

Application Number

P/2013/1189

Site AddressLand At Playing Fields Dartmouth Road
Paignton
Devon**Case Officer**

Mr Alistair Wagstaff

Ward

Goodrington With Roselands

Description

Formation of 1.5km macadam closed road cycling circuit, and associated works inc 1.8m boundary fence.

Executive Summary/Key Outcomes

This application seeks approval for the formation of a 1.5 km Closed Road Cycling Circuit and associated works including a 1.8 boundary fence. The application site is currently part of the wider playing pitches and outdoor recreation space of Clennon Valley leisure centre.

The key issues for consideration are considered to be the principle of the development on the existing sports pitches, the visual impact of the development, accessibility considerations, the impact on residential amenity, matters concerning contamination and flooding and the environmental impacts of the scheme.

The scheme offers a significant opportunity for Torbay providing a new sports facility through the development of a Closed Road Cycle Track. It is considered that the benefits to the wider sports offer generated by the scheme offset the loss of the existing sport pitches.

The impacts of the scheme in relation to flooding and land contamination are able to be overcome through the provision of further information by condition.

The application is not considered to have a detrimental impact in ecological terms on the South Hams SSSI or the Wider South Hams SAC. In relation to the more localised environmental impacts the amendments to the scheme post submission are considered to provide a net gain to bio-diversity and an enhancement to local green infrastructure. This, in addition to the detailed conditions recommended, will overcome the issues of concern.

Recommendation

Conditional approval subject to member site visit and the conditions listed below.

Statutory Determination Period

13 Weeks 12th February 2014

Site Details

The application site is currently part of the wider playing pitches and outdoor recreation space of Clennon Valley leisure centre. The site is predominantly laid with grass for use as playing pitches, which includes one rugby pitch and one football pitch. The site is located within the functional flood plain and is in Flood Zones 2a and 3.

Prior to the use of the site for sport and recreation facilities the site was historically used as a landfill site. This has created a number of issues with its current use as sports pitches and is in part why the Cycle Park is proposed in this location.

The site is bordered on the South and East by a belt of trees and streams. The majority of this area surrounding the site forms part of wildlife corridor (NC4.)

The site area has altered during the course of the application. It now includes an area to south and east, including the majority of the wildlife corridors and tree belt up to the edge of the streams on the East and South. This allows those areas to be brought into a positive management regime as part of the development.

Due to this change to the application boundary the application has been re-advertised and the consultation process undertaken for a second time, to ensure that nobody is disadvantaged by this change and that statutory requirements are met.

Detailed Proposals

The proposal is to install a 1.5 kilometre closed road cycling circuit on the site for use as a new cycling facility for the Bay. The track is set at just above ground level to allow water run off on to the surrounding area for cycle safety. To the northern boundary of the track is an additional hard surface area for an embarking and exiting point to the cycle track, waiting and coaching area. This also provides the principle access point to the site. This connects to and is located alongside the existing leisure centre and access path, which itself provides access to the other outside recreational pitches.

The application was originally to be enclosed on all sides by a 1.8 meter high security fence. This has now been amended to enclose only the northern half of the site running from the entrance adjoining the leisure centre to the south eastern corner of the site where it joins Dartmouth Road. The fence along the north-western side will be landscape. The remainder of the boundary will be enclosed with extensive belt of landscaping which will include habitat improvements as an enhancement to the existing wildlife corridor.

The original proposed layout included a potential location for a replacement playing pitch. This has now been removed due to the conflict between cycling track and ball based sports which creates a health and safety risk.

Public Consultation

A Statement of Community Involvement has been submitted by the applicant. The consultation period ran from 29th August to 1st November 2013. This included postal distribution of 1000 Surveys and consultation forms were placed at public locations through out the Torbay with supporting information displays. An online survey on the Council's website was also provided and the project has also been presented at public meetings of the Paignton Neighbourhood Forum and the Goodrington and Roselands Community Partnership.

The Postal Survey received 84% in support, 14% oppose
The Online Survey received 94% support and 4% Oppose

A further information on the public consultation has now been produced and has been made available in the Member's Briefing Pack.

Summary Of Consultation Responses

English Heritage-

Have no comments to make on these proposals.

Torbay Coast and Countryside Trust: Biodiversity - support the broad recommendations within the Extended Phase 1 Habitat Survey

We recommend that an ecological assessment be provided to assess the ecological effects of the fixed, final scheme and provide specific detail regarding the proposed mitigation measures including landscape plans. proposals should seek to result in a net gain for biodiversity.

We recommend that the linear boundary habitats be enhanced as wildlife corridors, Given the site's location within a sustenance zone and strategic flyway for Greater Horseshoe Bats development should not add luminance to the existing lighting regime.

Green Infrastructure - The Torbay Green Infrastructure Delivery Plan² should be considered as part of the planning application. The Torbay Green Infrastructure Delivery Plan identifies Clennon Valley as an area for proposed wetland creation/enhancement and the expansion and/or enhancement of the existing wetlands should be considered as part of the SuDS strategy.

Site is located within Flood Zone 3a. We suggest that Sustainable Urban Drainage Systems (SuDS) be considered to mitigate potential flood risk. SuDS can also provide high quality green infrastructure providing benefits to water quality, biodiversity and recreation, as well as flood alleviation.

We suggest that the possibility of creating linkages to the proposed facility via additional footpaths and cycle paths be explored.

Environment Agency: We have no objections to the proposal subject to:

- ground levels within the area at risk of flooding not being raised above existing, and
- the development being safe in times of flood, over its lifetime.

A large proportion of the site is at risk of inundation, as some of the site is Flood Zones 3a and 3b. This relatively undeveloped floodplain corridor performs an important local flood risk management function reducing the risk of flooding to adjacent built development including the Leisure Centre.

The usage sought would be deemed 'water-compatible' development as defined within Table 2 of the NPPF. The principle of allowing 'water-compatible' development within areas of 'functional floodplain' is acceptable subject to the caveats within Table 1 (NPPF) being met. It is for this reason why we strongly advise that ground levels within the areas at risk should not be raised above existing.

Given the depths of water that could occur, as highlighted within the Flood Risk Assessment, we advise that the site management produces an evacuation plan so that the risks to persons can be minimised and that measures be put in place.

We also advise that access to the existing open watercourses for maintenance and clearance is not compromised by the proposal.

Environmental Health: Recommend that a condition pertaining to contaminated land is attached to the permission as the development will be sited on an old landfill site.

With regard to excavation, for root barriers for example, there is concerns that this would break any capping and therefore expose the old landfill. This will need to be investigated further by way of either boreholes or trial pits to establish the depth of the capping and the best way forward for the root barrier system.

The conditions should cover:

1. Site Characterisation
2. Submission of Remediation Scheme
3. Implementation of Approved Remediation Scheme
4. Reporting of Unexpected Contamination

Arboricultural Officer: The scheme is acceptable if the following point can be addressed by way of pre-commencement condition requiring a detailed plan to be submitted and approved specifying the alignment and specification for a

permanent root barrier to a minimum of 1m depth.

Natural England: Statutory nature conservation sites - no objection

This application is in close proximity to the South Hams Site of Special Scientific Interest (SSSI) part of the South Hams Special Area of Conservation (SAC).

Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which South Hams has been classified. Natural England therefore advises that an Appropriate Assessment is not required to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development will not damage or destroy the interest features for which the South Hams SSSI has been notified. We therefore advise that this SSSI does not represent a constraint in determining this application.

Green Infrastructure - The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Biodiversity enhancements - This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.

Landscape enhancements - This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

South West Water: South West Water has no objection to the application.

For information a public water main and sewer runs through the site, no buildings will be permitted within 3 metres of these and neither should there be any alterations to ground cover over them.

Strategic Transport including Highways: There are no objections to this proposal and given mitigation for jobs created, no SPD contribution should be requested.

However to ensure key events do not cause an problems, an Event Management Travel Plan must be approved prior to first use. This Plan needs to focus on how

on street parking will be minimised. For any major events, this will require close cooperation of various stakeholders including Highways in advance.

RSPB: Has no information to suggest that the site supports any important numbers of birds of conservation concern. Our priority species, Cirl bunting, has not been recorded on or near the site and most of the existing habitat is unsuitable for this species. We have no objection to the proposed development but do wish to see enhancements for nature as part of this development. Opportunities to incorporate biodiversity in and around developments should be encouraged and suitable management and appropriate retention of the existing boundary habitats and creation of a new hedgerow and buffer strip should be sought.

RSPB supports the recommendations made in the Ecosulis Extended Phase 1 Habitat Survey. If permission is granted, these measures should be taken forward in the form of conditions and/or a Section 106 agreement.

Sport England: It is understood that the site forms part of a playing field. Sport England has therefore considered the application in the light of its playing fields policy. When considering an application of this nature we need to be satisfied that the proposal meets one of the exceptions of the 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 proposed closed cycle track will offer an alternative sporting use to the playing fields where participation figures should be much higher. It is a proposed development that will meet economic, health/wellbeing and tourism agendas.

The proposal will see the loss of (existing) one football and one rugby pitch and playing field land. The applicant states that the playing field site is 'low quality', the football pitch has not been used for several years and the rugby pitch will be moved to an adjacent area that is not used by football. We await details of the relocated rugby pitch including support for this proposal which should be secured by planning condition.

Summary Of Representations

One received, from Local Access Forum, neither supporting or objecting. It identifies that development is a good idea but questions whether any public right of way will be affected. (For information there is no public right of way effected by the application)

Relevant Planning History

None directly relevant.

Key Issues/Material Considerations

The Key issues in relation to this application are considered to be the Principle of the development on the existing sports pitches, the visual impact of the development, accessibility considerations, the impact on residential amenity, contamination and flooding issues and the environmental impacts of the scheme. These matter are set out below in detail.

Principle of Development -

The application site currently forms part of the outdoor recreation facilities for Clennon Valley Leisure Centre. The area is predominantly used for ball games including football and rugby. As identified in the applicants sports statement, these pitch are infrequently used due to their poor quality, associated with their location on a former landfill site and flooding on site.

Notwithstanding the poor quality of the existing pitches, the loss of sports pitches is a significant concern in any planning application and their loss is not normally supported. In this instance the loss is to provide a dedicated new sports (cycling) facility not currently available within Torbay. This increase in offer is considered an enhancement to the range and offer of sporting facilities available, both at Clennon Valley but also in the wider Torbay area which is in principle supported. This is supported by Sport England, on the basis that a replacement rugby pitch is provided in the Clennon Valley area and further enhancement to the remaining sports pitches is provided. These Matters will be secured via Planning Conditions.

The provision of new Cycle Park is supported in principle, as it offers a diversity of sporting facilities in Clennon Valley and the wider Torbay area, subject to the replacement of the rugby pitch and further enhancements of the remaining playing pitches.

Visual impact -

The site at present is currently predominantly open grass land maintained as playing pitches. The proposal will see this altered to provide a closed road cycle track. This will only occupy around a quarter of the site with the remainder remaining completely open. The impact of the development, in visual terms, is not considered significant, given the minimal works proposed to provide the track, the limited extent to which it protrudes above the ground and the extensive planting proposed within and to the south and east of the site.

The proposed security fencing could cause a greater visual impact, particularly when viewed from the west further up Clennon Valley and from the properties on Brantwood Drive. Planting along the perimeter of the fencing will reduce the visual impact of the fencing. It is also acknowledged that the scheme of landscaping proposed for the site as a whole will also enhance it visually. On this basis it is considered that the proposed fencing is visually acceptable, subject to further detail of the mitigation planting to the security fencing being

secured by way of planning condition.

Treatment of the new entrance and access point to the site on the Northern boundary adjacent to the leisure centre building is yet to be resolved. This area is currently not shown in detail on the plans submitted, but will need to include at least one entrance and exit. It is envisaged this will include some security and/or staffing facility as well as ancillary facilities for people utilising the new cycle track. In principle the provision of these facilities is considered to be visually acceptable given the limited visibility of the area and it being located in close proximity to the leisure centre building. The exact detail of what is proposed will need to be controlled via condition.

In conclusion the proposed development is considered acceptable in visual terms subject to detail of the entrance and exit area to the site and the mitigation planting being controlled by condition.

Accessibility -

The access to the site is provided via Penwill Way. This is the principle entrance to the Clennon Valley Leisure centre. There is already a dedicated surface level car park provided (chargeable), with approximately 400 car parking spaces available. The car park is set just off the junction with Dartmouth Road.

Given the site is for cycling activities it is considered that a reasonable percentage of users are likely to arrive on bike to utilise the facilities.

The majority of other users are likely to arrive via car. Given the level of parking already available on site it is not considered that further facilities will be required to meet the additional demand created by the new facility.

Additional national / local cycling events will be a welcome addition to Torbay's economy and profile, but there will be a need to manage traffic and parking caused by these events. An event management plan should be submitted to ensure successful events and that any parking and traffic is properly managed.

The site is at present accessible to the public at all times. The introduction of the Cyclo track will remove this ability as access to the facilities needs to be managed. This will remove the application site from wider public access for informal recreation. However the remainder of the site remains available for informal recreational use and the loss of public access to the application site is not considered a significant issue.

Services accessibility -

The Environment Agency (EA) have identified that there is a need to ensure that access is available to the surrounding water courses. The revised layout/site plan has now been discussed with the EA and they have confirmed that there is sufficient access under this arrangement.

Southwest Water have identified that there are sewers running adjacent to and along the northern boundary of the site and that buildings should not be permitted within 3 meters of these, nor should ground cover be altered. The area affected concerns the track entrance and exit area. Given that further detail is required, it is considered this issue can also be addressed through the condition to ensure that the scheme put forward is acceptable to South West Water.

In conclusion the accessibility of the proposed facility is considered acceptable subject to further detail being provided concerning the detail of the entrance and exit area and also an Event Management Plan.

Residential amenity -

Given the location of the facility, away from residential properties, it is not considered that the provision of the Cycle Park will have any substantial impact of the residential amenity in terms of noise or disruption of the surrounding residents. The only potential area of concern relates to the pressures on the surrounding streets for parking. However given the large car parking facility available this is not considered a significant issue other than for large events. Given the limited occurrence of such events and the suggested Event Management Condition, this is considered to be an appropriate mechanism to reduce the potential impact.

Land Contamination-

It is important to consider the potential impacts of disturbing and breaking earth in area where contamination is present. Historically the site was in use as a landfill site although this has now ceased and the site has been capped and converted to recreational use. A basic land contamination report has been submitted with the application and further detailed survey work including boreholes and trial pits is currently being undertaken.

The construction of the proposed cycle track and associated works will require minimal alteration to land levels, which will limit the potential disruption to contamination below the surface of the site. However it is important to ensure that potential risk from contamination is avoided. A detailed pre-commencement condition is required to ensure that contamination risk is managed.

Given the limited potential for disruption to the contamination below the site and subject to pre-commencement condition to ensure that any contamination found is treated properly the scheme is considered acceptable.

Flooding -

The application lies within an area of undeveloped flood plain which performs an important local flood risk management role. The site is located in Flood Zones 2 and 3a and is prone to flooding. The proposed use is however considered a 'water compatible' use as defined in table 2 of the NPPF. A flood risk

assessment has been provided with the application and the Environment Agency has been consulted and do not object to the scheme, subject to ground levels not being raised and the development being safe in times of flood.

The proposal retains much of the site as undeveloped and only a limited amount is required to be surfaced to provide the track. The track has been designed to allow water to run off the track and there is adequate available land for surface water to be absorbed on site. It is not considered that any significant detrimental impact to the function of the site in flood management terms will be created. Following the consultation response from the Environment Agency a more detailed landscaping strategy has been produced this introduces a range of Sustainable Urban Drainage measures in the form of swales to increase the potential for the site to positively enhance the capacity and value of the site from a flood management perspective.

In light of the proposed flood management measures introduced and the suitability of the development, in this flood risk area, the scheme is considered acceptable in relation to flood risk. This is subject to the provision of a condition to provide a flood evacuation plan for the scheme.

Environmental consideration -

There has been substantial assessment of the potential impacts of the scheme from an ecological and wildlife perspective. This is due to a wide range of potential constraints which exist in close proximity to the site, including the close proximity South Hams Site of Special Scientific Interest (SSSI); part of the South Hams Special Area of Conservation (SAC); the wildlife corridors running along the South and East of the site; the use of these areas by protected species (specifically Bats) and the wider role of these areas in relation to biodiversity.

Consultation responses have been received from Natural England, RSPB, Natural England and the Torbay Coast and Countryside Agency, provided in the agenda pack for Member's information. The issues identified are split into two different areas which are interlinked, 1. The potential impact on the South Hams SSSI and wider South Hams Special Area of Conservation (SAC), and 2. The impact on the wildlife corridors which surround the site on the south and east.

In relation to point 1 regarding the South Hams SAC, Natural England have advised that the development would not significantly impact upon the integrity of the SSSI and SAC it forms part of. Kestrel Wildlife Consultants on behalf of Torbay Council have undertaken a screening assessment of the scheme in accordance with the Habitats Regulations and have drawn the same conclusion. As such a full Habitats Regulation Assessment will not be required for the application. It is not considered that the application will have a detrimental impact on the integrity of either the SSSI or the SAC.

The more local impacts of the scheme (Point 2) have however raised more

concerns. As a result of these concerns the application site has been increased to take in significant element of these areas, up to the boundary of the streams on the south and east boundaries. These areas will be brought into positive management as part of the wider development scheme. A preliminary landscaping strategy has been produced which identifies that a buffer strip which includes landscape and habitat enhancement, and enhancements to tree belt and hedge rows will be provided along the outside edge of the Cycle track on the entire south and east boundaries of the site. This will also extend in part along both the west and northern edge of the track. It is considered that this offers a significant benefit to the scheme that will overcome the concerns expressed in the consultation responses and it delivers a net-gain for bio diversity through the retention and enhancement of existing habitat and delivering enhancement to the local green infrastructure.

The Landscaping plan also identifies that this area will include Sustainable Urban Drainage Swales which will provide new wetland area enhancing the value of the wildlife corridor. The central area within the cycle track will be transformed into a wildflower meadow, which again increase the ecological benefits of the scheme. Further detail of the landscaping strategy will be controlled by a detailed condition to ensure the appropriateness of the enhancement provided and ensure its retention.

In addition to the landscaping plan the application is supported by an Extended Phase 1 Habitats Survey, Bat Activity Survey and Bat Mitigation strategy. Each of the documents provide recommendations which will improve the scheme from an ecological perspective, including; habitat creation, provision of bird and bat boxes, management of Knotweed on site, native tree planting and the long term management of the site. These elements are again a significant enhancement to the scheme. These elements will all need incorporating in a wider landscape and ecological management plan which will be a conditioned as part of any planning permission.

The Bat Mitigation Strategy and Bat activity Survey also identify the sensitivity of the southern and eastern boundaries to light spill which can impact upon the use of these areas by Bats. The applicant has agreed that the application site shall not include illumination of the track and that cycle lights will not be permitted to be used on the track. This will insure that the foraging and travel routes of the local bat population will be preserved. It is also important that care is taken during construction process in this regard.

In conclusion while there are significant issues surrounding the development from an environmental perspective the scheme delivers significant benefits, which alongside detailed management strategy will deliver significant environmental improvements to the site and wider area.

S106/CIL -

A Section 106 contribution is not required for the type and form of development proposed.

Conclusions

The scheme offer a significant opportunity for Torbay providing both economic benefits and also in the enhancement to the range of sports available through the provision of a Closed Road Circuit Cycle Track. The impacts of the provision of the facility are able to be appropriately controlled via detail conditions. This is specifically important to the way the environmental benefits are secured. Normally this matters would secured by way of a pre commencement condition however there is financial pressure through the provision of grant funding from British Cycling and such a time limited condition for a detailed Landscaping and Ecological Management Plan from the start of construction is recommended to allow work to commence in a well managed way with a detailed strategy to follow within 6 weeks. Subject to this being acceptable to Member's and subject to the detailed conditions set out the application is recommended for Conditional approval.

Condition(s)/Reason(s)

01. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems. Where contaminated is found which poses unacceptable risks, a detailed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of Development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development being brought into use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and in accordance with policies EPS, EP3 and EP7 of the Saved Adopted Torbay Local Plan 1995-2011.

02. In the event that contamination is found at any time when carrying out the approved development, that was not previously identified pursuant to condition 1, it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and site investigations shall be carried out. Where required by the Local Planning Authority, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to occupation, or the development being brought into use, on the site affected.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors and in accordance with policies EPS, EP3 and EP7 of the Saved Adopted Torbay Local Plan 1995-2011.

03. Prior to the first use of the Cycle Park a Flood Evacuation Plan Shall be submitted to and approved by the Local Planning Authority, the site shall then be permanently operated in accordance with the approved Plan.

Reason: To ensure the users of the site are able to be safely evacuated from the site at times of flooding and in accordance with policy EP11 of the Saved Adopted Torbay Local Plan 1995-2011.

04. Prior to the first use of the Cycle Park hereby approved a detailed Transportation Event Management Plan shall be submitted to and Approved by the Local Planning Authority. The Management Plan shall set out the traffic management strategy for events to be held at the site. All Events shall thereafter be managed in accordance with the Approved Transportation Event Management Plan.

Reason: to ensure safe operation of the site of the site and surrounding area during Events and to protect the residential amenity of the neighbouring properties and in accordance with policies TS, T1 T9, T25, T26 and T27 of the Saved Adopted Torbay Local Plan 1995-2011.

05. Prior to the commencement of development, details of a replacement rugby pitch in the Clennon Valley area shall be submitted to and agreed by the Local Planning Authority.

Reason: To ensure that the playing pitch is replaced to maintain adequate

sporting provision in accordance with Policies RS, R2, R3 R5 and R7 of The Saved Adopted Torbay Local Plan 1995-2011 and the requirements of the NPPF.

06. Within 1 year of the commencement of development, details of playing pitch enhancements including the replacement rugby pitch (as set out in Condition 5) in the wider Clennon Valley recreation area for rugby and football pitches shall be submitted to the Local Planning Authority, this shall include: (a) Detailed plan of the Replacement rugby pitch and the sports pitches to be improved; (b) A detailed assessment of ground conditions (including drainage and topography) of the playing fields which identifies constraints which could affect playing field quality including maintenance; and (c.) Based on the results of the assessment to be carried out pursuant to (b) above, an enhanced grounds maintenance programme to address issues identified, this should include an annual grounds maintenance regime to an agreed specification to achieve a Performance Quality Standard. The approved scheme subject to this condition shall be carried out in full and in accordance with the plans submitted to and approved by the Local Planning Authority and to a timeframe agreed with the Local Planning Authority (in consultation with Sport England). The land shall thereafter be maintained in accordance with the scheme and made available for playing field use.

Reason: To ensure that the playing pitch is replaced and to maintain adequate sporting provision in accordance with Policies RS, R2, R3 R5 and R7 of The Saved Adopted Torbay Local Plan 1995-2011 and the requirements of the NPPF.

07. Prior to the commencement of development a Precautionary Method of Working Document for construction shall be submitted to and approved by the Local Planning Authority, this shall include habitat protection measures, tree protection measures and details of construction lighting. The Construction process shall be undertaken in strict accordance with the agreed detail.

Reason: to preserve important habitats and the species which use them (specifically Bats) during the construction process and in accordance with Policies EPS, EP5, NCS, NC1, NC2 Nc4 and NC5 of the Saved Adopted Torbay Local Plan 1995-2011 and the requirements of the NPPF.

08. With the exception of Construction lighting identified pursuant to condition 7, No lighting shall be allowed on site without prior agreement of the Local Planning Authority this includes Bicycle lights.

Reason: To ensure the protection of Wildlife Corridor and surrounding area for Bat foraging and flight paths and in accordance with policies EPS,

EP5, NCS, NC1, NC2 NC4 and NC5 of the Saved Adopted Torbay Local Plan 1995-2011 and the requirements of the NPPF.

09. Prior to the commencement of development, detailed plans of the entrance and exit area including layout and elevations shall be submitted to and approved By the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in accordance with policies BES and BE1 of the Saved Adopted Torbay Local Plan 1995-2011.

10. Within 6 weeks of the commencement of works a detailed Landscaping and Ecological Management Plan shall be submitted to and approved by the Local Planning Authority, the Development shall thereafter be undertaken and maintained in strict accordance with it. The Landscape and Ecology Management Plan shall include the details implementation of the recommendation of the Approved Extended Phase 1 Habitat Survey, Bat Activity Survey and Bat Mitigation Strategy. As well as detail of the proposed boundary fencing and mitigation planting, proposed landscaping and Habitat Enhancements, root barrier system, proposed swales and tree management measures.

11. No trees or shrubs retained or planted as part of the approved plans shall be cut down, felled, uprooted, removed, destroyed, lopped or topped without the prior written consent of the Local Planning Authority. If within a period of 5 years from completion of the development any of the approved landscaping, whether it be retained or planted, is destroyed, dies or is seriously damaged or defective, another tree or shrub of the same species shall be planted at the same location in the first planting season following death, damage, removal etc.

Reason: To ensure that landscaping as approved and implemented is allowed to become established and to comply with the objectives of Policy L9 of the saved adopted Torbay Local Plan 1995-2011.

Relevant Policies

- CFS - Sustainable communities strategy
- CF1 - Provision of new and improved community
- RS - Recreation and leisure strategy
- R2 - Outdoor recreation developments
- R5 - Protection of public open spaces and pla
- R7 - Areas of amenity open space
- INS - Infrastructure strategy
- LS - Landscape strategy
- L6 - Urban green spaces
- L8 - Protection of hedgerows, woodlands and o

L9 - Planting and retention of trees
NCS - Nature conservation strategy
NC1 - Protected sites - internationally important
NC2 - Protected sites - nationally important sites
NC3 - Protected sites - locally important sites
NC4 - Wildlife Corridors
NC5 - Protected species
EPS - Environmental protection strategy
EP4 - Noise
EP5 - Light pollution
EP7 - Contaminated land
EP9 - Groundwater
EP11 - Flood control
BES - Built environment strategy
BE2 - Landscaping and design
TS - Land use transportation strategy
T1 - Development accessibility
T3 - Cycling
NPPF - National Planning Policy Framework