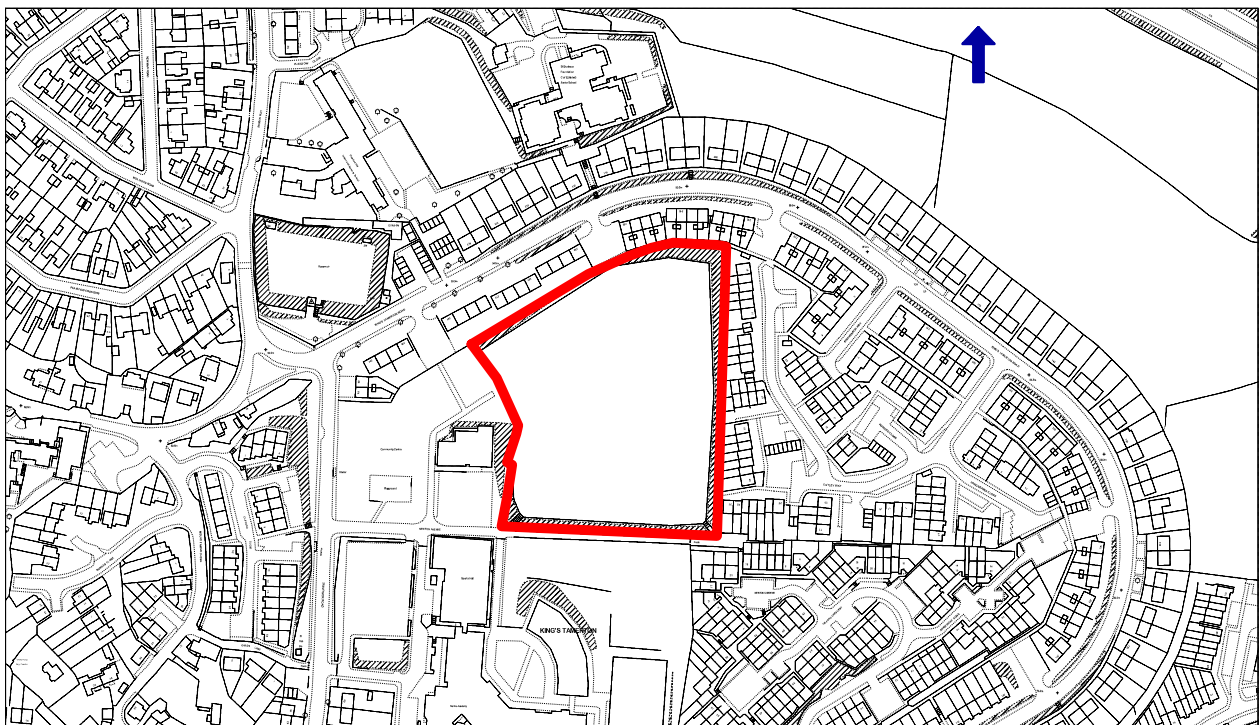


PLANNING APPLICATION REPORT



ITEM: 05

Application Number:	13/01593/FUL
Applicant:	Marine Academy Plymouth
Description of Application:	Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing
Type of Application:	Full Application
Site Address:	MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD PLYMOUTH
Ward:	St Budeaux
Valid Date of Application:	22/08/2013
8/13 Week Date:	21/11/2013
Decision Category:	Major - more than 5 Letters of Representation received
Case Officer :	Robert McMillan
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



Site Description

The site is the large Marine Academy Plymouth grass playing field north of Newton Avenue. There is housing to the north and east, the main Marine Academy Plymouth campus to the south and the community centre and open land to the west. It has an area of (1.76) ha and a frontage with Newton Avenue of 125m. There is 3m high chain link fence around the perimeter. It is used as two football pitches with two long jump runs and sand pits in the north east corner and three cricket net surfaces in the north west part. There is container on the western boundary. There are verges outside the fence line on the northern, eastern and southern edges which have trees and vegetation to differing degrees of density being most effective on the western part of the northern boundary and on the southern boundary. There are some trees and vegetation adjoining the western boundary.

The land falls from north to south and it is raised above Newton Avenue and many of the surrounding dwellings particularly in the north east part by up to 2.5 – 3m.

Proposal Description

The proposal is to install an all-weather artificial grass pitch on the site. It would measure 100m by 68m. It would be within a fenced compound measuring 106m by 75m. The steel mesh fencing would be 3m high on all sides except the western part rising to 4.5 behind the goal areas. The western side would be 4.5m high for its full extent. There would be floodlights on eight columns 15m tall, with four on each of the long sides. The playing area would provide one full size football pitch which could also be used as three five/six aside pitches.

The pitch and fencing would be set in from the boundaries so would not interfere with the boundary trees and vegetation.

The long jump runs and pits and cricket net bases and storage units would remain.

Pre-Application Enquiry

No formal pre-application discussions took place.

Relevant Planning History

13/00819/FUL - Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing – WITHDRAWN. Following the withdrawal in July the applicant and its agents met with officers and provided more information on: the background to the proposals; the floodlighting details; and the varied the hours of use.

13/00886/FUL - Erection of two single storey buildings for use by Air Training Corps and Army Cadet Force; with associated works – GRANTED.

13/00335 – FULL - Erection of new school building incorporating primary school, children's nursery and sixth form facility. Creation of new playground, including associated hard and soft landscaping, 50 space car park, new pedestrian access routes and external classroom. Demolition of existing music and construction buildings. GRANTED.

13/00594 – FULL - Refurbishment and partial demolition of 1980's block and replacement with new 3 storey extension (revision to planning permission 12/00330/FUL) by the increase in the height of the building by 600mm and change to the roof plant and equipment – PENDING.

12/00330 – FULL - Refurbishment and partial demolition of 1980's block and replacement with a new 3 storey extension – GRANTED.

10/00430 – FULL - Erection of 2.4 metre high security paladin fencing around playing field north of Newton Avenue – GRANTED.

10/00429 – FULL - Erection of 2.4 metre high security paladin fencing around school campus (excluding Newton Avenue playing field) – GRANTED.

09/01075 – FULL - Erection of 2.4 metre high security paladin fencing around school campus (including playing fields) – REFUSED.

02/00781 – FULL - Two storey classroom building between playing field and main school building – GRANTED.

09/00121 – FULL - Single-storey canteen extension GRANTED.

Consultation Responses

Environment Agency

No objection subject to a condition on surface water drainage.

Sport England

No objection as it meets Sport England's Exceptions policy on loss of one playing field given the benefits provided by the artificial grass pitch and subject to the Council exploring opportunities to relocate the cricket pitch.

Local Highway Authority - Highways

No objections as the access and parking arrangements are satisfactory.

Local Highway Authority – Lighting Control

No objection. Having reviewed the latest lighting design information officers confirm the proposed lighting is acceptable. The design complies with the Institute of Lighting Professionals (ILP) guidance. The source intensity (light which could enter windows) at the window positions is within figures outlined in the ILP document.

Public Protection Service (PPS)

PPS has concerns about the increased noise and activity generated from the greater intensity of use that will affect nearby properties. If permission is granted the nature of the area would change and a nuisance action is unlikely. PPS does not object and suggests an hours of use condition. PPS also suggests a conditions on ground contamination and informatives on a code of conduct and that the lighting should not cause undue impact on nearby properties.

Representations

There are 25 letters of objection including 11 identical letters with 18 numbered points and 5 of an identical letters with 7 numbered concerns. They raise the following points:

1. The scheme is little different from the previously withdrawn application;
2. The pitches are too close to adjoining homes;
3. Light pollution until 9.00pm will cause disturbance to residents' sleeping time and during their wakeful hours;
4. Has a study been done on the impact of the floodlighting on adjoining properties?
5. Noise disturbance until 9.00pm that could affect some residents' mental health;
6. There should be a noise assessment;
7. During hot weather people will not be able to open their windows;
8. Greater intensity of use by other teams not associated with the Marine Academy Plymouth;
9. Will prevent residents from using their gardens when the pitches are in use;
10. Will exacerbate on-street parking;
11. The car parks off Kings Tamerton Road are used on match days and if this continues it will cause parking problems for residents;
12. The new fencing should not interfere with the trees and vegetation around the site;
13. There should be an ecological assessment
14. Can't the pitches be sited closer to the school?
15. Loss of open space for informal use: residents think of it as their 'village green' and want it left as it is;
16. The land may have village green status;
17. The facility at Central Park (Goals off Outland Road) is a bad precedent as the floodlights are very bright;
18. Who would manage the facility continuously from 9.00am to 10.00pm?
19. Too few site notices were displayed;
20. Did not receive a notification letter;
21. The lighting will affect wildlife;
22. The use of the facility for profit is unacceptable;
23. The notice of the public meeting arranged by the applicant was not received by all of the affected properties;
24. At the public meeting on 12 September the applicant gave the impression that the proposal would definitely go ahead;
25. The letters of support come from people who do not live close to the application site;
26. Possible damage to the solar panels;
27. Breaches the Human Rights Act of the right to enjoy one's property and respect for private and family life;
28. The adjoining bungalows should be compensated by the provision of triple glazing, air conditioning and conservatories;

There are 37 letters of support for the proposal because of the benefits it provided for the Marine Academy Plymouth, local schools, local sports clubs and the local

community. These come from across the city and beyond with one from the immediate surroundings in Telford Crescent.

Analysis

1 The main issues with this application are: the principle of the development; the effect of the greater intensity of use; the impact of the floodlighting on living conditions; and traffic and parking. The main policy considerations are: adopted Core Strategy strategic objectives and policies: SO3 Delivering Sustainable Linked Communities, Policy CS01 Development of Sustainable Linked Communities, SO9 Delivering Educational Improvements, CS14 New Education Facilities, SO11 Delivering a Sustainable Environment, CS18 Plymouth's Green Space, CS19 Wildlife, CS21 Flood Risk, CS22 Pollution, SO14 Delivering Sustainable Transport, Policy CS28 Local Transport Considerations, SO15 Delivering Community Well-being, CS30 Sport, Recreation and Children's Play Facilities and CS34 Planning Application Considerations; National Planning Policy Framework (NPPF); and adopted Supplementary Planning Guidance Development Guidelines.

2 The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

3 This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 which is considered to be compliant with National Planning Policy Framework guidance.

Principle of development

Need

4 The Plymouth Sports Facility Strategy identifies a current shortfall of five full size synthetic turf pitches (STP) which include artificial grass pitches in the city with none in the north west area north of the A38(T). The facility provides guaranteed use and is not subject to the vagaries of the weather and encourages participation in football for children and adults for the MAP, Plymouth University, partner schools, local clubs and the community. The applicant has been successful in attracting funding package of £724,000.

5 The applicant provided two letters of support sent to the Academy from local primary schools. They state that the benefits would be:

1. Strengthen partnership working between the Academy and its feeder schools;
2. Allow young people and students to develop coaching skills and qualifications;
3. Improve the health and well-being of all stakeholders;
4. Would lead to healthier life styles and improve the life chances of local people;
5. Help in creating a cohesive community and its transformation;

Loss of a natural grass football pitch

6 The site is part of the campus of the Marine Academy Plymouth (MAP) on the north side of Newton Avenue. There will be the provision of one full sized senior

all weather pitch that could also be used as three 5 or 6 a side pitches. This results in the loss of one grass football pitch and the grass cricket pitch.

7 Part of policy CS30 states that: “There will be a presumption against any development that involves the loss of a sport recreation or play facility except where it can be demonstrated that there is currently an excess of provision or where alternative facilities of equal or better quality will be provided as part of the development.”

8 The provision of an all-weather multi-purpose pitch compensates for the loss of the natural grass football pitch given its potential for a greater intensity of use. It will enhance the sporting facilities for the Academy and local community to comply with parts of Core Strategy policies CS01 and CS30. Sport England has been consulted and it does not object as the proposal complies with Sport England’s exceptions policy E.5 of its guidance “Policy on planning applications for development on playing fields, 2013”. It recommends that the Local Planning Authority (LPA) explore the possibility of re-provision of cricket on site. There is a similar statement in paragraph 74 of the NPPF. The principle of the loss of the natural grass football pitch and provision of the all-weather facility complies with paragraphs b and c of the third paragraph and last paragraph of Core Strategy policy CS30 and NPPF paragraph 74.

Green Space

9 The land forms part of Greenscape area 23 together with land to the south and west. It performs the three functions of informal recreation, sport and formal recreation and separation/buffer. The first and third functions have neighbourhood importance and the second has district significance. The site measures about 1.7ha. The proposed enclosed artificial grass pitch (AGP) would be about 0.8ha leaving a balance of about 0.9ha. The fencing and lighting columns and floodlighting would create a more urban setting but the land would remain essentially open and improve the sport and formal recreation facility. The land is accessible informally to the public outside of school hours which is likely to remain for the natural grass area that will be un-enclosed. The character of the land would change but the three greenscape functions would remain to comply with policy CS18.

Increased intensity in the use of the land

10 The proposed development would enable the pitch to be used throughout the year in all conditions and at times of darkness as the applicant is proposing hours of use from 8.00am to 9.00pm during the week, 9.00am to 7.00pm on Saturdays and 10.00am to 6.00pm on Sundays, Bank and public holidays: a total of 83 hours. During the week until 5.00pm it will mainly be used by MAP and partner schools. During the evenings and at weekends it will be used by community teams and clubs and Plymouth University. There are 56 dwellings backing on to the site with the distance from the rear walls to the pitch varying from 27m to 59m. There would be more noise and disturbance from such an increase in use. Officers understand residents’ concerns as there will be a greater intensity of use. The authorised use of the land is as a school’s playing field and a degree of disturbance from sport and recreation use is to be expected. Currently the land can be used during daylight hours which restricts late afternoon and evening use especially during the period October – February.

11 The applicant originally proposed longer hours in the previous application of 9.00am to 10.00pm Monday to Friday and 9.00am to 8.00pm at weekends: a total of 91 hours. Officers sought a reduction in hours of use to finish at 8.00pm Mondays to Fridays, till 7.00pm on Saturdays and 10.00am to 6.00pm on Sundays: a total of 72 hours. The applicant could not agree to such a reduction. This is in part due to the funders requiring 85 hours of use a week with 35 hours of use by the community. The compromise is as stated above in paragraph 10. This is not what the residents want or your officers' preferred option. However it is officers' opinion that this is a reasonable compromise.

12 Officers suggest two important conditions in relation to the hours of use. These are first that there must be a robust management code of conduct agreement setting out the standards of behaviour that all users of the facility must adhere to with a named contact person residents could contact if problems arose. The applicant states in the design and access statement that it will do this. Second there should be a community forum to deal with issues and concerns arising from the use of the facility. It is suggested that it would comprise representatives for the local residents, local ward member/s, MAP, Plymouth University and the other users of the pitches. Ideally it should meet every two to three months during the first year of operation and then at times to be agreed by the forum.

13 Officers fully understand the strength of feeling of the local residents and accept that there will be a greater disturbance for the occupiers in the surrounding properties. But with the conditions suggested it is the officers' opinion that the living conditions would not be harmed to such an extent to warrant a reason for refusal and that on this matter the application complies with paragraph a of the third paragraph of Core Strategy policy CS30 and Core Strategy policy CS22.

Impact of the floodlighting

14 The other contentious aspect of the application is the erection of the eight floodlights on columns 15m tall. The distance from the floodlights to the back walls of the adjoining dwellings varies from 21m to 59m. The applicant states in the Design and Access Statement that it believes that the lighting is designed to avoid overspill. The lights will be directed downwards at an angle of 66 degrees. There would be a horizontal cut off restricting the light intensity projecting outside of the site, while the upward waste light factor would be zero. The area for lighting purposes is Environmental Zone E3 that is for small town centres and suburban locations. (The Environmental Zones are used by the Institute of Lighting Professionals and are a hierarchy of lighting with E1 being the darkest and E4 the brightest.) For this location the maximum vertical illuminance on the windows of neighbouring properties is 10 lux with a maximum source intensity of 10,000 candelas. (Lux is a standard unit of illuminance and candela is a standard unit of luminous intensity.)

15 The applicant's lighting engineers have designed the system to comply with the stricter standards for Environmental Zone E2. The maximum illumination measured at the windows of adjoining dwellings will not exceed 5 lux with a light source intensity of less than 7,500 candelas. The scheme has been designed to prevent glare going above the horizontal level of the lights directly to the sky. The reflectance from the artificial pitch surface would fall within 5-8%.

16 The Council's lighting engineers have been closely involved with the application and, with the additional information, are now satisfied that the floodlighting would not cause undue harm to the living conditions of the occupiers in the adjoining properties. This is subject to the proviso that the lighting system must be set up strictly in accordance with submitted design criteria. If when tested further control were to be required the floodlights could be fitted with additional louvre/baffle blades to further restrict and control the light spill intensity.

17 The applicant has now provided sufficient evidence to satisfy officers that the living conditions of the residents in the adjoining properties would not be harmed from light pollution. As such the proposal complies with paragraph a of the second paragraph of Core Strategy policy CS30 and Core Strategy policy CS22.

Other matters

18 The Environment Agency is satisfied that adequate surface water drainage can be achieved subject to a condition to comply with Core Strategy policy CS21.

19 The new fencing will not affect the boundary trees and vegetation as it will be set in to the field away from them. A bat survey was not deemed necessary because floodlighting will be used at lighting-up hours. This means that in summer, use of pitches will be possible without artificial lighting until at least 9pm whilst in winter, bats will be hibernating and hence unaffected by early lighting-up at approximately 4pm. In addition, the area is currently used as playing pitches and therefore has very little ecological value for foraging bats. The pitches are surrounded by urban development including housing, the community centre, the school and roads and associated street lights where there is a general level of lighting.

20 Residents are claiming that they have "rights" to use the land and that it should be a "village green" under the Commons Act 2006. The matter of public rights of access to the land was examined in the 2010 application to fence the field 10/00/430/FUL. At that time there was no evidence that such rights existed: no fresh evidence has been supplied to suggest that there are such rights. The Act has been amended by the Growth and Infrastructure Act 2013. This introduces "trigger events" which exclude the right to apply to register land as a green. This applies in this case as one of the trigger events is the publication of the planning application which occurred on 3 September.

21 Officers put up 12 sites notices on 3 September in the streets surrounding the site where the affected properties are located.

22 Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol – Protection of property and Article 8 – Right to respect for private and family life of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. In the House of Commons Library Document Human Rights and Planning SN/SC/1295, 2010 it states that:

“Courts seem to feel that the whole process of planning decisions should not be overturned just because of the effects of particular decisions on householders who already have rights to make representations to a democratic body within the planning system.”

Local financial considerations

Section 106 Obligations

23 None required

Community Infrastructure Levy

24 Not required

New Homes Bonus

25 Not applicable.

26 Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. It is considered that the development plan, the NPPF and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Equalities & Diversities issues

27 The facility could be used by all minority groups and officers believe that this includes people with disabilities.

Conclusions

28 This is an application that has understandably aroused strong objections from the occupiers of the adjoining properties. There are also letters of support but these are from people, apart from one, who do not live close the site. Officers fully appreciate the concerns people have from the increased noise and disturbance arising from the greater intensity of use of the proposed artificial grass pitch and the possibility of light pollution from the proposed floodlighting. Against this are the benefits of the proposal of providing a modern synthetic turf pitch for which there is a need particularly in this part of the city. This will benefit the Academy, Plymouth University, partner schools, sports clubs and the local community in improving the health, well-being and self-esteem with the increased participation in sport.

29 Ideally the affected residents and officers would have preferred a location further away from people’s homes. However the night time and weekend hours have been reduced from the first application, there would be a management code of conduct agreement to ensure that the users of the facility would adopt an appropriate standard of behaviour and a community forum would be formed so that residents, MAP and the other users could deal with issues as they arose, especially when the pitch is first used when there could be teething problems. It is considered that the increased disturbance would not be of sufficient weight to justify recommending a reason for refusal.

30 Officers are satisfied that, with the additional lighting information provided by the applicant, the floodlighting system would be designed so as not to cause undue light pollution.

31 It is considered that the application complies with Core Strategy policies CS01, CS18, CS22, and CS30 and the NPPF and for these reasons the application is recommended for approval.

Recommendation

In respect of the application dated **22/08/2013** and the submitted drawings 31619P(0-)201 Rev E, 31619_LP990)011 Rev E, 5940/SITE/01 Rev A, 5940/ELE/01, 5940/GA/01Rev B, Zaun Fencing Bay General Arrangement, Zaun Duo Sports Specification, Design and Access Statement, Flood Risk Assessment, Land Quality Phase I Desk Study Report, Lighting details and Champion Set details, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 31619P(0-)201 Rev E, 31619_LP990)011 Rev E, 5940/SITE/01 Rev A, 5940/ELE/01, 5940/GA/01Rev B, Zaun Fencing Bay General Arrangement and Zaun Duo Sports Specification.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACE WATER DRAINAGE

(3) Before the development hereby approved is commenced, details of a scheme for the management of the site's surface water shall be submitted to an approved in writing by the Local Planning Authority. The details shall include as a minimum:

Details of the final drainage scheme, including pathways and flow routes for excess surface water during extreme weather;

A construction quality control procedure; and

A plan for the future maintenance of the system and of any overland flow routes.

Prior to the occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that the scheme is completed in accordance with the agreed details. The scheme shall thereafter be maintained in accordance with the

approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development to comply with policy CS21 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

CONTAMINATED LAND

(4) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, 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 in accordance with section 3.

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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(5) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF USE

(6) The development hereby permitted shall not be used outside the hours of 08.00 to 21.00 Mondays to Fridays, 09.00 to 19.00 on Saturdays and 10.00 to 18.00 on Sundays Bank holidays and public holidays and it shall not be used at any times on Christmas Day and Easter Sunday.

Reason:

To protect the living conditions of the occupiers of the adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

MANAGEMENT AGREEMENT AND CODE OF CONDUCT

(7) The applicant /developer shall submit details of a management agreement for the operation of the development and code of conduct for the users of the facility to be approved in writing by the local planning authority prior to the commencement of the use of the development hereby permitted. The development at all times shall be operated in accordance with the agreed management agreement and code of conduct.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

COMMUNITY FORUM

(8) The applicant /developer shall submit details of a community forum to be approved in writing by the local planning authority prior to the commencement of the use of the development hereby permitted. The details shall include: the terms of reference; its composition including representatives for the local residents, ward member/s, Marine Academy Plymouth and other stakeholders; and the frequency of meetings.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

FLOODLIGHTING

(9) The floodlighting system shall be installed in strict accordance with the submitted lighting details, Champion Set details and design and access statement. Before the use of the development hereby permitted is commenced the applicant shall carry out pre-use testing to ensure that floodlighting system complies with the approved details and submit details of the test results to be approved in writing by the local planning authority. The development shall be operated at all times in accordance with the approved and tested floodlighting system.

Reason:

To ensure that the living conditions of adjoining properties are not harmed by undue light pollution to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(10) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

LANDSCAPING

(11) Details of the landscaping and re-inforcement planting of the verges surrounding the site shall be submitted to and approved in writing by the local planning authority before development is commenced. These details shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(12) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MAINTENANCE SCHEDULE

(13) No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

To ensure that satisfactory landscaping works carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CHANGING FACILITIES

(14) Details of the changing arrangements shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is brought first used.

Reason:

To ensure that there are satisfactory changing facilities for the users of the development and that users do not change in surrounding streets and private parking areas to comply with policies CS30 and CS34 of the adopted City of Plymouth Core Strategy development plan document 2007.

INFORMATIVE: DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1)The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE: CONDITIONAL APPROVAL

(2)In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

INFORMATIVE: CODE OF PRACTICE

(3) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing

of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and

c. Hours of site operation, dust suppression measures and noise limitation measures.

INFORMATIVE: RELOCATION OF THE CRICKET PITCH

(4) The applicant is advised to give strong consideration to relocating the cricket pitch to the applicant's playing fields on the southern part of the site

INFORMATIVE: SURFACE WATER DRAINAGE

(5) This site is located within the Plymouth Critical Drainage Area. The information provided with the application indicates how an appropriate surface water drainage scheme could be achieved on site using infiltration drainage. To discharge the recommended condition the Environment Agency will be seeking details of the drainage during the construction stage as well as the final scheme. To ensure the scheme is constructed in accordance with the submitted details a construction quality control procedure should be followed which demonstrates the works have been built to an appropriate standard.