

South Somerset District Council

Notice of Meeting



Regulation Committee

Making a difference where it counts

Tuesday 15th November 2011

10.00 am

Council Chamber Council Offices Brympton Way Yeovil

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Boucher** on Yeovil (01935) 462462

email: democracy@southsomerset.gov.uk, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 7th November 2011

Ian Clarke, Assistant Director (Legal & Corporate Services)



2007-2008
Neighbourhood and
Community Champions:
The Role of Elected Members
2006-2007
Improving Rural Services
Empowering Communities
2005-2006
Getting Closer to Communities

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INVESTOR IN PEOPLE

Regulation Committee

Chairman

Peter Gubbins

Mike Best
Tim Carroll
Nick Colbert
Tony Fife
Ian Martin

Patrick Palmer
Shane Pledger
Ros Roderigo
Sylvia Seal
Gina Seaton

Angie Singleton
Linda Vijeh
William Wallace

Please remember to car share whenever possible



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Information for the Public

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 3 of the Council's Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the chairman of the committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:
County Council, Town or Parish Council Representative
Objectors
Supporters
Applicant/Agent

Ward members, if not members of the Regulation Committee, will speak after the town/parish representative.

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

If a Councillor has declared a personal and prejudicial interest

Under the new Code of Conduct, a Councillor will be afforded the same right as a member of the public, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Regulation Committee

Tuesday 15th November 2011

A g e n d a

1. Minutes of the meeting held on Tuesday 20th September 2011
2. Apologies for Absence
3. Declarations of Interest
4. Public Question Time

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5. The creation of artificial grass pitch with adjoining warm up area, spectator terracing, fencing, floodlighting and associated landscaping and engineering works (GR 355205/117166) Yeovil Recreation Centre Mudford Road Yeovil 5
6. Date of Next Meeting

The date of the next meeting is scheduled for Tuesday, 20th December 2011 in the Council Chamber, Brympton Way at 10.00 a.m.

South Somerset District Council

Draft Minutes of a meeting of the **Regulation Committee** held on **Tuesday 20th September 2011** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(10.00am – 10.15am)

Present:

Peter Gubbins (Chairman)

Tim Carroll	Sylvia Seal
Nick Colbert	Gina Seaton
Patrick Palmer	Angie Singleton
Shane Pledger	Linda Vijeh
Ros Roderigo	William Wallace

Officers:

Andy Cato	Area South Leads Officer
Peter Biggenden	Senior Building Surveyor
Jo Boucher	Committee Administrator

1. Minutes (Agenda Item 1)

The minutes of the meeting of the Regulation Committee held on Tuesday, 15th March 2011, copies of which had been previously circulated, were approved as a correct record and signed by the Chairman.

2. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Best, Tony Fife and Ian Martin.

3. Declarations of Interest (Agenda Item 3)

Councillor Peter Gubbins declared a personal interest in Item 5, Planning Application 11/02401/R3D – Alterations and the change of use of building from office (Use Class B1) to childrens nursery (Use Class D1) (GR353405/116235) as his granddaughter attends the nursery.

4. Public Question Time (Agenda Item 4)

There were no questions or comments from members of the public.

5. Alterations and the change of use of building from office (Use Class B1) to childrens nursery (Use Class D1) (GR 353405/116235) Former South Somerset District Council Careline Services Houndstone Close Yeovil (Agenda Item 5)

The Planning Team Leader informed members that at the Area South Committee on 7th September 2011 it was agreed that as the District Council are both the applicant and landowner for this application and for the sake of probity it was resolved to refer the decision on this application to the Regulation Committee with a recommendation for approval as per the officers report.

He then proceeded to present the report and with the aid of slides showed:

- site plan
- proposed floor plan
- existing and proposed additional buildings and new children's playground

He confirmed that although a neighbour had not raised objections against this proposal concerns had been raised including an issue over the exterior lighting of the existing Nursery site; he advised that subject to a condition controlling any future proposed external lighting, there were no objections to this proposal.

In response to questions, members were informed that:

- Environmental Health had advised that noise levels were acceptable and that there is no reason why the proposal should cause any more noise than is currently present
- no history of complaints in respect of existing Nursery use
- the existing and proposed new playground would be linked
- a condition would be included to control means of external lighting

Members were in full support of the officer's recommendation to approve the application and it was therefore proposed and seconded that planning permission be granted, subject to the conditions as set out in the agenda report. On being put to the vote this proposal was carried unanimously.

RESOLVED:

To grant permission for the following reason:

01. The proposal by reason of its scale, nature, layout and access and parking arrangements respects the character of the area, and causes no demonstrable harm to visual or residential amenity or to highway safety whilst representing the most efficient use of land within the defined development boundary and is therefore in accordance with the aims and objectives of policy ST5,ST6,EP2,EP3 and TP6 of the South Somerset Local Plan

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers 58C, 1176-11A,1196-01,1196-03,1196-02.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The parking area shall not be sited otherwise than in the position shown on the approved plan and following its provision such car park and the access to it shall be kept free of obstruction and shall not be used otherwise than for access or for the parking of vehicles in connection with the development hereby approved.

Reason: To ensure the proper and adequate provision of on-site parking facilities in the interests of highway safety and efficiency in accordance with policy TP6 of the South Somerset Local Plan.

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no means of external illumination shall be installed or provided in connection with the development hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity further to policy ST5 of the South Somerset Local Plan

(Voting: unanimous)

6. Date of Next Meeting (Agenda Item 7)

Members noted that the next meeting of the Committee would take place on Tuesday, 18th October 2011 at 10.00am in the Council Chamber, Council Offices, Brympton Way.

.....
Chairman

5. The creation of artificial grass pitch with adjoining warm up area, spectator terracing, fencing, floodlighting and associated landscaping and engineering works (GR 355205/117166) Yeovil Recreation Centre Mudford Road Yeovil

Site Address:	Yeovil Recreation Centre Mudford Road Yeovil
Ward :	Yeovil (West)
Proposal :	The creation of artificial grass pitch with adjoining warm up area, spectator terracing, fencing, floodlighting and associated landscaping and engineering works (GR 355205/117166)
Recommending Case Officer:	Simon Fox Tel: (01935) 462509 Email:simon.fox@southsomerset.gov.uk
Target date :	14th December 2011
Applicant :	South Somerset District Council
Type :	Major Other f/space 1,000 sq.m or 1 ha+

Reason for Referral to Regulation Committee

This application was initially referred to Area South Committee on 2nd November 2011 due to the fact the applicant is South Somerset District Council and the application represents major development (development exceeding 1000sqm). As such, with the requirement for the application to be referred onto the Regulation Committee for the final decision, the Area South Committee was asked for a recommendation only.

Area South Committee resolved to recommend to the Regulation Committee that the application be approved with conditions as per the officer recommendation with revisions to Condition 03 and an additional condition, No.14.

Condition 03

The floodlights hereby permitted shall not be illuminated except between the hours of 0900 and 2215 hours Monday to Friday, 0900 and 1815 Saturdays, Sundays and Bank Holidays. Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

Additional Condition - Condition 14

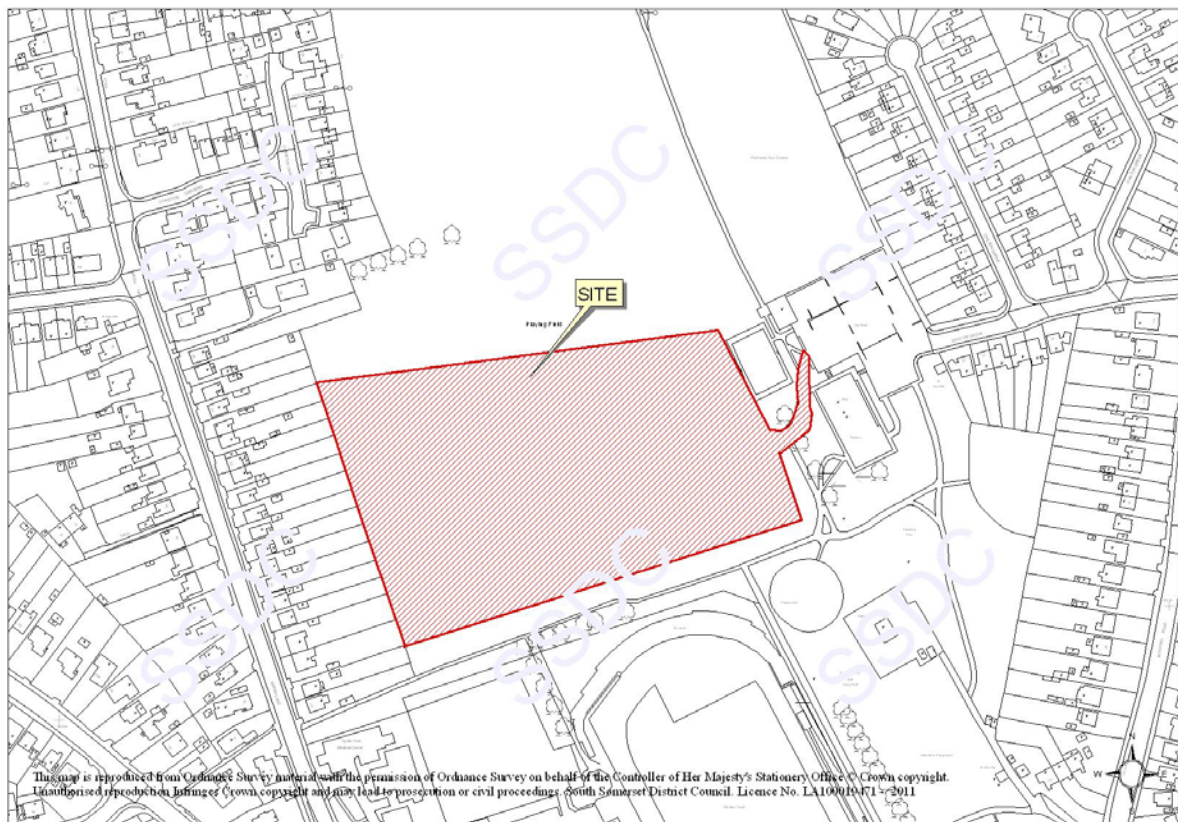
No works shall be carried out unless a Construction Method Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the phasing of works and the positions of temporary safety/security fencing to be erected during the course of the development, which shall be set so as to allow at least a 3m-access strip adjacent to the rear boundaries of properties on Marsh Lane in order to maintain pedestrian access around the site. The scheme shall also indicate the location(s) of excavated spoil and the height of such piles. Reason: In the interests of clarity.

The main body of the report remains unaltered apart from this opening section, the precise wording of the recommendation and changes to reflect Conditions 03 and 14 as stated above.

Members are reminded that the plan attached to this agenda report is only a guide to show the general location of the submitted application. The hatched area shows the

extent of the application, and is not reflective of the size of the proposed enclosed Artificial Grass pitch.

Site Description and Proposal



The application site forms part of the Yeovil Recreation Centre which comprises an extensive area of grass football and rugby pitches, a large enclosed athletics arena with floodlighting, a pitch and putt course, changing rooms, tennis courts, MUGA (Multi-Use Games Area), a large outdoor equipped play area and a refreshments kiosk.

The site is owned and run by South Somerset District Council and benefits from its central and highly accessible location, existing car parking and changing room provision. The site is principally accessed by vehicles off Mudford Road through Chilton Grove but the Athletics arena can also be accessed off Ilchester Road via Pickett Lane where car parks exist. Pedestrian linkages are available from Coombe Street Lane to the north, Marsh Lane to the west and Ilchester Road to the east/southeast. The context to the site is residential development within the development area as defined by the South Somerset Local Plan. Properties at Pickett Lane, Mudford Road, Chilton Grove, Coombe Street Lane and Marsh Lane back onto the Yeovil Recreation Centre along the east and west boundaries.

The site is defined as a 'No Development Area' in the South Somerset Local Plan. The other site constraints include a network of Rights of Way that mostly follow the existing pedestrian linkages but one also runs north/south through the large grassed area where the football and rugby pitches are laid out. The site is distant from any Listed Building and Conservation Area.

The character of the area is that of an open amenity parkland landscape with terraced sports pitches and monoculture grassland. There is mature tree planting on the perimeter

of the site consisting of Beech, Horse Chestnut, Lime, Sycamore and Ash. Of significance is the row of trees encompassing Poplars, Lime and Horse Chestnut separating the grassed pitches from the athletic arena set on a lower terrace.

The application seeks planning permission for the creation of an artificial grass pitch (AGP) with adjoining warm-up area, tennis court facility, spectator terracing, fencing, floodlighting and associated landscaping and engineering works.

The AGP is proposed to the south of the grassed pitch area, to the north of the athletic arena and just north of the significant row of trees. The pitch, run-off area and spectator area extends to a footprint of 68m x 101m, with the adjoining warm-up area measuring 20m x 40m. Some ancillary tarmac paths are also proposed to link the facility to the changing rooms/car park. The fencing is predominately 3m and 4m in height (5m behind goal areas) and is green powder coated. There are eight 15m columns proposed for the main pitch accommodating 28 floodlights and three 10m columns accommodating 14 floodlights for the warm-up area (one of the 15m columns doubles up supporting floodlights for the warm-up area). The maximum luminance is 500Lux but the equipment is switchable down to 350Lux. It is proposed the lighting would not be used past 10pm on weekdays.

The AGP is proposed as a multi-use facility. Whilst it will be used for hockey for most Saturdays, Sunday mornings and two weekday evenings, the remainder of the time it will be available for use by the local community, sports clubs and the college for recreational football, tennis and other sporting and recreational activities. Indeed the facility includes divisional netting supported by wires across the main pitch to create three separate pitches for five-a-side football for example.

Due to the difference in levels some engineering works are required, these will cut the facility into the rising ground by approx 2m and re-profile part of the grassed area with surplus material as part of a reorganised pitch layout. Associated landscaping is proposed along the south and west boundaries. In total some 49 trees are proposed to be planted, and no trees are proposed to be felled to cater for the development. The application site (not the whole Recreation Centre and not the AGP) extends to 2.46 hectares.

The following statements, surveys and reports support the application:

- Design and Access Statement
- Supporting Statement
- Transport Assessment
- Landscape Impact Assessment
- Flood Risk Assessment
- External Sports Pitch Lighting Report
- Ecology Update Survey

The application supporting information states this facility would *"deliver a much needed AGP for hockey and recreational football to address a current and projected shortfall of artificial grass pitches in Yeovil and South Somerset that was identified as part of the Council's PPG17 Facility Assessments undertaken in 2006"*. It continues, *"Yeovil was identified as having the largest shortfall in the District and the population has continued to grow. The Study indicated there was a shortfall equivalent to 4,750m² (0.74 artificial pitches), which will grow to 11,459m² (1.79 artificial pitches) by 2027"*. [Supporting Statement paragraph 3.2].

Further to Section 316 of the Town and Country Planning Act 1990 each Local Authority has to make a planning application in respect of development on its land. The Town & Country Planning General Regulations 1992 contain the provisions which are further explained in Circular 19/92. Regulation 3 of The Town & Country Planning General Regulations 1992 states that an application for permission by a Local Authority on its land for development shall be determined by the Local Planning Authority except where the application is called in by the Secretary of State. A Local Authority should submit a planning application in the same form as any other applicant. This application is made under Regulation 3 and any consent would endure only for the benefit of the Local Authority that obtained the permission.

The site is currently subject to an application for Town Green Status. The application currently rests with Somerset County Council and is still to be determined.

The initial plans have been slightly amended to omit the line of trees half way up the grassed area.

HISTORY

Planning history at the Recreation Ground dates back to the 1950s but there is no specific application or applications that refer to this part of the site made in the past 30 years.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The development plan comprises The Somerset and Exmoor National Park Joint Structure Plan Review, and the 'saved' policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

- STR1 - Sustainable Development
- STR2 - Towns
- STR4 - Development in Towns
- 1 - Nature Conservation
- 37 - Facilities for Sport and Recreation Within Settlements
- 39 - Transport and Development
- 48 - Access and Parking
- 49 - Transport Requirements Of New Development

South Somerset Local Plan (adopted April 2006):

- ST5 - General Principles of Development
- ST6 - The Quality of Development
- ST9 - Crime Prevention
- EP3 - Light Pollution
- EP4 - Building Waste
- EH10 - No Development Area
- TP1 - New Development and Pedestrian Provision
- TP3 - Cycle Parking
- TP5 - Public Transport
- TP6 - Non-Residential Parking Provision

CR1 - Existing Playing Fields/Recreation Areas
CR9 - Public Rights of Way and Recreation Routes

National Guidance

PPS1 - Sustainable Development

PPS9 - Biodiversity and Geological Conservation

PPG13 - Transport

PPG17 - Planning for Open Space, Sport and Recreation (and Companion Guide)

PPS23 - Planning and Pollution Control

PPS25 - Development and Flood Risk

Circular 19/92: The Town and Country Planning (Development Plans and Consultation) Directions 1992

CONSULTATIONS

Yeovil Town Council:

"Approval, Subject to conditions to control noise to include provision of ball damper board around pitch".

Yeovil Without Parish Council (neighbouring PC):

"We object to the loss of the use of the open space for only 1 specific sport and not the general public.

We have concerns about the following:-

- The height to the lights and their power (wattage) which will affect surrounding housing.
- Traffic and parking arrangements being sufficient".

Clarification was also sought regarding the outer development line of the plans as it cut across junior pitches. Information was also required as to the number of pitches available prior to the application and the number of pitches that would be available after.

Highways Authority (Somerset CC):

"As the planning officer will be aware from the submitted Design and Access Statement this application was the subject of pre application consultation with the Highway Authority and that as a result of these discussions, a Transport Statement was submitted with the application that examined the impact of the proposed development on the surrounding highway network.

The Highway Authority has now had the opportunity to examine the Transport Statements and its conclusions and I can confirm from a traffic impact the Highway Authority does not consider that the proposed development will have a detrimental effect on the existing highway network and furthermore that the site is considered to be in a highly sustainable location in terms of transport. It is suggested however that a Measures Only Travel Plan should accompany any planning consent, as this would encourage the provision of appropriate cycle parking and information leaflets, which in combination would help to offset the small amount of new traffic". Conditions proposed.

SSDC Planning Policy:

"I have set out planning policy comments below on the application 11/03605/R3D for an artificial grass pitch at Yeovil Recreation Centre.

The key policy issues are set out in 'saved' policies CR1 and EH10 in the Local Plan. Saved Policy CR1 seeks to protect playing fields unless certain criteria are met. The proposal is consistent with the first criteria which states that the loss of playing fields will

be permitted where "sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site".

The proposal is located within a 'no development area'. Saved Policy EH10 protects 'no development areas' unless a special community, educational or recreational need is identified. Given the need identified in the PPG17 Facilities Assessment, it is considered that EH10 is met.

I understand concerns have been raised about use of this pitch as a specialist hockey facility. It is made clear within the supporting information that the primary aim is for hockey use and thus funding has been gained from various sports bodies for that purpose. However, whilst the specific surface proposed is that needed to play regional level hockey, this would not preclude use by other sports whereas a standard multi surface pitch would not be of sufficient standard to play hockey at the level required. At paragraph 3.2 of the covering planning statement it is made clear that there is need for a District wide facility of this sort "for hockey and recreational football" which has been identified through the PPG17 Assessment as mentioned above. This proposal will meet part of that identified need. I understand that the proposed artificial grass pitch will be owned, maintained and managed by the District Council in similar manner to the nearby athletics track, being available of hire by any public body or sports group.

Overall, I consider the proposal is broadly consistent with planning policies and raise no policy objection to the proposal as submitted".

SSDC Area Development:

No comments received.

SSDC Landscape Architect:

"I have reviewed the above application seeking the construction of an artificial grass pitch and associated works, with specific reference to the landscape appraisal, and proposals plans.

The landscape appraisal appears thorough and methodical. It notes the suburban context, its municipal recreational appearance, and its limited ZVI, and evaluates the landscape sensitivity of the site as it stands as moderate. It then evaluates the degree of landscape change, primarily looking at the extent of the new works, which primarily comprise cutting into the ground to achieve a level pitch; groundworks; fencing, and lighting. It also notes the retention of the surrounding trees, and the recreational character of the current site, to subsequently evaluate a moderate significance of landscape change arising from the proposal. In terms of the site's visual profile, a number of vantage points are reviewed to arrive at an assessment of the significance of visual impact, which considers users of the park to perceive the greatest extent of change, primarily due to the loss of open view across the grassland, and the introduction of fencing, lighting etc associated with this sports facility. The visual impact of the works is noted as limited beyond the site's immediate surrounds.

The scale and significance of the landscape impact of the new sports pitch works is then considered to arrive at mitigation proposals, which are listed on page 14 of the assessment, and broadly advise the sensitive modelling of surplus spoil; planting; and a limit on light spill. I would concur that these are essential mitigation elements.

Turning then to the landscape and lighting proposals, I note that a landscape proposal is submitted, drawing AS/092/09A which indicates subtle groundmodelling to help reduce the wider visual profile of the facility, plus extensive heavy standard tree plantings, to

buffer wider views toward the site. I am satisfied that this proposal positively responds to the landscape assessment. With regard to the lighting, I note that the lighting design as detailed in the Pick Everard report, along with the layout plan AS/092/10, indicates Lux levels as being almost exclusively contained within the recreation ground. Noting also that the adjacent athletics track is characterised by lighting, then it would appear from a landscape perspective that the lighting design is acceptable.

In summary, on account of the limited extent of potential landscape impact, and the package of mitigation proposals offered with this application, I raise no further landscape issues. One point however. I note that the application site lays outside the majority of the canopies of the adjacent mature trees. However, it will be necessary to ensure the trees are protected during the works, particularly those where works are adjacent, e.g; the alignment of the new pathway between the John O'Donnell pavilion, and the new facility. To that end, it will be necessary to get a response from Phil Poulton on the proposal, and I will advise Phil that he needs to advise the scheme designers of the necessary tree protection measures where working under trees".

On the amended plans, "whilst the changes reduce the extent of proposed tree cover, I do not view this as adversely impacting upon the overall proposal, hence have no further comments".

SSDC Tree Officer:

Initial concerns were expressed concerning the routing of construction traffic and the impact on trees adjacent to the pavilion and the impact of the extra hardstanding for the cycle store and pathway. The underground power cables may also cause root interference. Advice is given regarding the use of heavy standard trees, the need for a watering regime and the worth of strimmer guards.

Following discussions a planning condition has been suggested to mitigate the potential concerns raised.

SSDC Ecologist:

"I'm satisfied with the level of wildlife survey undertaken (Ecology Update Survey, Jackie Underhill, Sep 2011) and agree with the report's assessment of impacts and conclusions. The only significant adverse impact identified is that of the effect of floodlighting on bats feeding along the lines of trees at the site.

Feeding areas, unlike roost sites, aren't specifically protected by legislation. However, as bats are species of conservation importance, it would be appropriate and consistent with policy (PPS9 and EC8) to provide some mitigation.

I conclude the proposed tree planting will provide some mitigation as recommended in the survey report and consequently have no objection to the proposals".

SSDC Rights of Way Officer:

"We carried out non statutory informal consultation on legally diverting the recorded public footpaths throughout YRC in 2007 and again last month prior to this planning application. The purpose of the diversion scheme (also mooted in 2001) is to have the routes legally recorded on the surfaced paths that have been provided over the years rather than across the football pitches, in a number of gardens etc.

I am still awaiting the comments from YTC (the scheme was supported by YTC in 2007). I expect to take a report on the diversion to Committee in November.

The landowner is aware that he may not obstruct a legally recorded footpath, including the planting of trees and a new hedgerow, on the recorded line of Public Footpath Y32/8. I support the creation of a hedgerow along the former Parish Boundary across the site.

As there is a reasonable alternative route for the Public Footpath that is legally recorded through the proposed Hockey area and it is already the subject of the diversion process I have no objection to this application".

Somerset CC Rights of Way Officer:

"I can confirm that there is a public right of way (PROW) recorded on the Definitive Map which crosses the area of the proposed development at the present time (footpath Y 32/8). I have attached a plan showing this footpath for your information.

The County Council do not object to the proposal subject to the developer being informed that the grant of planning permission does not entitle developers to obstruct a public right of way.

Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (stopping up/diversion) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

If the route is to be diverted, this will be done by South Somerset District Council".

SSDC Environmental Protection Unit:

"Potential Loss of Amenity Due to Overspill Light

When considering the impact of floodlighting schemes in relation to sporting venues Environmental Health examines the impact on nearby residential properties. This is done so that the potential for light nuisance, i.e. light, which interferes with the enjoyment of the property, is removed. These comments do not address the issue of light pollution, i.e. 'skyglow' as this is outside the remit of Environmental Health.

In order to remove the potential for light nuisance the applicant should be able to demonstrate that:

- No residential properties will be directly illuminated by the floodlights, and
- That any reflected light is of a low intensity relative to the surrounding area.

In this application the applicant has shown that the downward directivity of the lamps will ensure that no direct illumination of nearby properties will take place.

The applicant has undertaken a modelling exercise in order to quantify the intensity of the overspill light from indirect sources. They have used guidance from the Institute of Lighting Engineers (ILE) as a frame of reference for this modelling. I can confirm that this guidance is the same guidance Environmental Health routinely refers to when assessing the potential impact of this type of development.

This modelling has shown that the intensity of the overspill light will be less than 2 Lux. In the context of the area, i.e. an urban location, this indicates that any overspill light will not be significant at nearby properties.

However this modelling has also shown that the source intensity of the illumination exceeds the post curfew recommendation in the ILE Guidance. The applicant goes on to say that this will not represent a problem since the lighting will not operate post curfew.

In summary I have no objection to the proposal in principle. However I do recommend that a condition relating to the hours of illumination be agreed with the applicant in order to minimise the potential for loss of amenity.

Noise

The location of the proposed site has been chosen in order to minimise amenity issues, including noise, on nearby residential properties. The closest property to the site is at a distance of approximately 110m. Over this distance the noise attenuation is expected to be approximately 50 dB. The attenuation provided by an opened window could be reasonably expected to be between 10 to 15 dB.

Given this level of attenuation, I do not consider there to be a significant risk of loss of amenity due to noise. There may be occasional impulse sound audible from activities at the site, however, given that activities at the site will finish at 10 pm, the risk of harm to residential amenity due to noise is not significant".

Environment Agency:

"The Flood Risk Assessment submitted with this application demonstrates a viable surface water drainage scheme using sustainable drainage principles (SUDS)". The EA raises no objection subject to a condition regarding surface water drainage.

Sport England:

"As the proposal affects a playing field, the consultation is 'statutory', under the terms of the Town and Country Planning (General Development Procedure) Order 1995 (as amended by SI 1996/1817 and SI 2009/453).

Sport England has therefore considered the application in the light of its playing fields policy 'A Sporting Future for the Playing Fields of England' (available at: http://www.sportengland.org/facilities_planning/putting_policy_into_practice/playing_fields.aspx).

The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy relates to existing playing fields or land last used as a playing field, or land allocated for use as a playing field in an adopted or draft deposit local plan. It seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches.

I understand from the information provided that the proposal involves the provision of a floodlit artificial grass pitch (91.4m x 55m plus safety margins) with adjoining warm-up area, spectator terracing, fencing and associated landscaping and engineering works. The proposal aims to provide a high quality all weather pitch facility in conjunction with Yeovil and Sherborne Hockey Club. Dividing netting will enable the separation of the AGP into three smaller five-a-side football pitches.

Floodlighting of the new facility will enable evening usage of the AGP. I note that the floodlighting columns have been positioned to ensure that they are both effective and reduce light spill. Sport England believes that floodlighting will considerably extend the hours of use and will be critical to the viability of the facility due to the income from mid week lettings which will help cover operating costs. We consider that floodlighting of this proposed AGP should be seen as essential if it is to be used to its full capacity. Clearly, without floodlighting, opportunities for sport would be significantly restricted.

I note that the Council's PPG17 Needs Assessment (Oct 2009) identified a need for an additional 0.74 full size pitches in Area South in 2007 - this is projected to rise to 1.79 pitches due to population growth by 2027.

The site of the proposed AGP is currently playing field marked out as football pitches. The proposals include the re-alignment of the existing pitches on the site in order to provide the same number of grass football pitches. However, whilst the proposals would result in the gain of an artificial grass pitch, one rugby pitch would be lost. I understand that this is used occasionally by Yeovil College, and agreement has been reached with Ivel Barbarians Rugby Club for the College to play their matches at their ground.

Sport England has liaised with the main Governing Bodies of Sport that are affected by this proposal, and in summary they have commented as follows:

England Hockey

Support the application. Yeovil & Sherborne Hockey Club provides opportunities for club hockey for all ages and abilities. The new facility would provide the opportunity for the club to be based in its home town at one venue and to create the 'club' environment to attract more juniors and adults into the game through EHB programmes like Back to Hockey.

Rugby Football Union

The RFU has had discussions with the club regarding the additional usage of the clubs pitches, should Yeovil College use the clubs pitches instead of the pitch at Yeovil Recreation Ground. The RFU has confirmed that, following confirmation from the club that they do not have any concerns with the proposed arrangements, they are satisfied with the proposals.

Football Association

The FA has requested that further consideration be given to two specific issues in order to make the proposals acceptable to them:

- The revised size and layout of grass pitches at the site needs to be given further thought, in order to ensure that the pitches being provided are relevant to the needs of local leagues and clubs;
- A programme of use of the new artificial grass pitch needs to be agreed in order to ensure that recreational football use is delivered in a way that will be of benefit to football development in Yeovil.

The main issue for us to consider in responding to this application is whether the proposed development meets with the requirements of Exception E5 of our Playing Field Policy, or whether any further measures are required in order to make the scheme acceptable. Exception E5 of our policy requires that:

"The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields".

In the light of the comments received from the Football Association, Sport England considers that the specific issues they have raised can be satisfactorily addressed by means of planning conditions. Therefore, we would wish to see the following requirements secured by either planning conditions or included as part of a Section 106 Agreement or other formal commitment made on behalf of the District Council:

Condition A:

Prior to commencement of the development a scheme to ensure the continuity of use of the playing fields shown edged *on Drawing No.* shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall ensure that the re-aligned grass pitches meet the Football Associations requirements in terms of size, quality and accessibility, and include a timetable for implementation. The approved scheme shall be complied with in full. Reason: To ensure that the use of the playing fields for pitch sports meets with National Governing Body minimum standards, are fit for purpose, and to accord with Sport England /LDF Policy.

Condition B:

Prior to the bringing into use of the proposed Artificial Grass Pitch, a Sports Development Programme shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England, which secures the delivery of a development programme for football and hockey, and includes a mechanism for review. The Programme shall be carried out and implemented in full in accordance with the approved details. Reason: To secure sufficient benefits to the development of sport and to accord with Sport England /LDF Policy.

In the light of the above comments, I can confirm that, provided the above two requirements are secured either as planning conditions or other formal means, then Sport England **does not wish to object** to this application, as we would be satisfied that the requirements of Exception E5 of our Playing Field Policy were being met".

Police Architectural Liaison Officer:

No objections.

SSDC Technical Services:

No comment.

REPRESENTATIONS

A number of site notices were displayed at the various pedestrian and vehicular entrances to the Yeovil Recreation Centre and those local residents in Marsh Lane who have properties adjacent to the application red-line were notified in writing. An advert was placed in the local press (Major Development).

Although not directly consulted in writing a number of interested organisations and sporting bodies have made representations on the application:

In support:

England Hockey Board -

"England Hockey Board is currently working towards the objectives of the 2009-2013 Strategy - Uniting the Hockey Family II. The strategy identifies a number of activities that will help to deliver these high level outcomes which includes ensuring appropriate facilities are in place to ensure strategy outcomes are met.

Yeovil and Sherborne Hockey Club is one of the EHB's and Somerset's priority clubs. Yeovil and Sherborne HC is an EHB ClubsFirst accredited club. Clubs First is national recognition for clubs which can demonstrate that they are working towards minimum operating standards. All clubs achieving ClubsFirst also achieve the Sport England Club Mark accreditation status.

Due to the lack of AGP in Yeovil, the club has become fragmented as they train and play in Sherborne, Dorset. This has had a dramatic effect on the club's membership which

has declined by almost 50% over the past 5 years. In 2005/6 season the club had 350 members but currently only have 180 club members. The junior section has suffered due to the associated transport issues with training out of county. This seriously undermines Yeovil and Somerset HC's excellent work in promoting hockey in their local schools as part of their Club School Link agreement.

Yeovil and Sherborne HC provides opportunities for club hockey for all ages and abilities. There are four men's and three ladies teams at the club with both men's and ladies first teams competing in regional leagues. The club engages fully with the EHB junior performance pathway with Yeovil players participating in the Single System. The club works tirelessly to develop not only players but officials, coaches, leaders and volunteers within hockey and has very clear ambitions to develop the infrastructure of the sport within their local community by implementing a robust club development plan".

Yeovil College -

Principal - "Yeovil and South Somerset has a shortfall of hockey and artificial grass provision, which was identified through the Council's assessment of sports facilities undertaken in 2006. There is currently only one artificial grass pitch in Yeovil and this is located at Bucklers Mead School, and is not full size and is only suitable for football due to its third generation surface". "The college feels that the site of Yeovil Recreation Centre will best serve our community, due to its excellent changing accommodation, accessible parking and central location in Yeovil". "We are really excited about the proposed facility at Yeovil Recreation Centre, which we understand will provide a new home for Yeovil and Sherborne Hockey Club and enable them to return to Yeovil. We have no doubt that this will have a major impact on the development of hockey within Yeovil and South Somerset, with the club being able to create stronger links with the community, local schools and ourselves".

Faculty Director Sport, Hair, Beauty and Complementary Therapies - "It has become increasingly expensive and inconvenient as home fixtures have been played at Weymouth, Bruton and Frome as there are no artificial pitches for hockey in the area. The lack of suitable playing surface in the town has led to the demise of hockey in the schools". "It would be advantageous to the college if the facility were to be made available at other times within our college day so that we could hold lectures on the artificial surface. We are a very successful college with a range of sports courses and sports enrichment activities and there is a constant need for more facilities particularly as our access to suitable outdoor facilities is limited".

Somerset Activity and Sports Partnership -

This partnership is funded by Sport England and is tasked to be the strategic lead for sport in Somerset. "The new proposed pitch in Yeovil presents a major opportunity to gain a long awaited and much needed sports facility in Yeovil". The partnership would also consider contributing to a hockey coach position to aid the delivery of the hockey development plan.

Preston School -

"Preston School was pleased to work alongside SSDC in the production of a bid to the England Hockey Association for funding to build an Astroturf hockey pitch in Yeovil. Preston School was pleased to be named as the second chosen site - being fully consulted and in agreement that the first choice site identified was to be Mudford Rec".

Objecting:

Open Spaces Society -

The Open Spaces Society campaigns to create and conserve common land, village greens, open spaces and rights of public access, in town and country, in England and Wales. Founded in 1865, they are Britain's oldest national conservation body.

"This large development, placed right at the centre of this Recreation Ground, will destroy the character of this beautiful yet functional public open space. Over recent years there has been a persistent appropriation of the margins of the open space for the provision of children's play areas, pitch and putt and the under-utilised and below international standards athletics track, and the more questionable health centre. This piecemeal policy illustrates the lack of any past or current strategic overview, the consequence of which is that the only area large enough for this project is to bury it at the heart of the Rec, destroying much of its appeal and utility in the process.

Our predecessors gave South Somerset the legacy of this wonderful open space, and within the 1972 definitive map of rights of way, claimed a public footpath right in the centre of the north south axis. This surely is indicative of their intention that this should always remain a public **open** space, with ample room for all to enjoy the fantastic southerly views and the freedom to picnic or play at will. SSDC's development, and the intention of extinguishing the right of way in favour of an overshadowed peripheral tarmac footway, will destroy this amenity forever.

It is accepted that there is a case for the provision of an STP with the South Somerset area, but this recreation ground is not the right place, and the proposed development is a most intrusive and destructive option".

"The Open Spaces Society believes that Yeovil is fortunate to own such a jewel of a Recreation Ground with its fantastic open space, aspect and character, the result of the generosity and vision of its forebears. In its current form it offers recreation and amenity to all. The proposed development, whilst benefitting the minority of active sportsmen and women, will act as a disincentive for the less athletic majority who daily enjoy and benefit from the ability to walk, play and relax in the open".

Other points raised include - Non-compliance with Policy EH10 as the development cannot be considered a 'special need', and there is no demonstration that another site would be more appropriate. The landscaping will block views to the south and require ongoing costly maintenance.

Somerset Playing Fields' Association -

"Whilst this Association is not normally an organisation to register objection to the development of outdoor sport facilities, in this particular instance we do.

The recreation ground which is the subject of the application is highly developed already in terms of dedicated facilities, and whilst the addition of an artificial hockey pitch and spectator facilities would, on the face of it, appear to be fitting in the applicants view, we do not share that opinion.

The recreation ground presently provides for an area of informal play and recreation. The hockey pitch proposal as planned will result in the loss of that existing open space area. The site in question is held 'in trust' by SSDC as 'successors on title' and in the original dedication of the site (a matter to which the National Association was party) there was an in perpetuity commitment of the site as a public recreation ground, not a sports ground. It is, therefore, intrinsic that the site should retain a goodly proportion of open space which is free to public access without prescription or charge.

The planning application refers to the loss of the rugby pitch and the need to re-organise the football pitches, but makes no reference to the complete loss of free open space. Not only is this an omission of detail, but a fundamental flaw.

The proposed new pitch facility is simply more than the addition of a playing pitch and ball court. The whole development amounts to an arena, which would be more appropriate within the context of the sports zone vision".

A significant number of individuals have taken the time to submit representations in support and in objection to the application.

In support:

Eighty students of Yeovil College and The University Centre of Yeovil support the application - These young people are studying for various sport related qualifications who feel the proposal would benefit them, their fellow students and the community. It is considered the facility would be an asset to the town, reverse the current lack of artificial pitches and be used by young people and increase participation in a number of sports throughout the year.

Forty-Nine members of Yeovil and Sherborne Hockey Club have individually signed letters supporting the proposal. These representations take the form of three pro-forma style letters. One former player has also written to highlight support in the wider community.

In addition a small petition of twenty-two junior player signatories has been submitted, along with letters of support from the Yeovil and Sherborne Hockey Club Secretary and Chairman. The comprehensive representation from the Chairman replicates all of the points made by fellow members and in addition charts the history of the club, the player base, linkages to local schools, advantages of the Yeovil Recreation Centre site and the future plans of the club.

A summary of the Chairman's points:

- In 1972 the hockey clubs of Yeovil and Sherborne merged to form one sustainable club for the future and whilst games were originally played on grass in Sherborne it was not long before the club was able to move to the then revolutionary new all weather (red gravel) pitch at Bucklers Mead school in Yeovil. This was a positive move for the club and saw the increase in membership and player participation.
- The mid 1980s saw the advent of a new form of hockey surface, what we now term as 'Artificial Grass' or astro turf, a surface which has quite literally perfected the game of hockey and is now the only recognised surface for any form of competitive hockey.
- Around 1990 the club moved to the new astro turf pitch at Yeovil Football Club, which again saw increases in membership and player participation.
- In 1996 the club amalgamated with Westland Ladies Hockey Club.
- When the pitch at Huish Park was deemed unsuitable/unsafe for competitive hockey in 2003 and so the club was forced to find a new home.
- The nearest available pitch was at Sherborne School for girls, in Sherborne, Dorset however due to pitch availability the club then moved to the then new astro turf pitch at The Gryphon School, Sherborne in 2005.
- The club has the 'Clubs First' accreditation which means it is bound by the policies and procedures of our governing body, England Hockey.

- There has been a steady decline in senior player numbers and it is understood this is due to the Dorset base and the disjointed way in which the club has had to be run since 2003.
- The main player base (junior and senior) is split as 74% juniors and 26% seniors as living in Somerset, this means large numbers of players are travelling to Sherborne.
- The club has ambitions to fund a community coach to aid with school links and promote the game.
- Yeovil is the best location for our current member base and will see an increase in membership, as it will be more accessible and attractive to players old and new.
- Yeovil will give the hockey club far better accessibility to the community which we are meant to serve with a potential to increase hockey awareness and sport participation in all ages and abilities.
- The hockey club will potentially be able to be more involved with local schools, both at primary and secondary level. There is currently little provision for hockey in schools in the Yeovil area.
- The new facility will give schools much needed access to a hockey specific playing surface whereas they are currently reliant on playing on grass or a football specific 3G surface at Bucklers Mead School, both of which are not recognised as suitable for playing the modern day game of field hockey.
- Despite the drop in numbers the hockey club have a thriving junior section, which if the development goes ahead in Olympic year will inspire youngsters to play.
- If this proposal were successful the club would relocate all its junior and senior training sessions and competitive matches to the facility.
- The AGP is conveniently located next to existing changing facilities with good access to parking areas.
- The proposed pitch will be a high quality surface with floodlights (of a lux level suitable for competitive games) and seating. These will have significant benefits for training and competitive matches that could see County events held in the town.
- Reduction in travel distances for most players and an associated carbon saving, plus the proposed cycle storage provision to encourage non-car travel.
- This facility will have a wide and diverse community benefit as it can be used for hockey and recreational football.
- This is a fantastic opportunity for Yeovil and Sherborne Hockey Club to return to South Somerset after nine years of playing in Dorset because there hasn't been anywhere suitable in Yeovil. It means we can bring the club back to South Somerset once again and we can get more schools and the community involved with the club.

Another member of the club who is also a representative of the Royal Navy Men's First XI has made a point regarding the strong linkages with stationed members of the Armed Forces and the fact the development will further afford the opportunity for the station's personnel to integrate with the local community.

One resident of Marsh Lane has written to support the scheme suggesting the facility would make a useful addition to the Yeovil Recreation Centre and particularly supporting the proposed landscaping. Apart from the screening effect it would create a different varied area for walkers and encourage biodiversity it is said.

The representations received show an approximate split of half originating from addresses in Yeovil and half not originating from addresses from Yeovil, four letters were

noted as having a Chilton Grove, Marsh Lane, Mudford Road, Pickett Lane or Coombe Street Lane address.

Objecting:

Seventy-One letters of objection have been received directly by the planning department. Several letters are not signed and several include no postal address in order to formally acknowledge the representations made and in order to inform the contributor of this committee meeting or indeed the final decision. A significant number of letters are signed on behalf of a family or couple. The representations received show an approximate split of half from Chilton Grove, Marsh Lane, Mudford Road, Pickett Lane or Coombe Street Lane addresses and half from elsewhere.

Several letters of representation include copies of a 'Save Yeovil Rec' leaflet which makes several statements regarding the application and invites objections. The leaflet describes the development as *"an artificial turf hockey pitch - with 5m high fencing, 15m high floodlights, stadium seating all in an area of the rec bigger than the rejected £30m sports zone"*, followed by issues to object to. Many of these issues people have been advised to object upon are not planning issues for consideration in this application. The tag line states, *"Once it's gone, it's gone forever"*.

It is unclear how many people have been sent this leaflet and how many of those objecting have reviewed the plans in full to understand the full scope of the facility not just the edited highlights publicised by the leaflet.

Another six representations have been forwarded via the Chief Executive, Yeovil Town Council, and the Community Health and Leisure service; all raise concerns and objections. A further twenty-seven letters have been forwarded from the Ward Members whom have been written to directly. As these letters have forwarded onto the planning department a decision was made to acknowledge them so as to ensure all comments made, wherever they were sent, were considered and those contributors are made aware of this committee meeting and indeed the final decision.

A summary of points:

- This is a lovely open space in the centre of Yeovil with excellent pedestrian access and within easy reach of a very large number of houses. It is well used by variety of different people for different things.
- The land is covered by a Declaration of Trust and should remain open recreation and playing fields in perpetuity for the people of Yeovil.
- "The provision of recreation and sporting facilities by local authorities is a purely discretionary function and the District Council has no statutory duty to provide the proposed development".
- The people of Yeovil do not want development on Yeovil Rec. "Why is no one listening?"
- The development will ruin and block views to the south.
- There is no comparison between an unfenced area of natural grass and a huge fenced area of artificial turf.
- A large amount of football pitches already used by local teams will be lost. Why are better drained pitches being lost for one hockey pitch?
- "To take so much land away from Yeovil that can be used by all, and restrict the use of such a massive area to the few is wrong. There will be nowhere left near the picnic area for children who want to have a ball game in view of parents to do so. In fact it will be so much harder for the impromptu ball game by anyone of any age. Dog walking will be more restricted as well, due to the smaller area".
- The development will result in the loss of freedom enjoyed by users of the rec.

- "If the 'through the door flyer' is accurate, then the proposal to limit access to this public area, spend a lot of public money on unnecessary artificial turf (at this time of restraint) and create an eyesore does not seem sensible or justifiable. There must be better ways of spending or saving this money and preserving this open area".
- "The rejected £30 million sportszone was in an area of the rec smaller than this latest outrageous proposal".
- The development will serve a minority of people.
- "This land is always been used for community events, the next one being the Queen's Jubilee, but if this area is destroyed then how and where will these large events take place?"
- "Over the years the open green unfenced parts of this recreation field has been gradually chipped away".
- Yeovil should not be providing a facility for a Dorset club and Dorset people.
- This hockey club has moved around over the years, what says they will stay at Mudford Rec for any period of time.
- The facility will only be used by the college and the hockey club.
- The facility will not be used enough, 28.6% in summer and 53.6% in winter.
- The previous hockey pitch is now waste ground and part has been sold off for development.
- Hockey players and their spectators would not be local and they would arrive in cars.
- The hockey pitch should be sited on the outskirts of the town or at one of the schools.
- The floodlighting so near to the back of houses is totally unacceptable. Increased light pollution.
- The parking situation has always been a problem when a function is held.
- There is a strong feeling of resentment towards the Council following the Sports Zone proposal and a feeling there is a determination to build on the rec.
- Keep Mudford Rec open to the public, and free to use.
- Increased flooding issues.
- The development will impede a right of way.
- Increased noise from the facility, especially in the evening.
- The whole ambience of the rec will change by reason of the floodlighting and noise.
- The Village/Town Green status application should be left to be determined first.
- There are facilities elsewhere, why do we need another artificial pitch?
- Loss of the rugby pitch.
- "We have a right to a private life where we can enjoy our house and property without interference from the council (See article 8 Human Rights Act, Hatton V UK)".
- The area between the pitch and Marsh Lane will attract criminal elements.
- The money would be better off spent elsewhere, especially given the current economic climate. What other projects will suffer as a result of spending monies on this scheme? The facility will require maintenance that will also be costly.

CONSIDERATIONS

The application raises several key considerations and as such will be assessed in turn:

Principle of Development and Assessment of Need

Several representations have referred to perceived obligations upon the Council to not carry out recreation related development at the Yeovil Recreation Centre. The applicant has referred to a grant of £400 from the National Playing Fields Association and the Carnegie UK Trust executed through the completion in 1930 of a Declaration of Trust. In

that declaration, the Council's predecessor agreed to hold the land for the purposes of public recreation and playing fields. The applicant states that the Council has taken legal advice on this matter and is satisfied that there are no conflicts. Indeed, the AGP proposed, by its very nature and the playing of hockey, football and other playing field sporting activities falls within the definition of public recreation within the Declaration of Trust and is therefore considered to be permitted under it.

The site is also subject to an application to Somerset County Council for Town and Village Green status to be granted.

The Town and Village Green application does not necessarily preclude a grant of planning permission, although such an application is capable of being a material planning consideration (concerning as it does a potential future use of the land), the weight to be accorded to it is a matter for the committee to determine. Factors such as the likelihood of a future use coming about, the need for the future use, and the general desirability of keeping open any future use options will all influence the assessment of the weight of this particular material consideration. In the case of the Town and Village Green application at Yeovil Recreation Centre, it is only at application stage, and there is no indication as to when it will be determined or any certainty about which way the decision will go.

If permission is granted then the ability of the applicant to implement the permission may be prejudiced if a decision on the Town and Village Green status is made prior to any commencement on site. Indeed, under the Commons Act 2006, no person is allowed to carry out works that either prevent or impede access to or over the land, or carry out works of resurfacing. This effectively prevents any buildings or structures being constructed, any fences being erected etc pursuant to any planning permission which may have been granted.

The application outlines the assessment of need and discloses the proposed AGP has been 'on the agenda' since at least early 2007. At this time public consultation with local residents and members of the recreation ground users forum took place and it is suggested no objections were raised. Furthermore Area South Committee considered the project and in April 2007 approved the principle of submitting a planning application for the AGP (the first resolution).

The application states that the AGP proposal therefore pre-dates any proposals to develop a Yeovil Sports Zone and once Yeovil Recreation Centre had been selected as the preferred site for that comprehensive scheme the AGP proposal was put on hold until such time as it was decided to look at other sites for the Sports Zone and the entirely separate AGP proposal was reinvigorated resulting in this application.

Planning Policy Guidance Note 17 (PPG17) sets out the policies needed to be taken into account by local planning authorities in the preparation of local plan policies; PPG17 may also be material to decisions on individual planning applications. The guidance recognises the role of open spaces, sport and recreation in contributing to the delivery of a number of broader Government objectives including promoting social inclusion and community cohesion, health and well being and promoting sustainable development. It stresses that the provision of open space, sport and recreation facilities is based upon assessments of needs and opportunities.

A needs analysis and feasibility study was undertaken for hockey and football provision in accordance with the best practice guidance set out in Assessing Needs and Opportunities: A Companion Guide to PPG17. The findings were published in SSDC's

PPG17: Artificial Grass Pitch Assessment (2009), which is detailed with the application submission. The applicant states the results of consultation and assessment showed that across the District there is a shortfall equivalent to 16,529m² of artificial grass provision and this shortfall is predicted to grow to 23,065m² by 2028. This equated to a District wide shortfall of 2.59 pitches in 2008 and on current predictions there will be a shortfall of 3.61 pitches by 2028. Furthermore it is stated that Yeovil was identified as having the greatest shortfall despite the new provision at Bucklers Mead and the proposed upgrading of the Yeovil Town FC facility, this equated to a need in 2007 for 0.74 pitches and a predicted requirement of 1.79 pitches by 2027. This data and increases in population demonstrate, it is claimed, a clear recreational need for further AGP provision in Yeovil.

A site assessment has been undertaken by the applicant to establish the best site for the required AGP. Whilst this is of interest it is not fundamental to the determination of this application as this application for an AGP at Yeovil Recreation Centre must be considered on its own merits and it is not material to the decision to suggest 'it would be better elsewhere'. The assessment of the applicant showed Yeovil Recreation Centre as the preferred site, outscoring alternative sites such as Preston School, Yew Tree Park and Johnson Park.

Yeovil Recreation Centre is defined as a 'No Development Area' in the South Somerset Local Plan and so Policy EH10 is relevant. A 'No Development Area' recognises open areas of land within villages and towns that are an important part of the street scene or character of the settlement; sometimes allowing views out of settlements to the open countryside, providing a setting for the built environment and creating a feeling of space. As is the case of Yeovil Recreation Centre these areas can be used for informal and formal recreation and therefore perform a dual role of recreation and enhancing the visual amenity of a locality. Consequently the loss of any of these important areas of open space would damage the character of settlements and development will generally be resisted unless a special community, education or recreation need is identified.

Policy EH10 states, "*Development which would have an adverse impact on the amenity or recreational value of open land identified on the proposals map will not be permitted unless a special community, educational or recreational need is identified*".

From the PPG17 assessment it is accepted that a need for additional AGP provision is required in Yeovil. As such with an identified recreational need demonstrated it is considered Policy EH10 is met. The only reservation would be regarding an interpretation of 'special' within the policy wording; there is no commentary in the Local Plan to advise where a 'special recreational need' is different from just a 'recreational need'. However the Planning Policy Team Leader is content such a case has been made.

Nonetheless there is an overwhelming sense in the letters of representation that a significant proportion of the grassed area of Yeovil Recreation Centre is to be lost, resulting in the removal of public access and use of open land for general amenity purposes.

There is also a sense that this is an exclusive, private, one user facility but the application is clear as to the intended user profile. Whilst it will be used for hockey for most Saturdays, Sunday mornings and two weekday evenings, the remainder of the time it will be available for use by the local community, sports clubs and the college for recreational football, tennis and other sporting and recreational activities. If the

application is approved and completed it is envisaged that the facility would attract other, currently unknown, user groups.

Yeovil Recreation Centre epitomises an area that attracts different people for different reasons, from casual walkers, to organised sports teams and large public events. The multifunctional use of the site is amplified by the letters of representation received and highlights there is not and should not ever be one dominant use of the site. PPG17 (paragraph 1) states, "*Open space is defined in the Town and Country Planning Act 1990 as land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground*".

Paragraph 2 goes on to say that outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) - including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas; natural and semi-natural urban greenspaces and amenity greenspace - including informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens all illustrate the broad range of open spaces that may be of public value. Due to the multifunctional use of the Yeovil Recreation Centre it is important to ascertain that this proposal is fully consistent with the provision and maintenance of 'open space'.

It is important to acknowledge that whilst the red line application area amounts to some 2.46 hectares, the AGP and associated warm up area that will be enclosed by a perimeter fence only extends to some 0.78 hectares and the remainder of the application area includes earthworks to re-configure the football pitches, new landscaping and the access path from the car park.

With the AGP facility in place, general public access would still be available to a significant part of the southern portion of the grassed area and in fact, there will still be strong pedestrian links and general amenity space to be enjoyed by the local community, indeed the landscaped area provides a different space for people to enjoy. The application area also only extends to approximately 30% of the total Recreation Centre area. It is accepted the proposal introduces an area of fenced enclosure (the AGP itself) but it will be used by a variety of sports, although primarily hockey, and represents a small proportion (7.72%) of the overall 10.10 hectares of outdoor space available at the Yeovil Recreation Centre.

For developments within open spaces paragraph 16 of PPG17 advises, "*The recreational quality of open spaces can be eroded by insensitive development or incremental loss of the site. In considering planning applications - either within or adjoining open space - local authorities should weigh any benefits being offered to the community against the loss of open space that will occur*". It is not considered that a loss of 'open space' will occur although representations point to incremental development and fenced off areas.

Policy CR1 seeks to protect playing fields unless certain criteria are met. The proposal is consistent with the first criteria which states that the loss of playing fields will be permitted where "sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site".

Policy 37 of the Structure Plan suggests provision should be made for the protection, maintenance and improvements of the range of facilities for sport and recreation, where they are compatible with the size and function of the settlement involved.

Whilst it is accepted the nature of the grassed area will change this proposal responds to the flexibility of the Yeovil Recreation Centre to provide a wide range of formal and informal recreation and play facilities and open space (its in truest sense) to cater for the widest population possible, the representations show this will advantage some people more than others, but then the same can be true for any facility on such a site. This strategic facility is seen to be commensurate to the size of the settlement and hinterland it is to serve.

The application has been presented in such a way that the provision of the AGP facility means the net loss of the one rugby pitch with the existing football pitches reordered to maintain the current number and range of age related sized pitches. The rugby provision is to be relocated to the Ivel Barbarians site to the south of Yeovil where a mutually convenient arrangement has been made.

Sport England has been consulted on the application and this has also required consultations with the main Governing Bodies of Sport. In conclusion Sport England does not object to the application provided two planning conditions are imposed. These refer to the detailed layout and dimensions of the reordered football pitches and the production of a sports development plan for the AGP to set out how each sport will be provided access to the facility.

In conclusion it is considered the proposal is broadly consistent with the aims and objectives of PPG17, Policy 37 of the Structure Plan, and Policies ST5, EH10 and CR1 of the South Somerset Local Plan.

Landscape Impact, Floodlighting, Noise and Residential Amenity

The application is accompanied by a Landscape Impact Assessment and a Lighting Report. The Council's Landscape Architect has also provided a summary and appraisal of those assessments and the proposed mitigation.

The wider landscape issues revolve around the floodlighting and the columns themselves standing at a maximum of 15m. The Landscape Architect is content that the visual impact (excluding the lighting) is limited outside the site. The lighting design is such so as to avoid light spill, in order to concentrate light on the pitch and not elsewhere and to minimise sky glow. Inevitably some lateral spill is predicted from the lighting modelling exercise but the Landscape Architect notes that this is contained within the site and adjoins the Athletics track, which is also characterised by lighting. The proposed landscaping will, in time, provide increased diffusion of the facility and its perceived lighting impact.

The proposed floodlighting effectively has two settings, one for recreational use (350Lux) and one for competitive use (500Lux). The scheme has also been designed to minimise energy usage. The lighting impact assessments have been made based on the maximum luminance concluded to be acceptable.

Paragraph 19 of PPG17 states in considering applications for floodlighting, local authorities should ensure that local amenity is protected. Local Plan policies ST6 and EP3 similarly seek to protect residential amenity from light trespass. The Council's Environmental Protection Officer gives a detailed assessment and concludes that subject to a lighting condition to restrict usage post curfew no harm would result given the urban context. The application suggests the lighting will be turned off by 10pm every week day and this will form a planning condition. On this basis the application is seen to comply with policies ST6 and EP3 of the South Somerset Local Plan plus accepted guidance from the Institution of Lighting Engineers.

The landscaping comprises some 49 trees; some to be planted to the west of the facility as a group to partly give some barrier to local residents, increase wildlife potential and counter the perceived loss of greenery; some to the south to create an avenue and strengthen the backdrop to the facility when viewed from the north, and maintain bat foraging habitat. No trees are required to be felled as part of the proposal. The Council's Tree Officer has reviewed the potential impact upon those existing trees and concludes the scheme can take place and not harm the trees subject to further construction details of the access path and cycle store and the erection of protective fencing and a protective access route to ensure the trees are not damaged during the construction period.

In addition to the floodlighting the increased noise and disturbance associated with a facility like this could cause harm to nearby residents. As a guide the nearest house is some 100m away from the proposed facility. Given the existing presence of sports pitches and general activity it is not considered any increase from the facility would cause demonstrable harm, sufficient to warrant refusal of the application. The Council's Environmental Protection Officer raises no objection. Due to the specific nature of hockey a ball damper board is intended around the edge of the pitch to mitigate some noise impact as suggested by Yeovil Town Council, the details of which will be agreed by planning condition.

The proposed development does not include any personal address systems and hence, there has been no need to provide an associated noise impact assessment to demonstrate potential impacts on local residents.

It is proposed to retain some of the spoil, created from digging the AGP into the rising land, on the site to contour some aspects of the remaining grassed area to improve the usage of several football pitches and to provide a profiled area to the west to receive the proposed tree planting. This explains the extent of the application red line. The retention of spoil and reuse on the site does not present any problems as it prevents all the material being trucked away. Policy EP4 promotes the use of inert waste/spoil being used on site.

Transport

The application is accompanied by a Transport Statement which examines the current usage of the site, existing traffic conditions, parking provision and public transport linkages. Effectively the main issue is whether the increase in movements generated from the grassed area subject to the application to those generated by the proposed AGP is material given the usage profile envisaged and existing capacity. The statement concludes that there will not be a significant increase in traffic and the site is served by a variety of different transport modes. It also concludes that the site as a whole has adequate parking capacity for the peak times envisaged at weekends. It also advises that no works to the highway are required. The Highways Officer has stated that the proposal will not have a detrimental effect on the existing highway network and furthermore that the site is considered to be in a highly sustainable location in terms of transport. Conditions will be imposed to cover a travel plan, construction management plan and the provision of the intended cycle storage racks. The proposal is seen to comply with the aims and objectives of PPG13, Policies 39, 48 and 49 of the Structure Plan and Policies TP1, TP2, TP3, TP5 and TP6 of the South Somerset Local Plan.

Ecology

The application is accompanied by an Ecology Survey which updates current wildlife activity and assesses the impact of the proposed development. Bat activity is most prevalent, primarily along the southern boundary where the trees provide a foraging

habitat for serotines and common pipistrelles. The survey advises that the proposed floodlighting is likely to have a detrimental impact on foraging behaviour if left unmitigated. The survey recommends a line of trees be planted to the south of the proposed AGP to form a protected avenue with the existing trees to maintain sheltered foraging habitat and this recommendation has been followed. There are no other wildlife implications.

The Council's Ecologist has assessed the survey and proposal and has concluded the proposed tree planting will provide some mitigation as recommended in the survey report and consequently has no objection. The development is said to comply with PPS9, Policy 1 of the Structure Plan and Policy EC8 of the South Somerset Local Plan.

Right of Way

There is presently a Right of Way running north south through the grassed area connecting a path running west east off Marsh Lane to Coombe Street Lane. The proposed development dissects the right of way. Policy CR9 states, "*Development proposals which involve the closure or diversion of an existing public right of way will not be permitted unless an alternative public right of way will be made available which will be equally convenient to users*". Whilst paragraph 32 to PPG17 underlines the importance of rights of way as a recreational facility.

The Council's Rights of Way Officer has concluded that as there is a reasonable alternative route for the Public Footpath and as it is already the subject of the diversion process there is no objection to this proposal. This would therefore seem to comply with PPG17 and Policy CR9 of the South Somerset Local Plan.

The diversion process is separate to this determination and will be considered on its own merits, indeed the outcome of this application does not prejudice the outcome of the diversion process, but given that no decision has been made regarding the diversion this planning application can be positively determined should members wish, but the ability of the applicant to implement the permission as intended during this financial year may be prejudiced if a decision on the diversion application is not made within that timescale.

Flooding and Surface Water Drainage

The application is accompanied by a Flood Risk Assessment. Whilst this states the site is not at risk from fluvial flooding it concludes that the AGP can be developed without causing surface water drainage issues subject to a suitable Sustainable Urban Drainage scheme being agreed by planning condition. The EA concurs with this approach. Local residents have raised the question of flood impacts at Picketts Lane. It is understood this relates to a historic problem associated with run off from the Recreation Centre onto Picketts Lane via the Athletics Centre access road. It is further understood that engineering works to rectify this problem took place and no further incidents of flooding have been identified.

Other Issues

- The Police Architectural Liaison Officer raised an initial issue regarding CCTV coverage, and the applicants have provided sufficient information regarding a proposed CCTV installation for the AGP as part of a site wide assessment and project. This satisfies policy ST9 of the Local Plan.
- Some verbal representations have expressed some dissatisfaction regarding the current disabled access to the site from Coombe Street Lane and Marsh Lane. It is intended to advise the applicant of this by an informative.
- One further feature of the grassed area of Yeovil Recreation Centre is the ability to hold a variety of public events from small festivals to the intended Jubilee

celebrations next year. Indeed paragraph 3 of PPG17 advises Local Authorities to take this facet of use into consideration. Whilst it is accepted that the AGP in itself would not preclude such large-scale events taking place the line of trees initially proposed across the middle of the site could have, and so have been withdrawn from the scheme so as to not pose any greater constraint on the ability of the Yeovil Recreation Centre to hold large events.

- Many representations refer to the demise of the previous hockey pitch and the following development of a medical centre on half of it and the use of the remainder as parking for the Yeovil Recreation Centre. The decision to build a medical centre would have been made on its own merits as a community facility and taking into account available sites given the community to be served. The fact the hockey club was located happily elsewhere at the time would have also probably been a material consideration.
- There is a suggestion in some of the correspondence that hockey players will not have access to the changing facilities at the Recreation Centre and the applicant has confirmed that full access to all users including hockey will be provided.

Finally, although not constituting a material planning consideration, almost all the letters of representation refer to funding. So as not to be seen as ignoring the issue it has been clearly set out within a Press Release in August 2011, that South Somerset District Council has secured a total of £593,000 for the pitch, with £117,000 coming from the England Hockey Board and £476,000 from Barratt Homes - who are developing the Wyndham Park development off Lyde Road. This funding is in addition to £224,000 set aside by SSDC from its capital funds in 2007 in order to address a shortage of artificial grass pitches in Yeovil and South Somerset.

RECOMMENDATION

Grant permission for the following reason:

The proposal maintains the visual characteristic of the area whilst safeguarding residential amenity and meets a proven special recreational need in accordance with the aims and objectives of Planning Policy Statements 1, 9, 23 and 25; Planning Policy Guidance Notes 13 and 17; Policies STR1, STR2, STR4, 1, 37, 39, 48 and 49 of the Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000) and Policies ST5, ST6, ST9, EP3, EP4, EH10, TP1, TP3, TP5, TP6, CR1 and CR9 of the South Somerset Local Plan (adopted April 2006).

Subject to the following conditions:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - a. Location Plan, Drawing No. AS/092/04A
 - b. Proposed Layout Plan, Drawing No. AS/092/03D
 - c. Proposed Sections, Drawing No. AS/092/07B
 - d. Outdoor Playing Space, Existing and Proposed, Drawing No. AS/092/08B
 - e. Landscape Proposals, Drawing No. AS/092/09B
 - f. Proposed Lighting Design, Drawing No. AS/092/10A

- g. Pitch Side Elevation and Dug Out Details, Drawing No. AS/092/11
- h. Proposed Drainage Design, Drawing No. AS/092/12A
- i. Propose CCTV Coverage, Drawing No. AS/092/13A

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3. The floodlights hereby permitted shall not be illuminated except between the hours of 0900 and 2215 hours Monday to Friday, 0900 and 1815 Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

- 4. The floodlighting hereby approved shall be installed in full accordance with the specification submitted within the application. Any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure that local residents are afforded the same protection in perpetuity to accord with policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

- 5. Details of the ball damper board to be installed around the perimeter of the pitch to mitigate the impact of hockey balls shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the first use of the facility hereby approved.

Reason: To minimise any potential noise nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

- 6. All planting proposed within the submitted landscaping scheme, drawing no. AS/092/09B (including that proposed outside the application red line) shall be carried out in the first planting season following the first use of the facility or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

- 7. No works shall be carried out unless the Local Planning Authority has approved in writing, the following tree protection and planting details:
 - a. A revised specification of watering, staking, mulching and the installation of strimmer guards relating to the submitted scheme of tree planting;
 - b. A Tree Protection Plan and Arboricultural Method Statement relating to all retained trees on or adjoining the site, so as to conform to British

Standard 5837: 2005 - Trees in relation to construction and inclusive of: the installation of protective fencing, controlled vehicular access routes to and from the site and special tree protection and engineering measures for any required access, installation of built structures (i.e. the cycle shelter), below-ground services, drainage and hard surfacing within the root protection areas of retained trees.

Upon approval by the Local Planning Authority, the tree protection and planting details shall be implemented in their entirety for the duration of the construction of the development, inclusive of the landscaping phases and the required terms of the revised tree planting scheme.

Reason: To secure the planting of new trees and to preserve existing trees in accordance with the objectives of PPS1 and to accord with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).

8. No works shall be carried out unless a framework for the preparation of a Travel Plan to include details for the provision of hard measures shall be submitted to and approved in writing by the Local Planning Authority. The framework shall set out the proposed contents of the plan, in accordance with the guidance in PPG13: Transport - Guidance for Travel Plans.

Reason: To promote sustainable modes of transport and mitigate any increases in vehicular traffic to accord with the objectives of PPS1 and PPG13.

9. No works shall be carried out unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To ensure construction works do not impact upon the local highway network to accord with the objectives of PPG13.

10. Before the new development is brought into use, the new pedestrian and cycle arrangements shall be fully constructed in accordance with the approved plans. Such cycle provision shall be retained thereafter.

Reason: To promote sustainable modes of transport and mitigate any increases in vehicular traffic to accord with the objectives of PPS1 and PPG13.

11. No works shall be carried out unless a scheme to ensure the continuity of use of the playing fields/football pitches shown on Drawing No. AS/092/05C has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with in full.

Reason: To ensure that the use of the Yeovil Recreation Centre for pitch sports meets with National Governing Body minimum standards, are fit for purpose, and accords with the objectives of PPG17.

12. Before the new development is brought into use, a Sports Development Programme shall be submitted to and approved in writing by the Local Planning Authority, which secures the delivery of a development programme for football and hockey, and includes a mechanism for review. The Programme shall be carried out and implemented in full in accordance with the approved details.

Reason: To secure sufficient benefits to the development of sport and to accord with the objectives of PPG17.

13. No works shall be carried out unless a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system to accord with the objectives of PPS25.

14. No works shall be carried out unless a Construction Method Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the phasing of works and the positions of temporary safety/security fencing to be erected during the course of the development, which shall be set so as to allow at least a 3m-access strip adjacent to the rear boundaries of properties on Marsh Lane in order to maintain pedestrian access around the site. The scheme shall also indicate the location(s) of excavated spoil and the height of such piles.

Reason: In the interests of clarity.

Informatives:

1. With regards to Condition 11 the scheme shall ensure that the re-aligned grass pitches meet the Football Associations requirements in terms of size, quality and accessibility, and include a timetable for implementation.
2. The applicant is advised to implement the recommendations of the submitted ecological survey (Ecology Update Survey, Jackie Underhill, Sep 2011) specifically those of site enhancement.
3. The applicant is advised to review all access points to the Yeovil Recreation Centre so as not to prevent disabled access, or access by mobility scooter. Any alterations must take into account Rights of Way and the potential requirement for planning permission.

Appendix A

Draft minute from Area South Committee 2nd November 2011

Please note that the full draft minute will be sent out under separate cover.

11/03605/R3D – The creation of artificial grass pitch with adjoining warm up area, spectator terracing, fencing, floodlighting and associated landscaping and engineering works Yeovil Recreation Centre Mudford Road Yeovil – Applicant: South Somerset District Council

Area South Committee resolved to recommend to the Regulation Committee that the application be approved with conditions as per the officer recommendation with revisions to Condition 03 and an additional condition, No.14.

Condition 03

The floodlights hereby permitted shall not be illuminated except between the hours of 0900 and 2215 hours Monday to Friday, 0900 and 1815 Saturdays, Sundays and Bank Holidays. Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

Additional Condition - Condition 14

No works shall be carried out unless a Construction Method Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the phasing of works and the positions of temporary safety/security fencing to be erected during the course of the development, which shall be set so as to allow at least a 3m-access strip adjacent to the rear boundaries of properties on Marsh Lane in order to maintain pedestrian access around the site. The scheme shall also indicate the location(s) of excavated spoil and the height of such piles. Reason: In the interests of clarity.

RESOLVED:

That the Regulation Committee be advised that Area South Committee recommend the grant of planning permission for the following reason:

The proposal maintains the visual characteristic of the area whilst safeguarding residential amenity and meets a proven special recreational need in accordance with the aims and objectives of Planning Policy Statements 1, 9, 23 and 25; Planning Policy Guidance Notes 13 and 17; Policies STR1, STR2, STR4, 1, 37, 39, 48 and 49 of the Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000) and Policies ST5, ST6, ST9, EP3, EP4, EH10, TP1, TP3, TP5, TP6, CR1 and CR9 of the South Somerset Local Plan (adopted April 2006).

Subject to the following conditions:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - a. Location Plan, Drawing No. AS/092/04A
 - b. Proposed Layout Plan, Drawing No. AS/092/03D
 - c. Proposed Sections, Drawing No. AS/092/07B
 - d. Outdoor Playing Space, Existing and Proposed, Drawing No. AS/092/08B
 - e. Landscape Proposals, Drawing No. AS/092/09B
 - f. Proposed Lighting Design, Drawing No. AS/092/10A
 - g. Pitch Side Elevation and Dug Out Details, Drawing No. AS/092/11
 - h. Proposed Drainage Design, Drawing No. AS/092/12A
 - i. Propose CCTV Coverage, Drawing No. AS/092/13A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The floodlights hereby permitted shall not be illuminated except between the hours of 0900 and 2215 hours Monday to Friday, 0900 and 1815 Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

4. The floodlighting hereby approved shall be installed in full accordance with the specification submitted within the application. Any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure that local residents are afforded the same protection in perpetuity to accord with policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

5. Details of the ball damper board to be installed around the perimeter of the pitch to mitigate the impact of hockey balls shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the first use of the facility hereby approved.

Reason: To minimise any potential noise nuisance and disturbance to neighbours and the surrounding area to accord with PPG17 and policies ST6 and EP3 of the South Somerset Local Plan (adopted April 2006).

6. All planting proposed within the submitted landscaping scheme, drawing no. AS/092/09B (including that proposed outside the application red line) shall be carried out in the first planting season following the first use of the facility or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

7. No works shall be carried out unless the Local Planning Authority has approved in writing, the following tree protection and planting details:
 - a. A revised specification of watering, staking, mulching and the installation of strimmer guards relating to the submitted scheme of tree planting;
 - b. A Tree Protection Plan and Arboricultural Method Statement relating to all retained trees on or adjoining the site, so as to conform to British Standard 5837: 2005 - Trees in relation to construction and inclusive of: the installation of protective fencing, controlled vehicular access routes to and from the site and special tree protection and engineering measures for any required access, installation of built structures (i.e. the cycle shelter), below-ground services, drainage and hard surfacing within the root protection areas of retained trees.

Upon approval by the Local Planning Authority, the tree protection and planting details shall be implemented in their entirety for the duration of the construction of the development, inclusive of the landscaping phases and the required terms of the revised tree planting scheme.

Reason: To secure the planting of new trees and to preserve existing trees in accordance with the objectives of PPS1 and to accord with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).

8. No works shall be carried out unless a framework for the preparation of a Travel Plan to include details for the provision of hard measures shall be submitted to and approved in writing by the Local Planning Authority. The framework shall set out the proposed contents of the plan, in accordance with the guidance in PPG13: Transport - Guidance for Travel Plans.

Reason: To promote sustainable modes of transport and mitigate any increases in vehicular traffic to accord with the objectives of PPS1 and PPG13.

9. No works shall be carried out unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To ensure construction works do not impact upon the local highway network to accord with the objectives of PPG13.

10. Before the new development is brought into use, the new pedestrian and cycle arrangements shall be fully constructed in accordance with the approved plans. Such cycle provision shall be retained thereafter.

Reason: To promote sustainable modes of transport and mitigate any increases in vehicular traffic to accord with the objectives of PPS1 and PPG13.

11. No works shall be carried out unless a scheme to ensure the continuity of use of the playing fields/football pitches shown on Drawing No. AS/092/05C has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with in full.

Reason: To ensure that the use of the Yeovil Recreation Centre for pitch sports meets with National Governing Body minimum standards, are fit for purpose, and accords with the objectives of PPG17.

12. Before the new development is brought into use, a Sports Development Programme shall be submitted to and approved in writing by the Local Planning Authority, which secures the delivery of a development programme for football and hockey, and includes a mechanism for review. The Programme shall be carried out and implemented in full in accordance with the approved details.

Reason: To secure sufficient benefits to the development of sport and to accord with the objectives of PPG17.

13. No works shall be carried out unless a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system to accord with the objectives of PPS25.

14. No works shall be carried out unless a Construction Method Scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the phasing of works and the positions of temporary safety/security fencing to be erected during the course of the development, which shall be set so as to allow at least a 3m-access strip adjacent to the rear boundaries of properties on Marsh Lane in order to maintain pedestrian access around the site. The scheme shall also indicate the location(s) of excavated spoil and the height of such piles.

Reason: In the interests of clarity.

Informatives:

1. With regards to Condition 11 the scheme shall ensure that the re-aligned grass pitches meet the Football Associations requirements in terms of size, quality and accessibility, and include a timetable for implementation.
2. The applicant is advised to implement the recommendations of the submitted ecological survey (Ecology Update Survey, Jackie Underhill, Sep 2011) specifically those of site enhancement.

The applicant is advised to review all access points to the Yeovil Recreation Centre so as not to prevent disabled access, or access by mobility scooter. Any alterations must take into account Rights of Way and the potential requirement for planning permission.