

**REPORT TO THE NORTHERN AREA
PLANNING COMMITTEE**

Report No.

Date of Meeting	23rd November 2011		
Application Number	11/02159/FUL		
Site Address	Decuninck, Stainer Road, Calne, SN11 9PX		
Proposal	Change of use of existing Decuninck building to provide indoor football facility (Class D2) and erection of additional space for same.		
Applicant	Mr Partner		
Town/Parish Council	Calne		
Electoral Division	Calne	Unitary Member	Councillor Berry
Grid Ref	399857 172543		
Type of application	Full		
Case Officer	Simon T. Smith	01249 706633	simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Berry has requested that this application be considered by the Development Control Committee so that the potential effect of the proposed change of use would have upon the amenities of local residents and loss of significant employment floorspace in Calne.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to the imposition of planning conditions.

Calne Town Council support the application subject to planning conditions being imposed
Chippenham Town Council raise concerns about the proposed facilities.
Eighteen (18) letters of objection have been received with seven (7) in support.

2. Main Issues

The application is for the change of use of the existing 10,800m² Decuninck building on the Porte Marsh Industrial Estate to an indoor football facility - including training pitches, 5-a-side astro turf pitches and childrens play centre. The proposal would also see the construction of the remaining 4,650m² extension, permitted, but not yet built, under the original 02/01280/FUL permission. Key points to consider as follows:

- Implications on DC Core Policies C3, C4, BD2, NE18 and CF2 of the adopted North Wiltshire Local Plan 2011 and national policy within PPS4 and PPG17
- The 2002 planning permission
- Loss of employment floorspace and efforts to market building
 - (a) Policy BD2 of the adopted North Wiltshire Local Plan 2011
 - (b) PPS4 – Planning for Sustainable Urban Growth
- Location
- Effect upon existing sporting facilities
- Impact upon residential amenity
- Transportation and highway safety

3. Site Description

Highly visible and accessed from the A3102 Calne bypass, the Decuninck building is a large modern storage and distribution facility purpose built for the company, which also have other premises at Porte Marsh Industrial Estate. The building is positioned in its own 5.56Ha landscaped grounds, complete with internal access road and large dedicated car park. New dwellings have been constructed to the south and west boundaries of the site.

From its construction in 2005 and up until 2009 the building was occupied by Decuninck Ltd. However, following consolidation of the company's operations across the region, the building was deemed surplus to requirements and as such is now vacant.

In planning policy terms, the application site is located entirely within the Settlement Framework Boundary of Calne as set out in the adopted North Wiltshire Local Plan 2011.

4. Relevant Planning History		
Application Number	Proposal	Decision
02/01280/FUL	Warehouse, 2no. class B2 industrial buildings class B1 office building and associated service areas and parking	Permission 04/09/02
06/00602/FUL	External storage and hard standing	Permission 02/10/08
07/01078/FUL	Erection of perimeter fence	Permission 19/06/07

5. Proposal

The proposal is to change the use of the existing building from a storage and distribution use class (Class B8) to an assembly and leisure use class (Class D2). The proposed new use is to comprise an indoor football facility together with ancillary gymnasium childrens play centre and ancillary facilities.

The proposal is to include the construction of the balance of the building not already in existence, but that was permitted under the original 02/01280/FUL permission. That extension remains extant by virtue of the substantive implementation of that 2002 permission. All other physical works are internal only.

6. Consultations

Calne Town Council -

"Members supported this application on the understanding that certain conditions are put in place, as follows;

- *Limitations are placed on the hours of operation; opening from 11am until 11pm.*
- *Noise attenuation measures are put in place to ensure that neighbouring properties do not suffer the effects.*

- *Energy efficiency measures are included to ensure the building is brought up to standard to reduce energy wastage.*
- *S106 monies are secured to improve access for cycles and pedestrians to include either the installation of a press-button crossing point to Beversbrook Sports Facility or the roundabout at the access point.*
- *A substantial donation from s106 monies towards public open space provision in the town."*

Chippenham Town Council -

Wish to make it clear that the "Planning Statement" document submitted contains inaccuracies. In contrast to the claim that the Chippenham Town Council's Community Football Development Officer (CFDO) raised no objections at a meeting prior to the submission of the application, the Town Council did (and continue to) express concern over the viability of such a facility and its possible effect upon the existing community facilities at Stanley Park, Chippenham, and Beversbrook, Calne, the former of which is about to undergo a £1 million extension.

Highways - No objection subject to the imposition of planning conditions.

Sports Development Officer - Final comments awaited.

Council Ecologist – Acknowledges identification of badgers by local residents on the site, but confirms that there is adequate legislative provision outside of the planning system so as to ensure their protection (ie. Badgers and their setts are protected under the Wildlife and Countryside Act 1981 and any works with 20m of an active sett entrance may require a licence from Natural England).

Combined Spatial Planning and Economic Development comments – (conclusions repeated verbatim below)

"Further to the evidence in my original response and this update it can be seen that a key aspect when considering this proposal is weighing up the short-term benefits of the proposal in the context of the current economic conditions, with the longer-term economic objectives for the area as set out in the draft Core Strategy for Wiltshire. Key points relevant in the determination of the application are as follows.

- *The provision of an indoor football facility may bring community benefit to Calne and the surrounding area. Further detail is required from a specialist to assess this.*
- *The provision of an indoor football facility is likely to provide a slightly higher number of jobs than B8 use, and certainly more than the former figure at Deceuninck. However an alternative B class employment use could provide a higher number of jobs and manufacturing has the potential to create higher value/skilled jobs with the long term economic benefit of higher Gross Value Added (GVA) per head levels and a higher multiplier effect.*
- *Unemployment is a particular issue for Calne. In March 2011, 2.8% of the working age population were claiming Job Seekers Allowance, the second highest rate in the county. The proposal will clearly have short term socio-economic benefit.*
- *The site has been adequately marketed for one year.*
- *Looking to the longer-term Calne is identified as a strategic employment location with potential to grow, in particular through the intensification of Portemmarsh Industrial Estate.*
- *The site is in a prime location within the Portemmarsh Industrial Estate. It is proposed to identify the Portemmarsh Industrial Estate as a Principal Employment Area in the Core Strategy.*

- *The latest evidence on employment need suggests 15.6ha is required over the plan period over the former north, east and west Wiltshire districts. There is therefore a need to identify further employment land in the county.*
- *The employment land monitoring suggests that whilst there are a number of outstanding permissions for employment land there has not been delivery on the ground that is in line with the required targets.*
- *There is approximately 5has of vacant employment land in Calne suggesting there has not been take up of employment land and that there is available employment land in the short-term.*
- *Advanced engineering, including manufacturing and logistics, are identified as priority sectors by the new Swindon and Wiltshire Local Enterprise Partnership.*

In the long-term this site is part of an important industrial estate in Calne and is earmarked for protection and intensification with the potential to offer higher value jobs to come forward in the future. However there are important short-term considerations. The site has been effectively marketed for an adequate period of time with no market interest for B use classes, there is currently available employment land in Calne and the proposal will provide jobs for local people now. If you are minded to permit the application, it will be important to ensure that the development is appropriately conditioned in light of the potential for intensification of use on the site for uses of the type that would be normally expected within the town centre.”

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Eighteen (18) letters of objection have been received with seven (7) in support. Main issues raised:

- Badgers are present on the site
- The development and additional people/toilets/showers on site will cause a drainage problem for surrounding residents
- Proposed football and child care activities in the building will create a noise disturbance to surrounding residents
- Sports and child care facilities have no place on an industrial estate and will result in a loss of jobs to existing facilities in the locality
- Facility is not accessible from the town
- General increase in noise and disturbance from the site - additional traffic and people accessing site
- Highway safety compromised as a result of additional traffic
- Additional extension would impact upon amenities of nearby residents
- Old Road too narrow to accommodate additional traffic
- No reference to air conditioning units, external lighting or CCTV - all of which would impact upon amenity of nearby residents
- Proposal would add needed indoor sports and child care facilities in the town
- Proposal would bring jobs and ensure a vacant building is put to some use

8. Planning Considerations

The existing 2002 permission

Permission granted under reference 02/01280/FUL allowed for the construction of the Decuninck building as is now seen on the site, plus a large 4,650m² element of floorspace (which was never constructed) to the western end of the building. The 2002 permission also included a further

5,300m² of general industrial and office floorspace to be created on land to the south-east of the building on land that still remains vacant. Importantly the 2002 permission for the additional <unconstructed> 4,650m² extension to the Decuninck building and the remaining B1/B2 floorspace to the south-east remains extant and all those elements remain capable of being constructed now, without further consents being necessary from the Council.

Whilst the land to the south-east of the Decuninck building is not the subject of this application, the Decuninck building itself is. In this way, in considering this application, the existence of an extant planning permission for the additional 4,650m² of floorspace must be an important material planning consideration that must be given a good deal of weight when considering this planning application.

Loss of employment floorspace and efforts to market building

(a) Policy BD2 of the adopted North Wiltshire Local Plan 2011

The proposal will involve the change of use of a building currently classified as having a business use class (ie. B8 storage and distribution) to a use that is an assembly and leisure (ie. a D2 use class). Therefore, Policy BD2 of the adopted North Wiltshire Local Plan 2011 is applicable, which seeks to safeguard existing business uses. Policy BD2 requires one of three criteria to be met for such a change of use to be considered acceptable. It states:

Land and Buildings in existing business use (Use Classes B1, B2 and B8) or, if vacant, last used for business purposes, or committed for such uses, will be safeguarded for these uses, unless:

- i) The continued use of the site for business uses raises unacceptable environmental or traffic problems, harming the character or amenity of the surrounding area;**
- or**
- ii) An alternative use or mix of uses offers greater benefits to the community and/or increases the employment capacity of the site through the creation of a higher number of jobs;**
- or**
- iii) The retention of a site or premises for business use has been explored fully without success (where actively marketed for at least 1 year at an appropriate market rate), and where the site is no longer required to meet economic development needs.**

In respect of criterion (i) to Policy BD2, a calculation based on actual and theoretical use of the building/site worked through by the Council Policy and Economic Development Teams does reveal a similarity in the employment capacities of the existing and proposed situations. In broad terms the proposed D2 use could indeed provide the same or slightly higher jobs. However, their comments are caveated by the <correct> observation that the current B8 use class could be changed to B1 without the need for planning permission which would provide significantly more jobs (ie. a B1 office or light industrial use is likely to create more jobs than a modern distribution warehouse).

In respect of criterion (iii) to Policy BD2, A marketing report has been submitted as part of the application. An assessment of this report has been carried out by the Council's Economic Development Officer. The report states that the property has been marketed since 2009, via signboards, brochures, meetings, advertisements, direct mailing, online, and through press releases, which illustrates that the appointed agents (Alder King) took steps to actively market the property using numerous methods. Alder King also marketed the property on a freehold and leasehold basis to further attract and identify potential occupiers. These marketing activities have produced enquiries from prospective purchasers, and in addition the North Wiltshire Economic Partnership manager promoted and introduced the property to three large Wiltshire based

businesses that were looking to relocate their existing operations. After viewing and investigation these businesses discounted the property, stating that relocation and development would be constrained, citing factors such as; the close proximity to residential areas, the size of the building being too large to meet needs, and difficulties surrounding the underground pipeline that traverses the site. Despite the marketing campaign and the resulting enquiries, it does not appear that any potential occupiers have made an offer. In light of the critical evaluation of the Council's own Economic Development Team, demonstrable efforts have been made to dispose of the building and site for its permitted purpose and that these have been genuine and exhaustive. To this extent the requirements of criterion (iii) to Policy BD2 appear to have been met.

(b) PPS4 – Planning for Sustainable Economic Growth

Assessment of the proposal should not end with adopted Local Plan policy, which by many measures is reaching the end of its useful life. PPS4 was published after the adoption of the North Wiltshire Local Plan and therefore does include updated guidance that may not be directly reflected in the local plan and which is a material consideration.

PPS4 defines economic development as: "*development within the B Use Classes, public and community uses and main town centre uses*" (paragraph 4).

The applicant considers the proposed use to fall under 'community uses' and it could be said that the proposal will offer a facility for use by the community. In this way, policies in PPS4 can also apply to any development that provides economic opportunities, and it is reasonable to conclude that this proposal can be considered at the very least to provide economic opportunities in broad terms.

Consideration has also been given to whether the use could be classed as a main town centre use. PPS4 defines four types of main town centre uses as including 1. retail; 2. leisure, entertainment facilities, more intensive sport and recreation uses; 3. offices and 4. arts and cultural development. Criteria 2 could be relevant in this case and is specifically defined as: "*leisure, entertainment facilities, and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and clubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls)*" (paragraph 7).

Indoor football provision is not specifically included in the definition of main town centre uses above and it is not automatic that it should be regarded as an intensive sports or recreation use. Nevertheless, the proposal does also include a children's play centre, gymnasium and sports bar, which are more likely to create more trips and be considered town centre leisure uses. However, since they are each ancillary to the main proposal for an indoor football facility, this classification is not thought to be fatal to the scheme. Indeed, without the football pitches, neither gymnasium, sports bar or child play facility would be proposed.

Although principally informing the formulation of planning policy, PPS4 also provides policies which must be used to determine planning applications. In particular Policy EC10.2 lists a number of criteria that planning applications for economic development must be assessed against as follows:

- a. Whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions.
- b. The accessibility of the proposal.
- c. Whether the proposals secures a high quality and inclusive design.
- d. The impact on economic and physical regeneration including the impact on deprived areas and social inclusion objectives.
- e. The impact on local employment.

As the proposal is for a change of use and there is no new building work proposed criteria (a) and (c) cannot be considered relevant. Criterion (b) regarding accessibility is considered separately below.

In regard to criteria (d) and (e) the proposal will provide some jobs, potentially for local people and therefore would have a positive impact on local employment. In particular, unemployment is a particular issue for Calne and the Council's Policy Team are able to confirm that in March 2011, 2.8% of the working age population were claiming Job Seekers Allowance, the second highest rate in the county. Further, according to the 2010 Income Index of Deprivation, Calne Abberd South is ranked within the 20% most deprived in England and is within the 10% most deprived in the county.

It can only be reasonable to suggest that a proposal which will create employment on a site that has seen no activity for approximately two years, in a town where there is an acute need for new employment opportunities, is at least *prima facie*, a positive thing.

With regard to longer term benefits and the wider objectives informing the Council's emerging draft Core Strategy plan – which can be said to represent the latest statement of the county's longer term economic ambitions, the Portemarth Industrial Estate is identified as a Principal Employment Area. Manufacturing has the potential to create higher value/skilled jobs with the long term economic benefit of higher Gross Value Added (GVA) per head levels and a higher multiplier effect than other uses in terms of local supply contracts and indirect job and wealth creation.

Nevertheless, in broad terms, the Council's Economic Development Team have signalled their support for the application, which of course must be determined now, on its own merits and critically, in the context of a good supply of vacant employment land elsewhere within Calne (ie. it is not as if there is an identified shortfall in employment land to meet economic demand for such). Given the positive outcomes associated with the proposal in this regard, the emerging Core Strategy should not deflect from a recommendation to grant planning permission.

Location

Ostensibly a proposal for a sporting facility, it is nonetheless a reality that many sporting and other recreational facilities will be similar in their land use characteristics to some forms of leisure - by making intensive use of land and attracting a significant number of visits. Indeed, some will be mixed with significant elements of entertainment, leisure uses and will function outside of typical day-time working hours for many hours of the day.

Rightly so, advice in PPG17 – Planning for Open Space, Sport and Recreation (as well as PPS4, referred to above) states that planning permission for such developments should only be granted where they are to be located in highly accessible locations in or adjacent to town centres, or in district or neighbourhood centres.

In this particular case, whilst some distance from Calne town centre, the Decuninck building is positioned within the built up area of Calne and arguably far better located in relation to the town to the existing sports pitches at Beversbrook. Indeed, to the immediate south and west lay significant residential areas, which might in theory, also include residents wishing to make use of the proposed facilities. The original 2002 permission included a requirement to provide a cycle link through to that residential zone and there is no suggestion that this should not continue to exist.

Effect upon existing sporting facilities

The application site is in close proximity to the existing Beaverbrook sporting facilities, operated by the Calne Town Council. Football facilities also exist at Derry Hill and the Stanley Park facility on the eastern edge of Chippenham, also run by the respective Town Council.

The potential for a negative impact on overall sports provision in the locality does exist within this application, and it is this potential that forms the basis of concerns raised by the Chippenham Town Council. Those concerns are fully understood, however, intuitively it is also thought to be the case that the proposal is unlikely to be competing for the same type of demand for facilities at the same time of the year. The proposal is for indoor facilities, presumably more attractive in the evenings in the winter for practice and 5-a-side league games, whereas the existing outdoor facilities in the area are likely to be in heavy demand for practice and league games throughout the year – but especially at weekends during the football season.

The likely complimentary, rather than competing, role of the proposed facilities is identified in the supplied letter from the Wiltshire County Football Association. In light of this, as well as the lack of an objection from the Council's own Sports and Physical Activity Development Manager, there is considered to be no justification to disagree.

Representations have been made by an existing local provider of child care facilities regarding the potential consequences of over-supply of such facilities in the locality. Those concerns are understood, but nevertheless, they are largely based on commercial interests that cannot be regarded as a material planning consideration.

Impact upon residential amenity

Concerns have been raised by local residents over the potential for noise and disturbance generated by the proposed new use. This could be from a variety of sources, but principally the proposed activities inside of the building being heard outside and the comings and goings of cars and people.

However, since the likely noise and disturbance from the proposal should be compared with the existing lawful situation (ie. a very large storage and distribution warehouse, with all the attendant comings and goings associated with such), the consideration of the potential effect upon amenity cannot legitimately involve a comparison with zero activity on the site, if this planning permission were refused. Intuitively, it does seem reasonable to conclude that the noise and disturbance associated with an indoor football facility and children's play area would be at least broadly similar, or even less than would be associated with a distribution warehouse.

The applicant draws attention to planning condition 05 to the original 2002 planning permission, which imposes a maximum noise level outside of the building, which could be re-imposed on this planning permission. However, although not specified in the condition, it is understood that the unit of noise measurement specified in the condition refers to fixed sources – such as air conditioning or plant. Whilst the potential for plant to create a noise continue to be an important consideration, the existence of this condition cannot be regarded as a universal solution to the issue, since noise and disturbance is often less easy to define or measure.

Discussion and negotiation with the Council's Environmental Health Officer confirms the above conclusion, and subject to the imposition of particularly worded planning conditions controlling the use and the physicality of the building, the proposal is likely to present no greater impact upon amenity than the distribution warehouse that it would replace.

Transportation and highway safety

The proposal seeks no change to the existing vehicular and pedestrian access arrangements.

As originally submitted, the proposal included an "emergency access road" is shown on the submitted layout plan which does not exist in reality. However, it was clear that this was merely a reflection of the plans which were approved under the original 2002 planning permission, and is a matter specifically allowed for in condition 10 to that permission. However, it has since been confirmed by the applicant that there is no intention to provide that emergency access and from

the Council's Highway Officer that there is no need either. The emergency access has therefore been removed from the scheme.

The submitted Transport Statement concludes that a comparison between the traffic movements associated with the consented use of the building is broadly comparable with the proposed use in terms of its likely impact upon the surrounding highway network and demands for parking on the site. In considering the typical characteristics of a busy storage and distribution facility and the high standard of the local highway network, this is broadly thought by the Council's Highway Officer to be a reasonable conclusion.

Subject to the imposition of planning conditions the Council's Highway Officer does not raise objections to the proposal on the grounds of highway safety. In this context, and notwithstanding the concerns raised by local residents, it is not considered to be reasonable to refuse planning permission on these grounds alone.

9. Conclusion

This application comprises a change of use from a B8 business (Storage and Distribution) use class to a D2 (Assembly and Leisure) use class. Consideration must therefore be given to the consequences and desirability of the loss of the existing employment use and whether the new uses would, as an alternative, provide for wider socio-economic benefits including equal or better employment opportunities. Equally, a judgement must also be reached over how likely it would be that the building would indeed be put to a use falling into the business use classes, even if permission were to be refused.

On balance, and in the context of a vacant building and an area of acute need of employment opportunities, it is considered that the merits of allowing an activity that would provide for employment opportunities that are at least equal to that associated with storage and distribution centre would outweigh the potential disbenefits.

The concerns of local residents in respect of noise and disturbance are acknowledged, but it is evident that through the use of particularly worded planning conditions, it would be possible to ensure the impact is no greater than the existing situation.

10. Recommendation:

Planning Permission to be GRANTED for the following reason:

Whilst acknowledging the shift from the present condition of the site as a green field to built form, it is considered that the proposal would involve limited new building that would be well related to an existing building. As such the proposal is of an appropriate form, scale and appearance and would comply with the requirements of Policies C3, C4, BD5 and NE15 of the adopted North Wiltshire Local Plan 2011 and national planning guidance in PPS4.

Subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-C3

3. The level of noise emitted from the site shall not exceed a Rating level of 45 dB (1hr)(i.e. LAeq(1hr) and free from acoustic features) between 0700 and 2300 hrs Monday to Saturday and a Rating level of 35 dB(5 mins) (i.e. LAeq (5 mins) 35 dB and free from acoustic feature) at any other time as measured on all boundaries of the site at any position where the boundary is contiguous with any part of the curtilage of a residential property.

Reason: In the interests of protecting the amenity of residents.

4. Prior to the commencement of the development of each building hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) finished floor levels of all buildings;
- (4) finished levels across the site;
- (5) the make, type and colour of all external materials to be used;

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

5. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

POLICY-C3

6. No part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

POLICY-C3

7. No development shall commence on site until details of secure covered cycle parking and changing and shower facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

POLICY-C3

8. The site and building shall be used for football pitches, ancillary gymnasium, children's play centre and other activity purely ancillary to the operation of the site and building for the identified use hereby granted planning permission and for no other purpose whatsoever (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case and its potential impact upon the amenities of the nearby residential properties.

9. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of the appearance of the site and the amenities of the area.

10. No further external lighting shall be installed on site whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

11. No development shall commence on site until a scheme for the discharge of surface water from the extended building and site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

12. No development shall commence on site until details of the works for the disposal of sewerage from the site and extended building has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

13. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the

prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY-C3

14. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

POLICY-C3

15. The change of use hereby permitted shall be implemented in complete accordance with plans relating to "Building A" granted planning permission under reference 02/01280/FUL. The extant and as yet unbuilt extensions to the building subject to this application shall be constructed strictly in accordance with the relevant plans approved under reference 02/01280/FUL unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: To define the parameters of the planning permission for the avoidance of doubt.

16. The use hereby permitted shall only take place between the hours of 09:00hrs – 19:00hrs

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY-C3

17. Notwithstanding that shown on the submitted plans, there shall be no further doors, windows or any other form of opening inserted into the western or southern elevation of the extended building (ie. the complete building including the additional floorspace yet to be constructed) whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: For the avoidance of doubt and so as to ensure the amenity of neighboring residents is not adversely affected by the proposal.

18. Prior to the first use of the building or site for the permitted purpose, a 2.0m high close boarded acoustic fence shall be erected in a position immediately around the entire bank of new parking spaces outside of the proposed child play centre element of the proposal.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

19. Prior to the first use of the building or site for the uses hereby granted planning permission, a detailed scheme for the fitment of additional insulation inside of the walling of the existing building as well as the un-built extension, so as to achieve a further reduction of 10dB over and above that reduction in noise associated with the existing/permitted walling materials, shall have been submitted to and agreed in writing by the Local Planning Authority. The development and uses hereby permitted shall only commence once that scheme for the fitment of additional insulation, so agreed, has been implemented in full.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

20. Unless in connection with an emergency, at no time shall any windows, doors or any other opening be open whilst any football or child play activity hereby permitted is carried out in the building.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

21. Prior to the first use of the building for the uses hereby granted planning permission, and in complete accordance with the submitted letter dated 5th October 2011, full details of the proposed boarding and netting to be installed around the perimeter of the proposed football pitches, so as to stop balls hitting the inside walls of the building, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the details so agreed prior to the first use of the building for the uses hereby permitted.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

