

SCHEDULE B

APPLICATION NUMBER	MB/09/00377/REG3
LOCATION	Land to the North West of Flitwick Leisure Centre, Steppingley Road, Flitwick
PROPOSAL	REG3: New leisure facilities to include swimming pool, squash courts and health suites - Outline with all matters reserved.
PARISH	Flitwick
WARD	Flitwick West
WARD COUNCILLORS	Cllr Dennis Gale & Cllr Steve Male
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	20 March 2009
EXPIRY DATE	19 June 2009
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Regulation 3 application- Major development
	Outline Permission

Site Location:

The site is currently a grass playing field to the north west of the existing Flitwick Leisure Centre. The site is within the settlement envelope for Flitwick and is defined as 'Important Open Space'. The site is bounded by the Steppingley Road to the south east, the existing Flitwick Leisure Centre to the East and Green Belt safeguarded land around the other two sides of the site. The site is owned by the Council and is part of the Leisure Centre Site.

The Application:

The application seeks outline planning permission for a New Leisure Facility to include swimming pool, squash courts and health suites. This includes the following:

- an 8-lane, 25 metre swimming pool with separate learner pool providing spectator accommodation for galas including seating for participants around the main pool;
- 'village' and group changing complete with family accommodation;
- 4 badminton court sports hall;
- 100-120 station fitness suite;
- dojo, capable of adaptation for use by young children (martial arts)
- 2 squash courts, complete with moveable central wall to provide multi-purpose activity room;
- 3 further dance/multi-purpose activity rooms;
- health suite;
- meeting room; and
- cafeteria.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPS7	Sustainable Development in Rural Areas
PPG16	Archaeology
PPG17	Planning for open space, sport & recreation
PPS22	Renewable Energy
PPS25	Flooding

Regional Spatial Strategy

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Mid Bedfordshire Local Plan First Review 2005 Policies

LPS1	Selected Settlements
LPS4	Settlement Envelopes
SR2	Formal Built Sports and Leisure Facilities
DPS5	Character & Appearance
DPS11	Appropriate Landscaping
DPS15	Important Open Space
DPS17	Floodplains and Drainage
DPS19	Encouraging Public Transport
DPS20	Encouraging Energy Conservation
DPS23	Encouraging Crime Prevention
DPS27	Public Art
PHS5	External Lighting
TP1A	Travel Assessment
TP1	Walking and Cycling

Planning History

There is no relevant planning history.

Representations: (Parish & Neighbours)

Flitwick Town Council	Support Members would also like to obtain more details of the types of building materials to be used in the building of the new Centre.
Neighbours	No letters of objection have been received.

Consultations/Publicity responses

Disability Discrimination Officer	Commented that all facilities must be accessible to people with disabilities.
EHO	Do not object to the proposal subject to relevant conditions.
IDB	No comments received
Sport England	No objection.
Highways	Object as require further clarification than the information submitted.

Determining Issues

The main considerations of the application are;

1. The principle
2. Design and impact on the character and appearance of the area
3. Impact upon residential amenity
4. Highway Issues
5. Other Issues

Considerations

1. The Principle

The key consideration is to whether the proposal would be in accordance with Policies SR2 & DPS15 of the Mid Bedfordshire Local Plan, First Review (2005).

It is considered as this proposal is to replace an existing facility which has become outdated and in addition is not able to provide the necessary facilities for the current demand that provided that the design and appearance of the proposal is appropriate to its surroundings; access is suitable; there would be no unacceptable detriment to neighbouring amenity; suitable landscaping and open space is provided and the facilities are designed to meet the needs of disable people then the principle of development is accepted.

As the proposal is not considered to result in an unacceptable adverse impact upon the value of the land either in visual or functional terms as the land would still be used for recreational and sporting facilities this proposal is considered to be acceptable in this location, and to comply with Policy DPS15.

2. Design and impact of the character and appearance of the area

The proposal has been designed to have regard to the site location at the edge of the Settlement Envelope for Flitwick and the potential proximity to neighbouring residential properties. The main leisure centre is set within close proximity to Steppingley Road to ensure that the main built frontage remains in a similar line to that of the adjacent Rufus Centre.

The highest focal point of the building would be the sports hall, which is approximately 11.8 m in height and is set back to the elevation of the building furthest from Steppingley Road. The remainder of the building is formed through a series of rectangular cubes which through the use of fenestration would provide a contemporary style of building.

No details have been submitted in relation to proposed materials for the built form and as such conditions would be added to any planning permission to ensure that these and more detailed elevations are agreed by the Local Planning Authority as a subsequent reserved matters application.

It is considered that the design of the building is an appropriate choice in this location particularly taking into consideration that there is a need to provide a functional, modern facility which still takes into consideration the character and appearance of the area.

The visual impact of the building can be further mitigated through the use of a suitable landscaping scheme. The proposal for all of the parking area to be behind the building, hence not visible from Steppingley Road has also ensured that this would not have a detrimental impact upon the character and appearance of the area.

As such conditions shall be added to secure the provision of a detailed landscaping scheme, including implementation timetable, along with perimeter fencing as appropriate.

3. Impact upon Residential Amenity

Currently the impact on residential amenity of nearby residents is minimal as the proposed location is not in within close proximity to existing residential properties. The existing Leisure Centre site would subsequently be redeveloped and as such it is essential to have consideration as to whether there may be residential properties adjacent to the site into the future.

The key issues to considered in regards to this possibility into the future relate to vehicle movements and general disturbance from vehicle users, such as glare from headlights, doors slamming etc.

The layout of the site has been designed to ensure that minimal disturbance is created through the car parking arrangements and design of the overall site. In addition landscaping would be used to mitigate any potential detrimental impact.

EHO have no objection subject to relevant conditions and these would be attached to any planning permission. These conditions would ensure that any proposed external lighting, the use of any food premises, issues relating to noise and potential construction issues could be mitigated.

4. Highway Issues

Highways are currently objecting to the application due to lack of information submitted with the planning application. It is considered that in this situation that conditions would be able to ensure an acceptable development at this stage as further details would be submitted with the subsequent reserved matters applications.

The site generally benefits from good visibility being located on Steppingley Road which is a relatively straight road with footpath adjacent to the proposed leisure centre.

The access which currently serves the existing leisure centre is proposed to be

used for the new leisure centre. As such it is considered that as the existing access has served the existing leisure centre adequately it is considered that its reuse for the new centre will be acceptable. In addition if further works were required if the existing site was to be developed in the long term for residential use the applicant would be able to ensure that any improvements to the access could be undertaken.

The scheme proposes a 260 car parking spaces, and a number of these spaces, close to the built form will need to be designated as disabled spaces. In addition the site has been designed with a bus drop off point.

As such it is considered that all issues can be dealt with by way of condition.

5. Other Issues

Flooding/Drainage

The application has been accompanied by a Flood Risk Assessment (FRA) provided in accordance with PPS25, Development and Flood Risk. The site is located within Flood Zone 1 and therefore the site has a risk of flooding of less than 0.1% per year. As such the main flood risk issues relate to the management of surface water run off to reduce the risk of flooding elsewhere.

The FRA proposed a sustainable drainage system for surface water drainage and acknowledges that such a scheme will be agreed with the Local Planning Authority when the detailed scheme is submitted.

As such a detailed scheme will be secured by means of condition and determined in consultation with the Environment Agency and Internal Drainage Board, who have not objected to the development.

Cycling

No information has been submitted in relation to safe cycle parking. As such a condition would be attached to this effect.

Access for people with disabilities

The development by the nature of the facility will need to be designed to be accessible for people with disabilities, and hence be compliant with the Disability and Discrimination Act 1995, the relevant Building Regulations and Sport England Design Guidance.

A condition would be added requiring the submission and approval of further information to the layout and surfacing of the car park, to include details of the precision location of the disabled parking spaces.

Public Art

This proposal by its very nature of scale and form will become one of the key buildings providing an entrance into Flitwick. As this development is being brought forward by Central Bedfordshire Council no legal agreement is being entered into but a condition would be added to ensure the provision of public art on the site.

Sport England

The proposed new leisure centre would result in significant improvements to the quantity and quality of the existing facilities. Normally a condition would be required that development could not start on the proposed new leisure centre until the pitches have been replaced and are ready for use on the land known as 'land adjacent to 94 Ampthill Road'.

As both planning applications, namely this planning application and the planning application for football pitches and associated facilities on land adjacent to 94 Ampthill Road, are Central Bedfordshire Council planning applications it is not considered to be appropriate in this situation to enter into a legal agreement to ensure that facilities are not temporarily lost during the implementation phase.

Conclusion

In conclusion, it is considered that the proposal will provide an excellent facility and an enhanced leisure centre for both Flitwick and the surrounding settlements. This proposal would replace the existing outdated leisure centre which is not able to meet the current needs of the growing population. Further more this application would not be able to take place unless the Football Pitches development was granted planning permission adjacent to 94 Ampthill Road, Flitwick which in itself will provide a fit for purpose site.

The design concept for the building is considered to be appropriate for its location and along with appropriate landscaping will help to assimilate the development into the surrounding area.

It is acknowledged that the proposed access could have an impact upon future residential development and due to the nature of the proposal some of the activities on site could affect neighbouring residential amenity, it is not considered that this impact would be sufficient to warrant refusal of the application. As such relevant conditions would be attached to protect neighbouring amenity.

It is considered that concerns relating to access, cycling and flooding can be dealt with by means of attaching relevant conditions to any planning permission.

Finally, it is not considered that there are any other material considerations which would warrant the refusal of this planning application.

Reasons for Granting

It is considered that the planning application is in accordance with Policies SR2 and DPS15 of the Mid Bedfordshire Local Plan, First Review 2005. In addition it is not considered that the proposal would result in a detrimental impact upon either existing residential development or potential future residential development. In addition it would not result in a detrimental impact to the character or appearance of the area and would not result in an adverse impact in functional terms of important open space.

Finally as this is an Outline planning application further details can be considered at reserved matters stage and any outstanding issues that still require further consideration have been conditioned.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 3 **Approval of the details of:-**

- (a) the layout of the building(s);**
- (b) the scale of the building(s);**
- (c) the appearance of the building(s);**
- (d) the means of access of the site;**
- (e) the landscaping of the site;**

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 4 **Prior to the commencement of development details of the car park, to include the bus drop off point, layout, secure cycle parking, surfacing and details of spaces for disabled users shall be submitted to and approved in writing by the Local Planning Authority. The car park shall be constructed and operated solely in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority and shall be available for use prior to the development hereby permitted coming into use.**

Reason: To ensure a satisfactory development and for the avoidance of

doubt.

- 5 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 6 **Prior to the commencement of development full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **materials to be used for any fencing including details of proposed locations;**
- **public art;**
- **minor structures (e.g. furniture, play equipment, signs, etc);**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 7 **Prior to the commencement of development, details of CCTV cameras to be provided on the site, including their position, and coverage, shall be submitted to and approved in writing by the Local Planning Authority. The cameras shall be provided and available for use prior to the development hereby permitted first coming into use in accordance with the approved details.**

Reason: To ensure the amenity of both existing and future residents and to ensure site security.

- 8 **Prior to the commencement of development the two senior football pitches and one junior football pitch which will be lost at this development site shall be completed and open for use on the site at 94 Ampthill Road, Flitwick.**

Reason: To ensure the continued provision of football pitches in Flitwick

- 9 **Prior to the commencement of development details of any external lighting to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include any supporting structure and the extent of the area to be illuminated. The development shall be implemented solely in accordance with the approved details.**

Reason: To ensure the amenity of both existing residential amenity and future residential amenity.

- 10 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the once the built form development and any works to highways in connection with the development hereby permitted has been completed to the satisfaction of the Local Planning Authority.**

Reason: In the interests of amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 11 **Prior to the commencement of development details of noise mitigation measures to reduce noise levels to existing residential properties and to potential future residential properties from the proposed car park shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented solely in accordance with the approved details and prior to the development hereby permitted first being brought into use.**

Reason: To protect the amenity of both existing and future residents.

- 12 **Prior to commencement of development a scheme detailing the provision of on site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented solely in accordance with the approved details and for the duration of the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 13 **Prior to the commencement of development a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The Code of Construction Practice shall detail methods that all developers, contractors and sub contractors will employ at all times during demolition, construction and other engineering operations on site. The Code of Construction Practice shall include:**

- (i) Details of traffic routes and points of access/egress to be used for construction purposes;**
- (ii) Measures to be used to control and suppress dust;**
- (iii) Measures to be used to reduce the impact of noise and vibration arising from noise generating activities on the site, in accordance with the best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites".**
- (iv) The siting and appearance of works compounds**

The implementation of development shall only be undertaken in accordance with the approved Code of Construction Practice.

Reason: To safeguard the amenities of adjoining occupiers and to protect the surrounding countryside.

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the premises.

- 15 Prior to the occupation of the development hereby permitted a Green Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The recommendations of the approved Green Travel Plan shall be implemented within 6 months of the development being first brought into use.

Reason: For the avoidance of doubt and to reduce reliance on the private car in the interests of sustainability of the development.

- 16 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 17 No equipment, goods, waste or other materials shall be deposited or stored in the open outside the buildings on the site.

Reason: To safeguard the character and appearance of the site and the surrounding area.

- 18 All plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below existing background level (or 10dBA below if there is tonal quality) when measured or calculated in accordance with BS4142:1997, at the boundary of any neighbouring residential dwelling.

Reason: To protect the amenity of neighbouring residents.

- 19 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation in the cafe, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The equipment shall be installed solely in accordance with the approved details and prior to the use hereby permitted commencing.

Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

- 20 All works of demolition, construction or other engineering operations, including the use of plant, vehicles and machinery necessary for the implementation of this consent, shall only take place (other than as specifically approved by the Local Planning Authority prior to any works being undertaken) between 0800 hours and 1800 hours on Monday to Friday inclusive, and 0800 hours to 1300 hours on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers.

- 21 This permission shall be implemented by and for the benefit of Central Bedfordshire Council only.

Reason: In accordance with Regulation 9 of the Town and Country Planning General Regulations 1992.

Notes to Applicant

1. The applicants are advised that the premises may require registration as a commercial food business under the Food Premises (Registration) Regulations 1991 and will need to comply with the standards contained in the relevant Food Hygiene Directives and Regulations. Further information may be obtained from the Public Protection Food Safety Team on 0300 300 8000.
2. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire

Council's Customer Contact Centre, 6th Floor, Borough Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

3. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Highways, Streetworks Co-ordination Unit, Borough Hall, Bedford. MK42 9AP.

DECISION

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