

## Planning and Highways

13 March 2018

### Late Sheets

#### ITEM 3 – Planning and Related Applications

PAGE NO(s).	APPLN. NO	SITE	DETAILS OF SPEAKERS AND ATTENDEES
33-69	17/02294/LP3	Community North Sports Complex, Kingsway Road, Sunderland	
70-101	17/02425/LP3	Northern Area Playing Fields, Stephenson Road, Stephenson, Washington	

#### 17/02294/LP3 – Community North Sports Complex, Kingsway Road

At the time of writing the main report, a full set of recommended conditions had not been produced. The full list of recommended conditions is now provided below; for the reasons set out in the main report, it is recommended that Members be Minded to Grant Consent for the development, subject to the conditions below.

#### **RECOMMENDATION:**

Minded to Grant Consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the following draft conditions and subject to the referral to the Secretary of State:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 The development hereby granted permission shall be carried out in full accordance with the following approved plans:
  - Existing site location plan (overall), drawing no. (10)01 A00;
  - Existing site plan (detail), drawing no. (10)02, A00;
  - Existing ground floor plan, drawing no. (10)03 A00;

- Existing pavilion elevations, drawing no. (10)05 A00;
- Existing 3D view of pavilion building, drawing no. (10)06 A00;
- Existing roof layout, drawing no. (10)04 A00;
- Proposed site plan (overall), drawing no. (10) 08 A00;
- Proposed site plan (detail), drawing no. (10)09 A00;
- Proposed demolition plan, drawing no. (10)07 A00;
- Proposed pavilion ground floor plan, drawing no. (10)10 A00;
- Proposed pavilion elevations, drawing no. (10)12 A00;
- Proposed sections through pavilion building, drawing no. (10)13 A00;
- Proposed pavilion roof plan, drawing no. (10)11 A00;
- Proposed bin store elevations and plan, drawing no. (10)15 A00;
- Proposed equipment store, lighting column and fencing elevations, drawing no. 07 01;
- Proposed artificial grass pitches layout, drawing no. 01 01;
- Proposed external lighting layout, drawing no. 08 01;
- Proposed floodlighting plan, drawing no. 04 02;
- Proposed downlight, 'TownGuide' and 'LumiStreet' lighting specification details;
- Proposed security boundary fencing, drawing no. 12 00;
- Proposed drainage layout, drawing no. NF037/DH/003 P1;
- Proposed pervious paving section for parking bays;
- Proposed soft landscaping, drawing no. LS000064/029;
- Proposed grassed mounds plan, drawing no. 13 01;
- Proposed tree protection plans, drawing nos. JKK9869 - RPS-Figures 03.01, 03.02 and 03.03.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding any indication of materials which may have been given in the application, no above-ground development shall take place until a schedule and/or samples of all materials and finishes to be used for the external surfaces of all new buildings, extensions and structures has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 No development shall commence until a final detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority, in consultation with Northumbrian Water and the Lead Local Flood Authority. Such details shall accord with the principles set out in the 'Community North Flood Risk Assessment and Drainage Strategy' (Version 2, February 2018), produced by Sunderland City Council, in order to prevent the increased risk of flooding from any sources in accordance with the NPPF and policy EN12 of the UDP.
- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land and details for their protection during the course of

development. The approved landscaping scheme shall then be carried out in accordance with the timings set out by condition 6 of this decision notice, in the interests of visual amenity and the ecological and biodiversity value of the site and to comply with policies B2 and CN22 of the UDP.

- 6 All planting, seeding or turfing comprised in the details of landscaping approved pursuant to condition 5 of this decision notice shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 and CN22 of the UDP.
- 7 The development hereby approved shall be carried out in accordance with Section 5.0 Conclusions and Recommendations from the Extended Phase 1 Survey (February 2018) Version 3 by Durham Wildlife Services, in the interests of nature conservation and to comply with UDP policy CN18.
- 8 No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of biodiversity enhancement measures, which shall include a proposed programme for their implementation. For the avoidance of doubt, the proposed enhancement scheme must be based on the measures detailed in section 5.4 of the 'Extended Phase I Survey, Community North Sports Complex, version 4', produced by DWS Ecology, dated February 2018. The approved enhancement measures must then be implemented in accordance with the agreed programme, in the interests of nature conservation and to comply with UDP policy CN18.
- 9 The development hereby approved shall be carried out in accordance with Sections 6 - 10 and associated Appendices of the 'Downhill Community North, Sunderland - Arboricultural Impact Assessment', produced by RPS (ref. JKK9869), dated 16 January 2018, in order to safeguard the existing and retained trees on the site and to comply with UDP policy CN17.
- 10 No development, including demolition, shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
  - Procedures for maintaining good public relations including complaint management, public consultation and liaison;
  - Arrangements for liaison with the Council's Pollution Prevention & Regulatory Services;
  - Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
  - Control measures for dust and other air-borne pollutants;

- Erection and maintenance of security hoarding;
- Operation, loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development.

The development shall then be carried out in full accordance with approved Construction Environmental Management Plan, in order to ensure a satisfactory form of development and to comply with policies EN1, B2 and T14 of saved Unitary Development Plan.

11 No development shall commence until a Phase II: Site Investigation report which ascertains whether the land is contaminated has been submitted to and approved, in writing, by the Local Planning Authority. The Phase II report shall be based upon the findings of the approved Phase I report and any additional comments provided by the Local Planning Authority, shall be completed in accordance with a recognised code of practice for site investigations, such as BS 10175:2001 and shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
  - a. human health (including from Unexploded Ordnance)
  - b. property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes
  - c. adjoining land
  - d. groundwaters and surface waters
  - e. ecological systems
  - f. archaeological sites and ancient monuments
- iii) a site specific risk assessment and an appraisal of remedial options and proposal of the preferred options if a hazard or hazards are identified on the site from any form of contaminant.

The Phase II investigation is required to ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

12 If any hazards are identified from any form of contaminant by any site investigation which require remediation, as determined by the Local Planning Authority, no development shall commence until a detailed Remediation Strategy and Verification Plan 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 has been submitted to and approved, in writing, by the Local Planning Authority. The strategy shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the residential use of the land.

The Remediation Strategy and Verification Plan are required to ensure that risks

from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

- 13 If any hazards are identified from any form of contaminant by any site investigation which require remediation, as determined by the Local Planning Authority, the use of the AGPs shall not commence until the approved remediation works have been completed in accordance with the approved Remediation Strategy and a verification report that demonstrates the effectiveness of the remediation works and accords with the terms of the approved Verification Plan has been submitted to and approved, in writing, by the Local Planning Authority.

The verification report is required to ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, all works within the affected part of the site shall cease until an investigation and risk assessment and, when remediation is necessary, a remediation scheme in accordance with the details of the respective conditions set out above have been submitted to and approved, in writing, by the Local Planning Authority and any necessary remediation is carried out in accordance with the approved details.

The abovementioned is required in order to ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised 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 EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

- 15 Prior to the use of the AGPs hereby approved commencing, a Noise Management Plan shall be submitted to the Local Planning Authority for their written approval. The Noise Management Plan, which should detail measures designed to prevent disturbance to local residents resulting from the approved development, shall include undertakings and procedures for:

- An on-site supervisor responsible for the behaviour of patrons of the sports facility and for liaison with local residents;
- The control and use of outside areas;
- The recording of complaints and response to those complaints;
- The annual review of the approved Noise Management Plan and, if necessary, the submission and approval of a revised Noise Management Plan.

The approved Noise Management Plan shall be followed and/or implemented at all times for the lifetime of the development, in order to minimise the risk of noise leading to harm to amenity and to comply with the requirements of paragraph 123 of the NPPF and policy EN5 of the UDP.

- 16 Amplified music shall not be played within the interior of the pavilion building unless a Noise Management Plan has first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the management plan will be expected to contain details of the procedures and mitigation measures to be put into place as required to minimise harm to the amenity of the nearest noise-sensitive properties. At all times thereafter the Noise Management Plan shall be implemented in accordance with the approved details in the interests of limiting noise pollution and to comply with paragraph 123 of the NPPF and policy EN5 of the Unitary Development Plan.
- 17 Within 3 months of the use of the AGPs hereby approved commencing, a validating noise monitoring and assessment exercise shall be undertaken and submitted to the City Council, as Local Planning Authority, for its written approval. The assessment shall validate the predicted levels of noise in respect of the use of the AGPs and car park activity. In the event the noise levels predicted by the Noise Assessments (prepared by Acoustic Consultants Ltd, December 2017) submitted with the application are exceeded, the assessment shall include details of suggested additional means of attenuation/ mitigation for the consideration and written approval of the City Council. The approved attenuation/ mitigation measures must be in place within one month of obtaining written approval and shall be maintained thereafter for the lifetime of the approved use, in the interests of minimising noise from operations at the site and to comply with the requirements of policy EN5 of the adopted UDP and paragraph 123 of the NPPF.
- 18 The use of the extended pavilion building hereby approved shall not be carried out outside the hours of 09:00 - 22:45 Monday to Sunday, inclusive of Bank Holidays, in order to safeguard the amenity of nearby occupiers and to accord with the core principles of the NPPF and UDP policies B2 and EN5.
- 19 The floodlighting to the AGPs hereby approved shall not remain operational outside the hours of 09:00 - 22:00, in the interests of minimising intrusion from artificial lighting at the site and to comply with the requirements of the core principles of the NPPF and policies EN1 and B2 of the UDP.
- 20 No construction works on the external elevations of the extended pavilion building hereby approved shall commence until details of all necessary plant and machinery to serve the development, including a suitable ventilation/extraction/filtration system illustrating all external ducting and stacks as well as appropriate noise and odour mitigation assessments, have been submitted to and approved in writing by the Local Planning Authority and/or planning permission has been granted for such. All plant/machinery shall be fully installed in accordance with the agreed details before any use commences, in order to protect the amenity of the area and to comply with policy EN5 and B2 of the adopted UDP and the NPPF.

## **17/02425/LP3 – Northern Area Playing Fields, Stephenson Road, Washington**

### **Late Representations:-**

- **Flood Risk and Drainage Strategy**

As the site is greater than 1ha in size the planning application has been supported by a Flood Risk Assessment and Drainage Strategy.

The FRA confirms that the site has medium to negligible flood risk. The medium flood risk arises from the potential for surface water flooding in the southern corner of the site. The application proposal's Drainage Strategy has therefore confirmed that any proposed surface water management will not encroach within any areas identified as having existing surface water flood risk. The ground levels identified as being susceptible to risk will not be changed and nor will any existing surface water pathways altered. In short, the application proposal will not change surface water or exacerbate flood risk.

The FRA explains that the site's existing building and fields drain, without flow restrictions, through a network of ditches that ultimately find their way to the River Don and in light of the prevailing clay conditions full discharge to ground is not possible. Consequently, it is these drainage ditches that are considered to be the best drainage option for the application proposal.

To conclude, the proposed Strategy will sustainably drain surface water via the under-drained pitches and also via the introduction of permeable paving to the main car park areas. This will ensure that surface water flow flood risk is not worsened on site. Indeed, should Members be minded to approve the development, it is considered likely that the development will reduce surface water flows from the site courtesy of these new flow control measures.

Lastly, as stated in the Agenda report, the Council, as the Lead Local Flood Authority, have not objected to the application proposal and recommend that the application can be approved subject to a condition that agrees the detailed drainage designs prior to the commencement of development.

Given the above it is considered that the implications of the proposed development in relation to flood risk and sustainable drainage are acceptable, in accordance with the objectives of paragraph 103 of the NPPF and policy EN12 of the UDP.

- **Noise considerations**

Further to the Agenda report and the Washington Riding Centre issue, as discussed on page 93 of that report, an addendum noise assessment has since been received and considered by Environmental Health colleagues in Public Protection and Regulatory Services.

The addendum report confirms that the residential receptor location within the Riding School was previously unknown and therefore not specifically discussed as a receptor within the original noise report. Noise levels have therefore now been

predicted at this location, following the principles adopted in the previous report, and although are anticipated to still meet relevant criteria levels when operational, may be increased by up to 4dB.

Whilst the addendum considers that this increase is minor and as such, considers mitigation is not necessary, Environmental Health colleagues nevertheless advocate a precautionary approach be adopted and as such, advise that a (maximum) 2m noise barrier be erected within the site to protect the bungalow and its garden area from noise impacts. Further, whilst the exact nature and composition of the noise barrier has not yet been determined, it is recommended that should Members be minded to approve the application a condition be included that requires the submission and approval of an appropriate noise mitigation scheme.

Lastly, in terms of Green Belt considerations and the acceptability of this additional form of development it is not considered to alter the conclusions already arrived during the course of considering the overall Green Belt impacts of the application proposal, as discussed at length on pages 79-91 of the Agenda report. A maximum 2m high noise attenuation barrier running for a relatively short stretch adjacent to the Riding Centre's bungalow and garden area, which will be mitigated and shielded to a certain extent by virtue of the existing tree and hedge plantation that already exists at the site, will comprise a minor element of the overall development. Further, the Very Special Circumstances that arise from the development proposal outweighs the impacts of the development on the openness of the Green Belt.

#### **RECOMMENDATION:**

Minded to Grant Consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the following draft conditions and subject to the referral to the Secretary of State:

##### **1. Development to commence within three years;**

The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. Reason: To ensure that the development is carried out within a reasonable period of time.

##### **2. Development to be carried out in accordance with the approved plans;**

The development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Proposed Site Plan, 928.001.03 (10) 03
- Proposed AGP Elevations, SS2287, (07) 01
- Proposed Drainage Layout, NF037/WN 001
- Tree Protection Plan, JMK9871-RP5, 02.03
- Tree Protection Plan, JMK9871-RP5, 02.02
- Tree Protection Plan, JMK9871-RP5, 02.01
- Tree Constraints Plan, JMK9871-RP5, 01.02

- Tree Constraints Plan, JMK9871-RP5, 01.02
- Soft Landscaping, LS000064, 029
- Proposed Grass Mounds, SSL2287, 14.01
- Proposed AGP Layout, SSL2287, 03.01
- Proposed Floodlights, SSL2287, 06.02
- Proposed AGP Elevations, SSL2287, 07.01
- Proposed External Lighting, SSL2287, 10.01
- Proposed Security Boundary Fencing, SSL2287, 11.00
- Proposed Site Plan (detail), 928.001.03, (10) 04
- Site Location Plan, 928.001.03, (10) 01
- Existing Site Plan, 928.001.03, (10) 02
- Proposed Ground & Roof Plan, 928.001.03, (10) 05
- Proposed Elevations, 928.001.03, (10) 06
- Typical Sections, 928.001.03, (10) 07
- Bin Store, 928.001.03, (10) 08

Reason:

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

### **3. Archaeological excavation and recording;**

No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

Reason:

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the NPPF and UDP policies B11, B13 and B14.

### **4. Archaeological post excavation report;**

The pavilion building hereby approved shall not be brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition no. 3 has been submitted to and approved in writing by the Local Planning Authority.

Reason:

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on site can be preserved wherever possible and recorded, in accordance with paragraph 141 of the NPPF and UDP policies B11, B13 and B14.

## **5. Archaeological publication report;**

The pavilion building hereby approved shall not be brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal.

Reason:

The site is located within an area identified as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken, in accordance with paragraph 141 of the NPPF and UDP policies B11, B13 and B14.

## **6. Phase II site investigation**

No development shall take place on an individual phase until a Phase 2 Site Investigation and Risk Assessment, which assesses the nature and extent of any contamination on that specific area as outlined above (whether or not it originates on the site) has been submitted to and approved in writing by 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 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 building, pets and service line 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, CLR11.'

Reason:

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters (the site is overlying the Magnesian Limestone Principal Aquifer), 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 EN14 of the Unitary Development Plan.

## **7. Remediation Strategy**

Should any remediation be identified as being necessary as a result of the Phase 2 Investigation and Risk Assessment required by Condition no. 6, no development shall take place until 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 has been submitted to and approved in writing by the Local Planning Authority. The

Remediation Scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Remediation 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.

Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme. The Approved Remediation Scheme shall be implemented in accordance with its terms.

The Local Planning Authority must be given two weeks written notification of commencement of the Approved Remediation Scheme works.

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 EN14 of the Unitary Development Plan.

## **8. Verification Report**

The remediation scheme approved under condition number 7 (Submission of Remediation Scheme) must 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 for that phase 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, 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 EN14 of the Unitary Development Plan.

## **9. Unidentified contamination**

If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority shall be notified and appropriate actions submitted to and agreed in writing by the Local Planning Authority prior to development recommencing on that part of the site. The appropriate actions shall include an amendment to the approved remediation strategy detailing how the unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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 and in accordance with policy EN14 of the Unitary Development Plan.

**10. Submission of final details of surface and foul water drainage arrangements;**

No development shall commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Such details shall accord with the principles set out in the Flood Risk Assessment and Drainage Strategy (Version 2, February 2018), produced by Sunderland City Council.

Reason:

To prevent the increased risk of flooding from any sources in accordance with the NPPF. And policy EN12 of the UDP.

**11. Submission and agreement of all external materials;**

No construction works on the external elevations of any building hereby approved shall commence until samples or a schedule of the materials to be used in the construction of the external surfaces of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interest of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan and paragraph 58 of the National Planning Policy Framework.

**12. Submission of final hard & soft landscaping proposals;**

No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved landscaping scheme shall then be carried out in accordance with the timings set out by Condition no. 13 of this decision notice.

Reason:

To protect and enhance the character of the site and the area, and ensure its appearance is satisfactory and to comply with policy B2 of the UDP.

**13. Landscaping to be undertaken within 5 years;**

The landscaping proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously

diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason:

To protect and enhance the character of the site and the area, and ensure its appearance is satisfactory and to comply with policy B2 of the UDP.

**14. Submission of biodiversity enhancement measures;**

No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of biodiversity enhancement, one that is based on the measures detailed in Section 5.4 of the Extended Phase 1 Survey (February 2018) Version 3 by Durham Wildlife Services and which shall include a proposed programme of implementation.

Reason:

In the interests of nature conservation and to comply with UDP policy CN18.

**15. Adherence to Section 5.0 of Extended Phase 1 report;**

The development hereby approved shall be carried out in accordance with Section 5.0 Conclusions and Recommendations from the Extended Phase 1 Survey (February 2018) Version 3 by Durham Wildlife Services.

Reason:

In the interests of nature conservation and to comply with UDP policy CN18.

**16. Adherence to Sections 6 – 10 of the Arboricultural Impact Assessment;**

The development hereby approved shall be carried out in accordance with Sections 6 – 10 and associated Appendices of the Washington Northern Area, Sunderland Arboricultural Impact Assessment (JKK9871), dated 16 January 2018.

Reason:

In order to safeguard the existing and retained trees on the site and to comply with UDP policy CN17.

**17. Condition stipulating hours of operation (09:00 – 22:45, Monday – Sunday);**

The use of the pavilion building hereby approved shall not be carried out outside the hours of 09:00 – 22:45 Monday to Sunday, inclusive of Bank Holidays.

Reason:

To safeguard the amenity of nearby occupiers and to accord with UDP policy B2 and EN5.

### **18. Submission of noise validating report;**

Within 3 months of the AGPs hereby approved commencing, a validating noise monitoring and assessment exercise shall be undertaken and submitted to the City Council, as Local Planning Authority, for its written approval. The assessment shall validate the predicted levels of noise in respect of the use of the AGPs and car park activity. In the event the noise levels predicted by the Noise Assessments (prepared by Acoustic Consultants Ltd) submitted with the application are exceeded, the assessment shall include details of suggested additional means of attenuation/ mitigation for the consideration and written approval of the City Council. The approved attenuation/ mitigation measures must be in place within one month of obtaining written approval and shall be maintained thereafter for the lifetime of the approved use.

Reason:

In the interests of minimising noise from operations at the site and to comply with the requirements of policy EN5 and B2 of the adopted UDP and the NPPF.

### **19. Submission of noise management plan – external activities;**

Prior to the use of the AGPs hereby approved becoming operational a Noise Management Plan shall be submitted to the Local Planning Authority for their written approval. The Noise Management Plan, to prevent disturbance to local residents resulting from the hereby approved development, shall include undertakings and procedures for:

- An on-site supervisor responsible for the behaviour of patrons of the sports facility and for liaison with local residents;
- The control and use of outside areas;
- The recording of complaints and response to those complaints;
- The annual review of the approved Noise Management Plan and, if necessary, the submission and approval of a revised Noise Management Plan.

The approved Noise Management Plan shall be followed and/ or implemented at all times for the lifetime of the development.

Reason:

In the interests of minimising noise from operations at the site and to comply with the requirements of policy EN5 and B2 of the adopted UDP and the NPPF.

### **20. Submission of noise assessment and management plan – internal pavilion activity e.g. live and/ or recorded music;**

Amplified music shall not be played internally unless a Noise Management Plan has first been prepared and submitted to the Local Planning Authority for agreement in writing. For the avoidance of doubt the management plan will be expected to contain details of the procedures and mitigation measures to be put into place as required to minimise potential conflict on the nearest residential receptors. At all times thereafter

the Noise Management Plan shall be implemented in accordance with the approved details.

Reason:

In the interests of limiting noise pollution and to comply with policy EN5 of the Unitary Development Plan.

### **21. Noise mitigation barrier**

Prior to the use of the AGPs, hereby approved, becoming operational details of a maximum 2m high noise attenuation barrier to be erected within the site adjacent to the Riding School Bungalow shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the noise attenuation barrier shall be completed in accordance with the agreed details and prior to the use of the AGPs becoming operational.

Reason:

In the interests of limiting noise pollution and protecting residential amenity and to comply with policies B2 and EN5 of the Unitary Development Plan.

### **22. Flood lighting control – operational no later than 22:00 hours;**

The floodlighting to the AGPs hereby approved shall not remain operational outside the hours of 09:00 – 22:00.

Reason:

In the interests of minimising intrusion from artificial lighting at the site and to comply with the requirements of policies EN1 and B2 of the UDP.

### **23. Submission of ventilation & extraction system and odour risk assessment.**

No construction works on the external elevations of the pavilion building hereby approved shall commence until details of all necessary plant and machinery to serve the development, including a suitable ventilation/ extraction/ filtration system illustrating all external ducting and stacks as well as an appropriate noise and odour mitigation assessment, have been submitted to and approved, in writing, by the Local Planning Authority and/ or planning permission has been granted for such. All plant/ machinery shall be fully installed in accordance with the agreed details before any use commences, in order to protect the amenity of the area.

Reason:

In order to protect the amenity of the area and to comply with policy EN5 and B2 of the adopted UDP and the NPPF.

### **24. Construction Environmental Management Plan**

No development, including demolition, shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption

and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Pollution Prevention & Regulatory Services;
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Control measures for dust and other air-borne pollutants;
- Erection and maintenance of security hoarding;
- Operation, loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development.

The development shall then be carried out in full accordance with approved Construction Environmental Management Plan.

Reason:

In order to ensure a satisfactory form of development and to comply with policies EN1, B2 and T14 of saved Unitary Development Plan.