

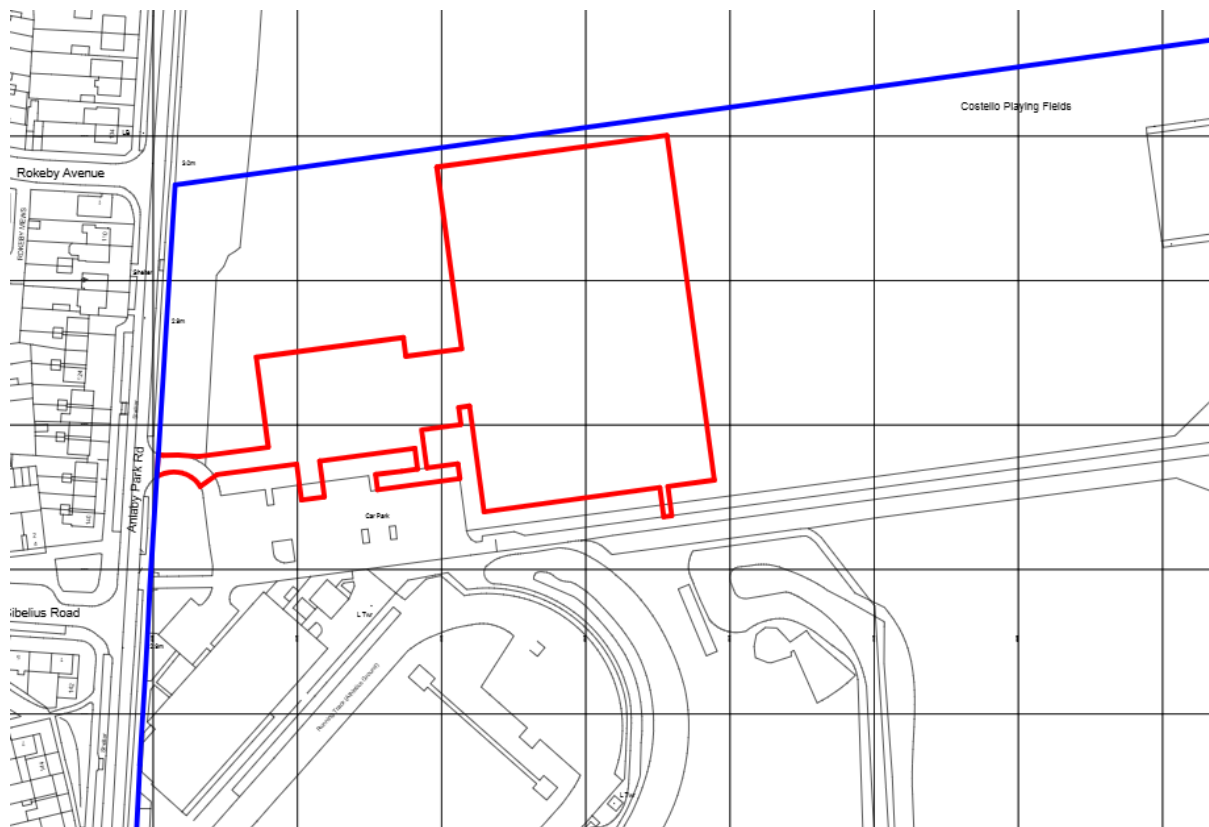
24/00972/FULL

Western Side Of, Costello Playing Fields, Pickering Road, Kingston Upon Hull

Construction of a new single storey changing pavilion and a multi use playing pitch (MUGA), including associated car parking and external works.

Hull City Council

Recommendation: Refer to Secretary of State with recommendation for approval subject to conditions



Reason as to why the case is at committee:

Objection from statutory consultee – Sport England

A Planning Committee Site visit is to take place.

RECOMMENDATION

That the application be referred to the Secretary of State for the Ministry of Housing, Communities and Local Government under The Town and Country Planning (Consultation) (England) Directions 2009 for consideration of “call in” due to objection from Sport England with a recommendation for **APPROVAL** subject to the following conditions: -

- 1) Det 2B (Time limit – Full application)
- 2) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for this development is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Hull City Council.

- 3) The Biodiversity Gain Plan shall be prepared in accordance with BNG Assessment Supporting document. To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy 44 of the Local Plan.
- 4) Det 1D (Development to accord with approved plans)

[CPP-SEV-ZZ-ZZ-DR-A-00500-P02-Location Plan, CPP-SEV-ZZ-00-DR-A-00502-P05-Proposed Site Plan, CPP-SEV-ZZ-00-DR-A-00503-P04-Level 00 - Proposed Ground Floor Plan, CPP-SEV-ZZ-RF-DR-A-00504-P03-Level RF - Proposed Roof Plan, CPP-SEV-ZZ-ZZ-DR-A-00505-P03-Proposed Elevations, CPP-SEV-ZZ-ZZ-DR-A-00506-P03-Proposed Sections, CPP-SEV-ZZ-XX-RP-A-00507-P03-Design & Access Statement, 00.24075-ACE-00-ZZ-D-C-1000-C4-Drainage Strategy, BA230611_P_Costello Sports Development_AIA_C, BA230611_P_Costello Sports Development_TPP_C, BA230611_R_Costello Sports Development_AIA_C, Costello The_Statutory_Biodiversity_Metric_Calculation (09.07.25), Costello Trees Bat Roost Assessment Report, PEA - Costello Playing Fields HU4 6XX - V2 - 07-10-2024, Costello 3G Pitch TS Final Issue 1A, SCS-MUK3313-01 rev E PROPOSED PITCH, SCS-MUK3313-02 rev D PITCH FENCING PLAN, SCS-MUK3313-03 rev A PROPOSED 3G PITCH CONSTRUCTION BUILD UP, SCS-MUK3313-04 rev A PITCH

DRAINAGE, 9624 - Costello - External Lighting P02 3.10.24, HLS9323-Proposed Lighting_Rev0, S230416 Phase 1 Desk Study - Costello Playing Fields, Hull, S240120 - Costello Playing Fields Hull Phase Two Site Investigation Report]

5) Ecological Enhancement and Management Plan (EEMP)

Prior to development commencing an EEMP shall be submitted for written approval to the Local Planning Authority. The EEMP shall detail measures to secure all recommended measures within the Ecological Walkover Survey Preliminary Ecological Appraisal (Arbtech, July 2024) The EEMP should include a scale map showing the location and details of:

- Biodiversity enhancements and opportunities as detailed within the Preliminary Ecological Appraisal (Arbtech, July 2024);
- The specification and location of 2 integrated bat roost and 4 bird boxes integrated/or not, within the development;
- Planting locations and species for trees required by the Hull Local Policy 45;
- Lighting details avoiding illumination of biodiversity features (including bat/bird boxes);
- Persons responsible for the implementation of the EEMP.

The plan will be implemented in accordance with the approved details and maintained in perpetuity unless agreed otherwise in writing with the Local Planning Authority. This pre-commencement condition is imposed to comply with the National Planning Policy Framework (NPPF), Natural Environment and Rural Communities (NERC) Act 2006 (as amended) in the interests of protecting and enhancing biodiversity and ecology, and to comply with policies 44 and 45 of the Hull Local Plan, the National

Planning Policy Framework (NPPF), the Natural Environment and Rural Communities Act (2006) and the Wildlife and Countryside Act (1981 as amended).

6) Habitat Management and Monitoring Plan (HMMP) – Condition

Prior to commencement of the development hereby permitted a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall be compiled by a suitably qualified ecologist and should detail how wildlife enhancements and habitats are to be created, enhanced, managed, and maintained; cross referenced to the BNG metric. The content of the HMMP shall cover all off-site landscape and habitats and include the following:

- Ecological trends and constraints on site that might influence management.
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- Appropriate management options for achieving aims and objectives.
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

- Schedule for reporting findings to the LPA.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The results of the monitoring must be submitted to the Local Planning Authority for written approval in years 1, 2, 3, 5, 10,15, 20 and 30; biodiversity reconciliation calculations should be provided at each stage. The HMMP must be fully implemented as approved in accordance with the agreed timescales. A HMMP is required to ensure delivery of biodiversity gains in accordance with the requirements of Schedule 7A to the Town and Country Planning Act 1990, the NPPF and policy 44 of the Hull Local Plan.

- 7) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall pay particular regard to the impact of any works on the principal aquifer and detail any measures to protect the aquifer from construction activities (a pre commencement condition is required to ensure the proposed works can be carried out without compromising the principal aquifer and to comply with policy 41 of the Local Plan)
- 8) Prior to commencement of works above dpc level details of all external materials (including surface materials of all roads, footpaths and hard landscaped areas) to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Samples shall only be submitted if requested. The development shall be carried out as

approved. (to ensure the materials to be used are in the interests of visual amenity and comply with policy 14 of the Local Plan).

9) H9C 9Cycle parking (a) (d)

10) DRAI6B Sustainable drainage

11) DRAI7 (SUDS Maintenance)

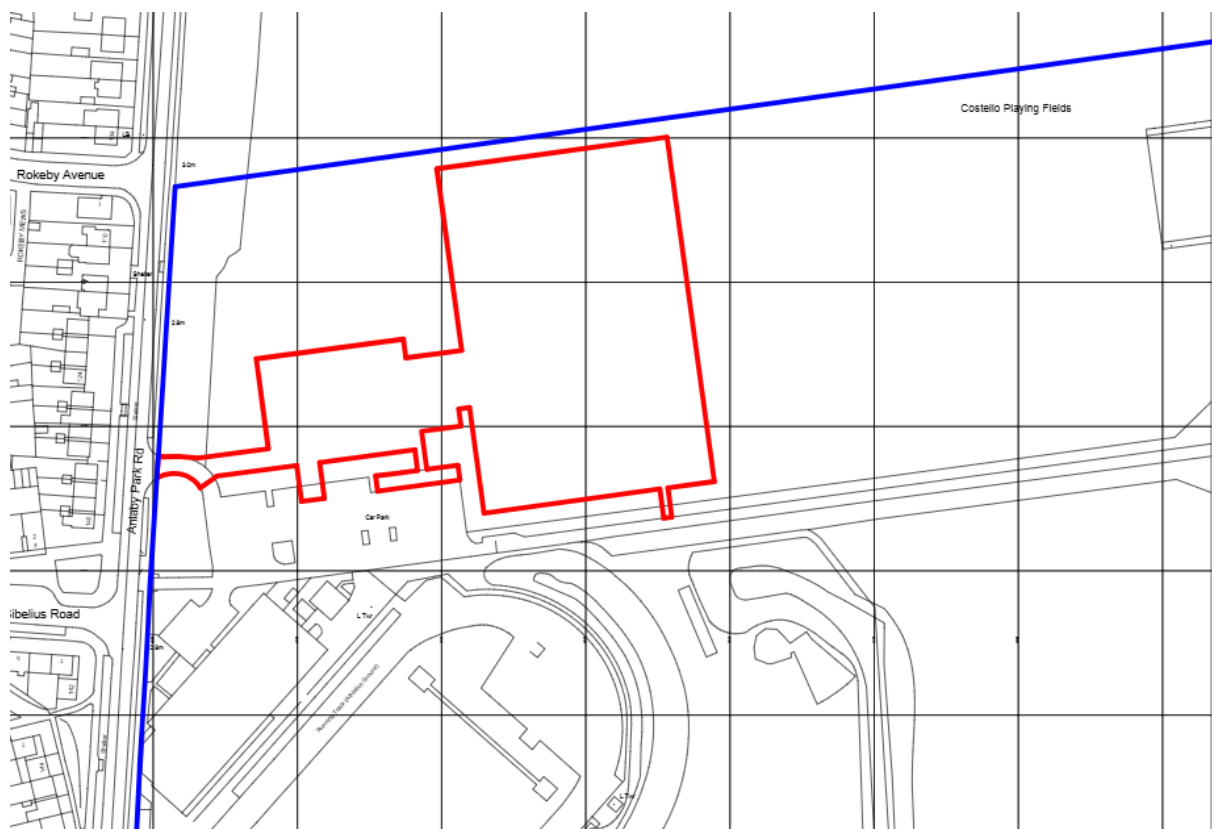
12) DRAI9 (Suds verification)

13) The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy with the exception that flood resilience measures shall be to a height of 3.4m AOD (in the interest of minimising the impact of a flood event and to comply with policy 40 of the Local Plan)

14) The MUGA hereby approved shall not be used after 2230 and before 1000 Monday to Saturday, after 2200 and before 1000 on Sundays and Bank Holidays. The flood lights serving the MUGA shall be switched off at 2230 on Monday to Saturday and at 2200 on Sundays and Bank Holidays (in the interest of amenity and to comply with policy 49 and 50 of the Local Plan)

15) The replacement cricket pitch shown in Figure 4.2 in the Sports Pitch Feasibility Study by Agrostis (dated 28th April 2025) shall be installed in time for the start of the next cricket playing season after works begin (to ensure no loss of cricket playing facilities and to comply with policy 40 of the Local Plan)

SITE



Western part of Costello Playing fields north of the stadium and north and east of the car parking area. Area is grassed with marked playing pitches.



PROPOSAL

Construction of a new single storey changing pavilion and a multi use playing pitch (MUGA), including associated car parking and external works.



PLANNING HISTORY

Various relating to Costello stadium and playing fields, none directly relevant to this proposal

REPRESENTATIONS

Environmental Protection

No objections subject to conditions

Local Plan - Open Space

This development does not adhere to Local Plan Policy 43, Point 3, on balance, the city-wide benefits of encouraging sports participation and the potential delivery of an improved community sport facility in West Hull could make this proposal acceptable.

Yorkshire Water Services Ltd

No objection subject to conditions. One would be pre-commencement requiring a Construction Environmental Management Plan.

Highways Development Control

No objection subject to conditions re cycle parking.

Environment Agency

No objection, development should be carried out in accordance with the submitted Flood Risk Assessment

Flood Team

No objection subject to conditions

Sport England

Maintain objection – loss of playing pitch.

Sport England accepts the agronomists findings as to what would represent equivalent provision to the cricket pitch that was previously set out on the application site.

Whilst a replacement cricket pitch within Costello Playing Field would have been the best fit to Sport England's playing field policy, it is imperative that any mitigation measure secured has the most beneficial impact on cricket. As such Sport England considers that the cost of mitigation measure proposed at Costello should be secured by way of a S.106 agreement in order that can be spent on a measure (or measures) identified as a priority in the subsequent PPS (Playing Pitch Strategy) Action Plan to increase cricket capacity. At present it is necessary to maintain its objection to the application, but we consider there is now a clear route map to its resolution.

Hull City Council Ecologist

No objection subject to conditions.

APPLICANT'S CASE

The application includes a Design and Access Statement), an Assessment to Address Sport England Policy 5 , a Flood Risk Assessment, a Lighting Assessment, a contaminated land assessment, preliminary ecological assessment, a transport Statement a Tree Survey, a Preliminary Bat Roost Assessment, 2025, sports pitch feasibility study, and an Agronomist Report.

The Design and Access Statement considers the site location and background, an analysis of the site and site history, planning policy, a sports pitch statement, and goes on to describe the proposal.

The report to address Sport England Policy 5 considered the quality of the playing field affected by the proposal and discusses the provision of cricket facilities in the city and on the site. It states that re-provision of three cricket pitches is not necessary as although there were up to three cricket squares on the site that number reduced over a 15 year period to just one. In the conclusion it states the project will deliver a multi use all weather sports facility in an area of Costello Playing Fields that struggles with saturated ground and cancellation of games. There has been no cricket activity for over 3 years and the site is not registered with the ECB. The Artificial Grass Pitch will not result in the loss of any football pitches.

The Transport Statement concludes that the proposal would not be expected to have a significant impact in terms of sustainable travel, road safety and traffic impact.

PLANNING FRAMEWORK

Hull Local Plan 2016 to 2032

Policy 14 – Design

Policy 25 – Sustainable travel

Policy 26 – Location and layout of development

Policy 32 – Parking standards

Policy 38 – Surface water storage and drainage

Policy 39 – Sustainable drainage

Policy 40 – Addressing flood risk in planning applications

Policy 41 – Ground water protection

Policy 42 – Open space

Policy 43 – Green Infrastructure and the Green Network

Policy 44 – Biodiversity and wildlife

Policy 45 – Trees

Policy 49 – Noise pollution

Policy 50 – Light pollution

Other Material Considerations:-

SPD 3 – Environmental Quality

SPD 4 – Living with Water

SPD 10 – Trees

SDP 11 - Open Space

SPD 12 - Ecology and Biodiversity

SPD14 Healthy places, Healthy people

National Planning Policy Framework

103. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

104. Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless: a) an

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

Conserving and enhancing the natural environment

187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

192. To protect and enhance biodiversity and geodiversity, plans should:

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

(Quote specific paragraphs here and what they relate to)

East Inshore and East Offshore Marine Plans

None directly relevant

PLANNING APPRAISAL

Principle of Development and Sustainability

Insofar as the principle of development is concerned, and in accordance with the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the planning application is the development plan, in this instance that comprises the Hull City Plan (2017).

The proposal represents development of a multi-use all weather playing pitch and changing facilities on an area identified in the Hull Local Plan as open space and forming part of the green network. In determining the application regard should be had to policy 42 and policy 43 in the first instance. If considered acceptable in the light of those policies, it should then be considered in the light of policy 14 (design) and the other policies listed above.

Open Space and the Green Network

Open space

The application site is part of a larger site identified in the Local Plan as site 18 Peter Pan Park, Pickering Road and covers an area of 25.48 hectares and identified as park/public gardens and comprises children's play facilities, young people's facilities and outdoor sports facilities. The proposal does not affect the children's or young person's play facilities. Site 18 also forms part of the green network.

Policy 42(3) states 'open space, sports and recreational buildings and land, including playing fields shall not be built on unless: an assessment has been undertaken which has clearly shown the buildings or land to be surplus to requirements including consideration of population growth, its amenity value and strategic function; or, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports or recreation provision, the needs for which clearly outweigh the loss.

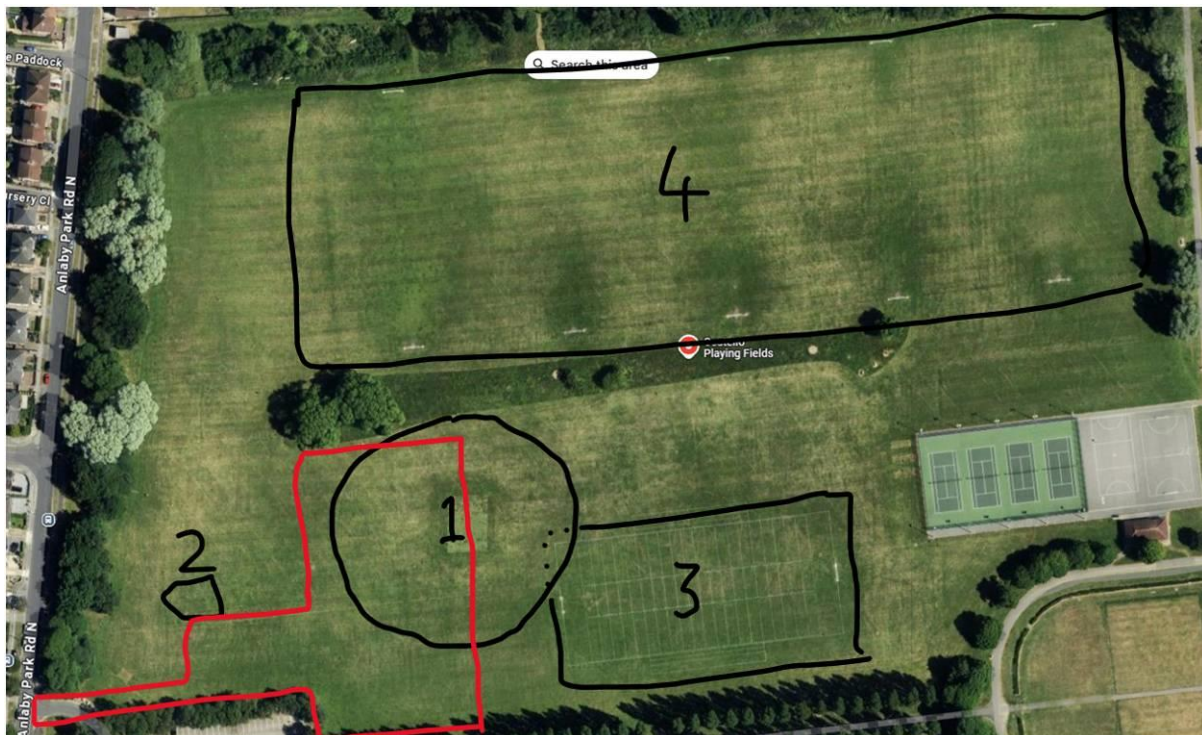
The applicant has not carried out an assessment of open space to determine if there is a surplus. The loss would not be replaced by equivalent or better provision in terms of quantity and quality. Steps a and b of policy 42 do not have to be carried out if the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. An assessment must be made as to whether the needs for this provision clearly outweigh the loss of the open space.

Costello Playing Fields is described on the Hull City Council website as 'a large open space....home to sports pitches and the main field, tennis courts, a children's play area and a small nature pond. It is home to a variety of sports and physical activities

outdoors...including 2 park runs. Costello accommodates playing pitches for American football, cricket, football, rugby, and rounders.

In their submission the applicant states that the playing fields have poor drainage and in periods of wet weather football matches are often cancelled. The land making up the application site is undulating with potholes and with dangerous elements surrounding the cricket wicket. There were also historic complaints about the proximity of the cricket wicket to the road and parked cars which restricted use. The proposal includes provision for a relocated cricket wicket within Costello Playing Fields.

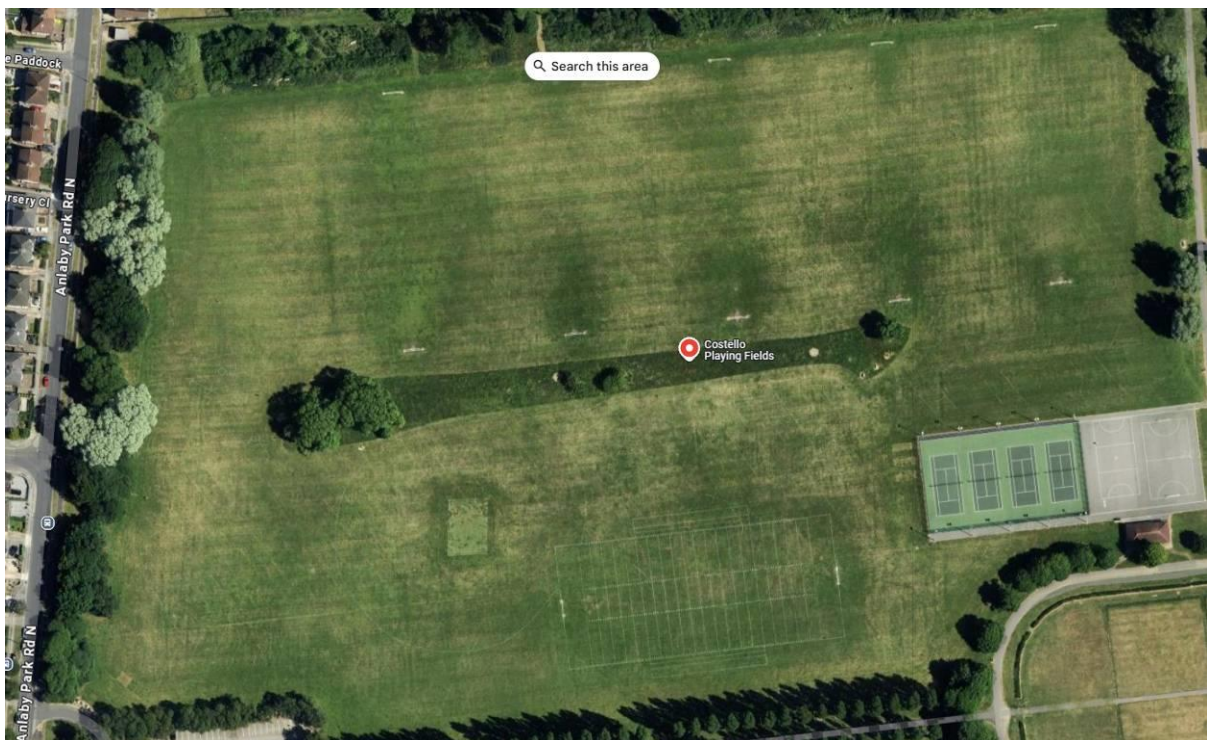
The majority of the land making up the application site is not suitable for formal sport. It is available for informal games or sport or other leisure activities. See image below, approximate application site marked in red. This less formal use would be lost through the erection of the changing room. This loss must be balanced against the benefits of the provision of multi-use all weather pitches and changing facilities.



The NPPF advises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. It is suggested by the applicant that the site currently is not high-

quality open space and offers limited opportunities for sport and physical activity. The proposed multi-use all weather facility would provide improved opportunities for sport and physical activity of a more formal..

There is a need for open spaces for informal play and recreation, however the area of the application site currently hosts a cricket square with outfield (1) and a rounders diamond (2). The use of these formal pitches would limit informal use of the area to periods when these formal pitches were not in use. The American football pitch (3) (which appears to be used for rugby) is to the east of the site and the football pitches (4) are all to the north.



On balance, it is considered that the proposal offers benefits which clearly outweigh the loss of the current use of the site as open space.

Green Network

Policy 43 relates to the green network. The green network shown on the policies map is effectively all the open space sites that are adjacent to or within 35 metres of

one of the linear features forming part of the original Green Network in the previous local plan, or a neighbouring Green Infrastructure Corridor. The objective of part one of policy 43 is to not allow the continuity and value of these corridors to deteriorate. Part 1 of Policy 43 states 'development that adversely affects the continuity and value of the green network will not be permitted'.



The application site (marked by red dot above) area is 12,772 sqm (1.2ha) Site 18 being the whole of Costello playing fields is 25.48ha. The application site is less than 5% of the area of site 18. It would be surrounded on all sides by the remainder of Costello playing fields with the exception of the access road to the west.



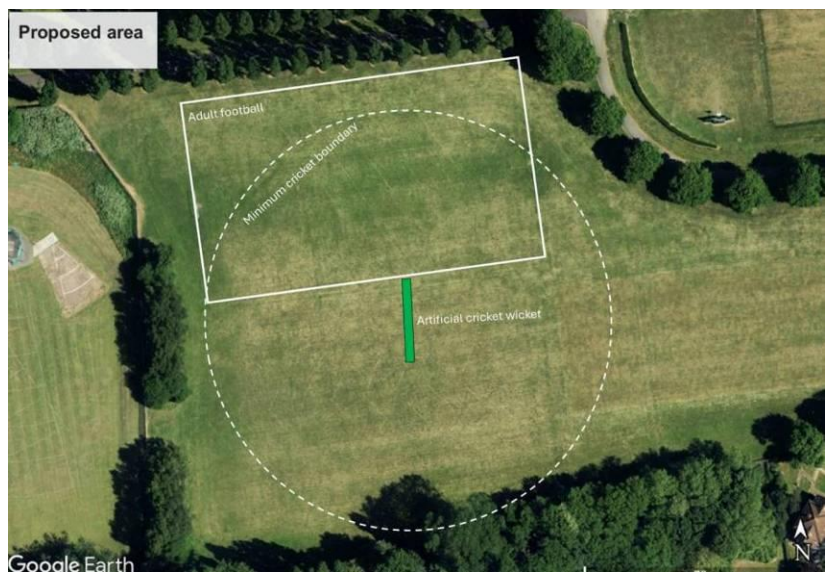
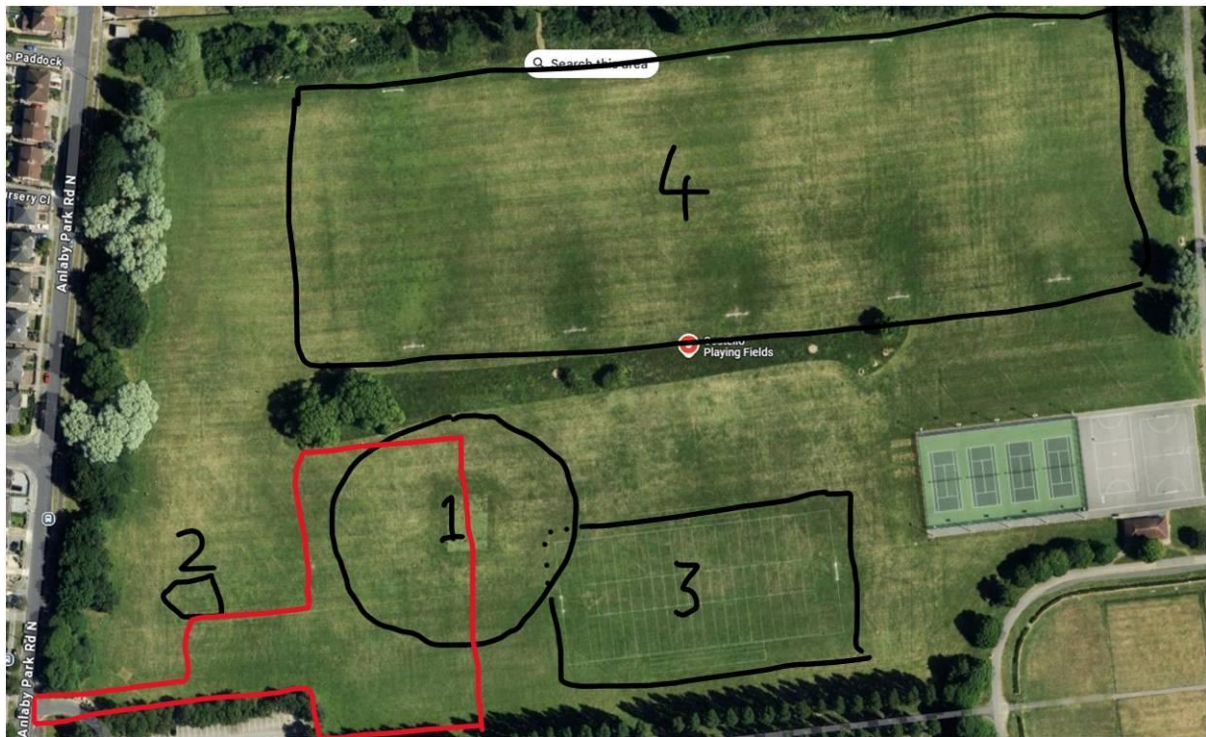
The proposal would not adversely affect the continuity and value of the green network.

Playing field and sport provision

Hull City Council does not have a Playing Pitch Strategy.

The proposal affects a playing field, so Sport England were consulted. Sport England sought the views of the ECB as the proposal originally would have resulted in the loss of a cricket pitch.

The application site is outlined on the aerial image below and shows that only the cricket square and rounders diamond are affected by the proposal. It would appear as though the rounders diamond could be relocated without impacting on any other pitch. The proposal includes relocation of the grass cricket wicket within Costello to the south of the path south of the American football/rugby pitch.



The adult football pitch would also be part of the cricket outfield. This is not an unusual arrangement; it is quite common for the cricket outfield to be part of or all of another sports pitch. Part of the outfield for the current cricket pitch is also part of the American football/rugby pitch. The cricket wicket must however be kept free from use by other sports, and it must run north-south.

It was originally proposed to create an artificial cricket wicket, (as identified on the plan above) however comments from ECB advise that such a wicket could not be used for league matches so a grass wicket is now proposed.

In their consultation response Sport England say, *“Whilst a replacement cricket pitch within Costello Playing Field would have been the best fit to Sport England’s playing field policy, it is imperative that any mitigation measure secured has the most beneficial impact on cricket. As such Sport England considers that the cost of mitigation measure proposed at Costello should be secured by way of a S.106 agreement in order that can be spent on a measure (or measures) identified as a priority in the subsequent PPS Action Plan to increase cricket capacity.”*

A replacement cricket pitch would meet Sport England’s requirement under their playing field policy. Anything over and above that would be a benefit. It is not imperative in land use planning terms to get mitigation measures which have the most beneficial impact on cricket. Mitigation is the action of reducing the severity of something, hence mitigation measures only need to reduce the severity of the loss. The replacement of a cricket wicket elsewhere within Costello playing fields would result in no overall loss of cricket provision and adequately mitigates the loss of the cricket wicket to the proposed MUGA. Sport England recognise this in their response. It is not reasonable and there is no policy basis to require the applicant to improve facilities over and above what is currently there or to increase provision in the same way.

It is considered that provision of a replacement grass cricket wicket would not result in a loss of sporting facilities and it is proposed a condition be imposed requiring the replacement cricket wicket to be available for use by the start of the next cricket season after works commence.

Design

Policy 14 is relevant in terms of design of the MUGA, changing facilities and overflow car park.

The proposed MUGA would be enclosed by a weld mesh fence to contained balls. The fence would be typical of fences around MUGA and would be acceptable.

The building accommodating the changing facilities would of traditional construction and materials including profile sheet for upper parts of the walls and the roof. The proposal is acceptable in terms of external appearance.



In terms of Policy 14 the proposed development would be acceptable in terms of its relationship with the surrounding built form in terms of character, use and surrounding uses, layout and connectivity, scale, massing, architectural structure and, detailing and materials.

It is a development which would encourage active lifestyles, provide inclusive access and promotes public safety whilst minimising the risk of crime.

Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.

Given the nature of the proposal it is considered that there would not be, or likely to be, an increase in crime or disorder or the potential for such an increase due to the nature of the use and layout of building, car park and lighting scheme.

The Football Foundation commented via Sport England that the changing facilities do not meet their recommendations. This is in relation to internal sizes and layout. Any subsequent revision to address these concerns would not affect the external appearance of the building.

Parking/Highways

Policy 25, 26 and 32 are the most relevant. Policy 25 supports sustainable travel, 26 considers the layout and connectivity of development and 32 covers parking standards.

The proposal is located close to public transport routes and within the wider Costello Playing Fields site. This allows for the possibility of linked trips and car sharing. Car parking is available on site already and the proposed overflow car park would accommodate any additional parking demand the proposal may generate.

Cycle parking is proposed. Highways seek this to be secured by way of a condition. This is not unreasonable.

Impact on amenity

There is potential for the use of a floodlit MUGA to extend into the evening. This could result in noise disturbance and light pollution. Policy 49 and 50 are the relevant policies.

Policy 49 says development of noisy uses should demonstrate that adverse impacts of noise can be mitigated. Similarly, policy 50 says development in proximity of

sensitive receptors, such as residential properties, should ensure lighting is designed to avoid adverse impact on those sensitive receptors.

The application includes lighting assessment which shows that the flood lights and the lighting for the car park would not result in an adverse impact on nearby residential properties. These properties are located on the west side of Anlaby Park Road North and are separated from the light source by a well-established tree line.

The separation distance between the MUGA and residential properties, which also accommodates the changing facilities building, car park and line of trees would indicate that noise from the MUGA would not have an adverse effect on occupiers of nearby residential properties.

Biodiversity

Policy 44 of the Local Plan requires development to seek to achieve a net gain in biodiversity. This is in line with and supported by the Natural Environment and Rural Communities (NERC) Act 2006 and the Environment Act. This requires all developments to deliver a minimum 10% gain in biodiversity.

In England, biodiversity net gain is required under a statutory framework (“the Framework”) introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This Framework is referred to as ‘biodiversity net gain’ in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

FINAL RESULTS				
Total net unit change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>		<i>Habitat units</i>	0.33	
		<i>Hedgerow units</i>	0.00	
		<i>Watercourse units</i>	0.00	
Total net % change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>		<i>Habitat units</i>	10.38%	
		<i>Hedgerow units</i>	0.00%	
		<i>Watercourse units</i>	0.00%	
Trading rules satisfied?		Yes ✓		

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
<i>Habitat units</i>	10.00%	3.22	3.54	0.00
<i>Hedgerow units</i>	10.00%	0.00	0.00	0.00
<i>Watercourse units</i>	10.00%	0.00	0.00	0.00

No additional area habitat units required to meet target ✓
 No additional hedgerow units required to meet target ✓
 No additional watercourse units required to meet target ✓

Biodiversity Net Gain information has been submitted with this application, which identifies a post-development uplift of 3.54 units representing an uplift of 10.38%. Conditions to ensure delivery and maintenance are recommended for imposition. Since this is a Hull City Council application and the Council has no legal powers to agree a S106 legal agreement with itself, conditions can be used to secure such measures.

Ecological Impact/Protected Species

The site is neighboured by mature trees which could have potential for bat roosts. A Preliminary Bat Roost Assessment has been carried out. The survey considered nesting birds, bats and Barn owls. The report advises that there is no evidence to suggest the presence of bats or roosting barn owls. It also advised that no bird nests were observed but advises to proceed with caution especially between February and September being the breeding season. This information addresses the concerns raised by the Hull City Council Ecologist.

The proposal requires the removal of maximum of 8 trees to allow access to the car park. These are modest trees with limited ecological value and unlikely to accommodate bats or barn owls due to their limited size and location. Replacement planting is secured under BNG

Energy efficiency and renewables

Policy 17 of the Local Plan promotes design which reduces energy and water use and mitigates flooding, pollution and over-heating. Non-residential development should be designed to achieve BREEAM 'very good'. Where this is not achieved it will be necessary to demonstrate it is not viable.

The proposed building is for changing facilities, and it is not reasonable to require the proposal to meet BREEAM very good standards. The building would not be occupied in the same manner as other commercial buildings and so a proportional approach should be taken. The Design and Access Statement includes a section on Sustainability where it considers material choices embodied carbon, operational carbon and water use.

Flood Risk

The site is located predominantly within flood zone 3a(ii)(medium 1) with only the car park in a lower flood risk zone. Flood depths over the site where the MUGA and changing facility would be located could be between 0.6 and 1.2m.

The only enclosed area are the changing facilities. Normally buildings should be raised so that the floor level is above the likely flood depths and/or flood proofing measures be installed such as flood gates or doors.

Changing facilities for outdoor sport facilities are designed internally to be easily cleaned using a hose pipe with waterproof materials on the floor and on the walls. These are normal design elements and have a dual benefit in that if they can withstand water from showers and cleaning using a hose pipe or similar, they will also be resilient to flood water.

That being the case there is no need to build the building so the floor level is above the height of flood water on the site. This minimises the quantity of building materials used with the embedded carbon on those materials and ensure easier access for users. It is recognised that the structure may need to have flood resilience measures internally to a greater height than usual. This can be secured by a condition. This approach was taken for a similar building at the University of Hull and supported by the Environment Agency.

It is considered that condition suggested in relation to floor levels are not necessary for reasons given above similarly there is no need for a management plan/evacuation plan as the MUGA would not be available for use if flooded.

The proposal requires a pump to move surface water from the SuDs scheme on site to the main sewer. Concern had been expressed as to the implications if the pump failed. If the pump fails, the MUGA and changing facilities would not be drained. As the MUGA is outside and the changing facilities are designed to be cleaned out by a hosepipe this is not considered to be a serious issue in terms of impact on property or amenity.

Equalities

Under the Equality Act 2010 S149, the Council has a duty to consider equality issues. A Public Authority must, in the exercise of its functions have due regard to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between people who share a relevant characteristic and persons who do not.

This proposal has been considered against the duty of the Council to consider equality issues. This development is considered to comply with these requirements as far as is reasonably practicable.

Conclusion and Contribution to sustainable development

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Hull City Local Plan 2017.

The proposal comprises the provision of a multi-use all weather games area, changing facilities and overflow car park. The proposal would not result in the loss of playing pitches or sports facilities and would not result in a material loss of open space. Any loss of open space for informal use is outweighed by the benefits of all-weather formal playing facilities. The proposal complies with relevant policies in the Development Plan and there are no material considerations, including the objection from Sport England which suggest a determination other than in line with the development plan.

In addition to the need to determine the application in accordance with the development plan, regard also needs to be had to other material considerations (and which would include the requirement to be had to other policies, such as those set out in the National Planning Policy Framework (2024)). The NPPF contains a presumption in favour of sustainable development and when having regards to the three objectives of sustainable development, it is concluded as follows:

Economic Objective:

The proposal does not make any direct contribution to the economic objective of the NPPF however it provides all weather multi use games area which can contribute to a healthier population reducing the burden on health service and improving productivity amongst those employed in the local economy.

Social Objective:

The proposal would provide opportunities for people to come together to play sport with the ensuing social interaction associated with group activities making a positive contribution to the well-being of society in general.

Environmental Objective:

The proposal brings benefits in the form of additional trees being planted on site to off-set losses arising from the proposal and to meet BNG requirements.

The proposal complies with the development plan and guidance in the NPPF. It would provide improved sports facilities without resulting in the reduction in existing provision. It is located where other sports facilities exist facilitating the opportunity for linked trips and car sharing and is close to public transport routes. The proposal would not have an adverse effect on the amenity of nearby residents by way of noise or light pollution and is acceptable in terms of highway safety and flood risk. The proposal is therefore recommended for approval subject to conditions.