

5.2 The proposed AGP pitch would be constructed at the southwestern corner of the existing sports field, inclusive of flood lights. It would measure approximately 97 metres by 61 metres including a 3-metre run off area resulting in a total footprint of 6,100 square metres. The pitch will be separated from the remaining sports field by a 4.5 metres high perimeter fence with 4-metre-high acoustic fencing on the southern side of the pitch adjacent to the nearest residential areas, and ball stop net of a colour to be a RAL 6005 moss green. The pitch will include engineering works for a new hard landscaping treatment around the facility to be a porous asphalt surfacing for the purpose of pedestrian access, spectator viewing area, goal storage areas and a storage and maintenance container. Further to the hardstanding a

topsoil bund embankment will be created on the northern side of the pitch. The outside soft ground areas affected by the works are to be reinstated (soft landscaping) in accordance with BS 4428 Code of Practice for General Landscape Operation.

5.3 The application includes the construction of a detached modular changing room building to be located near the pitch accessed by a pathway and sited at the rear of the existing school buildings at the northern side of the school field. The building will be approximately 3.419 metres in height with a floor area of 115 square metres. The external materials used in the construction will be Euralite timber effect of aluminium cladding of a colour palette of anthracite grey (RAL 7016) with matching doors and windows. The internal configuration will include 8no. shower blocks, WC, communal changing areas, plant room and referee's room.

5.4 The proposal would result in the loss of the natural turf pitch. The current pitch becomes unusable in wet weather climates with pitch water logging. This causes several problems due to the limited usage of the pitch. The facility would benefit the school by offering a variety of football pitches and training areas within the same enclosed playing space. There would be no impact on the current Rugby Union pitch on the site and seasonal athletics pitch would not be affected by the development. In addition, AGP pitches are identified in York's Local Football Facility Plan, as a priority project and consider the AGP pitches are technically suitable and will support the development plans into grassroots football.

5.5 The use of the AGP pitch will be for the school and would be made available for wider community use for local football clubs, partner organisations and other sports clubs. The use to the wider community would be organised by arranged appointments and made available to the school and respective organised clubs from Monday to Friday 0900 to 21:00 and Saturday and Sunday 0900 to 21:00.

5.6 Overall, in principle this type of APG sports facility is encouraged by the City of York Council and Sport England to deliver its curriculum as well as wider community sports groups through the significant benefits to both the school and the local clubs as a community use to the development of sport and supported in paragraph 96 of the NPPF.

5.7 To secure future community use, Sport England have advised in the event of planning permission being granted a condition should be included prior to the development being brought into use, for a Community Use Scheme to be submitted to and approved in writing by the Local Planning Authority and consultation with Sport England.

Visual Amenity

5.8 In terms of visual amenity, at present, the area is a flat and open grassed playing field. The AGP pitch would result in a significant change in the appearance of the playing field both during the day and at night. The area would be a more enclosed and developed space, with high fencing and 13no. metre high floodlights creating views outside of the playing field perimeters. Additionally, the lighting columns in the evenings (particularly in the winter months), would have floodlights that would illuminate what is otherwise an unlit area, except for streetlights and lighting in the school and surrounding properties. The scheme has, however, been designed to focus lighting on the pitch only. Additionally, this will only be when the pitch is used for winter evening sessions and restored to its unlit appearance of the playing field when not in use. Although the appearance of the playing field would undoubtedly change, the impact on the character of the site, in a suburban location would not be unduly harmful to the appearance of the townscape.

5.9 In terms of the modular changing room building, this structure and use of materials will be assimilated into the school building surrounds. Therefore, would appear neutral to the site and not visually assertive from wider areas beyond open playing fields.

Neighbour Amenity

5.10 The NPPF states in Paragraph 135(f) states that developments should create places with a high standard of amenity for all existing and future users. The policy advises that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life because of new development. This policy aim is reflected in 2018 Draft Local Plan policy D1 (Place making).

5.11 In terms of neighbouring residential outlook, the siting of the AGP is located to the southern end of the playing field which borders on to Risedale Drive within the Germany Beck residential development site. The perimeter of the pitch would be between 8m and 12m from the rear boundary of the Risedale Drive houses, the rear elevation of those houses which are orientated towards the pitch would be between 21m and 25m from the pitch perimeter. The boundary around the playing field is lined with mature trees and fenced areas of which assist to screen the pitch from neighbouring views however particularly in winter months the pitch and associated infrastructure would be in view from the rear of these dwellings. The wider residential areas near the school site on Porter Avenue, Fulfordgate, Heathcroft, and Eastward Avenue are set away from the proposed pitch location. As such other than some oblique views of fencing and lighting columns the facility will not be overly visible from these residential areas.

5.12 Policy ENV2: Managing Environmental Quality of the 2018 Local Plan states development that will not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as

noise, vibration, odour, fumes/emissions, dust, and light pollution without effective mitigation measures.

5.13 In terms of noise disturbance coming from the pitch during games. The residents living around the site would very likely experience elevated noise because of the increased level of activity associated with the pitch, which would be year-round rather than restricted to the current usage when the weather and light level permits. This extends to usage of the existing school car park as well as the pitch itself. This increase in noise disturbance would be most noticeable in the summer months when residents are more likely to be outside or have windows open. However, use of the all-weather pitch as proposed would cease by 9pm Mondays through to Sundays which is considered to be an acceptable time to mitigate against any significant harmful impacts. The Environmental Protection Unit raises no objection in principle, although has advised safeguarding measures to control any future noise disturbance through relevant planning conditions.

5.14 The lighting columns would be visible during the day but would be most noticeable in the evening when in use. They would be clearly visible from the houses and gardens of Risedale Avenue lighting up what is currently an unlit area. The height of the columns (13m high) allows the lights to be mounted in a close to 'flat glass' orientation (parallel to the ground) to concentrate light on the pitch. The levels of light have been described to measure (1x lux) per square metre towards adjacent to the residents of Risedale Drive. The illuminance levels will be increased 25 lux lumens of light around the pitch and away from residents. A lighting report has been produced by Surfacing Standards Limited, dated 1/11/2023, reference: LANO-CLS033 which demonstrates that the proposed lighting scheme would meet the design criteria set out in the Institute of Lighting Professionals Guidance notes on the reduction of obtrusive lighting in terms of pollution, spillage, and glare for an environmental zone of E3 would be within acceptable levels as set by the Institute of Lighting Engineers.

5.15 Additionally, it would be reasonable to assume that the lights would not be used in the summer months given the length of daylight and proposed finish times and, therefore, would not erode residents' enjoyment of their houses and gardens in the summer months. At other times of darker and colder evenings, residents are more likely to be inside their houses with curtains drawn and the lights are likely to be switched off before the time that most residents would retire to bed. However, it is accepted that the introduction of floodlights from the pitch would be a significant change from what residents currently experience. The Council's Environmental Protection Unit has requested a condition to any future planning permission to ensure the flood lights comply with Light Professionals Guidance Notes for the Reduction of obtrusive lighting.

Demolition and Construction

5.16 The application is accompanied by a Construction Environmental Management Plan (CEMP) which provides details of the procedure and schedule of works for any future construction. This will be carried out by a site clearance, excavation and ground works, pitch foundations and base, grass surfacing, perimeter fencing, sports equipment and site furniture, flood lighting and hard standing. The existing school car parking will not be affected, and normal pedestrian access will be maintained. The Public Protection Unit has requested a condition for hours of construction in the event of any future planning permission which requires that, except for any emergency's construction should take place between the hours of 08:00-18:00 Monday to Friday and between 09:00-13:00 on Saturdays and not on Sundays or Bank Holidays to avoid disturbance to neighbour amenity.

Archaeology

5.17 Fulford School is situated in a landscape which has produced extensive late prehistoric- Romano-British use including occupation. Archaeological monitoring and excavation have taken place on the site over the past 25 years. Most of this work has not produced any features or finds of significance, largely due to the disturbed nature of the site. There have been some pieces of work (1999 and 2015) which have produced similar evidence of later prehistoric and Romano-British land use to that noted in large scale excavation at Germany Beck immediately to the south. Both pieces of work were in the sports hall area immediately adjacent to the proposed pitch area. The recorded depth of the natural topography is c. 25cm, and there is no evidence of the field being heightened being the case. As the area of the proposed pitch does not appear to have been developed and the creation of the pitch will require the remove of c.300mm of top and sub soil it is likely that the features noted in 2015 to the west and those at Germany Beck to the south continued into this area and may survive as cut features within the subsoil. Therefore, a condition is required for a programme of post-determination archaeological mitigation, specifically strip, map and record, is required on this site. The archaeological scheme comprises 2 stages of work. Each stage shall be completed and agreed by the Local Planning Authority before it can be approved.

Sustainable Access/Provisions for Car Parking

5.18 In Paragraph 115 of the NPPF, states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.19 Paragraph 116, states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.20 The location of the school within Fulford is accessible by public transport, cycle routes and hosts a large car park with provisions for cycle storage. Main Street has a combination of on and off-road cycle lanes, Heslington Lane is a 20 mph street. Bus services along Heslington Lane run twice an hour in each direction, but with no service later in the evenings, more frequent services along Main Street are provided by the no 7 and no 415 buses from the city centre with stops about 600m from the school entrance. The site is a sustainable location which would meet the requirements of paragraph 115 of the NPPF.

5.21 In terms of access and parking, the car park serving the school is entered from Fulfordgate, a residential street which connects to Eastward Avenue, a residential cul-de-sac to the north of the school. The school has a total of no.155 car park spaces plus no.7 disabled spaces available to the community for evening activities at the school. The school have confirmed on average a total number between 30-35 cars park at the school site for various evening school events.

5.22 The Transport Assessment Statement accompanying the application confirms there would be a requirement of no.53 additional cars based on the APG pitch being configured into 4no. small pitches to be used for five aside football. There would be a transition period between the end of one sport activity to the start of another sport activity where there could be a total of no.106 cars parked in parking bays.

5.23 The estimations provided in the Transport Statement indicates in theory the existing car parking spaces would be able to accommodate both the use of the pitch within its transition period, plus existing evening parking demand with a residual parking capacity of an additional 14 no. remaining spaces.

5.24 The Highway Officer is satisfied with the car parking provisions at the school for evening functions and community use of the pitch. There are concerns regarding the impact on the highway network serving the site once the pitches are available for community use. The increase in traffic movement is likely to require Traffic Regulation Orders (TRO) to restrict on street parking and possibly bollards to prevent footway parking. To address the installation of the TRO, it is recommended

that a contribution is secured through a Section 106 agreement for a sum of £15,000 with any unspent money to be repaid back within 5 years of the start of the occupation if highway measures are not required.

Flood Risk and Drainage

5.25 Policy ENV5 of the 2018 Draft Local Plan sets sustainable drainage requirements. In terms of surface water run-off, it requires the following, unless it is agreed such rates are not reasonably practical –

- Previously developed sites – 70% of existing run-off rates.
- New development on greenfield sites – run off rate shall be no higher than the existing rate prior to development taking place.

5.26 The application is accompanied with a Drainage Strategy and drawing (plan number LANO-CLOSO33-08-REVISION 00) dated 12 December 2023. The Flood Risk and Drainage Manager and The Ouse and Derwent Internal Drainage Board are satisfied with the details for surface run water and disposal of foul water associated with the installation of the pitch. A condition is required for the protection of the local aquatic environment and public sewer network. The modular changing room building will include shower cubicles and washrooms. A drainage strategy is required to be secured by condition for details of foul and surface water disposal.

Ecology and Biodiversity

5.27 Chapter 15 (conserving and enhancing the natural environment), paragraph 187 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity. Draft Local Plan policies reflect this advice in relation to trees, protected species, and habitats.

5.28 The application is accompanied by a Preliminary Ecological Appraisal (PEA). The report covers results of a survey conducted which indicates the proposed development will have minimal impact on any species present on/nearby to site. This is due to the footprint of the development being undertaken atop the regularly maintained amenity grassland. The PEA notes a pond around 20m east of the proposed hard standing structure, within the treeline/hedgerow and safeguarding measures to minimize light pollution toward adjacent hedgerows/tree lines are recommended because these areas offer ideal foraging for bat species and nesting for bird species. The report notes there were no signs of badger usage or other mammals were noted across the site.

5.29 The PEA covers an assessment for bats and roosting birds at the site and buildings (where present) were inspected for potential places that may be of value to bats and to determine evidence of use and establishes lighting proposals have been adjusted to ensure these biodiversity features are not to be exposed to

intensive spillage and a biodiversity enhancement planting has been implemented to proposal plans.

5.30 The Councils' Ecology Officer has no objections to the principles of the PEA and recommends a condition to secure biodiversity enhancements. The application is not subject to statutory BNG requirements having been submitted before the amendment to the Act came into force.

6.0 CONCLUSION

6.1 The application for the construction of a multi-use artificial grass pitch with the introduction of floodlights and fencing on what is currently a grassed playing field associated with Fulford secondary school would result in the loss of an existing grassed playing pitch. However, the scheme offers a significant benefit to the provision of the curriculum at the school as well as providing a sporting facility for the wider community outside of school use. In consideration of neighbour amenity, the nature of the proposal has potential for some noise intensification and light pollution, however the time of operation is acceptable and would be conditioned for the school to ensure neighbours are not subject to unwanted noise after 9pm. Additionally the proposed floodlights are designed to comply with the requirements of the Institute of Lighting Engineers Guidance Notes for the Reduction of Light Pollution.

6.2 Fulford School is area of Archaeological Importance, and a phased condition is required for post-determination of archaeological mitigation. Other technical matters for flood risk, biodiversity and public protection can be secured by conditions.

6.3 The information provided on to the proposal regarding car parking arrangements is satisfactory. A Section 106 agreement to secure a contribution of £15,000 towards Traffic Regulation Orders (TRO) and associated works to restrict on street parking and to prevent footway parking with any unspent money to be repaid back within 5 years of the start of the occupation if highway measures are not required.

6.4 Therefore, approval is recommended subject to a s106 agreement and detailed conditions on the basis the scheme complies with the revised National Planning Policy Framework (2024) and Draft Local Plan 2018, policies ED1, ENV2, T1 and D1.

7.0 RECOMMENDATION:

That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

- The completion of a Section 106 Agreement to secure the following planning obligation:

A contribution of £15,000 towards Traffic Regulation Orders and associated works to restrict on street parking and to prevent footway parking with any unspent money to be repaid back within 5 years of the start of the occupation if highway measures are not required.

- The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.
- The Head of Planning and Development Services be given delegated authority to determine the final detail of the following planning conditions:

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 Topographical Survey (drawing number LAND -CLS033 01) dated 21.10.2023

Proposed Site (drawing number LAND -CLS033 03) dated 01.11.2023

Proposed AGP plan (drawing number LAND -CLS033 04) dated 01.11.2023

Proposed Elevations (drawing number LAND -CLS033 05) dated 01.11.2023

Proposed playing field layout (drawing number LAND -CLS033 10) dated 11.12.2023

Proposed changing room elevations (drawing number WRB-Q 32000268) dated 18.9.2023

Proposed changing room Elevations(drawing number WRB-Q 32000268 ELEVS) dated 08.12.2023

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, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

4 All external flood lighting shall conform to the E4 environmental zone as specified in the Light Professionals Guidance Notes for the Reduction of obtrusive lighting.

Reason: To protect the amenity of the surrounding environment.

5 Details of the proposed acoustic noise barrier to protect the amenity of residential dwellings to the south of the site, shall be submitted to and approved in writing by the local planning authority. These details shall include the construction method, height, thickness, acoustic properties and the exact position of the barrier. The barrier shall be erected before the use hereby permitted first comes into use and thereafter maintained in accordance with the approved details.

Reason: To protect the amenity of the nearby residents from noise

6 Prior to the development coming into first use, a noise management plan shall be submitted to and approved in writing by the local planning authority and once approved implemented and adhered to in accordance with the approved details.

Reason: To protect the amenity of occupants of the nearby properties from noise

7 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.

The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To protect the amenity of local residents

8 The surface water drainage works for the Artificial Grass Pitch shall be constructed in accordance with the following documents:-

Proposed AGP Drainage Strategy - LANO-CLS033 - 08 - Revision 00

Proposed AGP Drainage Layout - LANO-CLS033 -07 - Revision 00

Proposed AGP Drainage Outfall - LANO-CLS033 - 09 - Revision 00

Any changes to the scheme must be approved in writing by the Local Planning Authority and then implemented before the development is brought into use.

REASON: To ensure the development is provided with satisfactory means of drainage.

9 No development in respect of the Modular Building Changing Rooms shall be commenced until the Local Planning Authority has approved in writing a scheme for the disposal of surface water and foul sewage.

Any such scheme as so approved shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered for the disposal of surface water:

- o For the redevelopment of a brownfield site, the applicant should first establish the extent of any existing discharge to that watercourse.
- o Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140 litres per second per hectare or the established rate whichever is the lesser for the connected impermeable area).
- o Discharge from "greenfield sites" taken as 1.4 litres per second per hectare.
- o Storage volume should accommodate a 1:30 year event with no surface flooding and no overland discharge off the site in a 1:100 year event. A 30% allowance for climate change should be included in all calculations. A range of durations should be used to establish the worst-case scenario.

REASON: To ensure the development is provided with satisfactory means of drainage.

10 A programme of post-determination archaeological mitigation, specifically strip, map and record, is required on this site.

The archaeological scheme comprises 2 stages of work. Each stage shall be completed and agreed in writing by the Local Planning Authority before it can be approved.

A) The investigation and post investigation assessment shall be completed in accordance with relevant CiFA and LPA standards by an appropriate contractor agreed in advance in writing with the City Archaeologist. Provision for analysis, engagement, dissemination of results and archive deposition will be secured. This part of the condition will not be discharged until these elements have been fulfilled in accordance with the programme agreed with the LPA.

B) A copy of a report shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 2 months of completion of fieldwork 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 lies within an area of archaeological interest and the development

may affect important archaeological deposits which must be recorded prior to destruction.

11 A biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of works. The content of the plan shall include, but not be limited to the erection/installation of bat and bird boxes on the new building. The plan shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraphs 185-188 of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

12 The Construction Management Plan produced by Cleaveland Services Ltd (revised 04.09.2024) shall be adhered to at all times during construction.

Reason: To protect the amenity of the surrounding environment.

13 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 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 and shall be adhered to for the lifetime of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 103(Sports and Open Space) of the National Planning Policy Framework (December 2024).

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

14 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:

09:00 to 21:00 with floodlights switched off no later than 21:15.

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

15 Prior to the commencement of any works on site the measures contained within the Tree Protection Plan AEL-18823-TPP revision A shall be implemented and retained for the duration of the construction works.

Reason: In order to protect trees which are considered to be of value to the setting of the school and its surroundings.

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 to address matters involved with intensification of the car parking to avoid cars being parked on nearby streets in order to achieve a positive outcome.

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) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(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. If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements

Contact details:

Case Officer: Sharon Jackson

Tel No: 01904 551359