

# 20/00460/FUL

**Applicant** Geoff Baker

**Location** Playing Fields Joint Management Committee Recreation Ground Platt Lane Keyworth Nottinghamshire

**Proposal** Creation of Artificial Grass Pitch (AGP) with associated features including 4.5m high ball stop fencing and entrance gates to the AGP, 1.2m high and 2m high pitch barriers with entrance gates internally fenced AGP enclosure, 2.13m high team shelters (dug outs), hard-standing areas, 15m high floodlights system, and 2.59m high maintenance equipment storage container (15 sq. metres).

**Ward** Keyworth And Wolds

## THE SITE AND SURROUNDINGS

1. The site is located 1.6km North East of Keyworth village centre with access from Platt Lane. The proposal relates to the north eastern area of the existing sports ground where there is an existing grass football pitch with lighting columns. The wider facility offers a range of activities including football, cricket, and archery.
2. To the north and east are the network rail test track, Perkins and Carriage Hall Restaurant and agricultural land. Existing residential properties to the west (Park Avenue) are approximately 343m to property boundaries. However, it should be noted that the recently approved Miller Homes development (18/02412/FUL) for 187 dwellings, which is currently under construction on the intervening land, is immediately to the west and south of the site and therefore residential properties will be closer to the facility. To the South (approximately 149m) there are a number of properties on Platt Lane.
3. There are several mature and semi-mature trees along the boundaries with the railway test track to the North and Platt Lane to the East, with a small group of trees in the North Eastern corner of the sports ground. Hedgerow boundaries also exist. The levels of the site fall towards the North and North East by up to 2-3m.
4. The site is located within the Green Belt within flood zone 1.

## DETAILS OF THE PROPOSAL

5. Planning permission is sought to create an Artificial Grass Pitch (AGP) (7420 sq. metres) with associated features including 4.50m high ball stop fencing and entrance gates to the AGP perimeter; 1.20m high and 2.00m high pitch barriers with entrance gates internally within fenced AGP enclosure; 2 x 2.13m high team shelters (dug outs); hard-standing areas (1021 sq. metres); 8 x 15.00m high floodlights system; 2.59m high maintenance equipment storage container (15 sq. metres) along the eastern AGP perimeter. In addition, some of the soil arising from the construction of the AGP is to be retained on site and the Design and Access Statement indicates that this will be used to create an earth mound

up to a height of 2.5m. In the longer term, this material would be used in connection with other proposals for improvements to the facilities at the site.

6. The proposed Artificial Grass Pitch (AGP) would replace an existing grass football pitch, for use by the Keyworth United Community Football Club; and would provide for increased sporting provisions and facilities for club players, local community sports clubs and visiting groups to the Keyworth Sports Association.
7. It is intended to use the AGP between 09:00 to 22:00 Monday to Sunday, including Bank Holidays, with a final curfew time of 22:15 during the week and at weekends to enable people to safely leave the AGP after which gates would be closed and locked.
8. The appearance of the new pitch surface would comprise a 3G artificial grass partially in-filled with silica sand (for stability) and styrene-butadiene rubber (SBR) (for performance), coloured grass green. The perimeter ball stop fencing (4.50m high) together with the pitch barriers (1.20m high and 2.00m high) and associated gates would be polyester powder coated RAL6005 Moss Green, with posts and entrance gates to match. The proposed floodlights would comprise masts coloured Z275 galvanised grey, mounted LED luminaires coloured raw aluminium. The new maintenance equipment store (2.529m high x 6.06m long x 2.44m wide) would be profiled steel cladding, finished in polyester powder coated RAL6005 Moss Green. The new hard standing areas would be grey / black coloured porous asphalt.
9. As a result of comments received during the course of the consideration of the application revised/ additional information was submitted. The application is supported by the following documents:
  - Evidence of need
  - Location Plan
  - Site Plan
  - Existing Site Plan
  - Proposed Site Plan
  - AGP Plan, Layout, Surface Water Drainage, Floodlight, Constraints and Elevations
  - Cricket Pitch Relocation Plan
  - AGP Features
  - Application photographs
  - Design and Access Statement
  - Floodlight Data Sheet
  - Floodlight Design
  - Letter regarding Wildlife
  - Ground Investigation Report
10. In addition, a planning support addendum was submitted to provide information in response to consultee comments from Network Rail, Sport England, Sustainability Officer and Nottinghamshire Wildlife Trust that were received on the original submission.
11. In addition, as a result of other queries raised, the applicant's agent has confirmed in writing that *"The proposed plan of the pitch assumes a cut and fill*

*operation to be carried out on the site, our preliminary assessment of ground level changes necessary to create a shallow and even field of play (which is required to comply with The Football Association technical standards); results in an elevation to the Eastern AGP enclosure of between +185mm (at the South Eastern corner) and +315mm (at the North Eastern corner) along the Platt Lane boundary. Similarly, ground along the Western AGP enclosure will be adjusted between -315mm (at the South Western corner) and +215mm (at the North Western corner) to accommodate a shallow and even football pitch. Given these minor adjustments to current topography, we hope you agree that ball stop fencing viewed from Platt Lane above the existing boundary hedgerow will not be excessively prominent or unsightly.”*

12. Confirmation was also provided that the cricket pitch is not to be relocated under this application. A drawing indicating the location of temporary earth mounds, using soil arising from the excavations in connection with the construction of the AGP, has also been provided.

## **SITE HISTORY**

13. 13/01035/VAR - Vary Condition 6 of planning permission 08/01016/FUL to allow erection of replacement floodlighting – approved July 2013.
14. 10/01688/CTY (County matter application) - Create extension to car park – no objection raised October 2010.
15. 08/01016/FUL - Erect clubhouse building incorporating changing facilities and multi-purpose community hall, associated car park and disabled access works (revised scheme) – approved July 2008.
16. 88/00145/H2P - Single storey extension to changing room block – approved March 1988.
17. 78/09906/HIST - Erect sports pavilion – approved April 1978
18. 76/02366/HIST (County matter application) - Layout of land as soccer/rugby/cricket/hockey pitches (Detailed plans to comply with reserved matters) – no objection raised May 1976.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

19. One Ward Councillor (Cllr Cottee) has declared an interest as he is the Chairman of the Sports Ground at Platt Lane.

### **Town/Parish Council**

20. Keyworth Parish Council have no objection or comments to make.

### **Statutory and Other Consultees**

21. The Borough Council's Sustainability Officer commented on the original submission that *“the applicant had stated that there are no protected species, habitats or sites on or adjacent to the application sites.”* The Sustainability

officer advised that *“this statement is incorrect as the site is adjacent to Plumtree Disused Railway Local Wildlife Site. I also note the spillage grid within the LED lighting report shows there will be lighting spillage on the Local Wildlife Site.”*

22. The officer recommended that the application not be determined prior to the provision of an ecological assessment (Ecological Impact Assessment (EcoIA), including any required surveys) as he considered that it was not possible to determine any adverse impacts on the populations of European Protected Species without an ecological assessment.
23. The officer also recommend no light spillage should impact the Local Wildlife Site or a 10m buffer from the Local Wildlife Site.
24. In respect of the revised/additional information the officer noted that the applicant has had regard to the Plumtree Disused Railway Local Wildlife Site which is adjacent to the application site and that the applicant notes that floodlighting is currently in use on the site and the development will reduce the impact of floodlighting through improved design features.
25. The officer has made the following recommendations (which should be conditioned as appropriate):
  - No light spillage should impact the Local Wildlife Site or a 10m buffer from the Local Wildlife Site.
  - The floodlights should only be used during times the sports pitches are in active use.
  - Consideration should be given to providing further tree planting between the sports pitches and the local wildlife site.
26. The Borough Council’s Design and Landscape Officer commented that *“the proposed layout has rotated the sports pitch towards the north eastern boundary, I’m not sure of the reasoning behind this, but this doesn’t seem particularly desirable. Firstly the proposed 4.5m ball stop fencing will be much closer to the road and this will make it more visible, the further it is set back the less prominent it will be.*
27. *I also note that the new pitch appears to be on raised levels, I apologise in advance if I have missed this information, but I can’t see what the change in level will be? This is important for 2 reasons, changes in soil level in the root protection area of trees should ideally be avoided, or where this is necessary any changes in level should be kept to a minimum. Secondly, if the levels are raised will the ball stop fencing be higher than 4.5m above existing ground levels? What I would like to ensure is that the roadside ball stop fencing is not unduly prominent above the existing hedge.*
28. *The plan showing the relocation of the Cricket Pitch raises a number of questions, is this essential to making the current application sustainable? The relocation of the Cricket Pitch seems to show it extending into the adjacent area of housing which is currently under development, the removal of trees on this boundary is not going to be acceptable. I also note that it shows the car park and cricket nets extending into adjacent site and the relocation of the public right of way, this would add an additional level of complication as an application would need to be made to divert the footpath following the granting*

*of any planning permission that would affect its current alignment. If the Cricket Pitch doesn't need relocating it may be better to exclude this plan".*

29. Further comments were received that advised that *"We could look to use a general landscape condition to get some tree planting close to the boundary hedge to help provide some additional screening in combination with a condition detailing the management of the boundary hedge which will specify a minimum height [3m] at which it will be maintained. These should ensure the new fencing is largely screened from view, the top will most likely still be visible, but it would be sufficient softened for me to not object."*
30. The Borough Council's Environmental Health Officer has commented on noise, light and contamination. In respect of noise and light they consider that the nearest residential premises are a reasonable distance from the facility and as such they do not envisage any issues with noise and light from this proposed development. Regarding contaminated land, they propose a condition on the basis that the submitted ground investigation report advises that further site investigation works should be undertaken to determine the risk of contamination.
31. The Borough Council's Community Development Manager advised that they had no objection to the proposal which has been identified in the (2019) updated Playing Pitch Strategy and Action Plan for Rushcliffe and is also identified in the FA Local Football Facilities Plan as a priority project for delivery.
32. In respect of the revised information, they advised that they had reviewed the revised documents, questions raised by Sport England, updated Cricket pitch layout and the submission by Keyworth Archers.
33. The officer confirmed that they support the application for approval. A full sized 3G pitch onsite to address 3G pitch shortfalls for football was identified as a priority project in the 2019 FA Local Football Facility Plan.
34. The only question the officer had was in relation to the spoil arising from the AGP development, in the initial proposal it showed this mounded on site on some of the existing mini pitches adjacent to the railway line. The officer sought confirmation whether it would now be removed from site as this would ensure no loss of existing grass pitches with the exception of the AGP pitch.
35. Nottinghamshire County Council as Lead Local Flood Authority originally advised that the application did not constitute one that they would comment upon however, on consultation of additional information and having discussed the matter with the LLFA officer, they responded advising that they have no objection to the proposals subject to a drainage condition.
36. Nottinghamshire County Council as Highways Authority raise no objections and advised that as the proposed Artificial Grass Pitch replaces a grass football pitch at the site the access and parking will remain as existing which is considered sufficient to accommodate the proposed use. Any additional traffic movements generated over that of the existing site are considered unlikely to result in a severe impact on the public highway.

37. They also commented that the LED Floodlight design report details that light spillage will not impact on Platt Lane.
38. In response to the additional information they confirmed their original comments.
39. Sport England confirmed that *“in principle the need for a 3G AGP in this location is established by evidence in the Rushcliffe Playing Pitch Strategy (2019 review) and as an investment priority in the Local football facilities plan for the borough. The LFFP also supports improvements to grass pitch quality.*
40. *Furthermore, in our consultation response on the application for residential development Sport England sort to ensure that the future construction of an AGP (the potential reconfiguration of cricket facilities) and continuation of sport at the Platt Lane site was fully considered. At that time as can be seen below the orientation of the AGP was different to that proposed, with the intention of the existing cricket wicket being retained as is the current situation. But sport England was aware that this was not necessarily the final configuration. Unfortunately, there is insufficient information to enable Sport England to adequately assess the proposal.”*
41. Their comments included those from the Football Foundation, England and Wales Cricket Board (ECB) and Keyworth Archers. The Football Foundation was supportive. However, the ECB and Keyworth Archers had a number of concerns/objections to the original submission as the proposal would have a negative impact either short term during construction or on their long term provision. Their comments are set out below:
42. ECB:
- The proposal would reduce the outfield further and create a solid fence boundary the ECB would require a 3m run off for safety reasons, which restricts the outfield boundary further.
  - ECB would therefore object to this as the development would prejudice the use as a feasible cricket pitch due to the boundary being significantly reduced.
  - In terms of the proposals for the overall long term masterplan for the site, the ECB would need to see initially if it is feasible to relocate square (which could resolve the above issues) and then would want to see detailed timescales
  - A Fine Turf Specialist would need to be involved to understand and develop the proposals. A condition may prove to be workable which requires confirmation of the cricket proposals and a timeline for construction before the ECB objection could be removed.
43. Keyworth Archers:
- It looks as if there will no longer be space for them to continue with archery at the site.
  - The plans appear to have been revised to feature an elevated grass mound and an area of tree planting along the long north edge of the site, which is really the only suitable area for archery.
  - The application will definitely affect their activities (in the sense that there's no clear way they could continue at the site).

44. Further to the above the Archers advise:
- Have discussed the impact of the developments at the site on their use of the field for archery and have come to an agreement about how archery will be supported at the site going forward.
  - Have managed to address the concerns and agreed some compromises on both sides that should enable them to continue our archery at Platt Lane.
45. Sport England advised that *“they have assessed the potential benefit of the new sports facilities, given the above comments and against our policy and consider that the proposal;*
- *Meets a locally need identified in the Local Football Facilities Plan, which is an investment plan. Whilst, your authority does not have a robust and up to date evidence base including a Playing Pitch Strategy (Para 97 NPPF) the proposal is supported;*
  - *fully secures sport related benefits for the local community;*
  - *helps to meet identified sports development priorities;*
  - *complies with relevant Sport England and NGB design guidance*
46. *Therefore the AGP has the potential to meet exception E5 of our policy, however Sport England is not able to support the proposal as currently designed. The proposed location of the AGP, as confirmed by the ECB, further impacts on the outfield of the cricket pitch on site. This issue could be resolved in principle by the relocation of the cricket square as detailed on the future masterplan. In addition, this may also resolve some of the current overplay issues and reliance on the use of other sites.*
30. *In order to move the proposal forward we would need to understand.*
1. *The suitability of the location for construction of the relocated cricket square - this would be covered by a report from a suitability qualified Fine Turf Consultant.*
  2. *A comprehensive planned programme of works which details the timeline of the construction of play on the new square in conjunction with a planned programme of mitigation measures to allow continuity of play for both cricket and football during construction works for both the AGP and the relocated cricket square. It is assumed that AGP construction would take place outside of the football season therefore in the cricket season, how would cricket continue, given construction is likely to require more land than the finished AGP?*
31. *Notwithstanding the above Sport England supports, in principle, the relocation of the cricket wicket as this improves the creates a pitch which can better meet guidance and reduces further the risk of ball strike for the adjacent residential development. Ball stop fencing is proposed under app ref 18/02412/FUL condition 9 would this need to be reviewed. We would also need to understand how the second wicket has been considered in this regard*
31. *Sport England recognises both the cost saving and the desire to create a future spectator/boundary feature for the relocated cricket square by the retention of spoil on site. The retention of the soil mound does however have a significant*

*impact on the capacity of the grass playing field to accommodate grass pitches. Whilst the AGP provides significant opportunities for training and some match play grass pitches will be required. This is recognised in the LFFP by proposal to, not only support the AGP, but also support grass pitch improvements. The relocated cricket square and proposed new cricket square also have an impact on pitch layouts. The grass mound also impacts on the ability of The Keyworth archers to continue at the site. The discussions involve the retention of the grass mound but this may not be agreed. The PPS advises that in terms of grass pitches for football that current and future demand can be met in the Keyworth area but this is on the basis of the retention of the current provision the proposed AGP is proposed to meet a shortfall in such facilities and better support training demand and at least first team matches. That is not to say that that this automatically results in a reduction in the demand or need for grass playing field area.*

32. *Based on the original submission advised that “The proposals therefore need to;*

- *Provide a proposed site plan does not show a revised grass pitch layout. This is required to understand the impacts.*
- *It is noted that the masterplan is in development - the masterplan does not show a potential pitch layout - How are the grass football pitches affected by the revised and new cricket facilities and the proposed mounded and landscaped areas?*
- *Show how archery can be accommodated at the site with or without the mound and how does archery work with revised pitch layouts for both football and cricket.*

33. *Taking into account the discussions between the applicant and Keyworth Archers Sport England considers that there may be an option for limited retention of spoil on site to create future mounding/ landscaped areas, but this needs to be judged against existing and future pitch layouts/sports impacts and how this affects temporary arrangements during the construction of the AGP and the cricket pitch relocation and other proposals Sport England's interim position on this proposal is to submit a **holding objection**. However we will happily review our position following the receipt of all the further information requested above.”*

34. *Based on the revised/ additional information Sport England provided the following further comments and withdrew their holding objection subject to conditions:*

35. *“1. That the impact of the AGP construction on the existing cricket wicket is addressed. The applicants (this includes the Cricket Club) have discussed the impacts of the proposals with the ECB it is my understanding that the information submitted is as agreed (see below).*

- *The impact on the existing wicket is mitigated in the short term by the use wickets 1-3 (furthest from 3G area) for senior cricket, and no cricket will be played while construction is taking place, and no construction will occur while cricket is played, until new wicket is complete ready to be played on.*



- *Medium to Long Term – The client will need to prove that cricket will be protected and have an equivalent / better location at the ground. However, proposal to relocate cricket square have been removed and would not be considered as part of this planning application.*
36. *Sport England is content that this suggestion meets in principle our concerns. However, the short term solution should be for the minimum a period as necessary given the impact on cricket at the site, the minimum period would only be considered suitable if it is less than one cricket season (see below). In that regard we need a condition to be imposed which requires a time line to be submitted prior to the commencement of the development of the AGP for the construction of the relocated cricket square/pitch, as detailed on plan LSUK 18.0459 (20.04.2020) 18-0459 BM25583 0410 12. It is noted that this would, to complete the outfield, involve works outside the site and outside of the control of the applicant. However, even without the works outside of the site, the relocated square provides significant improvement to the cricket facilities at the site meeting the minimum boundary requirement (which the current pitch does not) and therefore the relocation should be progressed. Note: The applicant should be advised that the specification and construction of the relocated wicket should be designed and managed by a fine turf consultant with experience in the construction of new cricket wickets.*
37. *2. That the impact of the retention of soil/spoil is addressed. The applicants have confirmed that the soil mound as originally proposed has been removed from the scheme. The applicants have also advised that they would support the sport England recommendations of where temporary spoil could be located which does not affect current pitch layouts. The location of the proposed bunds and soil/spoil storage have not been formally submitted to date.*
38. *Sport England advises that the removal of the spoil mounds as originally proposed is supported. We also support the principle of the retention of a limited amount of soil/spoil on site which does not impact on pitch layouts (or the ability to mark out pitches) but recognise that there are other considerations which may influence the storage/retention of soil on site. A suggested location has been provided to the applicant by Sport England which the applicant can support. We are therefore content with a condition which requires the submission of an on site storage plan or comment on such plans if submitted in advance of any determination.*
39. *The England and Wales Cricket Board (ECB) advise;*
- *The plans recently submitted correlate to the conversations between the ECB and the club recently on their masterplan*
  - *The proposed relocation of the square – in principle ECB would agree if these measurements are accurate – however we would need to see timings of the work and full specifications including the management of this work through a Fine Turf Specialist*
  - *The temporary use of just pitches 1-3 during the latter end of the season whilst the initial AGP works commence would be acceptable but couldn't be justified for longer than a 4-6 week temp period – it is not the solution to merely play first team cricket on the furthest strips – the relocation would need to happen sooner rather than later as the AGP does encroach on the outfield for the cricket.*

- *Whilst preferable to have a larger boundary which involves land outside of the applicant's control – it exceeds the minimum boundary and thus there is no objection to this element relating to if the playing field land can be extended*
40. *The Football Foundation (FF), on behalf of The Football Association, advises that they remain fully supportive of the proposal. The Foundation recommends that planning consent should be provided with the following notes:*
- *Testing - The 3G pitch is tested and subsequently FA registered (on completion and then every three years for grassroots football and every 1 year for football in the National League System). This will enable the 3G to be used for league matches and therefore help the 3G pitch to be used to its maximum potential by programming matches at peak times.*
  - *Pricing - Pricing policies must be affordable to grass roots football clubs and should be agreed with the local County Football Association. This should include match-rate at weekends equivalent to the Local Authorities price for natural turf pitches.*
  - *Sinking fund - Ensure that a sinking fund (formed by periodically setting aside money over time to cover the resurface and replacement life-cycle costs) is in place to maintain 3G pitch quality in the long term. The Football Foundation recommend £25K per annum.*
41. *Given the above assessment, Sport England removes our previous holding objection and supports the proposals, as the application is now considered to meet exception E5 of its Playing Fields Policy. The absence of an objection is subject to the conditions being attached to the decision notice. Sport England does not object to amendments to its recommended conditions, provided they achieve the same outcome and it is consulted on any amendments. It is noted that it is likely that the scheme is likely to progress with support from Football Foundation Funding, if this is the case then that funding award will require a community use agreement. This agreement would be acceptable from our perspective to discharge the requirements of the above condition. However if the scheme proceeds without funding then we would seek to ensure community use.*
42. *If your Council decides not to attach the above conditions, Sport England would wish to re-consider raising an objection to this application.*
43. *Should the local planning authority be minded to approve this application without the above conditions, then given Sport England's subsequent objection and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.*
44. *Network Rail has raised no objection in principle to the development, but set out a number of requirements which must be met in respect of Asset protection in order to ensure that the work can be undertaken safely and without impact to the operational railway safety “the developer is required to liaise with the Asset Protection Team prior to work commencing on site. Details to be discussed and agreed include the construction of the proposed mound near the railway boundary, the implementation of the proposed boundary treatment to the AGP (4.5m fence) and installation of floodlights.”*

45. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. *“There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts and all surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.*
46. *All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail’s property, must at all times be carried out in a fail safe manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.*
47. *All excavations/earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker’s boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details.*
48. *Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.*
49. *Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail’s Asset Protection Project Manager.*
50. *Method statements may require to be submitted to Network Rail’s Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a fail-safe manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic*
51. *Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval. We would advise that the developer discuss the proposals with Asset Protection prior to applying for the discharge of condition.*
52. *With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.”*

53. They require the method statements be the subject of conditions.
54. Nottinghamshire Wildlife Trust in respect of the original submission queried whether any ecological survey work, including bat activity and roost potential surveys has been carried out to back up the applicant's assertions. They consider the site is sensitive given that the northern boundary comprises a Local Wildlife Site, which will be a valuable wildlife corridor for bats and other species. If no such survey has been carried out, they recommended that at least a preliminary ecological survey is carried out prior to determination.
55. In respect of the revised additional information they commented that as lighting is currently in use and the proposed replacement lighting will reduce lighting impact through improved design, and as the works will not directly affect the LWS, they support the Environmental Sustainability Officer's recommendations and no longer consider it necessary for further ecological assessment to be carried out.
56. If approved, they recommend a condition or advisory note highlighting the presence of the adjacent LWS and stating that no storage of fuel, machinery or materials should be permitted on this area during construction. It would also be valuable if some of the future tree planting mentioned in the application could be on land adjacent to the LWS, in order to strengthen the habitat corridor and reduce light spill.
57. Nottinghamshire County Council Archaeologist advised that there are no records relevant to the current application. No comments or recommendations have been offered.

### **Local Residents and the General Public**

58. The Chair of Keyworth Archers wrote in in respect of the original submission in response to Sport England comments. *"We were made aware of an objection made by Sport England on behalf of our club (Keyworth Archers) to the planning application (20/00460/FUL) for work to enhance the sports facilities at Platt Lane, Keyworth.*
59. *After consulting with other stakeholders, we believe we've received sufficient assurances that our use of the venue for archery will be able to continue during/after the works, that any future plans or changes will be promptly communicated to us, and that disruptions to our club's activities will be minimised as much as possible. Therefore, I'm writing to let you know that we no longer have any objection to the proposed plans. I've informed our contacts at Archery GB about this, and they have in turn informed Sport England."*

### **PLANNING POLICY**

60. The application falls to be considered against the development plan for Rushcliffe (unless material considerations indicate otherwise) which now comprises of Local Plan Part 1: Rushcliffe Core Strategy (Core Strategy) and Local Plan Part 2: Land and Planning Policies and Keyworth Neighbourhood Plan. Other material considerations include the National Planning Policy Framework 2019 (NPPF).

## **Relevant National Planning Policies and Guidance**

### 61. National Planning Policy Framework (NPPF)

- Chapter 2 - Achieving sustainable development
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities (open space and recreation)
- Chapter 9 - Promoting sustainable transport
- Chapter 11 - Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 13 - Protecting Green Belt land
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

## **Relevant Local Planning Policies and Guidance**

### 62. Rushcliffe Local Plan Part 1: Core Strategy:

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Climate Change
- Policy 4 - Nottingham-Derby Green Belt
- Policy 10 - Design and Enhancing Local Identity
- Policy 11 - Historic Environment
- Policy 12 - Local Services and Healthy Lifestyles
- Policy 13 - Culture, Tourism and Sport
- Policy 14 - Managing Travel Demand
- Policy 16 - Green Infrastructure, Landscape, Parks and Open Spaces
- Policy 17 - Biodiversity

### 63. Rushcliffe Local Plan Part 2: Land and Planning Policies:

- Policy 1 - Development Requirements
- Policy 17 - Managing Flood Risk
- Policy 18 - Surface Water Management
- Policy 21 - Green Belt
- Policy 28 - Conserving and Enhancing Heritage Assets
- Policy 29 - Development Affecting Archaeological Sites
- Policy 30 - Protection of Community Facilities
- Policy 32 - Recreational Open Space
- Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network
- Policy 39 - Health Impacts of Development
- Policy 40 - Pollution and Land Contamination

### 64. The policies in the Core Strategy and Local Plan Part 2 are available in full along with any supporting text on the Council's website at: <https://www.rushcliffe.gov.uk/planningpolicy/localplan/>.

### 65. Keyworth Neighbourhood Plan:

- Policy CF1 – Protection and Enhancement of Community Facilities

## Policy LRA1(A) – Local Green Spaces

### 66. Other Material Planning Considerations:

- Rushcliffe Nature Conservation Strategy 2016 – 2020
- Leisure Facilities Strategy 2017-2027, Rushcliffe Playing Pitch Strategy & Action Plan October 2017 and the Rushcliffe Playing Pitch Strategy Review and Action Plan update 2019
- Sport England's assessment of whether the proposed development of an outdoor facility for sport provides sufficient benefit to the development of sport to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field in order to satisfy exception policy E5 of Sport England's Playing Fields Policy and Guidance March 2018.

## APPRAISAL

### Principle/Green Belt

67. The application site is located within the Green belt and therefore the key issues in relation to the proposed development are whether the proposal constitutes an exception to inappropriate development within the green belt, whether it would harm the openness and visual amenity of the green belt and, if so, whether there are any very special circumstances that outweigh the harm to the green belt.
68. The NPPF outlines at paragraph 143 that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*
69. Paragraph 144 advises that; *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
70. Paragraph 145 states that; “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”
71. Paragraph 146 adds that; “Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- b) engineering operations;”

72. The proposal relates to the removal of an existing grass football pitch and existing associated floodlighting and the creation of a 3G pitch 100m x 70m with a grass green surface finish, associated 8 x 15m high flood lighting finish to be galvanised grey, and perimeter fencing including 4.5m high ball strike fencing, all finished in Moss Green, together with earthworks required to level the land and the creation of a grass mound formed from recycled soils generated during construction. This soil would effectively be stored on site for use in future proposals associated with improvements to the cricket oval. In addition, it is proposed to lay new grey/black porous tarmac areas and place a storage container at the site.
73. The sporting facility already caters for football, therefore the proposal does not seek to change the use of the land from existing outdoor sporting activities. Grass pitches will remain at the site and this facility would provide additional facilities that could be used in wet or dry conditions. As per the NPPF paragraph 145 b), the AGP has the potential to be considered an exception to inappropriate development, provided that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In regard to the 3G Artificial Grass Pitch it would have no impact on the openness of the green belt and its use for playing sport would fall within one of the exceptions to inappropriate development. However, the proposed hardstanding around the pitch, with the siting of an equipment storage unit, the erection of ball stop fencing that encloses the pitch, together with the proposed replacement floodlighting have to be considered in light of the impact on the openness of the green belt.
74. The proposed 4.5m fencing would act as a ball stop to contain balls within the enclosure. In order to mitigate against its impact in the open Green Belt, the fencing would comprise of a see-through mesh coloured dark green (Moss Green) which would permit views through and would be less visible against the back drop of the adjacent embankment for the railway track. As it is required in connection with the sporting use and it would be comprised of materials to ensure that its impact on the openness of the Green Belt is minimised, the proposed fencing is considered to be acceptable. In addition, a condition is recommended to protect and maintain the frontage hedge at a height that would help soften the appearance of the fencing when viewed from Platt Lane.
75. The eight 15m high lighting columns are proposed to remain in a galvanised finish. They would replace exiting columns. It is considered that there would be an impact on the openness of the Green Belt. However, it is it is considered that the height of the floodlights would be acceptable as they would be of an appropriate height to help facilitate the playing of sport activities without having an overly adverse impact on the Green Belt.
76. The proposed maintenance equipment storage container would be 2.59m high and finished in dark green. This would represent a new building in the Green Belt, however, it would provide an appropriate facility to be used in connection with outdoor sport to be undertaken on the associated pitch. The proposed store is not unduly large for its intended purpose and it would be sited within the context of the other sporting facilities, along the eastern AGP perimeter, and therefore its impact on the openness of the Green Belt would be reduced. However, it is not considered appropriate to grant a permanent planning permission for a storage container, as they can deteriorate in appearance over

time. The Council would normally impose a temporary restriction on such buildings and in this case, a five year period is considered appropriate.

77. It is considered that the lighting columns, fencing and storage container would cause a degree of harm to the openness of the Green Belt, however, any harm must be given significant weight and planning permission should only be granted if such harm is outweighed by very special circumstances. In this instance, it is considered that the supporting details of the need for the facility, together with details of the users anticipated, together with the benefits that would result, are considered to outweigh any impact on the openness of the Green Belt. Therefore, it is considered that very special circumstances have been demonstrated to outweigh any harm.
78. In respect of the tarmac and temporary landscape mounds, these are considered to fall within the other exceptions to inappropriate development outlined under paragraph 146 b) of the NPPF – engineering operations, and these works are therefore considered to be acceptable.

#### Leisure/health/employment

79. In terms of the original comments received from Sport England, the agent provided the following confirmation:
- a) Short Term – the club will use wickets 1-3 (furthest from 3G area) for senior cricket, and no cricket will be played while construction is taking place, and no construction will occur while cricket is played, until the new wicket is complete and ready to be played on.
  - b) Medium to Long Term – The client will need to prove that cricket will be protected and have an equivalent/better location at the ground.
  - c) The proposal to relocate the cricket square has been removed from this planning application. Therefore, they believe there will be no need to demonstrate suitability of location for relocation of a cricket square.
  - d) The creation method and locations of the proposed temporary top soil storage locations would not adversely impact continuity of play for cricket and football during construction works.
  - e) In respect of the retention of soils generated from the construction process as a grassed mound the applicant agrees with the recommendations of where temporary spoils can be located as requested by Sport England.
80. The application relates to the existing uses of the playing field. It will retain playing pitches on the remaining playing field for winter and summer sporting activities and is therefore considered by Sport England to satisfy exception policy E5 of Sport England's Playing Fields Policy and Guidance March 2018: The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.



81. The proposal would provide an improvement to the sporting facilities for club players, local community groups and community sports clubs, including local junior and youth football teams, improving the quality of sport facilities available in Keyworth and surroundings areas of Nottinghamshire making football available to all regardless of age, ability, gender, religion or ethnic backgrounds.
82. Paragraph 97 of the NPPF advises that; *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
83. Whilst it is acknowledged the proposed development would result in the loss of a grass football pitch, which would be necessary to create the AGP, the development would provide a purpose built facility that would facilitate greater level of sports activity throughout each year enabling more people to be engaged in physical activity at the site, with health benefits being increased. It is therefore considered that the proposal complies with paragraph 97 c) of the NPPF.
84. The applicant has submitted details in support of the application in respect of need, considering the current demographics of Keyworth and the proposed development growth as part of LPP2. Reference is made to LK2 feasibility Report, Sport England Guidance, Keyworth Neighbourhood Plan, Rushcliffe Leisure Facilities Strategy and Rushcliffe Playing Pitch Strategy.
85. The applicant has also clarified the short and long term position in respect of the cricket wicket whilst the AGP is under construction. The short term mitigation is the use of wicket 1-3 for senior cricket and no cricket during construction. Medium to long term the cricket element of the site needs to be located on an equivalent/better location at the ground, however the relocation of the wicket has been omitted from the application. Sport England have advised this is acceptable for a minimum period only. They have suggested a condition be imposed to ensure that a timeline is submitted prior to commencement of development to ensure that the relocated cricket square/pitch is achieved, they consider that its relocation is not reliant on land outside of the applicants control/ boundary.
86. The Keyworth Archers have outlined discussions that have taken place with the applicant and that they have agreed, if necessary whilst the AGP is being constructed, to change their shooting direction to shoot UP the field (roughly east to west), as an interim arrangement. They also outline a number of measures that would have to be put in place including an inspection from Archery GB. They confirm that outdoor archery will not be taking place in 2020.
87. Policy CF1 of the Keyworth Neighbourhood Plan is supportive of development that results in the improvement of community assets such as the Platt Lane Playing field and pavilions in terms of overall capacity and the breadth of services. Policy 30 (Protection of Community Facilities) of the LPP2 resists development that would result in the loss of existing community facilities. In this regard it is understood that the discussions have taken place with the other

key leisure parties at the site and that the proposal would not result in the loss of these activities but may, in the short term, result in more limited availability.

88. The proposed benefits of the development are considered to outweigh the detriment caused by the loss of the area of the playing field to be replaced by the AGP and the short – medium term impacts on the other activities are understood to be workable, subject to conditions regarding an overall timeline for the relocation of the cricket wicket and location of the mounds to enable the other uses of the facilities to continue to operate.

#### Residential Amenity - lighting/ noise

89. Most residential properties are currently over 140m from the application site to which the proposed 3G pitch is intended to be located. The recently approved Miller homes development for 187 dwelling ref, 18/02412/FUL, is currently under construction and properties would be more than 100m from the proposed AGP.
90. The proposal seeks use of the resultant facility between 09.00-22.00 seven days a week including bank holidays. Play is proposed to cease at 22.00 with the floodlights being extinguished and the AGP locked up and closed by 22.15.
91. As part of the submission lighting and noise reports have been provided. It has been confirmed that the floodlights will be subject to periodic testing and inspections throughout their working life to maintain but not exceed design levels.
92. Neoprene washers (inserts) are proposed to be fitted to ball stop fence post/panel fixings to reduce panel rattle and vibration from ball impacting on perimeter ball stop fencing, which will reduce noise emission created from use of the AGP. Playing lines are to be permanently marked 3m minimum away from the pitch perimeter to mitigate balls impacting onto the fenced enclosure.
93. The Environmental Health Officer has raised no objections in regard to the noise or impacts from light as a result of the proposed development. It is considered that the proposal would not result in significant adverse impacts on the amenity of residential dwellings and conditions are proposed regarding the hours of use and to ensure that the floodlights are turned off at the time suggested by the applicant.

#### Contamination

94. The submitted documentation provides information regarding contamination of the site. The Environmental Health Officer had advised that a contaminated land report should be secured by condition.
95. As such it is considered that the proposal complies with local planning policy 40 of the LPP” and national guidance.

#### Drainage/Flood risk

96. The application site is located within Flood Zone 1 with a low annual probability of river flooding and is at no risk of flooding from rivers.

97. A surface water drainage strategy has been proposed to ensure the proposal would not present the risk of any offsite flooding. The agent has confirmed that all surface water arising from the proposed works will be diverted away from network rail property.
98. The 3G AGP drainage design (drawing LSUK.18-0459 BM25583 0410 07 AGP SURFACE WATER DRAINAGE\_REV1) shows the location of all proposed drainage runs. In addition, further information regarding the disposal of surface water is found in Section 4.7 of LSUK.18-0459 BM25583 0410 Design and Access Statement with Planning Statement REV1.
99. The proposals show that any excess surface water would be diverted to an existing watercourse to the East away from Network Rail Property. The Lead Local Flood Authority has raised no objections to the proposal, subject to a condition requiring the submission of a drainage strategy that covers a number of specific elements.
100. It is considered that the proposal complies with local planning policy and national guidance in this regard and that it will not lead to increased flooding elsewhere.

### Ecology

101. The Local Planning Authority has a duty to consider the impact of development on European Protected Species. Planning Authorities are considered to be competent authorities and are exercising a function in deciding whether or not to grant planning permission. Taking into account the case of Morge (FC) v Hampshire County Council, the authority must consider whether the development if permitted would be likely to offend Article 12 (1) by, for example, causing disturbance of a species, and must consider the likelihood of a licence being granted.
102. In this regard the Council has consulted both the Sustainability Officer and Nottinghamshire Wildlife Trust who originally raised concerns on the information provided in respect of the proposal and its potential impact on the adjacent LWS (network rail embankment to the north).
103. The submitted planning addendum advises that the *“applicant acknowledges the proposed AGP location adjacent to Plumtree Disused Railway Local Wildlife Site. The additional information advises that new LED lighting system has been designed to minimize ambient light spillage and replaces an existing metal halide lighting system, which obtained planning permission under 13/01035/VAR. They advise that when comparing the existing lighting levels to the new LED design, there would be a significant reduction in light spillage towards the Plumtree Disused Railway Local Wildlife Site. The new LED lighting has been designed to minimize ambient light spillage and results in a lower spillage than the existing metal halide floodlighting system. Keyworth Sports association have provided a letter as part of the submission outlining discussions regarding the above betterment and discussions that had been had with the Sustainability Officer (‘KSA RBC Planning Letter 170420’)*”
104. As a result of this additional information/clarification in respect of the proposed floodlighting and ecology, both the Council’s Sustainability Officer and Nottinghamshire Wildlife Trust accept that a survey is not required and that the

proposal would not adversely affect adjacent ecological receptors. The design would prevent harm to and maintain dark corridors around the playing field boundaries for any commuting or foraging bats or potential bat roosts.

105. On the basis of advice from the ecological experts it is considered that the proposal would not result in the requirement of a Licence or adverse impacts on European Protected Species and, therefore an assessment against the 3 tests is not required. The proposal is considered to comply with Local planning policy and national guidance and legislation in this regard.

### Highways

106. The submission suggests that there will be increased traffic movements because of the AGP, but that there would be sufficient on site car parking provision for all club players and community visitors (100 spaces).
107. The Design and Access Statement advises that *“Keyworth Sports Association will promote a travel plan/parking management plan with car sharing as well as a drop-off/collect system and the use of green travel methods including walking, cycling and the use of public transport modes whenever possible to all visitors.”*
108. No objections have been raised by Nottinghamshire County Council as Highway Authority and, therefore it is considered that the development would not result in adverse highway safety or parking issues when the AGP is used by local organisations and community sports clubs. No objections are raised in this respect.

### Landscape

109. The proposal also indicated mitigation works with a grass mound formed with recycled soils generated during construction work. It is intended that this would be located adjacent to the Northern sports ground boundary, also finished in accordance with BS 4428:1989. This would be temporary as the soil is intended to be relocated, onsite, to the southern boundary as part of the future masterplan. The landscape officer has not raised an objection to the proposal subject to conditions regarding landscaping and ensuring the front boundary hedge is managed and maintained at a height of no less than 3m in order to soften the appearance of the fencing on the route out of the settlement.
110. Sport England are supportive of the principle of retaining a limited amount of soil on site which does not impact on pitch layouts. The original location for the earth mound, as indicated in the Design and Access Statement, would have impacted on some of the pitches and attracted an objection from Sport England. Following further discussions between the applicant and Sport England an alternative location, still adjacent the northern boundary of the site, has been agreed in principle. A revised plan was very recently submitted to the Borough Council showing the alternative location for the earth mound, indicating that it would have a height of around 1 metre. Due to the very recent submission of this plan, it has not been possible for officers to fully consider the implications of this revision, including undertaking appropriate consultation, prior to finalising this report and it is therefore recommended that permission should be subject to a condition requiring submission and approval of the final details (location and height) of the earth mound.

111. Policy LR1(A) – local green spaces of the Keyworth Neighbourhood Plan advises that the site, amongst others, will be protected from inappropriate development that results in the loss of Local Green Space unless there are exceptional circumstances justifying its loss and/or the applicant provides equivalent or better provision elsewhere.
112. Whilst the proposal would result in the loss of a grass pitch, it is considered that there are exceptional circumstances put forward to justify its loss and replacement with an AGP which is supported by the updated Playing Pitch Strategy and Action Plan for Rushcliffe and is also identified in the FA Local Football Facilities Plan as a priority project for delivery.

#### Archaeology

113. The County Council Archaeologist considered the application site against the County Historic Environment Record and confirmed that there are no records relevant to the current application. On this basis it is considered that there are no archaeological implications with the proposal

#### Rail track

114. To the north of the development is a railway embankment (also LWS) at the top of which is a track which is used as a test track. Network Rail were consulted on the application and they raised no objections subject to conditions/ informatives being imposed in order to safeguard the embankment and the operation of the track. Conditions are therefore recommended as well as informatives.

#### Conclusion

115. It is considered, as outlined above, that the application is acceptable and complies with local planning policy, Keyworth Neighbourhood Plan and National Planning Guidance in respect of development in the Green Belt, leisure facility enhancement, ecology, landscape and residential amenity matters. Conditions are proposed to ensure that the development is carried out in accordance with the submitted details.
116. The application was not the subject of pre-application discussions. Negotiations have taken place during the consideration of the application to address potential adverse impacts identified by officers and consultees. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and the recommendation to grant planning permission.

### **RECOMMENDATION**

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The artificial grass pitch, fencing, barrier and entrance gates to grass pitch perimeter, installation of floodlights and hard standing, to which this permission relates, must be begun before the expiration of three years from the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. In relation to the new storage container building only, this permission is granted for a limited period which will expire on 30 June 2025 and the storage container building hereby permitted shall be removed from the site prior to the expiration of the permission unless a further permission has previously been granted for its retention by the Local Planning Authority.

[While being satisfied that the appearance of this temporary building will be acceptable for the period hereby granted, the Authority wishes to take account of its appearance at the expiry of this period before agreeing to its retention for a further period, in accordance with Policy 1 – Development Requirements of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. This permission shall relate only to the following submitted plans and documents received 22 April 2020:

KSA 3G Evidence of need 310120  
LSUK 18-0459 BM25583 0410 01 Location Plan  
LSUK 18-0459 BM25583 0410 02 Site Plan  
LSUK 18-0459 BM25583 0410 04 Proposed Site Plan  
LSUK 18-0459 BM25583 0410 05 AGP Plan  
LSUK 18-0459 BM25583 0410 06 AGP Layout  
LSUK 18-0459 BM25583 0410 07 AGP Surface Water Drainage  
LSUK 18-0459 BM25583 0410 08 AGP Floodlight  
LSUK 18-0459 BM25583 0410 09 AGP Constraints  
LSUK 18-0459 BM25583 0410 11 AGP Elevations  
LSUK 18-0459 BM25583 0410 13 AGP Features  
LSUK 18-0459 BM25583 0410 Application photographs  
Design and Access Statement  
LSUK0021 Flood light Data Sheet  
LSUK0021 LED Floodlight Design  
Letter regarding Wildlife  
R-STR4711-G01 Ground Investigation Report

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The development hereby permitted shall not come in to use until a Management Plan has been submitted and approved by the Local Planning Authority. The contents of the Plan shall have regard to the practical control of noise, artificial light associated with the use of the artificial grass pitch and traffic management. Thereafter, all agreed measures shall be maintained in perpetuity.

[To ensure that the users of the all-weather pitch are aware of the need to use the facility in a manner that minimises the impact on the amenity of local residents and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2.]

5. The floodlights hereby permitted shall only be switched on when the artificial grass pitch is in use, or for maintenance purposes, and shall not be illuminated

except between dusk and 22.15 Monday to Sunday and on Bank Holidays.

[To safeguard the amenities of nearby residential occupiers and ecological habitats adjacent the site to comply with policy 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF].

6. Prior to the pitch hereby approved coming into use a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following approval of the scheme. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF.]

7. No part of the development hereby approved shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that the design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development

[To ensure that the development does not result in flooding in accordance with Policy 1 (Development Requirements), Policy 17 (Managing Flood Risk) and Policy 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2 and Chapter 14 of the NPPF. This is a pre commencement condition that is required in order to ensure surface water drainage is adequately addressed in advance of development].

8. A method statement, including an outline of the proposed method of construction, all excavations, crane usage adjacent to railway infrastructure, and a risk assessment in relation to the railway together with a construction traffic management plan shall be submitted for approval prior to the commencement of development. This statement shall include confirmation that discussions have been entered into with Network Rail Asset Protection Team and that, where required, an asset protection agreement has been entered into. The development shall be undertaken in accordance with the approved method statement.

[For the safety, operational needs and integrity of the railway. This is a pre commencement condition required to ensure that the requirements of the Network Rail Asset Management team are fully realised in order to protect the rail line. This condition need to be discharged before development commences on site to ensure that the working practices and construction phase of the development is appropriate to the location of the site].

9. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study documenting historical uses of the site and its immediate environs, site specific interpretation and a conceptual site model explaining results. Where the Desktop Study identifies potential contamination a Detailed Investigation Report will also be required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. In those cases where a Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy 1 (Development Requirements) and Policy 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF. This is a pre commencement condition that is required to ensure that all matters of contamination are adequately addressed and remediated].

10. The use of the artificial grass pitch hereby permitted shall be restricted to between the hours of 9.00 and 22.00 Monday to Sunday including Bank Holidays.



[To safeguard the amenities of nearby residential occupiers and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2.]

11. Prior to the commencement of the development hereby approved a programme of works shall be submitted to the Local Planning Authority for consideration. The programme of works should detail the time line for the submission of works which secures construction of the relocated cricket square/pitch as detailed for illustration purposes on plan LSUK 18.0459 (20.04.2020) 18-0459 BM25583 0410 12 on land within the control of the applicant. The timeline for the construction of the relocated cricket square/pitch shall thereafter be implemented unless otherwise agreed in writing by the Local Planning Authority.

[To ensure that the impacts on the ability to play cricket on a wicket which can meet the ECB minimum standards (as far as possible within the application site) and which is an improvement on both the existing outfield and the temporary arrangements in place and to comply with policy 30 (Protection of Community Facilities) of the Rushcliffe Local Plan Part 2 and Policy CF1 - Protection and Enhancement of Community Facilities of the Keyworth Neighbourhood Plan. This is a pre commencement condition that is required to ensure that the long term availability of the full cricket wickets are achieved].

12. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the AGP and include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

[To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to comply with policy 30 (Protection of Community Facilities) of the Rushcliffe Local Plan Part 2 and Policy CF1 - Protection and Enhancement of Community Facilities of the Keyworth Neighbourhood Plan.]

13. No works shall commence on the development hereby approved until a plan has been submitted for approval by the Local Planning authority which details the location and height of on-site soil/spoil to be retained on site. The soil/spoil shall only be retained on site in the locations and in accordance with the details as approved.

[To ensure the minimum impact on usable playing field area, in the interests of amenity and to comply with policy 1 (Development Requirements), policy 30 (Protection of Community Facilities) of the Rushcliffe Local Plan Part 2 and Policy CF1 - Protection and Enhancement of Community Facilities of the Keyworth Neighbourhood Plan. This is a pre commencement condition that is required to ensure the long term availability of the grass pitches]

14. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be

approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees/ hedges are adequately protected during the development and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF. This is a pre commencement condition that is required to ensure that the adequate protection is in place prior to and during the development.]

15. The hedgerow on the Platt lane frontage shall be allowed to grow and managed and maintained at a height of no less than 3m for the life of the development.

[In the interests of the amenities and character of the area and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF.]

16. The development shall only be carried out in accordance with details of finished ground levels in relation to an existing datum point, existing site levels and adjoining land which shall be submitted to and approved in writing by the Borough Council before the development commences and the development shall only be undertaken in accordance with the details so approved.

[To ensure a satisfactory development in the interests of amenity and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2. This is a pre commencement condition to ensure that the levels are agreed at the outset of the development.]

## **Notes to Applicant**

The site is adjacent to the Local Wildlife Site. No storage of fuel, machinery or materials shall be permitted on this area during construction.

No light spillage should impact the Local Wildlife Site or a 10m buffer from the Local Wildlife Site.

The floodlights should only be used during times the sports pitches are in active use.

Consideration should be given to providing further tree planting between the sports pitches and the Local Wildlife Site.

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

Plan LSUK 18-0459 BM25583 0410 12 Cricket Pitch Relocation Plan has been treated as being illustrative only as this falls outside of the application site.

The specification and construction of the relocated wicket should be designed and managed by a fine turf consultant with experience in the construction of new cricket wickets

The developer will be required to liaise with Network Rails Asset Protection Team prior to work commencing on site in order to ensure that work can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include the construction of the proposed mound near the railway boundary, the implementation of the proposed boundary treatment to the AGP (4.5m fence) and installation of floodlights.

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rails property, must at all times be carried out in a fail safe manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rails Asset Protection Project Manager.

Method statements may require to be submitted to Network Rails Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where

any works cannot be carried out in a fail-safe manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. possession which must be booked via Network Rails Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for National Rail approval.

Please note Network Rail will be unable to agree to discharge of a method statement condition without direct discussion and agreement with their Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). You are advised to discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection Project Manager: Network Rail (London North Eastern), Floor 3B, George Stephenson House, Toft Green, York, Y01 6JT

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.