

COMMITTEE REPORT

Date: 9 September 2025 **Ward:** Clifton
Team: West Area **Parish:** Clifton Planning Panel
Reference: 24/00703/FUL
Application at: St Olaves School Queen Annes Road York YO30 7AA
For: Erection of 8no 15 metre high sports flood light columns
By: St Peters School
Application Type: Full Application
Target Date: 6 June 2025
Recommendation: Approve

1.0 PROPOSAL

1.1 St Peters School 8-13 (formerly St Olaves School) comprises a Grade II listed building and a range of later flat roofed buildings of 1 to 3 storey height, including a sports hall. These later buildings are not of special interest. Planning permission is sought for erection of eight floodlighting columns, 15 metres high surrounding an existing hockey pitch to facilitate its use during the autumn and winter months into the evening.

1.2 The application site partially overlaps that of a previous application for floodlit hockey pitches, tennis courts, spectator facilities, parking area and grounds maintenance depot ref: 22/02288/FULM which was withdrawn following objection on Green Belt, landscape, ecology, transport and access and surface water drainage grounds.

1.3 Planning permission for the pitch and fencing was granted by planning permission 08/00863/FULM dated 25 September 2008. As originally submitted the application included floodlighting, however this was removed from the description of the development prior to determination. Condition 3 of this permission restricts the hours of operation of the pitches to 20:00 midweek, 18:00 Saturdays and 16:00 Sundays.

1.4 The application site sits adjacent to the Clifton Conservation Area and within the extent of the grounds of the former St Olaves School (now St Peters School 8-13) (GII Listed) and the extended grounds of St Peters School (Grade II Listed). The St Peters grounds along with the surrounding Ings either side of the River Ouse form an important open area extending into the city and are an important part of the setting of the city. The site is not within the Green Belt. The Local Plan policies map denotes the land as an educational establishment and as existing open space.

2.0 POLICY CONTEXT

2.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

LOCAL PLAN

2.2. The Local Plan was adopted in February 2025. Policies relevant to the determination of this application are:

D1	Place Making
D2	Landscape and Setting
D4	Conservation Areas
D5	Listed Buildings
ED8	Community Access to Sports and Cultural Facilities on Education Sites
ENV2	Managing Environmental Quality
GI2	Biodiversity and Access to Nature
GI3	Green Infrastructure Network
HW3	Built Sports Facilities
T1	Sustainable Access

NATIONAL PLANNING POLICY FRAMEWORK

2.3. The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

3.0 CONSULTATIONS

3.1. The application has been advertised via a Site Notice and by neighbour notification letters.

INTERNAL

Public Protection

3.2 No objection to the proposal subject to any permission being conditioned to require that the lighting comply with the E2 Environmental Zone within the Light Professionals Guidance Notes and also to restrict the operation of the lights to prevent night-time operation after 21:30.

Highway Network Management

3.3 No objection.

Design and Conservation (Ecology)

3.4 Consider that additional landscape planting connecting with the existing narrow mature tree belt running at 90 degrees to the pitch would mitigate the landscape harm arising from the proposal along with potential harm to species using habitats adjacent to the site.

EXTERNAL

Clifton Planning Panel

3.5 Object to the proposal on the grounds that the columns would harm the view of the Minster from the riverside walk, the additional lighting would unacceptably harm the residential amenity of properties in the surrounding area notably Sycamore Terrace and surrounding side streets would be unacceptably impacted by increased traffic and on-street parking into the evening.

Sport England

3.6 No objection.

4.0 REPRESENTATIONS

4.1. A total of 53 no objections and 1 letter of support have been received at the time of writing.

4.2. Summary of the objections received:

- Objection to the impact of the proposal upon light sensitive wildlife such as bats and insects in the locality.
- Objection to the loss of residential amenity to neighbouring properties specifically in Sycamore Terrace due to increased lighting and noise.
- Objection to the harm caused to the setting of the historic City by the erection of floodlighting columns in a previously open site.
- Objection to harm caused to the defined ecological stepping stone along the riverside corridor by virtue of increased light and noisy activity.
- Objection to the cumulative increase in traffic on surrounding side streets that would result.
- Objection to the lack of consideration for community use of the affected pitch.
- Objection to lack of information upon intensity of use of the pitch as well and numbers of tournaments and spectators.

- Objection to the lack of provision for biodiversity net gain.
- Objection to the attempt to implement the previously withdrawn proposal for sports facilities at the adjacent St Peter's School incrementally by stealth.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- The Principle
- Impact on Designated Heritage Assets
- Highways and Access
- Landscape and Setting
- Residential Amenity and Public Protection
- Ecology

BUILT SPORTS FACILITIES

5.2 Local Plan policy HW3: Built Sports Facilities states that the Council will support development that enables residents to enjoy and make use of built sports facilities. Development of new sports facilities should be co-located with...schools, where possible, to encourage participation in exercise. The site is in a sustainable location. A community use agreement was secured by condition with the grant of the 2008 planning permission for the pitch. Community access to sports facilities on all education sites is sought by policy ED8. The applicant's planning statement states that the proposal will make use of the existing pitch out of school hours and during the darker winter months for after-school training sessions and matches. Sports lighting will reduce the need for the school to hire other pitches around the city and increases the opportunity for sport. In principle the application is in accordance with policy HW3.

DESIGNATED HERITAGE ASSETS

5.3 The setting of a heritage asset is defined in the NPPF Glossary as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

5.4 The application site sits adjacent to the Clifton Conservation Area and within the extent of the grounds of the former St Olaves School (now St Peters School 8-13) (GII Listed) and the extended grounds of St Peters School (Grade II Listed). The St Peters grounds along with the surrounding lngs either side of the River Ouse form an important open area extending into the city and are an important part of the setting of the historic city.

5.5 Local Plan policy D4: Conservation Areas states that development proposals affecting the setting of a conservation area will be supported where they are designed to preserve or enhance those elements which contribute to the character and appearance of the conservation area and...safeguard important views guided by existing evidence including the Central Historic Core Conservation Area Appraisal, and other local views. Planning applications for development within or affecting the setting of conservation areas will only be supported if full details sufficiently show the likely impact of the proposals upon the character and appearance of the conservation area are included.

5.6 Local Plan policy D5: Listed Buildings states that proposals affecting a Listed Building or its setting will be supported where they preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. In determining any planning application the Local Planning Authority has a statutory duty (under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of designated conservation areas. Additionally, in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority has a statutory duty (under section 66 of this Act) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.7 The application is accompanied by a Heritage Impact Assessment (HIA).

5.8 Planning permission for the pitch and fencing was granted by planning permission 08/00863/FULM dated 25 September 2008. As originally submitted the application included floodlighting. This aspect of the scheme was removed from the description of development.

5.9 Application 22/02288/FULM was withdrawn before a decision was made, but a report was published on the Planning Committee Agenda. It is noted that the report and draft refusal reasons did not consider that there would be a harmful impact on the setting of the listed school buildings or the Clifton Conservation Area, however this was an officer recommendation, not a decision of the LPA.

Grade II Listed - St Peters School 8-13

5.10 The application site sits to the south of St Peters School 8-13 York (formerly St Olaves School and prior to its closure in 2000 Queen Anne School). The building is listed at Grade II and is included as a fine example of the work of Walter Brierly, one of the pioneering designers of schools in this style. It is of aesthetic and historical value. Later additions are not of special interest. The floodlights would sit to the south-west of the listed building, surrounding the existing artificial pitch and, on the northern edge of the pitch, in close proximity to a range of later flat roofed buildings

of 1 to 3 storey height, including a utilitarian sports hall. These buildings are not of special interest.

5.11 The impact of the proposals on the setting of the original listed school building have been considered. The artificial pitch which forms the application site is separated from the listed building by a strong landscaped boundary and the modern school buildings. The floodlight columns are a 15m high monopoles with two light fittings per column, they have been designed to avoid unwanted light spill. The nature of the floodlights and their positioning adjacent to a cluster of modern school buildings means that the intervisibility of the listed building and the floodlights and any light halo in views from the Ings, the school grounds and adjacent residential properties and the potential for the appreciation of the listed building is not significant and not harmful to its setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Grade II Listed - St Peter's School 13-18

5.12 St Peter's School 13-18 buildings are to the north of the application site, at a higher level and separated from the site by the later 8-13 School buildings and the school cricket pitch. St Peter's School occupies a set of buildings of which the main range was purpose built in 1838. Over time the school has grown resulting in a diverse school estate with many buildings individually listed at Grade II. The main buildings are of considerable architectural value adopting the Perpendicular Gothic Revival style with was considered suitable for educational buildings in the 19th century. It is of historical, aesthetic and associative interest. The buildings and associated grounds make a considerable contribution to the Clifton Conservation Area. The extensive playing fields which lead down to the River Ouse have a pleasant open character and have historic value retaining field boundaries possibly dating to the 18th century Enclosure awards. The school buildings can be appreciated from the Ings in views from the west and south-west across the extensive playing fields.

5.13 The impact of the proposals on the setting of the school buildings have been considered. The artificial pitch which forms the application site is separated from the listed buildings by significant complex of the modern 8-13 school buildings and the cricket pitch. The floodlight columns are a 15m high monopoles with two light fittings per column, they have been designed to avoid unwanted light spill. There is no significant shared view between the St Peters School 13-18 and the application site although the roof of the building can be seen across the roof of the modern 8-13 school buildings. The monopoles would be visible in views from the elevated school buildings but they are slimline structures. The nature of the floodlights and their positioning adjacent to a cluster of modern school buildings means that the intervisibility of the listed building and the floodlights and any light halo in views from the Ings and the school grounds and the potential for the appreciation of the listed

buildings are not significant and not harmful to their setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Clifton Conservation Area

5.14 The Clifton Conservation Area is to the east of the site, comprising at its closest point the formal grounds to the south of the original former Queen Annes School building and the contiguous hard surfaced tennis/netball courts. A line of trees separates the application site and the conservation area. The boundary conservation area to the north runs along the line of the footpath and line of mature trees north of the modern 8-13 school buildings and car park.

5.15 The conservation area is characterised by late Georgian town houses and Regency villas fronting onto Clifton, and Victorian and Edwardian terraces and semis in the new suburban residential streets often developed in the garden grounds of frontage properties. East of Clifton Green the density of buildings is higher but spacious; the character is enhanced by the setback of St Peter's School buildings and surrounding grounds. There are many trees in roadside verges in open spaces and in gardens which create the character of the area. The conservation area was extended in 2002 to include North Parade, Queen Anne's Road and the area immediately adjacent to Queen Anne's School

5.16 The main elements of the character and appearance of the area are:

- (1) Clifton Green, with its rural "village" character, its Church, trees and small scale buildings set in small gardens;
- (2) the large Georgian, Victorian and Edwardian villas in the area, with their gardens and trees;
- (3) the groups of trees in roadside verges, along the York to Scarborough railway line, in other open spaces and private gardens;
- (4) the generous spaces between buildings which typify the area.

5.17 The conservation area includes the grassed playing fields of the 13-18 school which are contiguous with the lngs and those lower playing fields outside of the conservation area. The application site has a visual separation from the conservation area resulting from the siting of the modern 8-13 school buildings and mature landscaping and trees. Whilst higher than the surrounding buildings the slimline floodlights and any visible lighting of the pitch are not considered to harm the setting of the conservation area or any of the main elements of its character and appearance. The proposal would comply with Local Plan policies H4 and H5 in this respect.

Central Historic Core Conservation Area and views of The Minster

5.18 The existing sports pitch is partly visible from the riverside path and the path from Westminster Road and visible from an informal path along the top of the flood

defence. In the background is the Minster which rises above the prevailing height of the buildings in its surroundings.

5.19 The Central Historic Core Conservation Area Appraisal (CAA) notes that many longer distance views focussing on the Minster are from open spaces and the riverside. These views are often dynamic. The CCA notes the view from Clifton Bridge across the river Ouse towards the Minster and the long-distance view from Clifton Ings. The views of the Minster from the area south of St Peters School are defined in the HIA as city-wide dynamic views with a focal point, experienced and evolving along a route. They are not specified in the CAA, nevertheless they are considered to form an important part of the understanding of the historic setting of the city.

5.20 It is noted that the consideration of the withdrawn application 22/02288/FULM concluded that “in terms of the Central Historic Core Conservation Area, the application site is separated from the boundary by the remainder of the school complex and the Scarborough railway, and it would be difficult to argue a case for material harm over such a distance.”

5.21 The HIA provides an assessment of views towards the Minster; from the public right of way that runs north south from the end of Westminster Road (view 1) and the riverside path (view 2), it concludes that *“the Minster remains a key focal point in the landscape and its silhouette is not obscured by any proposed development. The character of the green, open space of the river flood plain and its relationship to the historic city remain legible. The columns are considered to represent a minor addition to the middle distance, which is already characterised by the late 20th – early 21st century sports facility buildings of the St Peters School.”*

5.22 The HIA contains a reasonable assessment of the impact of the proposals on views of The Minster given the dynamic nature of such views, the positioning and scale of the lights, the lighting design and the prevailing topography, townscape and landscaping. It is not considered that there would be a harmful impact on views towards the Minster or its setting. The proposal would comply with Local Plan policies H4 and H5 in this respect.

HIGHWAYS AND ACCESS.

5.23 Central Government planning policy as outlined in paragraph 115 of the NPPF indicates that development should only be prevented, or permission refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts upon the highway network would be severe. Policy T1 of the Local Plan indicates that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access to all users to and within it.

5.24 Objectors have expressed concern in respect of the potential for the proposal to lead to a significant increase in external use with consequent increases in on-street parking and associated disturbance. The proposals do not include a change in hours of operation and there is already a community use agreement in place as this is expected through policy HW7 on public health grounds. The current proposal is however unlike the earlier withdrawn development being physically discrete and designed to meet the needs of the school students and site users, although there are no existing planning restrictions on the public use of the pitch. The floodlights may allow a more intensive use of the pitch in the permitted evening hours beyond that currently facilitated by the demountable lights. Any increase in associated traffic is not likely to be significant. There is car and cycle parking within the 8-13 School grounds which is accessed from Clifton via Queen Annes Road or North Parade. These streets are in a ResPark zone which is operational 24 hours a day.

LANDSCAPE AND SETTING

5.25 Central Government Planning Policy as outlined in paragraph 135c) of the NPPF indicates that planning decisions should ensure that developments are sympathetic to local character and history including the surrounding built environment and landscape setting. At the same time Policy D2: Landscape and Setting of the Local Plan states that development proposals will be supported and encouraged where they demonstrate understanding of the local and wider landscape character and landscape quality relative to the locality, and the value of its contribution to the setting and context of the city; protect and enhance landscape quality and character, and the public's experience of it and make a positive contribution to York's special qualities; avoid an adverse impact on intrinsically dark skies and landscapes, townscapes and/or habitats that are sensitive to light pollution, keeping the visual appearance of light fixtures and finishes to a minimum, and avoiding light spill.

5.26 The application site is in a sensitive location as part of the landscaped river corridor of the River Ouse flood plain characterised by a sense of openness. Important amongst the defined views are some of the Minster in the middle distance as discussed in the section above. The playing fields are clearly read as the setting for the school campus which defines the northern approach to the City, this is enhanced by the presence of sections of semi-mature hedges in native species and individual mature and semi-mature trees. Views across the site from the local public rights of way network along the riverbank and to the north add to the character of the site.

5.27 The proposed floodlights would introduce a built form which is taller than surrounding buildings, they are however read largely within the context of the St Peters school 8-13 buildings and the existing fenced and engineered pitch. The floodlight monopoles are relatively slender with two light fittings to each column and would have a grey finish. The lighting would be permanent compared with the

current demountable floodlight structures and would likely be used more frequently. They would erode the present open character of the site but are not considered to be so harmful to the landscape views to justify the refusal of the application.

5.28 In terms of light spillage, the lighting has been designed to confine light to pitches. This would avoid undue harm to the adjacent open spaces when the lights are in use. Although the lit pitch would be visible in views and would be more prominent than current lighting from the demountable floodlights and existing lighting from windows and outside amenity/security lighting around the school estate.

5.29 Planting of trees inside of the adjacent flood embankment has been suggested as a means of mitigating some harm from the proposal. Given the area available for planting it is likely that growth will in time reduce views of the existing engineered pitch and fencing however not extend to the height of the floodlights.

It is considered that on balance the proposals would meet the requirements of Policy D2.

RESIDENTIAL AMENITY AND PUBLIC PROTECTION

5.30 Central Government Planning Policy as outlined in paragraph 135f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all existing and future users. At the same time Policy ENV2 of the Local Plan states that development will be permitted where it does not unacceptably harm the amenities of neighbouring communities. Development proposals that are likely to give rise to an increase in artificial light or glare must demonstrate how these matters have been considered.

5.31 The application site comprises an existing hockey pitch which is used for sports teaching and competitive matches throughout the school day. Currently the school uses mobile demountable floodlights, which are about 8m in height during the autumn and winter months when the light is poor. The proposal seeks permission to erect eight 15-metre-high columns to provide artificial light to a standard set by the sport's governing body enabling use of the pitch during late afternoon/early evening during the hockey season. The hours of use sought for the floodlights is until 21.30 hours Monday to Saturday, however condition 3 of the planning permission for the playing pitch 08/00863/FULM contains restrictions for the hours of use of the pitch and it is not considered that these imposed hours can be altered through the current planning application. The use of the pitch would remain subject to a planning condition that restricts the use to 20.00 Monday-Friday, 18.00 Saturday and 16.00 Sunday.

5.32 The pitch to be lit lies to the south of the school and to the west of residential properties in Sycamore Terrace. There is a degree of separation provided by another pitch which would remain unlit with a narrow belt of mature and semi-mature

deciduous trees on its outer edge with the properties some 75 metres from the pitch to be lit at its closest point. The significant distance combined with the tree belt would provide a high degree of mitigation of the impact of the lighting.

5.33 The Institution of Lighting Professionals Guidance Note; The Reduction of Obtrusive Light defines various “environmental zones” to be used for exterior lighting controls. Due to the nature of the application site it is considered to fall within zone E2 – “Rural” including relatively dark outer suburban locations. Following the submission of additional information officers from the Public Protection team are satisfied that the light levels would comply with the guidance and not result in obtrusive light. In terms of noise the scope for additional use by outsiders would be limited as the scheme unlike that previously withdrawn is simply for the floodlighting works and does not include additional parking or spectator facilities. It would primarily be used by the school for curriculum needs and to fulfil student league fixtures. Whilst lighting allows the use of the pitch to extend longer into the evenings, the impact of the proposal on the amenity of neighbouring properties by virtue of noise and light is therefore felt on balance to be acceptable and compliant with the terms of Policy ENV2 of the Local Plan and paragraph 135f) of the NPPF.

ECOLOGY

5.34 Central Government Planning Policy as outlined in paragraph 180d) of the NPPF indicates that planning decisions should minimise impacts upon and provide net gains for biodiversity, recently formalised into a requirement for a biodiversity net gain of 10% by means of a standard assessment method. At the same time Policy GI 2 of the Local Plan indicates that developments should where appropriate result in net gain to and help to improve biodiversity. Policy GI 3 also seeks that so as to protect York’s Green Infrastructure Network development should create and or enhance stepping stones that improve links between existing corridors and nature conservation sites.

5.35 The area of the Ouse riverbank beyond the adjacent flood embankment has previously been identified as an ecological “stepping stone” as defined in the glossary within the Annex to the NPPF which comprises a pocket of habitat used by species such as bats and light sensitive insects to transit between sites to the north and south of the City such as Clifton/Rawcliffe Ings SSSI. Bat surveys have been submitted and indicate Pipistrelle’s (common and soprano) foraging over the site and its environs in small numbers and Daubenton’s bats foraging and commuting along the boundary of the application site in low numbers. The submitted light spillage data suggests a level of 1 lux or below the equivalent of twilight or moonlight up to two metres from the edge of the pitch. The report indicates that the lighting has been designed so as not to impact upon foraging opportunities at the site boundaries and emphasis is placed upon both types of bat present in the area foraging more widely within the urban area and that other more suitable habitats exist nearby.

5.36 The City Ecologist has recommended the provision of an area of tree and other landscape planting linking to the existing area of landscape planting running at 90 degrees to the pitch which would provide a degree of mitigation of impact upon the landscape and also light sensitive species using the area. A condition is recommended and is considered to be reasonable and necessary.

5.37 The proposal is considered acceptable in principle on ecological grounds and subject to conditions and would comply with Policy GI2 of the Local Plan.

6.0 CONCLUSION

6.1 The proposal would provide sport and curriculum benefits to students of the school in line with Policy HW3 of the Local Plan enabling students and visiting teams to play hockey into the early evening as part of the school curriculum and as part of local leagues. The proposal would also potentially free-up pitch use at other sites currently used by St Peters School which is of minor benefit. There is not considered to be any harmful impacts on the setting of the conservation area or the listed buildings within the school estate. Regard has been given to the withdrawal of the proposed floodlights when originally considered in 2008, however there is no written appraisal of the harm that they identified by the then Conservation Officer. The current application is accompanied by a Heritage Impact Assessment. The floodlights would introduce 15m high engineered columns into the area of the school estate which is a sensitive location forming part of the landscaped river corridor of the River Ouse flood plain which is characterised by its sense of openness. The location is adjacent to existing school buildings, and the existing pitch and fencing has an engineered appearance. The lighting is designed to be limited to the pitch to limit light spill and skyglow. On balance whilst there would be some harm to the landscape character of the River Ouse corridor and erosion of the open character of the site, the impact of the floodlights would not be so harmful as to justify the refusal of the application.

6.2 Other matters including ecology, impact on residential amenity and highways and access are considered to be acceptable and where necessary mitigated by recommended planning conditions.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 Notwithstanding the details contained within the application the lights shall be switched off within 15 minutes of the end of the approved hours of use of the pitch

controlled under condition 3 of planning permission 08/00863/FULM dated 25 September 2008.

Reason: In the interests of the living conditions of local residents and the character of the local environment in accordance with policy ENV2 and D2 of the Local Plan.

4 The floodlights shall not be brought into use until there has been submitted and approved in writing by the Local Planning Authority a detailed tree planting scheme which shall illustrate the number, species, height and position of trees along the south-western boundary of the site and linking the two existing areas of tree planting. The approved scheme shall be implemented within a period of six months of the construction of the floodlights. Any trees or plants which 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 alternatives are agreed in writing by the Local Planning Authority.

Reason: To reduce the effects of the floodlighting on the wider landscape and to provide biodiversity enhancements in accordance with policy D2 and G12 of the Local Plan .

5 At least four Schwegler 2FN Bat Boxes (or equivalent alternative) shall be sited on perimeter trees on site as detailed in the Wold Ecology Ltd, Preliminary Ecological Assessment. The bat boxes shall be located on the south, east or west elevations of the tree, 3 to 5 metres above ground level.

Reason: In accordance with Policy G12 of the Local Plan to take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with the NPPF 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.

6 The design of the floodlighting shall conform to the guidance contained within the Institution of Lighting Professionals Guidance Note 01/21 The Reduction of Obtrusive Light and shall at all times be maintained to comply with the guidance.

Reason: In the interests of residential amenity and to prevent obtrusive light in the interests of the environmental qualities of the area in accordance with policy ENV2 and D2 of the Local Plan.

8.0 INFORMATIVES:

Notes to Applicant

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

Application Reference Number: 24/00703/FUL

Item No: 5a

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 an attempt to achieve a positive outcome:

- i) Sought clarification of the ecological impacts of the proposal and associated mitigation.
- ii) Sought clarification in terms of the limits of usage of the proposed pitch
- iii) Made an assessment of the submitted Heritage Impact Assessment

2. BIODIVERSITY NET GAIN (BNG)

The statutory framework for Biodiversity Net Gain (BNG) set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is the City of York Council.

SUBMISSION REQUIREMENTS:

Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- b) The pre- and post-development biodiversity value of the onsite habitat,
- c) Any registered off-site biodiversity gain allocated to the development, and
- d) Any biodiversity credits purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- Name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- A description of the development and planning permission reference number (to which the plan relates);
- The relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

If habitat degradation has taken place:

- A statement to this effect;
- The date immediately before the degradation activity;
- The completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- Any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

https://assets.publishing.service.gov.uk/media/65df0c4ecf7eb16adff57f15/Biodiversity_gain_plan.pdf

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

3. PLANNING CONDITION 3

Application Reference Number: 24/00703/FUL

Item No: 5a

The hours of the use of the pitch are controlled under planning permission 08/00863/FULM which states:

The hours of use of the proposed multi use games area and synthetic pitches shall be confined to the following times:

Mon - Fri 08.00- to 20:00

Saturday 09.00 - 18.00

Sunday 10.00 - 16.00

One Bank Holiday annually 10.00-16.00

A further planning permission under s73 of the Act would be required to vary this condition.