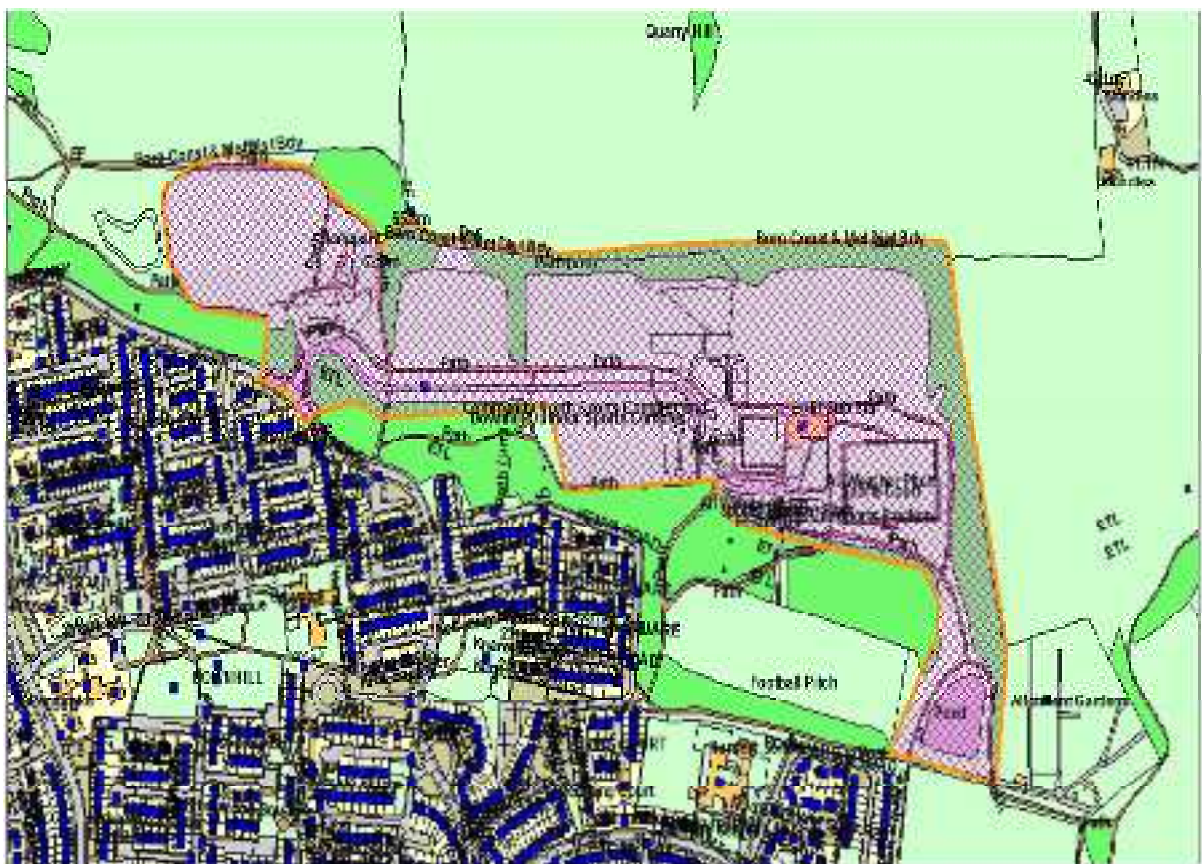


Planning Application Reference: 17/02294/LP3

Community North Sports Complex, Kingsway Road, Sunderland, SR5 4BY.

Application description:

Engineering works to re-grade site and install drainage to facilitate the provision of 3no artificial grass pitches with associated fencing and floodlighting and improvements to existing natural grass pitches; extension and refurbishment of existing changing pavilion and gymnasium to include changing facilities, club room and bar, kitchenette, education space, gymnasium and studio space; improvements to play facilities; provision of associated car and cycle parking; signage, landscaping and boundary fence. Stopping up of existing bridleways and footpaths and provision of alternative bridleway and barrier treatment.



Application site

The proposed development affects the Community North Sports Complex, which affords a wide range of formal and informal outdoor sports and recreation facilities across an extensive area of land at the northern edge of the Downhill and Red House housing estates. The complex was originally granted planning permission in the late 1990s (application ref. 97/00034/80), with the approved development involving floodlighting, perimeter fencing, car parking, changing facilities and a gymnasium.

The complex covers an area of approximately 18.3 hectares and is, broadly speaking, bordered by the perimeter roads of Downhill and Red House to the south, an area of grassed/wooded open space to the west, the grounds of Boldon Golf Course and agricultural land to the north and allotments and agricultural land to the east.

The northern boundary of the site also represents the border between the City of Sunderland and South Tyneside metropolitan borough. The site is wholly located within the Tyne and Wear Green Belt which, in this area, encompasses the predominantly agricultural land separating the northern housing estates of Sunderland and the villages of East and West Boldon in South Tyneside.

The complex occupies sloping land at an elevated position and affords extensive views southward. The site falls from north to south and level areas have been provided through the creation of a number of plateaux. Given its location and the topography of the site and its surroundings, the complex is relatively prominent within the landscape, including in views from the north, although its visual impact is softened by the significant amounts of mature tree coverage and soft landscaping within and around the edge of the complex.

The existing complex comprises a range of grass, artificial and all-weather pitches, all primarily used for football, together with playgrounds, areas of grassed open space, woodland, landscaping and a pond. There is one building at the site, which largely provides changing facilities for players and officials, whilst the complex also benefits from areas of car parking.

Vehicular access into the site is from Kingsway Road to the south, via a curving two-lane entry way which narrows into a long, straight single-lane avenue. There are a number of pedestrian accesses into the site from all directions, including via a public footpath which runs across the agricultural land from Boldon to the north. A network of footpaths and bridleways within the site provide good public access to all areas of the complex and it is clearly used for informal recreation, such as walking, jogging and exercising dogs.

The facilities at the Community North Sports Complex were, unfortunately, mothballed in 2015 – the existing artificial pitch is now in a derelict state, the changing building is in a poor state of repair and the wider site is displaying signs of neglect and deterioration.

Proposed development

The current application seeks planning permission for a range of development designed to reinvigorate and improve the football facilities available at the site as part of the 'Parklife' programme. This is a collaborative enterprise involving the Football Association, Sport England and Local Authorities and is designed to create a sustainable model, which is not dependent on public funding, for improved football facilities, delivery and participation based around artificial grass pitches (AGPs) on 'hub' sites.

Sunderland Council's 2014 Playing Pitch Strategy modelled the role that an increase in the number of football compliant AGPs could play in helping to improve the quantity and quality of football pitch provision in the City and the Council's application to be a 'Parklife' authority and subsequent work with partners has articulated the number of hub sites needed, their location and the number of AGPs to be provided at each site. As well as the hub at the Community North Sports Complex, hubs are also proposed at the Washington Northern Area Playing Fields and the Ford Quarry Recreation Area (planning application refs. 17/02425/LP3 and 17/02426/LP3 respectively).

The development proposed at the Community North Sports Complex comprises the following main elements:

- **Engineering and re-grading works to facilitate the provision of 3 no. artificial grass pitches, together with associated development:**
 - One pitch is proposed to be located to the east of the existing changing building, on the site of the derelict artificial pitch, with the other two pitches to the north of the changing building, on the site of a series of grass pitches. The new pitches are to feature 3G artificial grass and will be able to accommodate full-sized 11v11 matches as well as youth football, mini soccer and training areas.
 - The perimeter of each new pitch will be enclosed by 4.5m high ball-stop fencing and, within this enclosure, a barrier measuring 1.2 - 2.0 metres high to segregate the playing area from spectator areas.
 - The pitches will be flanked by areas of porous asphalt hard standing to provide pedestrian access, storage space, spectator viewing space and vehicular maintenance and emergency access.
 - The provision of a new maintenance/sports equipment store, which takes the form of a steel container finished in dark green with a maximum height of 2.59 metres.
 - Installation of new floodlighting to the perimeter of the new pitches. 8 no. floodlights are proposed around the pair of AGPs and 6 no. floodlights around the single AGP. The floodlights comprise slim line masts mounted with luminaires at a height of 15 metres above ground level.
 - Soils excavated during construction work will be recycled on-site (adjacent the new pitches and in an area to the western end of the site, close to the entrance from Kingsway Road) to form sculpted grass mounds.
- **Extension and refurbishment of existing changing pavilion building:**
 - The main extension will extend southward from the eastern end of the existing building into an area of scrub grassland. The extension has a length of approximately 46 metres, a width of 16.5 metres and is to predominantly feature a shallow, dual-pitched roof with a maximum height of 6.65 metres. The extension will be finished in cream-coloured composite panels and dark grey rainscreen cladding.
 - The north-western section of the existing building is also to be extended westward by 5 metres and northward by 2.5 metres and the existing sloping roof to this area replaced by a dual-pitched roof, with a height to match that of

the larger extension. As with the main extension, this will be finished in a combination of light-coloured composite panels and dark rainscreen cladding.

- Other minor changes to the elevations of the existing building are also proposed, such as introducing areas of panelling to introduce relief to the existing red brickwork.
 - The main extension to the building will primarily provide a new health and fitness gym suite which, together with a 'studio' (to be used for specific classes etc.) in the adjacent room, has a floor area of 458 sq. metres. The other extensions and modifications will permit an internal reconfiguration to enable the building to be operator-run, with dedicated reception staff and facilities suitable for FA-accredited training and coaching programmes.
 - The reconfigured layout will also permit the provision of new reception and offices, a new kitchen and bar, education space and a new social space/club room with a café, to support the aim of the building becoming an important community facility. The pavilion building will still maintain the existing changing facilities, which are to be refurbished and improved.
- **Improvements to play facilities, to be focused on the site of an existing play area adjacent to the pavilion building**
 - **Provision of additional car parking**
 - The site currently accommodates a total of 92 no. dedicated parking spaces, which are predominantly located to the west of the changing pavilion building.
 - The submitted proposed plans show a total of 362 no. parking spaces at the site— some are to be provided on the site of the existing parking area, with other smaller areas to the south of the pavilion building. The bulk of the proposed parking (189 no. spaces) is to be provided on an area of land currently occupied by a derelict play area, overflow parking area and scrub grassland.
 - The proposed parking will include the provision of 15 no. disabled parking bays, 30 no. bicycle parking spaces and 4 no. coach parking spaces
 - Car parks and pathways leading to the pitches will be illuminated by lighting on 6m or 8m high slim line posts.
 - Overflow parking is available adjacent to the skate park, located close to the access off Kingsway Road.
 - **New areas of soft landscaping to complement the new development, to include the grassed bunding around the new artificial pitches**
 - **New mesh fencing, to involve erection of 2 metre high security 'boundary' fence and 2 metre high security fencing around the grass pitches. The 'boundary' fencing will form a continuous enclosure around the new AGPs, pavilion building and car parks so that public access to these areas can be properly managed. All fencing will include pedestrian and vehicular access gates at appropriate locations.**
 - **Improvements to grass pitches, to include re-turfing, improved drainage and erection of surrounding fencing**

- **A new bin store, to be located in the car park to the west of the pavilion building**
 - The bin store will be constructed from timber boarding with a corrugated sheet metal roof and will have dimensions of 5.275 metres width, 1.55 metres depth and 2.580 metres height.
- **Stopping-up of existing bridleways and footpaths and provision of alternative bridleways and barrier treatments**
 - The stopping-up primarily affects sections of footpath and bridleway to the eastern area of the site, which run around and between the existing pitches, pavilion building and car park.
 - A new bridleway is to be created, which will enter the site at its south east corner before running to the east of the new pitches and then turning to run alongside the northern boundary of the site. The bridleway stays outside the new security fencing, thus maintaining a public route around the eastern part of the complex.

The vehicular and pedestrian access arrangements into the site are to remain as existing, with the avenue leading from Kingsway Road still used as the primary vehicular access route. The avenue will benefit from two additional passing places installed mid-way along its length.

The hubs are to be used for both formal league fixtures on weekends and recreational/informal football opportunities during the week, with a particular emphasis on mini-soccer, County FA and local pro-club youth development, FA coaching education programmes, the provision of high quality natural turf and artificial pitches, midweek training opportunities for local clubs and optimising school and community usage during off-peak hours.

Three 'Partner' clubs will have priority use of the hub and when not required for their operations, the facilities will be available for the wider community. In this regard, the education rooms within the pavilion will be available to hire for events/activities such as children's parties, conferences and corporate events. The club room and bar will also be used for occasional club nights.

The opening hours for the hub are proposed to be from 09:00 until 22:45 each day, with pitch playing time until 22:00.

In terms of funding and delivery, the project capital costs will be met through funding from the City Council, the FA, the Football Foundation and Sport England. The new facilities would then be managed and run by a local Football Trust, which would include representatives from the Council, the County FA, partner clubs and other agencies with a direct concern for the well-being of publically accessible sports facilities in Sunderland. The Trust will be responsible for running facilities, ensuring their financial stability and independence, and it will be its responsibility to drive football development and deliver the Football Development Plan and Business Plan drawn up to support the funding applications for the project.

As well as existing and proposed plans for the development, the application has been accompanied by a wide range of supporting technical information, including:

- Planning Statement;
- Extended Phase 1 Habitat Survey;
- Great Crested Newt Survey;
- Flood Risk Assessment and Sustainable Drainage Strategy;
- Transport Statement;
- Visual Impact Assessment;
- Arboricultural Impact Assessment, with Tree Protection and Tree Constraints Plans;
- Noise Assessment;
- Extraction system details;
- Preliminary Site Investigation Report and Ground Investigation Report;
- Lighting Assessment;
- Floodlighting specifications;
- Supporting Information to AGP proposals;
- Artificial turf specifications;
- Topographical surveys;

The Planning Statement includes details of the public consultation event carried out in respect of the proposals, which involved an exhibition held at the Bunny Hill Centre on 29th January 2018. The event was publicised by a leaflet drop to residents in the area and comprised a number of display boards manned by Council officers involved in developing the proposals.

Members should note that on receipt of the application, Council officers undertook a 'screening' exercise in order to determine whether the proposed development falls within the remit of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and is likely to have such a significant impact on the environment so as to warrant the preparation of an Environmental Impact Assessment (EIA). Following the completion of the screening exercise and having taken into account the relevant selection criteria in Schedule 3 of the Regulations, it was concluded that the development is not 'EIA development' within the meaning of the Regulations and so the preparation of an EIA is not required.

Members are also advised that the application site is wholly within the ownership of the City Council and the application has been submitted by the Council's Executive Director of People Services.

REPRESENTATIONS

Public consultation – a public consultation exercise comprising the issuing of 232 no. letters to neighbouring properties (including properties in South Tyneside), the posting of site notices and the display of a notice in the Sunderland Echo has been undertaken. No representations have been received in response this consultation exercise.

Natural England – no comments to make on the application, on the basis that the development is not likely to result in any significant impacts on statutory designated nature conservation sites or landscapes. It is advised that the Council's own ecologists should be consulted in respect of potential impacts on protected species.

Highways England – offers no objections to the application.

Sport England – raises no objections to the application.

The consultation response sets out that it is Sport England's policy to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions in its policy, 'A Sporting Future for the Playing Fields of England', is applicable.

In this case, it is observed that the application proposes the construction of 3 no. AGPs, which are to be built on land currently providing grass pitches and a sand-dressed AGP. Exception E5 of Sport England's policy is therefore relevant – this sets out that development may be acceptable where it is for an indoor or outdoor sports facility and its provision would be of sufficient benefit to the development of sport so as to outweigh the detriment caused by the loss of the playing field or playing fields.

Sport England consider that the Parklife programme has clearly set out the benefits the proposed development will bring in terms of quantity and quality of football facilities and football participation and it is recognised that the new AGPs will be built to FA standards and will be able to accommodate a significant amount of play without a decline in their quality. Sport England also confirm that England Hockey do not object to the loss of the existing sand-based AGP, on the basis that other facilities are available within the City area (at the Sandhill and Raich Carter Sports Centres), whilst the Football Foundation is fully supportive of the proposals.

To conclude, Sport England has confirmed there is no objection to the proposed development as it is considered to meet exception E5 of its policy. Furthermore, given the way the project is to be funded and delivered, Sport England do not require any conditions specifying further details on the design or use of the facilities.

South Tyneside Council (consulted as an adjoining Local Authority) – consider that the proposals will have no unacceptable impacts on South Tyneside borough, although given the site's location within the inter-authority Green Belt corridor, it is recommended that due regard is given to the relevant national planning policies governing development in the Green Belt.

Tyne and Wear Fire and Rescue Service – no objections to the proposals.

Nexus (Tyne and Wear Passenger Transport Executive) – no objections to the proposals.

Tyne and Wear County Archaeologist – no comments to make.

Council's Natural Heritage team – initially confirmed that the proposals were acceptable in principle but further information was required before the application could be approved. The following comments/observations were provided:

- Some areas of the application site have not been properly surveyed, most notably the pond to the south-east of the site;
- The proposals will result in the loss of greenspace and habitats to hardstanding and other artificial and built structures, whilst there will also be an increase in external lighting and noise. Measures to mitigate and compensate these effects should be clear and sustainable and in this regard, it is observed that opportunities exist to improve woodland and grassland habitats, create scrub and wetlands and provide bat and bird roosting units;
- A landscaping schedule should reflect recommended habitat creation and management on and off-site to compensate and integrate the ecological and amenity features of the site and surrounding area;
- The recommendations provided by the Extended Phase 1 Survey should be implemented if the application is approved;
- With regard to Habitats Regulations Assessment (designed to assess the effect of development on the European-protected sites along the Durham and Northumberland coast), the nature and location of the proposed development are such that as the competent authority, the Council could not record a likely significant effect from construction or operational phases of development on the key features of the coastal sites and as such, there is no requirement for a Screening Opinion or Appropriate Assessment.

Additional information was subsequently submitted, in the form of a revised Extended Phase I Habitat Survey and Report, which now addresses the entire 'red line' boundary of the application site. The Council's Natural Heritage team has confirmed that the revised report provides an acceptable consideration of the ecological and biodiversity issues pertaining to the site and that the proposals are acceptable in relation to these matters.

It is recommended, however, that in the event the application is approved, conditions are imposed requiring the submission and approval of an ecology and biodiversity improvement scheme, informed recommendations made by section 5.0 of the Survey and Report. Such a scheme should include details of on and off site improvements to existing woodland, hedgerows, trees and wetland, grassland and scrub creation, bat and bird roost and nest units in buildings, and a long-term maintenance schedule to sustain habitats and features in favourable condition.

Council's Environmental Health team – has considered the proposals in respect of land contamination, noise and light pollution, odour (from food preparation) and construction management practices. In summary, the proposals are considered to be acceptable, subject to the imposition of a series of conditions.

With regard to land contamination, it is considered that the surveys and reports submitted with the application adequately demonstrate that contamination will not be a significant constraint on the proposed development. It is advised, however, that conditions requiring the submission and approval of a Phase II intrusive site

investigation, remediation strategy/verification plan and verification report (if necessary) are imposed.

With regard to noise pollution, it is recognised that the submitted Assessment concludes that noise from outdoor sports and vehicular movements will not have a significant adverse effect on the nearest noise-sensitive receptors (i.e. the nearest dwellings). The conclusions of the Assessment are, however, based to a degree on assumptions and noise modelling and consequently, it is recommended that conditions to the following effect are imposed in the event the application is approved:

- 1) Condition requiring submission and approval of a validating noise monitoring assessment exercise, to demonstrate that predicted noise levels are accurate. The exercise should also, if necessary, proposed mitigation measures to reduce noise levels.
- 2) The submission and approval of a noise management plan, which should set out means to ensure local residents will not be unacceptably disturbed by noise from the development.
- 3) The rated noise level of external plant limited to a maximum level of 39dB $L_{Ar(1hr)}$ at the façade of the nearest noise sensitive receptor, as determined in accordance with BS 4142:2014.
- 4) Amplified music not to be played unless a noise assessment and noise management plan is submitted to and approved by the Council as Local Planning Authority.

With regard to lighting, it is considered that the proposed specifications are acceptable and will not result in unacceptable light pollution, subject to a condition requiring the floodlighting to be switched off at 22:00.

With regard to odour, it is recommended that an odour risk assessment is submitted for the approval of the Council as Local Planning Authority. The assessment should serve to demonstrate that any odour abatement measures will be appropriate for this location, the type of food to be cooked and the proximity of sensitive receptors.

Council's Flood and Coastal Team, in role as Lead Local Flood Authority (LLFA) – confirm that the proposals are acceptable in relation to flood risk and drainage, subject to the imposition of a condition requiring the submission of final drainage details prior to commencement on site.

Council's Highways team – no objections to the proposed development. It is noted that the existing access arrangements are to remain, which is considered to be acceptable given that the Transport Assessment submitted with the application demonstrates that Kingsway Road is able to accommodate anticipated traffic flows during times of peak demand.

The proposed car and coach parking at the site meets the FA's requirements and also provides additional capacity to address local requirements; the amount of

parking provided is therefore considered to be adequate to cater for the development.

Further advice is also provided in respect of Stopping Up procedures under sections 247 and 257 of the Town and Country Planning Act 1990 (as amended).

The Council's Public Rights of Way (PROW) officer has also advised that the proposed stopping up of bridleways and footpaths within the site has been subject to a pre-order consultation with members of the public, to which respondents offered support for the proposals. The PROW officer has stated that the proposed alternative footpath and bridleway arrangements are considered to offer a good balance of replacement routes and so there is no objection to the scheme in respect of its effect on public access within and around the site.

RELEVANT PLANNING POLICY

The National Planning Policy Framework (NPPF) provides the current Government planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. At the heart of the NPPF is a 'presumption in favour of sustainable development' which, as per the advice of paragraph 14, should be seen as a 'golden thread' running through both plan-making and decision-taking. For decision-taking, this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

In order to deliver the sustainable development it seeks, paragraph 17 of the NPPF sets out a series of 12 'core planning principles' which should underpin plan-making and decision-taking. Particularly relevant in this case are the principles that development should:

- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- Support the transition to a low carbon future, taking full account of flood risk and coastal change, and encourage the re-use of existing resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;

- Encourage the effective use of land by re-using land that has been previously developed;
- Promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, focusing significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs;

Regard should also be given to section 8 of the NPPF, which is concerned with promoting healthy communities, and in particular paragraphs 73 and 74, which stress that access to high quality open spaces and opportunities for sport and recreation can contribute importantly to health and well-being and that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless certain circumstances apply.

Section 9 of the NPPF, meanwhile, is concerned with the protection of Green Belt land and it stresses (at paragraph 79) that the Government attaches great importance to Green Belts – the aim of policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt being their openness and permanence. The policies contained within section 9 essentially serve to severely restrict the forms of development which are appropriate in the Green Belt.

These core principles of the NPPF feed into policies B2, CN2, CN3, CN4, CN5, CN17, CN22, L7, EN5, EN12, EN14, T10, T14, T22, NA21, NA29, NA31 and NA35 of the Council's adopted Unitary Development Plan (1998), which are considered to be relevant to the consideration of this application.

Members should note, however, that paragraph 215 of the NPPF makes clear that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Where there is inconsistency between a UDP policy and the NPPF, this will be highlighted by this report and guidance provided as to the appropriate weight to give to the UDP policy in question.

As Members may be aware, on 19th July 2017 the Council's Cabinet approved a Draft Core Strategy and Development Plan (CDSP) for consideration and a public consultation on the first draft ended on 2nd October 2017. Pertinently, draft policy HWS3 of the Draft CDSP sets out that the Council will support the development of cultural, leisure and tourism development within the City to enhance and diversify its offer and a list of proposals to be given particular support by the Council is provided – included in this list is the development of new sports hubs at Washington, Sunderland North and Sunderland South as part of the FA's Parklife programme.

In giving consideration to the draft policies contained within the Draft CDSP, regard must be had to paragraph 216 of the NPPF, which states that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- The extent to which there are unresolved objection to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given"

With regard to the above advice, clearly the Draft Plan has been prepared after the publication of the NPPF, but the first consultation on the CDSP has only expired recently. The weight that can be given to the draft CDSP is therefore extremely limited to the extent that consideration of the application in question, in terms of the development plan, will be only made using the aforementioned relevant policies within the Council's adopted Unitary Development Plan and with regard to any other material considerations.

Also relevant in respect of this application is Sporting Future: A New Strategy for an Active Nation (2015), a cross-government strategy which seeks to tackle the flat-lining levels of sport participation and high levels of inactivity in the country. Through the Strategy and future funding mechanisms, the Government aims to create a more physically active nation and it places a particular focus on grassroots investment.

In addition, regard should be given to Sport England's 'Towards an Active Nation Strategy 2016-2021', which has been prepared in response to the Government's Sporting Future Strategy and focuses on the benefits that sport participation can bring to people and society, built around a set of five outcomes: physical wellbeing, mental wellbeing, individual development, social and community development and economic development. Public funding will be targeted to deliver these outcomes, hence the Parklife programme.

Finally, the FA's 'National Game Strategy for Participation and Development 2015-19' identifies the key challenges facing grassroots football and seeks to target these challenges with £260 million of investment and the creation of 'hubs' across 30 cities in England. The key areas targeted by the strategy are: boosting participation, developing better players, better training and facilities and football workforce.

ISSUES TO CONSIDER

With reference to the above national and local planning policy background, it is considered that the main issues to examine in the determination of this application are as follows:

1. the principle of the proposed development, with particular regard to the policies governing development in the Green Belt and development for sports and recreation;

2. the implications of the development in respect of visual amenity;
3. the implications of the development in respect of residential amenity;
4. the impact of the proposed development on highway and pedestrian safety;
5. the implications of the proposed development in respect of flood risk and drainage;
6. the implications of the proposed development in respect of ecology and trees;
7. the implications of the proposed development in respect of land contamination.

1. Principle of development

Relevant Green Belt policy

As noted previously, the application site lies entirely within the Tyne and Wear Green Belt and so the local and national planning policies which govern development within the Green Belt are applicable. Firstly, it is considered appropriate to reiterate that, as is set out at paragraph 79 of the NPPF, the Government attaches great importance to Green Belts and their fundamental objective of preventing urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and their permanence.

Paragraph 80 of the NPPF goes on to highlight the reasons for land being designated as Green Belt and in this regard, it states that the Green Belt serves five purposes, these being:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other land;

Locally, policy CN2 of the Council's UDP states that a Green Belt will be maintained which will:

- (i) Check the unrestricted sprawl of the built-up area of Sunderland;
- (ii) Assist in safeguarding the City's countryside from further encroachment;
- (iii) Assist in the regeneration of the urban area of the City;
- (iv) Preserve the setting and special character of Springwell village;
- (v) Prevent the merging of Sunderland with Tyneside, Washington, Houghton-le-Spring and Seaham and the merging of Shiney Row with Washington, Chester-le-Street and Bournmoor.

Policy NA29, meanwhile, sets out that a Green Belt will be maintained along the northern edge of the built up area, from the western edge of Monkwearmouth School to Town End Farm.

Paragraph 81 of the NPPF is also of relevance in considering the merits of this application – it states that once Green Belts have been defined, Local Planning Authorities should plan to positively enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for

outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

In terms of determining planning applications for development proposals within the Green Belt, paragraph 87 of the NPPF states that 'as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.

Paragraph 88 then advises that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In a similar vein, policy CN5 of the UDP states that care will be taken to ensure that the visual amenities of the Green Belt will not be injured by proposals for development within, or conspicuous from, the Green Belt.

To qualify the guidance of paragraphs 87 and 88, paragraph 89 of the NPPF states that 'a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited in-filling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited in-filling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'

The list of exceptions provided by paragraph 89 of the NPPF is broadly replicated by policy CN3 of the Council's UDP. There are, however, some subtle differences between the two and in such circumstances, as per the requirements of paragraph 215, the more up-to-date policy guidance of the NPPF should take precedence. In particular, Members should note that whereas paragraph CN3 sets out that proposed facilities for outdoor sport and recreation must be 'essential' so as not to be inappropriate in the Green Belt, paragraph 89 states that such facilities must only be 'appropriate'.

Paragraph 90 of the NPPF states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green

Belt and do not conflict with the purposes of including land within the Green Belt. These are:

- Mineral extraction;
- Engineering operations;
- Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- The re-use of buildings provided that the buildings are of permanent and substantial construction; and
- Development brought forward under a Community Right to Build Order.

Similarly, policy CN4 of the UDP states that the carrying out of engineering or other operations or the making of material changes of use are inappropriate within the Green Belt unless they maintain openness and do not conflict with the purposes of including land within the Green Belt.

Consideration of proposals with regard to Green Belt policy

As set out above, paragraph 81 of the NPPF encourages Local Planning Authorities to plan for enhanced outdoor sport and recreation opportunities in the Green Belt. Given that the proposals are ultimately designed to improve the outdoor football facilities available at an established complex and will improve the public recreational offer of the site, it is considered that, in the broadest possible terms, the development is consistent with the NPPF's land use objectives in relation to the Green Belt.

New buildings as 'appropriate' facilities

The proposed new buildings at the complex must, however, be assessed against paragraph 89 of the NPPF, which stresses that the construction of new buildings (and at this point, Members should note that the definition of 'buildings' provided by section 336 of the Town and Country Planning Act 1990 (as amended) refers to 'any structure or erection', such as floodlights, fencing etc.) for outdoor sport and recreation are only not inappropriate in the Green Belt where the buildings are 'appropriate' in terms of their relationship with the associated outdoor sport and recreation facilities; the openness of the Green Belt is preserved; and there is no conflict with the purposes of including land within the Green Belt.

In this regard, the proposed development involves a range of new buildings and structures, namely the erection of security and ball-stop fencing around the grass pitches, AGPs and within the site and the erection of floodlighting columns, together with the extensions to the existing pavilion building. There will also be a new children's play area, bin store, equipment store and lighting columns to the car parking areas and paths.

In order to establish whether the new buildings are 'appropriate', it is pertinent to consider the role the buildings will play in supporting the wider complex and in this regard, reference is made to Sport England's 'Planning for Sport: Development Management' (guide 3 of 4) which advises that 'the provision of appropriate facilities should include those which help to secure the long-term sustainability of a sports

facility, or enhance their quality and/or accessibility thereby maintaining and increasing participation’.

The remodelling and proposed extensions to the existing pavilion building are primarily designed to support the outdoor sports facilities at the complex, in that they will afford improved and expanded changing facilities to cater for players and officials, together with reception facilities, a bar and kitchen, office space and a social/community space. All are considered to represent the type of facilities to be reasonably expected at a sports complex of this nature. Similarly, the proposed floodlighting is required to maximise the use of the AGPs insofar as it allows for play into hours of darkness, whilst the proposed fencing is needed for purposes relating to health and safety and security. The play area structures, bin store, equipment store and lighting to the car parking areas, meanwhile, are minor ancillary features to the wider complex which support its day-to-day running and role as a place of informal outdoor recreation and so are also considered appropriate.

The proposed extension to the pavilion building will also accommodate a health and fitness gym suite, which, according to the Planning Statement submitted with the application, is intended to complement the outdoor sports facilities at the complex and would replace the gym which was present in the pavilion building until two years ago. The Statement continues by advising that the proposed gym suite is an integral part of the development and the facilities to be available at the site and will generate a revenue stream which will support the sustainable operation of both the hub at Downhill and those proposed at the Northern Area Playing Fields and Ford Quarry. Indeed, the Statement advises that these projects are unlikely to be viable without the income generated by the gym.

The Statement also suggests that the gym will afford a combined health and fitness and football offer at the complex, which will bring benefits such as increased participation, more inclusive and better provision and an improved overall experience for users and spectators.

Given the above, it is considered that the proposed health and fitness suite is, with regard to the requirements of paragraph 89 of the NPPF, ‘appropriate’ insofar as it is designed to complement and support, including financially, the outdoor sports facilities at the complex. Furthermore, for the reasons set out above, all the other proposed buildings are considered to be ‘appropriate’ in respect of their role in supporting the overall use of the wider complex.

New buildings and purposes of including land within Green Belt

Whilst it is considered that the buildings proposed by the application represent ‘appropriate’ facilities for outdoor sports and recreation, and so satisfy the requirements of paragraph 89 of the NPPF in this respect, paragraph 89 also sets out that such development must preserve the openness of the Green Belt and must not conflict with the purposes of including land within the Green Belt.

The reasons for designating land as Green Belt are set out by aforementioned paragraph 80 of the NPPF and, on a local level, by policy CN2 of the Council’s UDP. It is also observed that paragraph 20.70 of the Council’s UDP sets out that the

original Community North Sports Complex would provide a 'buffer', protecting agricultural land to its north from trespass as well as effecting environmental improvements.

With regard to the Green Belt's purpose of restricting urban sprawl, preventing the merging of settlements and safeguarding encroachment into the countryside, it is recognised that the proposed development will serve to increase the number of buildings and structures already present at the complex. The proposals do, however, focus development at an established site where a wide range of buildings and structures supporting the outdoor sports facilities already exist – the proposals do not, for instance, encroach beyond the established boundaries of the complex and do not require land which is not currently developed. Furthermore, despite the proposed development, the complex would still be dominated and fundamentally characterised by outdoor sports pitches and expanses of grassed landscaping, tree planting and woodland.

As noted by paragraph 20.70 of the UDP, the complex has a role in providing a buffer between the urban edge of the Downhill and Red House housing estates and the agricultural land to the north and it is ultimately considered that the site would still fulfil this role in the event the current planning application is approved. In this regard, for the reasons set out above, it is considered that the site will continue to assist in checking urban sprawl and nor will it result in any unacceptable encroachment into the countryside or erode the distinction between the northern edge of Sunderland and the settlements of East and West Boldon to the north.

The Green Belt also has a role to play in supporting the regeneration of existing urban areas and whilst the development does not directly assist in regenerating an established built-up area of the City, the proposals will at least support the significant improvement and revitalisation of an established outdoor sports complex on the urban edge of the City.

The Green Belt at this location does not assist in preserving the setting and special character of an historic town (neither East or West Boldon are identified as such by South Tyneside MBC's Local Development Framework); consequently, and given the conclusions set out above in respect of the other reasons for maintaining a Green Belt, it is considered that the proposed development will not conflict with the five purposes the Green Belt serves as identified by paragraph 80 of the NPPF and, locally, policies CN2 and NA29 of the Council's UDP.

New buildings and impact on openness of Green Belt

As highlighted previously, paragraph 89 of the NPPF also requires buildings providing appropriate facilities for outdoor sport and recreation to preserve the openness of the Green Belt whilst paragraph 88 requires Local Planning Authorities to give substantial weight to any harm being caused to the Green Belt. As per paragraph 79, Green Belts are characterised by their openness. Policies CN3 and CN5 of the Council's UDP also seek to protect the openness of the Green Belt around Sunderland.

The play area, bin store, equipment store and lighting posts to the car parks are, as highlighted previously, minor ancillary features located centrally within the complex and it is considered that given their siting, design, height and size, they will not have an appreciable impact on the openness of the Green Belt.

However, the extensions to the pavilion represent significant additions to the existing building. Indeed, as highlighted previously, with regard to paragraph 89 of the NPPF, they are considered to be 'disproportionate' additions to the building – the southern extension alone has a footprint of approximately 760 sq. metres and a height of over 6 metres and so is of substantial mass and bulk. The proposals also involve the provision of 14 no. floodlighting columns, each of which has a height of 15 metres, in comparison to the 8 no. floodlights currently *in situ* around the perimeter of the existing artificial pitch. In addition, the application proposes extensive lengths of 2 metre high ball-stop and security fencing around the AGPs, the grass pitches and within the site.

Given the extent and nature of the new buildings proposed by the application, it is considered that these elements of the overall scheme will have an impact on the openness of this part of the Green Belt. It is considered, however, that this impact will be relatively limited, for the reasons discussed below.

In assessing the prevailing characteristics of the site, it is firstly noted that the site lies on the edge of the existing urban area and already features a range of buildings and other development associated with the existing facilities present at the site. It is also observed that views into the complex are limited due to it being almost completely surrounded by trees and woodland, which serve to screen and filter the views towards the pitches and pavilion buildings. These trees and woodland are to be almost wholly retained in association with the development, thus maintaining the existing dense coverage around the edge of the complex.

Internally, when approaching from along the access avenue, the site topography means the pavilion building and AGPs are only apparent when almost upon their location within the wider complex.

Given their height, the new floodlighting columns will be apparent in views towards the complex from a number of vantage points, as is evidenced by the Visual Impact Assessment submitted with the application, but their slim line profile and galvanised steel finish will serve to significantly limit their visual presence and ensure their impact on the Green Belt's openness is limited. The spillage from the floodlighting (and other lighting to the car park and pavilion building) will also be minimised by the lighting design and output complying with the requirements for Environmental Zone E2 (an area of low brightness, such a village or relatively dark outer suburban location), which in turn ensures the lighting illuminates the pitches rather than the sky.

Furthermore, the pavilion building is situated relatively centrally within the complex and its fairly low profile and form means it is only partially visible above the existing tree planting and woodland in views towards the site, including from within and adjacent to the residential areas to the south and south-east of the complex. The extended building will be of greater prominence when viewed from within the

complex, including when approaching its location from along the entrance avenue and other pedestrian routes into the site, but it will be seen within the context of the range of buildings and facilities present and proposed at the eastern part of the site.

It is also acknowledged that despite the additional floorspace and volume created by the extensions to the pavilion, the extensions have been designed so as not to dominate the existing building; for example, the roofline of the main extension sits largely below the roof of the existing pavilion and at no point are the extensions of any greater height than the existing building.

The security and ball-stop fencing, meanwhile, is largely screened from views taken from outside the complex, and whilst the overall extent of new fencing means it will be readily apparent from within the complex, its lightweight, dark-green mesh design will serve to limit its visual presence and its impact on the openness of the Green Belt.

To summarise, it is considered that whilst there will be some impact on the openness of the Green Belt, its openness will, overall, be largely maintained by the proposed new buildings at the site.

With regard to the above, it is considered that the proposed new buildings will have an impact on the openness of this part of the Green Belt. Although it is considered that this impact is limited, an impact being identified means that the proposals give rise to conflict with the requirements of paragraph 89 of the NPPF and policy CN3 of the UDP that the openness of the Green Belt is preserved.

Consequently, and as per paragraph 89 of the NPPF's advice, the proposed buildings should be regarded as inappropriate in this Green Belt location; as per the terms of paragraph 87 of the NPPF, such development is, by definition, harmful to the Green Belt.

Policy governing alterations and extensions to existing buildings

The preceding sections of this report have focused on the part of paragraph 89 which is relevant to proposed new buildings for outdoor sport and recreation. With specific reference to the pavilion building, regard must also be had to the part of paragraph 89 which relates to alterations and extensions to existing buildings and to this end, it states that any such alterations or extensions are only not inappropriate if they do not result in disproportionate additions over and above the size of the original building.

In this case, the existing pavilion building accommodates 845m² of floorspace, which will expand to 1730m² of floorspace as a result of the proposed extensions. This equates to a 104% increase in the floorspace of the pavilion building and the provision of over 5000m³ of additional volume. Given that the footprint of the existing building will more than double as a result of the proposed extensions and given the amount of additional volume to be created, it is considered that it cannot reasonably be argued that the proposed extensions represent 'proportionate' additions to the existing pavilion.

Consequently, the proposed extensions and alterations to the pavilion building would not comply with the requirements of paragraph 89 in this regard and so must be considered as inappropriate development in the Green Belt on the basis that they will result in disproportionate additions over and above the size of the original pavilion building.

Very special circumstances

For the reasons set out above, it has been found that the proposed new buildings for outdoor sports and recreation are inappropriate in the Green Belt on the basis that they do not maintain its openness. Furthermore, the extensions and alterations to the pavilion building are disproportionate and so also represent inappropriate development in the Green Belt.

Paragraph 87 of the NPPF advises that such inappropriate development should only be approved in very special circumstances, whilst paragraph 88 states that Local Planning Authorities should ensure substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

It is therefore necessary to consider whether the 'very special circumstances' required by paragraphs 87 and 88 of the NPPF exist in this case which are able to outweigh the harm caused to the Green Belt.

In this regard, the Planning Statement submitted with the application has sought to demonstrate that 'very special circumstances' exist which serve to outweigh the harm caused by the inappropriate development in the Green Belt.

The Statement firstly provides an overview of the work undertaken to identify prospective sites for the Parklife hubs in 2015. As part of this exercise, 23 potential sites were initially identified, including land owned by the Council, schools and the private sector, and a scoring system reduced the number of sites to six – Community North Sports Complex, Ryhope Recreation Ground, Ford Quarry, Silksworth Leisure Centre, Northern Area or Southern Area (Washington) and Leyburn Grove (Houghton).

A second phase of assessment was then carried out, which used FA modelling criteria to determine future pitch demand and then assessed each of the six sites against specific constraints, namely:

- Flooding and drainage;
- Accessibility;
- Topography;
- Site investigations;
- Utilities;
- Planning status;
- Location;
- Neighbouring uses;
- Site size;

- Need/demand in the area;
- Ecology.

Having considered the six sites against these constraint criteria, officers from the City Council, the FA, Sport England and the Football Foundation determined that the three chosen hub sites were most suitable, noting that all three have an existing strong football presence and provide a ready-made football market to engage with and deliver the Parklife programme's principles and requirements.

The Statement submitted with the application then goes on to focus on the perceived 'need' for the development; the demand and benefits of the Parklife programme and the wider economic and social benefits arising from the development.

In considering 'need', the Statement highlights that the budget for the City Council's Responsive Local Services (RLS) function has reduced by 48% since 2010. The RLS budget covers the provision and maintenance of grass football pitches and the inevitable result of this budget reduction has been a decline in the pitch maintenance programme, to the extent that in 2016/17, the Council maintained 25 fewer grass pitches than in 2014/15 (49 pitches instead of 74 pitches).

The Statement advises that the Football Foundation, Sport England and the Football Association all recognise that Local Authority budget reductions are affecting the quantity and quality of facilities, which in turn is one of a number of factors contributing to a decline in football participation. Programmes such as 'Parklife' have been established to try and arrest this decline.

The proposed 'hub' developments therefore represent a proactive drive by the City Council to raise standards of football facility provision whilst reducing the reliance on its budget. The hubs are considered to represent an alternative and sustainable model which will assist in arresting the decline in facility quality and support the growth and prosperity of grassroots football.

In terms of 'demand', the Statement sets out that the pitches at the complex are already well-used, but the site has limited provision and offers very poor changing facilities which do not allow for inclusive use. The complex therefore lends itself to an enhancement of pitches and facilities to permit wider, inclusive participation and a better provision and experience for spectators.

The City-wide demand and need for pitches has been assessed by the Council's Sunderland Playing Pitch Plan (PPP) Needs Assessment (December 2017) and this has identified a significant shortfall in youth and mini-pitches across the City. In particular, there exists a shortfall in pitches suitable for fulfilling the fixtures of the Russell Foster Youth League, which is leading to pitches outside of the City being used. In addition, the PPP has forecast an increased demand for youth football pitches (based on participation and population increases) which can be equated to an additional 39.5 match-equivalent sessions per week across the differing pitch types. The PPP concludes that the level of demand it identifies can be accommodated by the pitch facilities proposed at the three hub sites.

The PPP has also highlighted a shortfall of 10 no. artificial (3G) pitches in Sunderland, based on a current total of 626 youth, adult and veteran football teams (forecast to increase to 657 teams) training once per week on a floodlit 3G surface (such availability being a long-term ambition of the FA) and each 3G pitch being able to accommodate training by 42 teams. This excludes any additional demand for the playing of competitive matches.

In terms of the 'benefits' of improved facilities, the Statement highlights that often, pitches lack the drainage and maintenance required to sustain desired levels of use. Pitches receiving little maintenance or on-going repair will be of poor quality and only able to accommodate a limited number of games and/or training sessions. Artificial pitches, meanwhile, can offer back-to-back game and training time over a weekend and during the evening and do not require close-season maintenance. Artificial pitches are also durable and are not prone to being unusable during inclement weather.

Although the proposed development involves the loss of usable grass pitches, the overall site usage will significantly increase, resulting in greater capacity across the playing season for training and match play and a greater number of playing pitches being marked on the artificial surfaces.

To summarise, there is currently an insufficient supply of full-sized 3G pitches to meet current anticipated future demand based on the FA's training model for football and also demand from other sports (particularly rugby union). The present and future shortfalls identified by the football training model would be met by the progression of the Parklife programme in Sunderland, with the total number of pitches delivered meeting demand and supporting the growth aspirations of the Partner clubs at each hub. To this end, the Statement points to the established Parklife hubs in Sheffield, where every club using the facilities have increased their team numbers to the extent that one club now has a waiting list for members for the first time in its history.

With regard to the 'economic benefits' of the proposed development, the Statement suggests that the provision of high quality leisure facilities will contribute to the attraction and retention of residents and can play a role in assisting in the regeneration of the City by attracting inward investment and contributing to the local and regional economy. In this regard, the Sunderland Parklife proposals will be the first and, potentially, the only one of their kind in the region.

The hubs will also provide direct opportunities for local employment and training initiatives. Furthermore, the Statement advises that a new charitable football trust is to be set up to oversee football development in Sunderland, including the hub sites. Any surplus generated by the trust will be reinvested in football across the City.

In terms of the 'social benefits' of the development, the Statement highlights the advice of the Government's National Planning Practice Guidance website which, in the 'Health and Wellbeing' section, emphasises the importance of delivering sports and recreation facilities to provide health and recreation benefits for people living and working nearby. Improving the health of the City's population is also one of the City Council's key priorities, as highlighted by the Council's draft Core Strategy and Development Plan, and in this regard, Sunderland lags behind much of England in

terms of social and economic disadvantage and life expectancy and a greater proportion of the population live with a debilitating condition.

The Statement also advises that the Parklife programme represents an opportunity to increase participation in regular physical activity, play, sport and recreation across all age ranges, thereby delivering significant benefits in terms of physical and mental wellbeing. To this end, as part of the Parklife programme, the Council will be required to deliver social outcomes against the five key performance indicators set by the Department for Digital, Culture, Media and Sport (DCMS), which are designed to increase the percentage of the population taking part in sport and physical activity across all demographics. Furthermore, at each hub, the operator, as guided by the Football Trust, will have responsibility to ensure that the positive social outcomes being sought are being delivered by the clubs and agencies/charities/organisations using the facilities it affords.

The Statement concludes by suggesting that the benefits set out above should be taken as representing the 'very special circumstances' sought by paragraphs 87 and 88 of the NPPF to justify the proposed buildings in the Green Belt. Furthermore, it is considered that the ability of the site to meet identified needs for additional outdoor sport and recreation facilities and the absence of suitable alternative sites on which this need can be met represents a very special circumstance.

Consideration of harm and very special circumstances

As concluded earlier in this report, it is considered that the proposed extension to the pavilion building, floodlighting and fencing will have an impact on the openness of the Green Belt at this location and whilst this impact has been found to be limited, with regard to paragraph 89 of the NPPF, the new buildings represent inappropriate development within the Green Belt. The extensions to the pavilion are also disproportionate and so are also inappropriate in the Green Belt for this reason.

Paragraph 87 defines inappropriate development as being harmful to the Green Belt and states that it should not be approved except in very special circumstances. Paragraph 88 requires Local Planning Authorities to ensure that substantial weight is given to any harm to the Green Belt and advises that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Planning Statement submitted with the application has sought to demonstrate that very special circumstances do exist which serve to outweigh the potential harm to the Green Belt as a result of the development. In order to establish whether this is the case, the very special circumstances identified by the Statement must be considered against the potential harm to be caused to the Green Belt by virtue of the development's inappropriateness.

In assessing this matter, it is firstly necessary to consider the level of potential harm the new buildings would cause to the openness of this part of the Green Belt and as set out earlier in this report, the potential harm to openness resulting from the proposed development has been found to be limited.

The very special circumstances put forward by the Planning Statement are, meanwhile, considered to be comprehensive and, it is considered, should be given significant weight.

Firstly, it is considered that the submitted Statement adequately demonstrates that a robust site selection process has been undertaken and that the Community North Sports Complex is one of only three established sites for outdoor sport and recreation within the City which are reasonably suitable for accommodating the proposed hub development and delivering the objectives of the Parklife programme. Whilst the application site is within the Green Belt, the proposals do serve to focus development on an existing and established outdoor sports complex.

The Statement then goes on to demonstrate that the proposed hub would have a significant role to play in arresting the decline in quantity and quality of football pitches in the City Council area which, as has been highlighted, has arisen as a result of the Council's diminishing financial resources. The sustainable business model for the operation of the hub would also mean that in the long-term, the burden on public finances will be significantly lessened. In this regard, it is considered that there is a clear need for the development.

The proposals would also serve to address a pressing existing and future demand for improved football facilities in Sunderland, particularly in terms of the numbers of artificial pitches, thus increasing the availability of pitches for both training sessions and competitive matches for clubs and teams across all age ranges and abilities. In this regard, the development would assist in achieving the FA's objectives in terms of delivering access to pitches for regular training.

The social benefits of the proposals are also considered to be significant, in that the provision of the hub will have a key role to play in delivering opportunities for inclusive participation in football across all demographics, thus supporting both local and national objectives to improve the health and wellbeing of the local population by improving opportunities for access to sporting and recreational facilities.

Allied to the above, it is evident that the proposed hub has either the clear specific support of, or would serve to fulfil the strategic aims and objectives of, a series of national bodies, namely the Football Association, Football Foundation and Sport England, and also has the full support of the County FA and the City Council.

Given the above, it is ultimately concluded that clear very special circumstances exist which serve to outweigh the limited harm to the openness of the Green Belt which would potentially arise from the proposed new buildings at the complex. The development involving the erection of the proposed new buildings is therefore considered to comply with the objectives of paragraph 88 of the NPPF in this respect and consequently is not inappropriate in the Green Belt.

Paragraph 88 also requires, however, that 'any other harm' caused by the development must also be outweighed by the very special circumstances identified. To this end, an assessment of other relevant material planning considerations is provided in the following sections of this report.

Consideration of other aspects of development in relation to Green Belt policy

Up to this point, consideration has only been given to the elements of the proposed development which constitute 'buildings' for outdoor sport and recreation. The proposals also, however, involve other development, including the laying out of new areas of car parking, the surfaces of the new artificial pitches and areas of new landscaping and bunding. These aspects of the proposals must be considered against the requirements of paragraph 90 of the NPPF, which states that certain other forms of development, including engineering operations, are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land in the Green Belt. A similar approach is taken by policy CN4 of the Council's UDP.

With regard to these national and local policy objectives, it is observed that the pitches are intended to be finished with a green-coloured artificial grass and so will appear broadly similar to the natural turf pitches found elsewhere in the complex. Similarly, the new bunding will be covered by grass so as to appear as naturalistic landforms. As such, it is considered that both the new pitches and the bunding will sit comfortably within the existing landscape of the complex and will not result in harm to the openness of the Green Belt or conflict with the purposes of including the site within the Green Belt.

The Statement submitted with the application advises that the final material to be used for the areas of new car parking will be informed by recommendations made in respect of sustainable drainage arrangements for the site, but it is nevertheless anticipated that car parking bays will be constructed from porous paving or a form of grasscrete. The use of a material such as grasscrete would, it is considered, serve to limit the visual impact of the new car parking areas, but in any case, it is considered that the provision of any form of hard surfacing to accommodate the car parking would not harm the openness of the Green Belt at this location given the situation of the car parking within the complex, its proximity to the other buildings/development within the site and it being screened from external views into the site by existing woodland, trees and landscaping. Nor would this development conflict with the purposes of including the site within the Green Belt.

Nevertheless it is recommended that in the event Members are minded to Grant Consent for the development, a condition be imposed requiring the submission and approval of the final specifications for the surfacing material to be used for the new areas of parking.

Given the above, it is considered that the 'other' development proposed in respect of this application is appropriate in the Green Belt, having had regard to the guidance provided by paragraph 90 of the NPPF and policy CN4 of the Council's UDP.

Summary of position in respect of Green Belt policy

To summarise the position in respect of considering the proposed development against relevant national and local Green Belt policy, it is considered that the proposed buildings represent appropriate buildings for outdoor sport and recreation

and their erection would not conflict with the purposes of including the application site in the Green Belt. It is considered, however, that the erection of the buildings will cause some limited harm to the openness of the Green Belt. The extensions to the pavilion building are also disproportionate in relation to the existing building.

It is considered, however, that very special circumstances exist which outweighs the limited harm to the openness of the Green Belt which has been identified. As such, the proposed new buildings are not inappropriate development within the Green Belt.

It is also considered that the proposed artificial pitches, grass bunding and car parking will not harm the openness of the Green Belt or conflict with the reasons for including land within the Green Belt.

The proposed development is therefore considered to be compliant with the objectives of paragraphs 79, 80, 87, 88, 89 and 90 of the NPPF and policies CN2, CN3, CN4 and CN5 of the Council's UDP.

Playing pitch/open space policies

With regard to development involving sports and recreation, paragraphs 69, 70 and 73 of the NPPF stress the role the planning system can play in creating healthy, inclusive communities and providing access to high quality spaces and opportunities for sport and recreation. Paragraph 74, meanwhile, states that existing playing fields should not be built upon, unless: they are surplus to requirements; the loss would be compensated by equivalent or better provision in terms of quantity and quality in a suitable location; or, the development is for alternative sports and recreational provision.

This approach in respect of development affecting playing field land is broadly echoed by policy L7 of the Council's UDP. Policy NA21 of the UDP also sets out that the Community North Complex will be maintained and enhanced for outdoor sports facilities in a landscaped amenity setting.

Sport England is the statutory consultee on development proposals affecting sports pitches and playing fields, and to provide a detailed policy framework with which to consider such proposals, it has produced a Planning Policy Statement, entitled 'A Sporting Future for the Playing Fields of England - Policy on planning applications for development on playing fields'. Sport England's general position is that it will oppose development which results in the loss of playing fields, in all but exceptional cases where one of a list of specific circumstances outlined in the policy statement is applicable.

In this case, although the new AGPs will be constructed on the site of existing grass pitches and the existing artificial pitch at the complex, Sport England has formally advised that the development is acceptable given that it will provide high-quality replacement facilities, the benefits of which clearly compensate for, and outweigh the loss of, the existing pitches. As such, exception E5 of Sport England's policy statement is satisfied. Furthermore, it is considered that the development is

compliant with the requirements of paragraph 74 of the NPPF and policy L7 of the Council's UDP given the lost pitches will be properly compensated for at the site.

In addition to the above, as noted previously, the proposals have the full support of, or assist in achieving the policy objectives of, a range of bodies involved in the promotion of football and wider sports participation, including Sport England, the FA and the Football Foundation.

Given the above, it is considered that the implications of the proposals in relation to playing pitch policy are acceptable and the proposals satisfy the objectives of paragraphs 69, 70, 73 and 74 of the NPPF and policies L7 and NA21 of the Council's UDP.

Consideration of development in relation to town centre policies

As detailed earlier in this report, the proposed remodelled and extended pavilion building will accommodate a gym, a use which falls into use class D2 (assembly and leisure) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Health and fitness centres are identified as being 'town centre' uses by the Glossary to the NPPF and in the interests of maintaining the vitality and viability of existing centres, paragraph 24 therein requires Local Planning Authorities to apply a sequential test to direct such proposed uses to town and local centres first, followed by 'edge of centre' locations and then, finally, and where appropriate, 'out of centre' locations. Paragraph 26, meanwhile, advises that unless Local Planning Authorities have a locally adopted threshold (which, at the time of writing, the City Council does not), then they should require an impact assessment to be undertaken in respect of proposals for leisure development involving 2500 sq. metres of floorspace where it would be located outside of a town or local centre. Paragraph 27 then states that where a development proposal fails a sequential test or impact assessment, it should be refused planning permission.

In this case, the proposed gym has a floorspace of only 458 sq. metres; consequently, and having had regard to paragraph 26 of the NPPF, it is not considered necessary for an impact assessment to be undertaken.

In terms of sequentially assessing the location of the proposed gym, whilst it is recognised that the application site represents an 'out of centre' location, it is considered appropriate to take into account that the proposed gym is designed to complement, support and co-exist with the improved outdoor football facilities proposed at the complex. The gym will also occupy the same building as the other facilities designed to support the football provision and would, for example, share the new changing facilities. The gym and football facilities are therefore tightly linked and consequently, it is considered appropriate to conclude that the proposed gym could not reasonably exist at, or be directed to, a more sequentially preferable site (i.e. a town/local centre or edge of centre site).

Given the above, it is considered that the implications of the proposed gym in respect of the relevant 'town centre' planning policies set out by paragraphs 24 and 26 of the NPPF are acceptable.

Conclusion in relation to principle of development

The proposed development has been given careful consideration in respect of the relevant local and national land use policies. For the reasons set out above, it is considered that all aspects of the proposed development satisfactorily address the policies which govern development in the Green Belt. The development also complies with the relevant policies relating to sports and playing pitches and the location of main town centre uses.

As a consequence, it is considered that the principle of the development is acceptable in land use terms. The proposed development does, however, raise a range of other material planning considerations, which are considered in more detail below.

2. Implications of development in relation to residential amenity and visual amenity

The core principles of the NPPF place a clear emphasis on delivering high standards of design and amenity. To this end, section 7 of the NPPF sets out a requirement for 'good design', with paragraph 56 advising that the Government places great importance to the design of the built environment and that it is indivisible from good planning. Paragraph 64, meanwhile, states that planning permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area.

On a local level, policy B2 of the UDP requires new development proposals to respect and enhance visual amenity, encouraging a high standard of design to new buildings, and to maintain acceptable standards of amenity for existing residential dwellings.

In addition to the above, paragraph 123 of the NPPF sets out that planning decisions should aim to ensure that noise from new development does not have a significant adverse impact upon health and quality of life. It is also stated, however, that Local Planning Authorities should recognise that development will often create some noise and that where an existing business seeks to develop, unreasonable restrictions should not be placed upon them. Similarly, policy EN5 of the UDP states that where development is likely to lead to increased noise levels in sensitive areas, an appropriate assessment should be carried out, with mitigation measures incorporated into the development where necessary.

More detailed guidance in relation to noise is provided by the Government's National Planning Practice Guidance website and the Noise Policy Statement for England, whilst Sport England have produced a guidance note ('Artificial Grass Pitch (AGP) Acoustics – Planning Implications') in relation to development involving new artificial pitches. This in turn is informed by technical standards provided by the World Health Organisation's 'Guidelines for Community Noise' and British Standards 8233 and 4142.

Also relevant in this case is paragraph 125 of the NPPF, which states that planning decisions should seek to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and local amenity.

In this instance, it is evident that the majority of the new development proposed, such as the security and ball stop fencing, floodlighting, artificial pitches etc. is functional in nature. Nevertheless, where possible, it is clear that steps have been taken to ensure its visual impact is minimised – for example, a green mesh will be used for the fencing and the floodlighting columns are to be slim and coloured light grey. The main extension to the pavilion building, meanwhile, is considered to represent an acceptable addition to the existing building in terms of its scale, mass and design. In combination with the other smaller extensions and wider external alterations, it is considered that the development affecting the pavilion will serve to refresh, modernise and improve its appearance, resulting in a more attractive and appealing focus for the complex.

In terms of residential amenity, given the location of the pavilion building and new pitches in relation to the nearest dwellings, it is considered that the proposed physical development will not result in any materially greater harm to the residential properties near to the complex than in comparison to the existing situation. To this end, the pavilion occupies a central position towards the eastern end of the complex, remote from the nearest dwellings (the nearest being almost 200 metres distant), with the new artificial pitches even further to the east. As such, it is considered that the extended pavilion, new fencing and floodlighting will not cause any of the nearest properties to suffer a loss of outlook, privacy or experience any overshadowing.

With regard to potential noise and disturbance, it is recognised that the proposed development is likely to result in a greater level of use of the facilities at the site than has previously been the case. It is also likely that there will be a greater level of activity into the evening than is presently the case given that more floodlit artificial pitches will be available for use. Residents in the area could, therefore, experience longer and more intensive periods of noise from the playing of matches, from the use of the pavilion building and from traffic using the new car parks, and this could occur into more sensitive periods of each day (i.e. into the evening).

The Noise Assessment submitted with the application has sought to assess the levels of noise likely to be generated by the use of the AGPs by measuring noise from such pitches at another location and setting this data against the prevailing noise climate at the application site and the facades of the nearest residential dwellings within Downhill and Red House to the south and south-west (i.e. around Kenilworth Square, Kinghorn Square, Rockingham Road and Rishton Square). The Assessment finds that the nearest residential dwellings will experience an increase in noise of less than 1dB between the hours of 19:00 and 22:00, a level which will have a 'negligible' impact on the amenity of these properties and will have 'no observed effect' on the existing noise climate.

The submitted Assessment concludes that as it has been found that the noise generated by use of the AGPs will have 'no observed adverse effect' (as defined by National Planning Practice Guidance), it will not be intrusive and will not have the 'significant adverse impact' on amenity referenced by paragraph 123 of the NPPF.

The Assessment has also considered the levels of noise likely to be generated by increased use of the new areas of car parking, with the anticipated level of usage informed by the Transport Statement submitted with the application. Again, the Assessment concludes that noise from the use of the car parks will result in an increase of less than 1dB being experienced at the nearest dwellings and so again, there will be no significant adverse impact on their amenity.

The Assessment also makes recommendations on the maximum appropriate noise levels generated by any new plant and machinery to the pavilion building.

In terms of the proposed AGP floodlighting and car park lighting at the site, the submitted technical specification and Floodlighting Assessment makes it clear that the lighting has been specifically designed to limit light pollution and spillage and is suitable for an area where low light pollution is essential. The floodlighting will also be fitted with timers to ensure the lights are automatically switched off at the end of each day. The Assessment concludes that lighting at the site will not have an unacceptable impact on the local environment in terms of light spillage and will not adversely affect the amenity of nearby residential properties, in accordance with the objectives of paragraph 125 of the NPPF.

As set out in the 'Representations' section of this report, the Council's Environmental Health officers have given full consideration to issues relating to noise and light pollution. The proposed development has been found to be acceptable in respect of these matters, subject to the imposition of a series of conditions designed to ensure that light and noise pollution will not have a significant adverse impact on the amenity of nearby residents.

Furthermore, the Environmental Health officer have confirmed that subject to the undertaking of a satisfactory odour risk assessment, the nearest sensitive properties are unlikely to experience any unacceptable effect on their amenity as a result of odour from food preparation.

With regard to the above comments, it is considered that the implications of the proposed development in respect of residential amenity, visual amenity and design are acceptable. In assessing these matters, regard has also been given to matters pertaining to noise, odour and light pollution. It is recommended, however, that Members impose the conditions suggested by Environmental Health in the event they are minded to approve the application. Subject to such conditions, it is considered that the proposed development is acceptable and accords with the requirements of policies B2 and EN5 of the UDP and the core principles and paragraphs 56, 64, 123 and 125 of the NPPF in this regard.

3. Impact of development on highway and pedestrian safety

Section 4 of the NPPF promotes sustainable transport, with paragraph 32 stating that development proposals which generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of: whether opportunities for sustainable transport modes have been

taken up; whether safe and suitable access to the site can be achieved for all people and; whether improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

On a local level, policy T14 of the UDP states that new development proposals must not give rise to conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated parking. Policy T10, meanwhile, seeks to protect valuable footpaths and upgrade existing routes, with policy NA35 identifies a route through the complex as being a strategic multi-user route.

With regard to the proposed stopping-up of footpaths and bridleways and the creation of alternative routes, paragraph 69 of the NPPF states that planning decisions should, amongst other objectives, aim to achieve places which promote safe and accessible developments, containing clear and legible pedestrian routes to encourage the active use of public areas.

As set out in the 'Representations' section of this report, the Council's Highways officers have raised no concerns in respect of the proposed development, with the proposed access and parking arrangements all considered to be acceptable. It is also considered that the existing road network is capable of accommodating the additional traffic anticipated to be generated by the development.

Moreover, the Council's Public Rights of Way officer has no objections to the proposed stopping-up of paths and bridleways and the proposed replacement provisions.

Given the above, it is considered that the proposals are acceptable in relation to highway and pedestrian safety and public access arrangements within and around the site, in compliance with the aforementioned policy objectives of the NPPF and the Council's UDP.

4. Flood risk and sustainable drainage implications of proposed development

Paragraph 103 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied. Meanwhile, policy EN12 of the UDP states that in assessing development proposals, the Council will seek to ensure that the proposal will not materially impede the flow of flood water, or increase the number of people or properties at risk of flooding.

As Members may be aware, the City Council is now the Lead Local Flood Authority (LLFA) in respect of major development proposals, with responsibility for matters pertaining to the management of surface water. A Ministerial Statement from the Department for Communities and Local Government (dated 18th December 2014), to be read in conjunction with the policies of the NPPF, sets out that the Government

expects decisions on planning applications relating to major development to ensure that sustainable drainage systems (SuDS) for the management of run-off are put in place, unless this is demonstrated to be inappropriate.

In considering planning applications, the LLFA should be satisfied that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. Technical Guidance produced by DEFRA (March 2015) sets out non-statutory technical standards for SuDS and this should be used to inform the preparation of a SuDS scheme in association with a development proposal. In this regard, it is recommended that the surface water run-off rate for new development should not exceed the existing greenfield run-off rate for the site.

The Flood Risk Assessment and Drainage Strategy submitted with the application identifies that the application site lies within Flood Zone 1 and so is at the lowest risk of flooding. Flood risk from surface water is low for the majority of the site, but medium risk to the south-east of the site (around the pond). With regard to the new development, it is considered that there is a low to negligible risk of flooding from the existing surface water risk. The risk from groundwater flooding is also low and there are not considered to be any risks of flooding from other sources (e.g. reservoirs and the sea).

In terms of the sustainable drainage strategy for the site, this will involve discharge to a drainage ditch at the eastern boundary of the site. To ensure there is no increased risk of flooding from the development, the sustainable drainage proposals entail the provision of source control measures (i.e. permeable paving and below pitch storage) and attenuation supplied by the existing pond, which will be fitted with a hydrobrake. Maintenance of the sustainable drainage measures will be the responsibility of the Trust set up to manage the complex.

The submitted strategy is considered to provide an appropriate sustainable drainage solution for the site which will ensure that surface water flow flood risks are not worsened on the site. It is also likely that there will be some reductions to the flow from the site as new flow control measures (i.e. the hydrobrake) will be added as part of the design.

As set out in the 'Representations' section of this report, the Council's Flood and Coastal officers, in their capacity as LLFA, have confirmed that the submitted flood risk assessment and sustainable drainage strategy for the site are acceptable. It is requested, however, that a condition be imposed which requires the submission and approval of final specifications of the proposed sustainable drainage measures, particularly finished floor levels, prior to the commencement of development on site.

It is recommended that Members impose a condition to this effect; subject to the satisfactory discharge of such a condition, 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 Council's UDP.

5. Implications of development in relation to ecology and trees

Section 11 of the NPPF sets out a general strategy for the conservation and enhancement of the natural environment, and it advises that the planning system should recognise the wider benefits of ecosystem services and minimise impacts on biodiversity and provide net gains in biodiversity where possible. Meanwhile, policy CN22 of the UDP states that development proposals which would adversely affect any animal or plant species afforded special protection by law, or its habitat, will not be permitted unless mitigating action is achievable.

As set out in the 'Representations' section of this report, Natural England has no objections to the proposals in respect of their impact on protected sites. The Council's Natural Heritage team, however, initially advised that further information was required to enable a full assessment of the impact of the proposals on the ecological and biodiversity features of the site. This has now been provided and the Natural Heritage team have confirmed the proposals are acceptable subject to the submission and approval of a biodiversity enhancement scheme for the site, to be informed by the recommendations provided by the submitted revised Habitat survey and report for the site. It is recommended that in the event Members are minded to grant consent for the development, a condition to this effect is imposed.

With regard to trees, paragraph 118 of the NPPF states that planning permission should be refused for development resulting in the deterioration of irreplaceable habitats, including ancient woodland and the loss of aged and veteran trees found outside ancient woodland, unless the need for, and the benefits of, the development in that location clearly outweigh the loss.

Policy CN17 of the UDP, meanwhile, encourages the retention of trees which make a valuable contribution to the character of an area and the retention of trees, hedges and landscape features in all new development will be required where possible. Policy NA31 also advises that the Council will encourage tree planting in the area to the north of Town End Farm, Downhill, Hylton Red House and Witherwack, which includes the complex.

As mentioned throughout this report, the existing complex is characterised by a significant level of tree cover, which includes dense tree belts around the perimeter of the site. The trees are not, however, afforded any statutory protection by a Tree Preservation Order. The Arboricultural Impact Assessment submitted with the application provides a comprehensive assessment of the quality and amenity value of the trees at the site and considers the impact of the development on the trees, including details of those required to be felled to facilitate the scheme.

In this regard, whilst the overwhelming majority of the trees at the site are to be retained, 20 no. individual trees, four tree groups and a small part of a fifth group will require removal to enable the development, primarily around the site of the new pitches and car parks. The new bridleway around the edge of the AGPs will also incur into the tree belt around the northern boundary of the complex. The Assessment has, however, categorised the vast majority of the trees to be felled as being of 'low retention value' and as such, it considers that their loss should not be a

constraint on development. It should also be noted that the proposed landscaping plans associated with the new development will deliver a significant level of replacement planting to compensate for the loss of the felled trees.

Ultimately, therefore, it is concluded that the proposals will not have an unacceptable negative impact on the level of tree cover at the site, for this will remain largely unaffected by the scheme. In particular, it is observed that the main tree belts around the perimeter of the site will be retained in full or, where affected by the development proposals, supplemented by new planting, as is the case with the belt affected by the route of the new bridleway. The Assessment recommends a range of tree protection measures to ensure the appropriate protection of retained trees during construction works and it is recommended that if minded to approve the application, Members impose a condition requiring these measures to be implemented.

Subject to the suggested conditions, it is considered that the implications of the development in relation to ecology, biodiversity and the trees at the site are acceptable, in accordance with the objectives of the NPPF and policies CN17, NA31 and CN22 of the UDP.

6. Implications of development in relation to land contamination

Paragraph 121 of the NPPF advises that planning decisions should ensure that a development site is suitable for the new use, taking into account ground conditions, land instability and hazards from previous natural and human activity, and that any hazards are properly understood and contaminated land remediated where appropriate. Policy EN14 of the UDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The application has been accompanied by a Phase I Desk Top Study and Phase II Site Investigation reports, which highlight that the site largely took the form of agricultural land prior to the development of the sports complex. Consequently, the reports have not identified any significant constraints at the site in relation to contamination and do not consider contamination to be a restriction on the development proposals. The submitted information has been given consideration by the Council's Environmental Health team, who are of the view that contamination does not represent a constraint of development and are satisfied that the application can be approved subject to a series of conditions requiring further investigative work, together with the preparation of remediation and verification strategies.

It is recommended that Members impose conditions to this effect, subject to which it is considered that the implications of the proposals in relation to land contamination are acceptable, in accordance with the objectives of paragraph 121 of the NPPF and policy EN14 of the Council's UDP.

CONCLUSION

The proposals have been assessed with careful regard to the national and local planning policies which govern development in the Green Belt. For the reasons set out above, whilst some harm to the openness of the Green Belt has been identified, it is considered that this is outweighed by the very special circumstances which apply to this particular development proposal, given that the proposals relate to an established site and given the clear benefits it will bring in terms of delivering improved facilities for outdoor sport and recreation and supporting increased participation in football in the City. In assessing this matter, it is acknowledged that the proposals have the direct or indirect support of a range of national bodies with an interest in increasing participation in football or sport more widely.

The principle of the development in land use terms is therefore considered to be acceptable.

In addition, for the reasons discussed above and subject to the imposition of appropriate conditions as recommended throughout the report, the proposals are considered to be acceptable in respect of matters relating to visual and residential amenity (including in relation to noise, lighting and odour pollution), highway and pedestrian safety, ecology and biodiversity, trees, flood risk and drainage and land contamination.

The proposals are therefore considered to comply with the requirements of the core principles and relevant paragraphs of the NPPF and policies B2, CN2, CN3, CN4, CN5, CN17, CN22, L7, EN5, EN12, EN14, T10, T14, T22, NA21, NA29, NA31 and NA35 of the Council's UDP in relation to these matters.

Consideration is, however, still being given to the detailed wording of the conditions to be recommended to be imposed by Members in the event they are minded to Grant Consent for the development. Full wording of recommended conditions will therefore be provided on a Late Sheet.

It is anticipated that the recommended decision to be made on the Supplementary Report will be that Members Grant Consent for the proposed development, subject to conditions. In the event this is the case and in the event that Members agree with such a recommendation, it should be noted that in accordance with the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, the application will have to be referred to the Secretary of State given that the proposals involve development which has been found to be inappropriate in the Green Belt and which would have a significant impact on its openness.

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act. As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

- o age;
- o disability;
- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to:

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

RECOMMENDATION - Minded to Grant Consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to conditions covering the following, to be reported to Members by way of a Late Sheet:

- Development to commence within three years;

- Development to be carried out in accordance with the approved plans;
- Land contamination conditions (Phase II, Remediation, Verification, unidentified contamination);
- Submission of final details of surface and foul water drainage arrangements;
- Submission and agreement of all external materials;
- Submission of final hard & soft landscaping proposals, including ecological enhancement measures;
- Landscaping to be undertaken within 5 years;
- Submission of biodiversity enhancement measures;
- Adherence to Section 5.0 of Extended Phase 1 report;
- Adherence to Sections 6 – 10 of the Arboricultural Impact Assessment;
- Conditions stipulating hours of operation;
- Submission of noise validating report;
- Submission of noise management plan – external activities;
- Submission of noise assessment and management plan – internal pavilion activity e.g. live and/ or recorded music;
- Flood lighting control – operational no later than 22:00 hours;
- Submission of ventilation & extraction system and Odour risk assessment.