

ITEM NO.**COMMITTEE DATE: 23 MAY 2016****APPLICATION NO:**

15/0870/03

FULL PLANNING PERMISSION

APPLICANT:Mr Strang
Exeter College**PROPOSAL:**

Creation of a new external sports pitch (3G artificial grass pitch) with perimeter fencing, floodlights, and storage container for maintenance equipment.

LOCATION:

Exwick Sports Hub, Exwick Road, Exeter, EX4 2BQ

REGISTRATION DATE:

06/08/2015

EXPIRY DATE:

01/10/2015

HISTORY OF SITE

Planning permission (ref 10/1370/03) was granted for the provision of six tennis court and floodlights on 12 November 2010.

Planning permission (12/1635/03) was granted in February 2013 to replace the existing two storey Civil Service Club with a new single storey purpose built facility to meet the requirements of Exeter College who had acquired the site. The Civil Service Club closed in 2012 with the building at that time in poor condition and unfit for purpose. It was the College's intention to retain and enhance the facilities but with more direct association to their sports related courses. The College aim was to create a new sports hub creating an environment where the classroom based sporting learning was located adjacent to the sports pitches to enable an arrangement where theory could be put into practice in a more convenient manner. This has been achieved with the creation of the Exwick Sport Hub which also continues to allow outside sporting organisation to use the facility.

DESCRIPTION OF SITE/PROPOSAL

The Exwick Sports Hub is located on the southern side of Ennerdale Way which is situated off Exwick Lane. The building and associated pitches are principally used by Exeter College, although Exwick Villa FC and Exwick Cricket Club also use the facilities. The proposal seeks to replace the existing grass pitch with a new 3G Artificial Grass Pitch with associated floodlighting. The new pitch would measure 100 metres by 62.5 metres orientated with the goals being on an east to west axis. A three metre strip is located around the playing pitch. The pitch would be contained within perimeter dark green mesh fencing measuring 4.5 metres in height along the east, south and west elevation reducing to 2.2 metres in height facing towards the existing Exwick Hub building. The proposal includes a total of eight 15 metre high floodlights; one positioned at each corner with the remaining four equally spaced along either side of the length of the pitch. The perimeter fencing is located approximately 17 and 27 metres from the closest property (25 & 7 Guys Road respectively) and located approximately 35 metres from the recently built properties in Ennerdale Way.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**Design and Access Statement**

Purpose and use- The provision of the new external Artificial Grass Pitch (AGP) will provide increased usage in comparison to the existing grassed football pitch, for the benefit of Exeter College during the day and partner clubs and local groups during the evening and at weekends via pre-arranged and structured community access.

The new AGP will offer a variety of football pitches and training areas within the same enclosed playing space to support development plans into grassroots football as well as providing a venue for competitive league football.

The pitch will be capable of support youth U17/U18 & over 18s (1 pitch 100m x 64m); youth U11/U12 (2 pitches); mini football U9 & U10 (2 pitches); mini football U7 & U8 (4 pitches) and training areas.

The FA has prioritised this development and has identified a need for improvement in football facilities in and around the Exeter area.

Layout -The 3G AGP is positioned in an optimum siting to reduce impact to adjacent residential properties.

The remaining playing field is not capable (in spatial terms) of supporting a playing pitch but will be utilised for football training post development.

The location will also afford convenient pedestrian, maintenance and emergency access as well as providing for suitable management, supervision and security.

The close proximity of onsite car parking is ideal for community involvement and participation.

Scale - New perimeter fencing is required around the 3G AGP to provide an adequate ball stop to retain balls within the field of play and also to offer a degree of security to the facility. The proposed overall height for the new dark green open steel mesh fencing and entrance will be 4.5 metres above ground level.

Floodlights are required around the pitch to facilitate use during the evenings and throughout the winter months, thereby enabling the facility to be used to its full potential.

The proposed floodlight system comprises eight 15 metre high masts each with two lights to provide 16 luminaries in total.

Landscaping - It is acknowledged that the proposed development will replace a proportion of the existing grassed playing field.

Hard landscaping treatment around the facility is restricted to macadam paving necessary to form clean access for pedestrians and vehicular access for maintenance as well as emergencies.

Appearance - The intention is to develop the pitch with minimal visual impact when viewed from any adjacent properties looking into the 3G AGP which is necessary to satisfy local policies which seek to ensure that proposals are sympathetic to its surroundings and will not impact on the visual amenity of the neighbouring residents.

Planning Statement

Principle of development

To enable Sport England's informed assessment of exception policy E5 of Sport England's playing fields policy 'A Sporting Future for the Playing Fields of England 1997'. The policy states 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'. The aim of the policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demands of the pitch sports.

The following details are provided to enable an assessment:-

The applicant states that Exception E5 is in essence a cost/benefit analysis exercise which seeks to balance the sporting benefits associated with a facility against the costs to pitch sports associated with the loss of playing fields. In support of the application:

- Whilst the area of playing field which will be lost is of sufficient size to accommodate a cricket pitch with outfield and a football pitch, Exeter College will retain playing fields where pitch sports can still be played and accommodating both existing winter and summer playing pitches at the Exwick and Flowerpot playing fields;
- The proposed 3G AGP is designed in accordance with the FA's current technical guidance;
- Exeter College will establish community use agreements with key partners to facilitate delivery of the Football Development Plan;

- The provision of the new external 3G AGP will provide increased usage in comparison to the existing grassed pitches, for the benefit of Exeter College and its partner organisations and community groups during the daytime and evening time;
- This extended use is possible because the proposed floodlit 3G AGP is more resilient during winter weather conditions and with new floodlights, evening activities will enable the facility to be used to its full potential.

Exeter College continues to develop new partnership in sport to benefit both its students and the wider city community. The college is working in partnership with the city council and is finalising discussions on taking on the running and maintenance of sports pitches at Exwick Playing Pitches and Flowerpots Playing Field, currently owned and run by Exeter City Council. The college would take out a long term lease on the pitches, paying for their management and upkeep for many years to come.

In response to para 74 of the NPPF the applicants state that genuine beneficial outcomes are as follows:-

- Implement social, recreational and cultural facilities and services for community needs to enhance the sustainability of Exeter College and the surrounding Exeter area;
- Provide access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities;
- Compensate the loss of a usable playing field resulting from the proposed development by an equivalent, better provision by more robust/resilient 3G AGP.

Impact Mitigation

Existing onsite parking provision can accommodate the expected vehicular traffic both during normal school hours and during evenings and weekends for community users;

Green travel opportunities including walking and cycling as well as the use of public transport will also continue to be prompted by Exeter College whenever possible;

Limitation of the lighting impact will be controlled by the strict management of permitted opening times;

The finish of the 3G artificial turf playing surface will offer a similar appearance to amenity grass;

The dark green open steel mesh ball stop fencing will be discreet against a rural background;

The 15 metre high floodlight masts will offer a slim-line profile, which will minimise daytime impact;

Fence panels will be insulated from the posts using rubber washes to be fitted to every fence post/mesh fixing to aid noise reduction by reducing rattle and vibration from the ball impacts;

Playing lines shall be permanently marked 3 metres minimum away from the pitch perimeter to mitigate balls impacting onto the fence;

The proposed artificial lighting design complies with the requirements for Environmental Zones E2, which is low district brightness, for example a village or relatively dark outer suburban locations;

The front glass of every floodlight is limited to a low fitted angle above the horizontal plane, resulting in a minimal floodlight appearance with reduced area of reflector visible to onlookers.

Statement of Community Involvement:-

KOR Communications concluded that following consultation at the pre-application stage the two main issues were raised the effects of the floodlights and increased use of the facilities at the Sport Hub.

Floodlights - one respondent was concerned about whether the floodlights would shine into their home, one opposed the principle of floodlights' and a third was concerned about floodlighting in residential areas in general and the impact of 'direct and ambient light' on people's routines. The applicants have responded stating that the hours of operation of the floodlights and their type will be carefully considered, monitored and reviewed to ensure minimal disruption to neighbouring properties.

Increased use of the Sports Hub - The applicants have responded that the use of the Sports Hub and new pitch will be monitored and reviewed to consider the concerns of and impacts on the neighbours.

Flood Risk Assessment:-

Concludes that the surface water will be discharged into a new adequate onsite soakaway; Onsite attenuation is provided by the granular pitch substrate offering onsite containment and attenuation within the granular sub-base, before surface water enters the proposed outfall; Proposals are to design surface water drainage to accommodate a 1 in 5 year storm event. Based on the above, providing the above strategies are implemented, the developed site will improve flood risk status to the development area thus satisfying the principles of the National Planning Policy Framework.

Statement for construction over public sewer:-

Statement concludes that there is no reason why the artificial pitch facility cannot be constructed over the public sewer which is located within the eastern side of the site. The design has been adjusted so that no abnormal loads are placed on the sewer and the college accept the abnormal cost of any reinstatement should the sewer ever have to be excavated.

Lighting Impact Statement

Concludes that the proposed floodlighting system is specifically designed to fulfil sports lighting requirements and is particularly suited to applications where low light pollution is essential.

Performance of the proposed floodlighting system complies with an Environmental Zone E2 (ILP) which is rural surroundings with low district brightness, for example a village or relatively dark outer suburban locations.

Control switches and time clocks shall be installed to the floodlights to ensure they do not remain on any later than the permitted curfew hour and therefore mitigate impact to the surrounding environment.

Noise Assessment

The assessment includes the prediction of noise emission from the artificial grass pitch at the nearby noise sensitive properties based on noise level data from activities measured at existing artificial grass pitches. The predicted noise level is compared to current relevant noise guidance.

Noise from the artificial grass pitch has been predicted at the nearby noise sensitive residential properties. The predicted equivalent noise level is 49dB for an hour of the pitches use.

This is below the level of community noise for moderate community annoyance in outside living areas (such as gardens) stated in World Health Organisation 1999 of 50dB.

On the basis the proposal is considered acceptable in environmental noise terms. Noise emission is adequately controlled at the nearby residential properties and is not expected to adversely affect nearby residents.

Feasibility Study on relocation of cricket square from Exwick Sports Hub

Executive summary states that:-

- *It is in principle feasible, with limited costs to move the cricket square from its current position at the Exwick Sports Hub to the adjacent recreation ground (Flowerpots). The site is slightly limited for space but a minimum outfield should be able to be achieved.*
- *The proposed new construction would involve removal of top soil, excavation of sub soil, perimeter drainage, replacement of top soil and replacement of cricket loam. This similar to the current square. An artificial wicket would be installed to one edge.*
- *The construction would need to occur during the summer months due to the need to work and move the clays in dry conditions and should the square be seeded by August 2016 it would be partially playable, particularly by using the artificial wicket during mid to late 2017 and a grass square by the 2018 season. This is due to the need for a square to consolidate and fully establish before intensive use occurs and the likelihood of settlement or damage to the surface.*
- *The cricket square would need to be constructed by a competent sports turf contractor and maintained to a strict specification to bring it into established use.*

Section 106 Agreement

The applicant has submitted a draft Section 106 to accompany the application. A summary of the issues covered are that:-

- Exeter College will make the 3G Pitch available for use no later than 2 years after the lease of the management of the Flowerpot playing fields has been agreed with the Council;
- Within 3 months of the granting for the Flowerpot playing fields lease Exeter College will seek a further agreement with the Council to provide a new replacement cricket pitch and new football pitch;
- Exeter College will operate the use in accordance with a Public Participation Strategy which has previously been agreed with the Football Association;
- Exeter College will agree to the ongoing maintenance and up keep of the 3G pitch;
- Exeter College shall not use the 3G pitch until the replacement cricket pitch has been fully marked out and fit for purpose (except if a situation arises where the Flowerpot playing field has not be granted planning permission within 6 months of the date of the agreement);
- Exeter College shall not use the 3G pitch until the new football pitch has been fully marked out and is fit for purpose (except if a situation arises where the Flowerpot playing field has not be granted planning permission within 6 months of the date of the agreement).

Other relevant supporting information

A key element of the application will be to put in place more formal arrangements for the management and maintenance of the recreational areas. At present the Exwick site is managed by Exeter College and the Flowerpot playing fields managed and maintained by the Council.

Discussions are ongoing with the Council in relation to a new lease for the management and maintenance of the Flowerpot playing site to be undertaken by Exeter College.

REPRESENTATIONS

1 letter of objection regarding the detrimental impact of glare from the proposed floodlights.

CONSULTATIONS

The County Head of Planning Transportation and Environment raises no comment.

Sports England have commented twice (15 September 2015 and 11 May 2016) on the proposed scheme given the submission of further information received in connection with the replacement cricket pitch.

11 May 2016

Sport England objects to the planning application on the grounds of the existing cricket pitch affected by the proposed 3G Artificial Grass Pitch without an adequate replacement cricket pitch that is equivalent or better standard in terms of quality and is not in a suitable location.

Sport England – Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England'.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply. The comments from a Statutory Consultee should be given significant consideration in the decision making process.

Playing fields have also been given greater protection and recognition by the Government through the NPPF (paragraph 74):

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Sport England registered an objection to the application in our letter dated 15th September 2015 regarding the loss of the cricket pitch. The applicant has engaged discussions with the ECB and has now submitted plans on the feasibility of a cricket pitch on the adjacent site at 'Flowerpots'. Not detailed design specifications.

Assessment against Sport England Policy/NPPF

Sport England has considered the application for a 3G artificial grass pitch (AGP) on the Exeter College site as E5 which states 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*'.

Given the negative impact on the cricket at the site we cannot agree that E5 has been met. The applicant is now proposing an amendment to the application which sees the provision of a 7 natural turf cricket table and a synthetic turf strip with outfield on existing playing field land adjacent (same number of wickets as existing). The cricket table is proposed between two football pitches – with the football pitches acting as the cricket outfield. The proposed boundaries are tight but meet minimum standards. The proposed site for cricket is also considered as public open space as well as being the City's flood defence system.

Sport England has a number of comments and concerns with the cricket proposal:

- The current cricket pitch site is located within a secure playing field site managed by the College (former Civil Service club site). The replacement site is not. It is located on public open space, popular with walkers, dog walkers and cyclists. There is significant concern with public safety that needs to be addressed by the applicant. A full and detailed risk assessment needs to be carried out. Ball stop netting might be required as mitigation. Will this be netting of permanent or temporary nature? Other measures may also be deemed as necessary.
- The proposed site is also part of the City's flood defence system with further flood defence works planned that could affect the 'relocated cricket pitch' in the future. Potentially outside the planning system.
- There is no ancillary building proposed within close proximity for the cricket teams to use on matchdays. The proposed existing changing building at Flowerpots is a considerable distance from the proposed cricket pitch.
- The final full specification for the proposed cricket table has not yet been devised nor submitted. A traditional cricket square construction includes the excavation a foot of soil (325ml), importing loam (high clay content) and a perimeter drainage system around the square. Sport England's technical guidance on cricket square and pitch construction can

be found in 'Natural Turf for Sport' (2011) and the ECB's guidance is set out in 'TS4 – Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfield at all levels of the game'.

- Given the excavating and importing needed to create a cricket square we question whether this needs planning permission? As well as agreement from the Environment Agency given the proposed location on the flood defence system?
- We note that the site will be maintained by the College's maintenance team who plan not to put drainage into the cricket outfield (existing football pitches), but to vertidrain the site as part of its maintenance. A maintenance schedule has not been produced to assess its adequacy.
- It would appear that there are plans to provide the replacement cricket pitch prior to loss of the existing site, to be confirmed in writing. A planning condition would also be needed to ensure this replacement provision to ensure appropriate phasing to allow continuity of use without disruption to the club.

The ECB advise that the eastern boundary of the proposed new cricket ground is very close to the flood relief channel. As such a lot of balls will be lost in that channel during any one game. Additionally there is a public footpath next to the channel which has no line of sight to the cricket pitch. As such balls would frequently land in this area and members of the public would not even see them coming. The ECB advised the College to look into getting a risk assessment done by Labosport to look at some form of netting, what height it would need to be, to mitigate against this. This document has not been produced to review at this time. Equally the local authority or College will need to undertake a risk assessment of the whole site due to the number of public footpaths close to the boundary of the proposed cricket pitch. This is important at this stage as if this risk assessments concludes the site is not safe for cricket then further mitigation would need to be proposed and conditioned as part of this application.

The pavilion is located a considerable distance from the outfield. This provides significant issues for hosting league cricket and providing a like for like replacement of the current site. There needs to be an area for scorers, scoreboard, players to pad up and shelter away from the elements. The existing changing block is too far away to do this, roughly 55m from the boundary edge.

The ECB is open to discussions with the applicant to secure adequate mitigation by planning condition.

In light of the above, Sport England maintains its objection to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF. The proposed AGP whilst having sports development benefits for football will negatively impact cricket on the College's Exwick sports ground site. The proposed relocated cricket pitch is not of equivalent or better provision in terms of quality and is not in a suitable location.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then 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.

However, if the Council are minded to approve the application we advise that planning conditions are part of the decision notice to ensure the issues raised in this letter regarding cricket pitch construction specification review and implementation, the production of a risk assessment including appropriate mitigation measures (ball stop netting), a new cricket building to serve the site to meet the requirements of match play cricket and the replacement cricket pitch to be provided prior to loss of the existing site. Sport England and the ECB would be happy to review draft planning conditions to ensure correct wording to ensure positive outcomes for cricket.

15 September 2015

Sport England raised objection to the scheme given the loss of the cricket pitch contrary to Sport England Policy Playing Fields Policy: 'A Sporting Future for the Playing Fields of England' and the National Planning Policy Framework paragraph 74. This was on the basis that no replacement pitch scheme had been submitted with the application. On this basis Sport England provided the following comments:-

In order for the principle of the development to be considered acceptable, it must accord with Sport England's Playing Field Policy and the National Planning Policy Framework. When considering an application of this nature we need to be satisfied that the proposal meets one of the exceptions of the above policy (E.5) in 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.*

The proposal is for an artificial grass pitch with 3G playing surface for football use (matches and training), lights and fencing designed in accordance with FA guidance. The existing well drained natural turf pitch for football and cricket will be lost forever if this proposal is granted planning permission. Some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote. Artificial surfaces do not necessarily provide a direct replacement for grass pitch use as they only make a limited contribution to competitive grass pitch sports use. They are expensive to provide and require a significant revenue support. It is necessary to allocate significant budgets for on-going maintenance requirements. In addition a year on year sinking fund is required to ensure facilities are replaced when they are "worn out".

The FA advise that the site is currently used by Exwick Villa adult 1st and 2nd teams – they currently play at Step 7 and have aspirations to gain promotion to Step 6. There is one full 3G football Turf Pitch in Exeter, this based at the University and is at capacity with little room for community use. There is no playing pitch strategy in place to give further evidence of strategic need. All technical elements of the 3G are being designed in accordance with the 3G Framework that is managed by the Sport England. Football Foundation so will be technically compliant to meet the FIFA 1* performance standard. The ability to improve the facility to step 6 needs to be clarified by the applicant and the technical consultants.

The ECB advise that the site is currently used by Exwick CC who have been using this ground as their home for a very long time. The club have both senior and junior teams and currently pull its membership from the local community, within about a 3km radius of the ground. The club used this site in 2015 and are currently on a year by year agreement with Exeter College to remain at the site. The fact that the club pull its membership from the local community means that any relocation away from the Exwick area would have a substantial negative impact on the club, and possibly result in it folding.

There are currently about four cricket clubs in Exeter of which Exwick CC is one. For a city of its size this is a very limited number of clubs and protecting all four clubs is a priority for Devon Cricket Board and the ECB. Plymouth and Exeter have been highlighted by the Devon Cricket Board as the two highest priority areas for securing long term provision for cricket. Another ex Exeter club, Countess Wear CC, were forced to move to Winslade Park and this site is now at potential risk of closure. Therefore the overall picture of cricket provision in Exeter is being challenged and it is imperative to protect the existing provision to meet current demand for cricket.

The loss of the cricket pitch would have a significant negative impact on cricket in the City. In the design and access statement it mentions that an agreement has been reached with ECB to relocate Exwick CC onto the Flowerpot playing fields. This is not correct and so far no agreement has been reached. The applicant has met with the ECB and Devon Cricket Board

to discuss the relocation of Exwick CC onto the Flowerpot Playing Fields and in these meetings it has been clearly stated that before the ECB agree to any such relocation a full details of the relocation plan need to be provided.

Full details would need to include the following; a detailed design and layout of the new cricket ground; a specification of works for the new square and outfield; a building to service the site with full plans and specifications if required; a timetable of works to ensure the mitigation is in place before the club are displaced from their existing ground. Please note a cricket square can only be used 12 to 18 months after construction; a maintenance and management plan on how the new site will be sustainable in the long term and a costed plan and how it will be financed to ensure the long term future of the cricket club.

Although the relocation of the cricket ground onto Flowerpot Playing Fields is possible it has not been determined yet if it even feasible. The site is bordered on one side by a public footpath and the other by the river. Using very rudimentary tools on google images the site looks tight to be able to accommodate an adult cricket pitch, hence the need for far more detail before the ECB can agree, even in principle, to such a relocation. As such the ECB strongly object to this application due to the detrimental impact it will have on cricket and the fact that no mitigation plan is place to replace the lost cricket pitch within the Exwick area.

Environment Health Officer comments that the lighting design appears to comply with the Institute of Lighting Engineers (ILE) guidance on the reduction of obtrusive light. As such it is unlikely to materially affect the amenity of local residents by light trespass, or intrusion. In respect of noise it is noted that the submitted report attempts to predict noise levels from the proposed facility. Given the nature of the facility this is difficult to do, but the assessment made suggests that noise will not reach a significantly adverse level. The proposal will intensify the use of an existing sporting facility, and extend the hours of use. As such, it will be noisier than the current arrangement. It would therefore be preferable if the pitch could be located as far from residential properties as possible. If this is not possible, the applicant should be aware that although noise levels are unlikely to be significant, it could still cause some disturbance to local residents, and may result in complaints. In addition it is requested conditions are imposed in respect of hours of use for both the construction of the facility and its subsequent use.

Environmental Agency raise no objections to the proposal providing development proceeds in accordance with the submitted Flood Risk Assessment (ground levels unchanged. On a point of accuracy the whole of the site is in Flood Zone 3, not part of the site as mentioned in the FRA.

Devon County Council Flood Risk Management Team comment that sufficient information has not been provided in relation to the disposal of surface water from the site to enable us to make observations on the proposal. Although the FRA refers to appropriate surface water management (although it should be designed to higher return period), no detail of this has been provided or evident on the proposed drawings.

Wales and West Utilities comment that they have pipes in the area and that their apparatus may be affected and at risk during construction works. Should the planning application be approved then Wales and West require the promoter of these works to contact them directly to discuss what requirements are needed before any work commences on site. Should diversion works be required these will be fully chargeable.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

4. Promoting sustainable transport
7. Requiring good design

- 8. Promoting healthy communities
- 11. Conserving and enhancing the natural environment

Plan making

Decision making

Paragraph 74 of NPPF states that:-

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirement; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Exeter Local Development Framework Core Strategy

CP10 - Meeting Community Needs

CP12 - Flood Risk

Exeter Local Plan First Review 1995-2011

L1 - Valley Park

L3 - Open Space

L6 - Intensive Use Facilities

Proposals for synthetic turf pitches or multi use games areas and for associated floodlighting will be permitted provided that the levels of noise, light usage and traffic generation will not harm local residential amenity.

LS1 - Valley Parks

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

EN2 - Contaminated Land

EN5 - Noise

DG1 - Objectives of Urban Design

Development Delivery Development Plan Document (Publication Version) 2015

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development

DD20 - Sustainable Movement

DD25 - Design Principles

DD34 - Pollution

Exeter City Council Supplementary Planning Documents:-

Sustainable Transport March 2013

Sport Englands Playing Field Policy

Relevant Policies:-

E4 - The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better

quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development.
E5 - 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.

OBSERVATIONS

The application seeks to create a new artificial playing pitch at the Exwick Sports Hub to replace the existing football/cricket pitch. Since Exeter College's occupation of the site in 2013 their overall objective has been to improve the on-site teaching provision in connection with their sports related programme. The application for a new playing pitch with its all-weather surface and floodlights will represent a further enhancement of this facility. Whilst the improvement of sporting provision in the area is to be welcomed, it is necessary to consider the impact of this new pitch against the NPPF and local development policies and in respect of the loss of the grass pitch for football/cricket use in the light of Sport England's comments.

The new full sized artificial pitch will effectively prevent the site from being used in the future as a full sized grass pitch. Sport England have raised concern regarding this issue stating that *'...some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote...'* However the proposed artificial pitch will be all-weather surface which coupled with the proposed floodlighting will greatly extend periods of play particularly into the evening during winter months. This is considered to be a significant benefit and accordingly the principle of this use is supported. In addition, the location of the Exwick Sports Hub alongside the existing playing pitches of Flowerpot Playing Pitches is a relevant consideration. Whilst a grass pitch would be lost as a result of this development Exeter College are in discussions with the Council to take on the maintenance and management of the Flowerpot playing field, which includes, it is proposed, to provide an additional grass pitch adjacent to the existing Frisbee area. Consequently it is considered the provision of an improved artificial pitch and the new grass pitch would satisfy the existing football pitch provision in the area in terms of quality and quantity and therefore is acceptable.

The proposed development would lead to the loss of the cricket pitch at the Exwick Sports Hub, which is currently used by Exwick Cricket Club. Sport England have raised objection to this element of the scheme being contrary to NPPF and Sport England's Playing Field Strategy. The NPPF paragraph 74 states that existing open space and playing fields should not be developed unless *'...the loss resulting from the proposed development would be replaced by equivalent of better provision in terms of quantity and quality in a suitable location..'* In addition Sport England accept the loss of playing field only in exceptional circumstance subject to E5 of their Playing Field Policy which states 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'*.

To address this issue the applicants have recently submitted details of a replacement cricket pitch to be located within the adjacent Flowerpot playing fields. This has been assessed by local representative of the English Cricket Board in conjunction with the Exwick Cricket Club and an updated objection has been received from Sport England, as set out in the consultation response dated 11 May 2016. Whilst it is understood that the principle of this replacement is generally considered to be acceptable, it is clear that details of the pitch are currently unavailable/or unknown to enable these bodies to be satisfied that it represents a pitch of an equivalent quality. Sport England are concerned that the lack of details submitted means that suitability of the replacement pitch cannot be guaranteed. In effect concern is raised that the scheme would not satisfy their Playing Pitch Policy E4 which seeks playing fields lost to be replaced by an equivalent in terms of number, quality, be within a suitable location, include a better management arrangement and be delivered prior to the

commencement of the artificial pitch. The applicant has sought to address the provision of a replacement cricket pitch, its management arrangements and timings as to when the works are to be carried out within a draft 106 Agreement. It is considered that this will address some of Sport England's concerns. However whilst it is anticipated that the detailed specifications of the pitch, its future maintenance regime and a risk assessment should be relatively easy to produce, the comment about the distance from the proposed replacement pavilion/changing rooms to the cricket square does require further investigation. Accordingly it is considered that, as currently submitted, there is a deficiency in the level of detail needed for the replacement cricket pitch to be deemed acceptable. Consequently whilst it is accepted that the replacement cricket pitch could be appropriate, the detailed matters as raised by Sport England will need to be addressed before the application could be granted permission. This is particularly important as, given their objection, the application would have to be referred to the Secretary of State to determine whether it should be called in, if their concerns remain.

Exeter Local Plan Policy L6 states that artificial pitches can provide a significant increase in opportunities for sport and therefore are encouraged. However this is subject to the impact the use and associated facilities have on the amenities of nearby local residents. The new pitch would be located close to existing residential properties in Ennerdale Way and Guys Road. The use of the site for sports pitches will remain unchanged as a result of this scheme. However given the artificial pitches purpose is to have greater use due to it being an all weather surface coupled with the proposed floodlights its use will be prolonged. Consequently it is considered that a time limit to 10pm is reasonable to protect the amenities of nearby residents. In addition, the floodlights have been designed to ensure that light spillage is minimised and the submitted details are considered acceptable by the Environmental Health officer. Accordingly it is considered that the development will not result in loss of residential amenities and therefore the requirements of Policy L6 are met.

The application has been considered in terms of Local Plan Policy L3 regarding development on open space and Policy L1 due its location adjacent to the Riverside Valley Park. Given that the use of the site will remain unchanged as a playing pitch, it is not considered that the scheme will harm the site's open character or the Valley Park. Whilst it is acceptable that the floodlights in terms of their structure and illumination will represent a visual change to the appearance of Exwick the poles would be viewed against the backdrop of the urban area and the lights would be suitably controlled through a condition regarding hours of use. Consequently it is considered the use would fulfil the aims of both policies which seek to promote recreational enhancement of the area and therefore are acceptable.

In conclusion, it is considered that the proposed represents an enhancement of the existing facilities at the Exwick Sports Hub which will ultimately benefit Exeter College and sports teams in the area. The application is accompanied by supporting information which states that the grass football pitch and cricket pitch 'lost', as a result of the new artificial pitch proposal, can be replaced on the adjacent Flowerpots playing fields. Subject to confirmation that replacement pitch and associated facilities are suitable in terms quality and location in line with Sport England's comments, this is considered an appropriate arrangement. The Section 106 Agreement will be important to ensure that these replacements are achieved.

RECOMMENDATION

That delegated authority be given to Assistant Director of City Development to **APPROVE** the application subject to the applicant addressing the requirements of Sport England including details of the cricket pitch construction specification, implementation and maintenance; a risk assessment including appropriate mitigation measures and an appropriately sited cricket pavilion. In addition the application requires the completion of a Section 106 Agreement to cover the replacement football pitch, cricket pitch and associated management measures to ensure the new pitches are available prior to use of the new artificial pitch.

Given the objection raised by Sport England the application should be referred to the Secretary of State, via the National Planning Casework Unit in accordance the Town and County Planning (Consultation) (England) Direction 2009 to determine whether the application should be called in.

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 6 August 2015 (dwg nos. SS1832 03 02; SS1832 04 02; SS1832 05 02; SS1832 06 01; SS1832 07 02; SS1832 08 00 & SS1832 09 02) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The use hereby approved shall not be carried on other than between the hours of 0900 to 2200 on any day and shall not be carried on at all on public or Bank Holidays unless otherwise agreed in writing the Local Planning Authority.
Reason: So as not to detract from the amenities of the near-by residential property.
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223