MODEL PLANNING CONDITIONS

DECEMBER 2012

INTRODUCTION

This document provides a set of model conditions to assist with determining planning applications affecting existing, and proposing new/enhanced, sporting provision. The document, which replaces the previous set of model conditions dated September 2006, supports Sport England's work as a statutory and non-statutory consultee on planning applications.

With support from Sport England's legal advisors, the 2006 model conditions were reviewed and adapted in light of how they have worked in practice, and assessed against legal requirements and DCLG Circular 11/95, "Use of Conditions in Planning Permissions".

The model conditions, which are supplemented by guidance on their use, are not intended to be a comprehensive list. Conditions should always be devised or adapted to suit the particular circumstances of a planning application. Whilst the model conditions have been assessed against Circular 11/95, any reader of this document should carefully consult the Circular and if necessary take advice when formulating and testing any suggested conditions in relation to each particular application.

Model Planning Conditions

1. PROTECTION/NEW PROVISION OF SPORT AND RECREATION FACILITIES

1.1 Removal of Permitted Development Rights during construction

1.1.1 Condition 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order), no buildings, moveable structures, works, plant, machinery, access, storage of vehicles, equipment or materials or other use in connection with the carrying out of the development hereby permitted shall be permitted on the [playing fields/sports facilities] shown edged * on Drawing No. *

*Reason: To protect [playing fields/sports facilities] from damage, loss or availability of use and to accord with Development Plan Policy **.*

1.2 Control over Permitted Development Rights during construction

1.2.1 Condition 1a

No development shall commence until full details of the works/contractors' compound (including buildings, moveable structures, works, plant, machinery, access and storage of vehicles, equipment or materials) are submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The works/contractors' compound shall not be provided and used on the site other than in accordance with the approved details and shall be removed and the land restored to at least its condition before the development was carried out before occupation of the development hereby approved.

*Reason: To protect [playing fields/sports facilities] from damage, loss or availability of use and to accord with Development Plan Policy **.*

1.3 Continuity of sports provision during construction

1.3.1 Condition 2

No development shall commence until [or specify other relevant timescale*]* a scheme to ensure the continuity of the existing sports use of/on the [playing fields/sports facilities] shown edged * on Drawing No. * [during construction works/other activities] is submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme shall ensure that the sports facilities remain [or that the replacement facility is] at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing [playing fields/sports facilities] and shall include a timetable for implementation. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

*Reason: To protect [playing fields/sports facilities] from damage, loss or availability of use and to accord with Development Plan Policy **.*

1.3.2 Guidance (conditions 1, 1a and 2)

(a) Conditions 1, 1a and 2 relate to the construction phase of the development. Permitted Development Rights allow the provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land, subject to reinstatement of the land to its condition before that development was carried out (Town and Country Planning (General Permitted Development) Order 1995, as amended, Part 4 of Schedule 2, Temporary Uses and Building). Playing fields often present an 'easy option' for siting the works/contractors' compound.

(b) Condition 1 removes Permitted Development Rights to place storage and contractors' equipment on or adjacent to a site. It is useful to know the location of the contractors' compound in order to assess the impacts of an application on playing fields/sports facilities.

(c) As the location of the contractors' compound will not always be known, particularly on an outline application, condition 1b provides for the submission of such details. This condition could be linked to condition 6/7 (phasing of development). In many cases it is not practical to prevent the use of playing fields for contractors' compounds and appropriate conditions should be in place to secure reinstatement to an appropriate standard within a realistic timescale.

(d) Condition 2 is intended to secure the continuity of sports provision (either on or off site) where such provision is disrupted as a result of the development.

1.4 Laying out of sports facility

1.4.1 Condition 3

The development hereby permitted shall not be brought into use until the area shown [edged * on Drawing No.] has been cleared and laid out in accordance with [Drawing No. **] so that it is available for use as a [playing field/sports facility], and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order) that area shall not thereafter be used for any purpose other than as a [playing field/sports facility].

*Reason: To secure the provision and use of [playing field/sports facility] before the [occupation of the building/**] and to accord with Development Plan Policy **.*

1.4.2 Guidance (condition 3)

This condition ensures that before the start of the use of the development the playing field/sports facility has been laid out in a way which ensures it can be used for sport. The condition also excludes Permitted Development Rights to ensure that its sports use is continuing.

2. COMPENSATORY PROVISION, CONTINUITY OF USE AND PHASING OF DEVELOPMENT

2.1 Replacement facility Grampian condition

2.1.1 Condition 4

The development hereby permitted shall not be commenced until [or by no later than * months of the date on which the development hereby permitted has been commenced] the [playing field/sports facility] permitted by planning permission xx dated xx has been implemented and made available for use.

*Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy **.*

2.1.2 Guidance (condition 4)

Replacement playing fields/sports facilities required to overcome policy objections, e.g. Exception E4 of Sport England's policy on planning applications for development on playing fields, will usually require planning permission and cannot, therefore, be secured by condition. However, if the planning permission is already in place a 'Grampian' condition can be used to link the two permissions.

2.2 Replacement facility flexible condition

2.2.1 Condition 5

The [new/amended playing fields/sports facilities] shall be provided in accordance with [the details set out in the planning application, supporting statement section ** and drawing no. *] and made available for use before first occupation of the development hereby permitted.

*Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy **.*

2.2.2 Guidance (condition 5)

This condition can be amended to fit specific circumstances. For a large housing development the condition might be amended to read "before occupation of the seventy fifth dwelling", or, "before commencement of Phase X".

2.3 Phasing condition – simple

2.3.1 Condition 6

The works comprised in [specified part] of the development hereby permitted shall not be commenced before the works comprised in [playing field/sports facility part] are completed.

*Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy **.*

2.4 Phasing condition – complex or outline application

2.4.1 Condition 7

No development shall commence until details for the phasing of the development, including the provision of the [named playing field/sports facility], have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. [The details shall ensure that the works comprised in (specified part) of the development hereby permitted shall not be commenced before the works comprised in (specified part) are completed]. The development hereby permitted shall not be carried out other than in accordance with the approved details.

*Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy **.*

2.4.2 Guidance (conditions 6 and 7)

Condition 6 is a simple phasing requirement. For more complex developments, and outline applications, condition 7 can be used. The text in brackets can be used to add clarity to the condition.

3. BUILT DESIGN AND LAYOUT

3.1 Full compliance with Design Guidance Note

3.1.1 Condition 8

The [named sports facility] hereby permitted shall not be constructed other than [either]… in accordance with the design and layout details set out in the planning application, Section * and Drawing No's *[or] …substantially in accordance with Sport England/National Governing Body Technical Design Guidance Notes [insert document title].

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.*

3.2 Design Guidance Note – further information required

3.2.1 Condition 9

No development shall commence until details of the design and layout of [insert element of sports facility where further approval of detail is needed] have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The [named sports facility] shall not be constructed other than substantially in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.*

Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: [insert document titles].

3.2.2 Guidance (conditions 8 and 9)

(a) Sport England provide generic best practice design advice and requirements for building types and sporting activities covering a range of sports, through Design Guidance Notes. These are usually a mixture of minimum standards, advice, best practice and suggested layouts.

(b) Condition 8 (requiring full compliance with the Design Guidance Note) should be used where the applicant has clearly stated their intention to provide a facility which complies with the relevant Design Guidance Note. It is not necessary for all the detail to have been submitted, so condition 8 may be appropriate where the application is an outline application.

(c) Otherwise, where Sport England requires further detail on design matters in order to give a statutory response e.g. under Exception E5 of Sport England's policy on planning applications for development on playing fields, then condition 9 should make clear what further detail is required.

(d) In situations where there are design issues with a proposal but they are not material to Sport England's statutory response, it is suggested that the following standard paragraph is used:

"Sport England also uses the opportunity afforded to it by planning application consultations to ensure that sports facilities are fit for purpose, and wherever possible, meet our technical design guidance. To this end I would like to draw your attention to the following matters: [insert areas of design concern here]."

4. PLAYING FIELD PROVISION

4.1 Playing field provision scheme where no demolition involved

4.1.1 Condition 10a

(a) No development shall commence [or other specified time period] until the following documents have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

(ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England] [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy **.*

Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011) [insert document titles].

4.2 Schedule of playing field maintenance

4.2.1 Condition 10b

No development shall commence [or other specified time period] until a schedule of playing field maintenance including a programme for implementation for a minimum period of [five] years starting from the commencement of use of the development [or other specified time period] has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. Following the commencement of use of the development the approved schedule shall be complied with in full.

*Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy **.*

Informative: It is recommended that the drainage assessment and improvement scheme is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.

4.2.2 Guidance (conditions 10a and 10b)

(a) Condition 10a

(i) Condition 10a may be necessary where an applicant is relying on either Exception E4 or Exception E5 of Sport England's policy on planning applications for development on playing fields.

(ii) It is for Sport England to determine the relevant timescale for when the scheme and works need to be submitted and completed. For instance if this related to a replacement scheme on another site and also included other operational development such as pavilions etc., then Sport England may not want to restrict work from taking place on this aspect of the development and in some circumstances it will be preferable to leave pitch construction until later in the programme, to avoid problems of construction vehicles and debris associated with other elements of the scheme causing problems. In these instances the condition could require the survey to be undertaken within a specific timescale of works commencing on site e.g. within one month/three months of the commencement of development. Consideration should also be given to the planting/growing seasons, as this will impact upon the timescales of any survey and subsequent pitch works.

(b) Condition 10b

(i) A common issue faced by Sport England in the context of educational establishment sites and Exception E4 of Sport England's policy on planning applications for development on playing fields is that the approach to the development can be to construct the new educational establishment building on the existing playing fields (to avoid decanting pupils off-site during construction) and to reinstate the replacement playing field on the footprint of the original educational establishment buildings, following their demolition. It is unworkable to restrict any works from commencing on site until an agronomy survey has been undertaken for the replacement playing field, as this is often programmed in later phases of the development and requires removal of the existing buildings before the survey can proceed (which will still be in use by the educational establishment at this stage). Equally, contractors are often reluctant to instruct a specialist turf consultant until they have reached financial closure on the programme by satisfying all pre-development conditions.

(ii) The wording of condition 10b allows development to commence in respect of the new educational establishment buildings but includes a trigger for carrying out the agronomy survey within a specified timescale following the demolition of the educational establishment buildings (other conditions will already have been used to ensure that the playing field is ultimately laid out). The length of time can be decided on a case by case basis or could be linked back to a specific phasing diagram or plan if there is one.

(iii) In terms of the final works being carried out, it is generally considered that a period of between 18 months and 2 years will allow the drainage and pitch construction works to take place and the pitches to establish and be ready for competitive use.

(iv) Where there are existing teams using the pitches, condition 2 will need to be imposed to ensure they are accommodated during this 'downtime'.

4.3 Pitch construction, "Natural Turf for Sport"

4.3.1 Condition 11

The playing field/s and pitch/es shall be constructed and laid out in accordance with the [planning application *, Section * and Drawing No. **] and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use or occupation [or other specified timeframe] of the development [or specified part of the development/] hereby permitted.

*Reason: To ensure the quality of pitches is satisfactory and they are available for use before development (or agreed timescale) and to accord with Development Plan Policy **.*

4.4 Drainage improvements scheme

4.4.1 Condition 12

No development shall commence until [*or other acceptable timescale*] a scheme for the improvement and maintenance of playing field drainage, based upon an assessment of the existing playing field quality and including an improvement and maintenance implementation programme, shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The playing fields shall thereafter be improved and maintained in accordance with the approved scheme.

*Reason: To ensure the quality of pitches is satisfactory and that they are available for use before development (or agreed timescale) and to accord with Development Plan Policy **.*

Informative: Sport England recommend that the drainage assessment and improvement/management scheme is undertaken by a specialist turf consultant.

4.4.2 Guidance (conditions 11 and 12)

(a) Good quality and well maintained drainage systems are fundamental to improving the use of playing field land. Sport England are developing strong links with the grass pitch National Governing Bodies who are keen to bring expertise to the drainage of playing fields, and the Design Guidance Note "Natural Turf for Sport" was revised in 2011 after consultation with the National Governing Bodies.

(b) Sport England Planning Managers are not 'experts' in playing field drainage, so the informative above encourages the applicant/LPA to use a specialist turf consultant (condition 12).

5. OPERATIONAL MATTERS

5.1 Protective fencing

5.1.1 Condition 13

No development shall commence until details of protective fencing to be erected around the [playing field/sports facility], to include location, height, type and materials have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The fencing shall be erected in accordance with the approved details before the [development] is first brought into use and thereafter the fencing shall be maintained in accordance with the approved details.

*Reason: To ensure the safe and efficient use of the [development], to ensure the fence does not have an unacceptable visual impact and to accord with Development Plan Policy **.*

5.2 Sports lighting scheme

5.2.1 Condition 14

No development shall commence until [or other relevant timescale] a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority [after

consultation with Sport England]. The scheme shall accord with [Sport England's "Outdoor Sports Lighting" Briefing Note published in September 2010]. After commencement of use of the [development/playing field/sports facility] the sports lighting shall be operated in accordance with the approved scheme.

*Reason: To balance illuminating the [playing field/sports facility] for maximum use with the interest of amenity and sustainability and to accord with Development Plan Policy **.*

5.2.2 Guidance (conditions 13 and 14)

(a) Sports lighting not only allows more people to participate in sport, it also provides opportunities for sports clubs to become more viable by increasing user numbers. It also allows for more intensive use of some facilities where there is little land available, but where there is high demand, for example in inner city areas. Sports lighting also creates opportunities for curriculum and after school sport and recreation on educational establishment sites where it becomes dark in the winter months.

(b) In recent years there have been significant improvements in sports lighting technology and surface design to help reduce light spillage. The development of telescopic sports lighting poles has helped reduce the visual impact in sensitive locations such as those with a special designation and those which are close to a road.

5.3 Sports lighting restrictions

5.3.1 Condition 15

Unless otherwise agreed in advance and in writing by the Local Planning Authority [after consultation with Sport England], [the named playing field/sports facility] and its associated sports lighting shall not be used outside the hours of:

(a) [8 a.m.] and [10 p.m.] Monday to Friday;

(b) [8 a.m.] and [10 p.m.] on Saturday; and

(c) [8 a.m.] and [8 p.m.] on Sunday [and public holidays].

*Reason: To balance illuminating the [named playing field/sports facility] for maximum use with the interest of amenity and sustainability and to accord with Development Plan Policy **.*

5.3.2 Guidance (condition 15)

(a) For outdoor sporting provision sports lighting can considerably extend the hours of use especially outside the summer months and is often critical to the viability of many facilities which rely on income from mid-week evening lettings to cover operating costs. Sports lighting is therefore essential if these sports facilities are to be used to their full capacity and justify the level of capital required to provide them. Without sports lighting, opportunities for sport would be significantly restricted.

(b) There are examples where conditions attached to a planning permission restricting the hours of use affect the viability of the operation. Conditions which seek to minimise the impact of the facility on the amenity of neighbouring properties should not be unduly restrictive.

5.4 Securing use as playing field – non-educational establishment sites

5.4.1 Condition 16

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order), the playing field [or other specified outdoor games/sports facility] shall not be used other than for outdoor sport.

*Reason: To protect the [playing field/outdoor games area/sports facility] from loss and/or damage, to maintain the quality of and secure the safe use of [sports pitch/es /sporting provision] and to accord with Development Plan Policy **.*

5.5 Securing use as playing field – educational establishment sites

5.5.1 Condition 16a

Unless otherwise agreed in advance and in writing by the Local Planning Authority [after consultation with Sport England], the playing field [or other specified outdoor sports facility] shall not be used other than for outdoor sport and play.

*Reason: To protect the [playing field/outdoor games/games area/sports facility] from loss and/or damage, to maintain the quality of and secure the safe use of [sports pitch/es/sporting provision] and to accord with Development Plan Policy **.*

5.5.2 Guidance (conditions 16 and 16a)

Condition 16 should not be used for educational establishment sites as educational establishment playing fields are part of the whole educational establishment planning unit and do not fall within a separate use class. Condition 16a can be used on an educational establishment site. The intention of this condition is to prevent damage caused to high quality playing fields, Multi Use Games Areas and other sports facilities by long term misuse such as overflow car parking.

5.6 Community Use Agreement

5.6.1 Condition 17

[Use of the development shall not commence/No development shall commence] [or such other timescale] until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to [describe facilities forming part of the development] and include details of pricing policy, hours of use, access by non-[educational establishment] users [/non-members], management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.*

Informative: Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.

5.6.2 Guidance (Condition 17)

(a) When responding to consultation on applications for sports facilities (e.g. Artificial Grass Pitches, Multi Use Games Areas, sports halls etc.) proposed to be built on a playing field, the availability of the facility for community use is a material planning consideration in order for Sport England to assess whether Exception E4 or Exception E5 of Sport England's policy on planning applications for development on playing fields is met.

(b) Exception E4 of Sport England's Policy states that Sport England will not object to an application for planning permission to develop on a playing field if, "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 development."

(c) Where an applicant is relying on Exception E4 to overcome Sport England's objection, there will be cases where the imposition of Condition 17 will be necessary to ensure that the replacement playing fields will be "subject to equivalent or better management arrangements". This will be the case where the playing field which is being lost was available for community use. It may also be the case even if the playing field which is being lost was not available for community use, as Sport England's Policy seeks "equivalent *or better* management arrangements" (emphasis added).

(d) Exception E5 of Sport England's Policy states that Sport England will not object to an application for planning permission to develop on a playing field where, "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."

(e) Where an applicant is relying on Exception E5 to overcome Sport England's objection, there will be cases where the imposition of Condition 17 will be necessary in order to ensure that the provision of the new sports facility is of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field. What constitutes "sufficient benefit" is a matter of planning judgement for Sport England.

(f) In some cases, it will be more appropriate for community use requirements to be dealt with by a planning obligation under a section 106 agreement. There are however many instances in which the imposition of Condition 17 will meet each of the six tests in Circular 11/95, i.e. where it will be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

5.7 Landscaping

5.7.1 Condition 18

The landscaping [proposed tree/shrub planting] scheme shall be prepared taking into account the need to minimise any adverse effects on the size or quality of the [playing field/sports facility] by the location, nature and potential size of the landscaping works/features [proposed trees/shrubs].

*Reason: To prevent the location of any landscaping works/features [trees/shrubs] on/adjacent to playing fields/sports facilities reducing the available space for pitches/sports facilities and/or affecting the quality of the surface, use of the pitches/facilities and ease of maintenance (roots/leaf fall/shading) and to accord with Development Plan Policy **.*

5.7.2 Guidance (condition 18)

Local Planning Authorities will usually impose 'standard' landscaping conditions on a planning permission. Condition 18 is intended to supplement those standard conditions. Inappropriate landscaping works/features including planting can have significant impact on playing fields/sports facilities (root damage, leaf fall, shadow, frost etc.).

5.8 Management and Maintenance Scheme

5.8.1 Condition 19

Before the [named sports facility] is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. [For Artificial Grass Pitches add measures to ensure the replacement of the Artificial Grass Pitch within a specified period.] The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the [named sports facility].

*Reason: To ensure that a new facility/ies is/are capable of being managed and maintained to deliver [a facility/facilities] which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy **.*

5.8.2 Guidance (condition 19)

This condition may be appropriate for use where new sports facilities require an approved management and maintenance plan to ensure the benefits to sport and community access are implemented to maximum effect. For new Artificial Grass Pitches this requires an approved plan to ensure that the surface is replaced at the end of its usual lifespan (usually a period of 10−15 years).

5.9 Wind Turbines

5.9.1 Condition 20

No development shall commence until a management plan for the construction, operation and maintenance of the turbines hereby approved has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The management plan shall include details of measures to mitigate the potential effects of turbine operation on [playing pitch/sports facility] users, [details of routine maintenance operations of the turbines including possible vehicle movements required for such operations, and associated mitigation to protect playing pitches/sports facilities]. The development of the turbines shall not be carried out other than in accordance with the approved management plan and the approved management plan shall be complied with after the commencement of use of the development.

*Reason: to ensure that the construction, operation and maintenance of the turbines does not have a detrimental impact on sports pitch/sports facility users and to accord with Development Plan Policy**.*

5.9.2 Guidance (Condition 20)

(a) This condition ensures that there is an appropriate management plan in place in those circumstances where Sport England considers the location of the wind turbine or turbines to be acceptable. The management plan ensures that any short-term impacts the wind turbines may have on playing pitch/sports facility users are mitigated. There may be instances where the weather and or/sun position may cause the wind turbines to create visual and/or noise distractions or safety issues that prevent the playing pitch/sports facility form being used. The management plan should put in place measures to ensure the wind turbine can be switched off to allow play to continue. All reasonable action should be taken to ensure where distractions and safety issues occur the wind turbines are switched off prior to play commencing on a playing pitch/sports facility and not during as this creates undue delay.

(b) In those instances where there will be disruption to a playing field/sports facility due to the construction or decommissioning of the turbines, methods to mitigate the disruption will be required. Conditions 22 and 23 may also be applied at this point.

5.9.3 Condition 21

When an application for the approval of details relating to the location of a wind turbine is submitted to the Local Planning Authority pursuant to this outline planning permission, a scheme for the provision and layout of the playing field and other sports provision in relation to the location of the wind turbine within the application site shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The approved scheme shall be implemented and complied with in full.

*Reason: to ensure the location of wind turbines on or adjacent to the playing field or any other sports facility does not have a detrimental impact on sports pitch/facility users and to accord with Development Plan Policy **.*

Informative: the scheme should be carried out in accordance with Sport England's guidance on wind turbines 'Sports Impact Assessment' and should deal with seasonal variations.

5.9.4 Guidance (condition 21)

This condition relates to outline applications where indicative plans include one or more wind turbines. Sport England and the pitch sport National Governing Bodies have produced guidance which applies to wind turbines proposed to be constructed within 1.5 km of a playing field or other outdoor sports facility. The guidance includes a Sports Impact Assessment and this process should be followed when considering the location of wind turbines.

6. RESTORATION

6.1 Reinstatement of playing field and/or other outdoor sports facility

6.1.1 Condition 22

The [development or works/contractors' compound] hereby permitted and other associated structures shall be removed from the site edged * and shown on Drawing No. * before first occupation/use of [the development permitted under planning application XXXX]. Within [three] months of removal [*or* In the first planting season following removal], the [playing field land and/or other outdoor sports facility] shall be reinstated to a [playing field and/or other outdoor sports facility] of a quality at least equivalent to the quality of the [playing field/other outdoor sports facility] immediately before the [development of works/contractors' compound] was erected [on X date] [*or* a condition fit for use as a playing field *or* in accordance with 'Natural Turf for Sport', (Sport England, 2011) or the appropriate National Governing Body Performance Quality Standard].

*Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy **.*

Informative: It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.

6.2 Playing field restoration scheme

6.2.1 Condition 23

(a) No development shall commence [or another specified time period] until a playing field restoration scheme for the site edged * on Drawing No. * has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The restoration scheme shall provide details of the following:

- (i) existing and proposed ground levels;
- (ii) existing and proposed soil profiles;
- (iii) measures to strip, store and re-spread soils to avoid soil loss or damage;
- (iv) measures to dispose of/accommodate waste materials on the site;
- (v) drainage measures including where appropriate under drainage;
- (vi) proposed seeding, feeding, weeding and cultivation measures;
- (vii) boundary treatment;
- (viii) five year aftercare and maintenance arrangements;
- (ix) installation of equipment (e.g. goal posts);
- (x) restoration and maintenance programme.

(b) The [facility e.g. playing field] shall be restored in accordance with the approved scheme and be available for use on commencement of use of the new development [or another specified time period].

*Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy **.*

Informative: It is recommended that the restoration scheme is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.

6.2.2 Guidance (Conditions 22 & 23)

(a) Conditions 22 and 23 should be used when part of the playing field and/or outdoor sports facility is temporarily out of use as a result of the development that has been approved. This could be as a result of:

(i) Topsoil storage;

(ii) Creation of temporary landscape bunds (often associated with the storage of topsoil);

(iii) Mobile Classrooms;

(iv) Construction compounds; or

(v) Access roads.

(b) The type of restoration needs to reflect the existing quality of the playing field and/or outdoor sports facility. This is to ensure there is no mis-match of pitch/facility quality across the site.

(c) Condition 22 relates to the type of restoration scheme required depending on whether the playing field and/or outdoor sports facility is to be restored to its previous use or if part or all of a new pitch/facility is required:

(i) Option 1: "the playing field land and/or other outdoor sports facility shall be reinstated to a playing field and/or other outdoor sports facility of a quality at least equivalent to the quality of the playing field and/or other outdoor sports facility immediately before the [development of works/contractors' compound] was erected [on X date]". This option should be selected if the part of the site to be restored was formerly part of a playing pitch/sports facility. This is to ensure that part of pitch/facility to be restored matches the quality of the remaining pitch/facility i.e. the pitch/facility as a whole is of the same quality.

(ii) Option 2: "a condition fit for use as a playing field". This option should be used where the part of the playing field to be restored does not form part or all of a pitch. These could be areas that although form part of the functional playing field were not marked out as a pitch before the development commenced.

(iii) Option 3: "in accordance with 'Natural Turf for Sport,' (Sport England, 2011) or the appropriate National Governing Body Performance Quality Standard". This is to restore an entire pitch to either 'Natural Turf for Sport' standard where the pitch type is unknown, or the relevant National Governing Body Performance Quality Standard where the pitch type is known, e.g. football.

(d) Condition 23 relates to what information should be submitted as part of the scheme for playing field land specified in condition 22.