

Item No. 10

APPLICATION NUMBER	CB/14/01967/REG3
LOCATION	Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH
PROPOSAL	FULL APPLICATION: Construction of a new leisure centre, external multi-use games area, landscaping and associated parking with 265 bays (including accessible parking) on the existing playing field adjacent to the existing leisure centre. Leisure centre facilities include; 25m 8 lane pool with spectator seating, 13x8m learner pool, wet change village, 120 station fitness suite, 4 court sports hall with changing facilities, 3No. dance studios, cafe with pool views and external seating.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Dee Walker
DATE REGISTERED	30 May 2014
EXPIRY DATE	29 August 2014
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is the applicant, is a major development and brought to Committee by the Head of Development Management.
RECOMMENDED DECISION	Full Application - Granted

Summary of Recommendation:

The proposal is not considered to result in a detrimental impact upon either existing residential development or potential future residential development and would not have an adverse visual impact on the character and appearance of the area. Furthermore, it would not result in an adverse impact in functional terms of important open space. Therefore the proposal conforms with the National Planning Policy Framework; Policies DM3 and DM5 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 22 and 43 of the emerging Development Strategy for Central Bedfordshire (2014).

Site Location:

The application site is currently the 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 'Open Space, Sports and Recreation'. The site is bounded by Steppingley Road to the south west, the existing leisure centre to the south east and the existing Valley Farm together with land that has consent for residential development to the north west. The site is currently owned by Flitwick Town Council and leased to Central Bedfordshire Council as part of the Leisure Centre complex.

The Application:

This application seeks full permission for the construction of a new leisure centre, external multi use games area, landscaping and associated parking (265 bays including accessible bays) on the existing playing field adjacent to the existing leisure centre. The new facilities will include:

- 8-lane 25.0m community swimming pool with spectator seating;
- 13.0m x 8.0m teaching pool with moveable floor;
- Confidence water area;
- Wet change village
- 4 court Sports Hall with changing facilities;
- Climbing Wall;
- Crèche/Party Room;
- Flexible multi use studio's
- 2 no. squash courts
- 120 station fitness suite;
- 3 no. dance studio's; and
- Café with pool views and external seating.

RELEVANT POLICIES:

National Planning Policy Framework 2012

Section 7	Requiring good design
Section 8	Promoting healthy communities

Central Bedfordshire Council's Core Strategy and Development Management Policies 2009

Policy CS3	Healthy and Sustainable Communities
Policy CS15	Heritage
Policy CS18	Biodiversity and Geological Conservation
Policy DM3	High Quality Development
Policy DM5	Important Open Space within Settlement Envelopes
Policy DM13	Heritage in Development
Policy DM15	Biodiversity
Policy DM17	Accessible Greenspaces

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 22	Leisure and open space provision
Policy 43	High quality development
Policy 45	The Historic environment
Policy 57	Biodiversity and Geodiversity

Having regard to the National Planning Policy Framework, some weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is currently out to public consultation and due to be submitted to the Secretary of State later in 2014.

Supplementary Planning Guidance

Central Bedfordshire Design Guide 2014

Relevant Planning History

MB/09/00377	Regulation 3: Outline Application for the replacement leisure facilities to include swimming pool, squash courts and health suites – Approved 22.10.2009
CB/14/00978	Regulation 3: Full Application for construction of a new leisure centre, external multi-use games area, landscaping and associated parking with 265 bays (including accessible parking) on the existing playing field adjacent to the existing leisure centre. Leisure centre facilities include; 25.0m 8 lane pool with spectator seating, 13.0x8.0m learner pool, wet change village, 120 station fitness suite, 4 court sports hall with changing facilities, 3 no. dance studios, cafe with pool views and external seating – Withdrawn 23.04.2014
CB/14/00979	Regulation 3: Outline Application for 72 no. dwelling units and associated roads, areas of play and regarding of open space – Withdrawn 23.04.2014
CB/14/02174	Regulation 3: Outline Application for 72 no. dwelling units and associated roads, areas of play and regarding of open space – Pending Consideration

Representations: (Parish & Neighbours)

Flitwick Town Council	To be reported verbally at Committee
Adjacent Occupiers	No comments received

Consultations/Publicity responses

CBC Archaeology	No objection
CBC Contaminated Land Officer	No objection subject to a condition being attached to any permission granted
CBC Disability	No comments received

Discrimination Officer	
CBC Ecology	No objection subject to further bat activity surveys, planting management scheme and limited light spillage towards ditch
CBC Green Infrastructure Officer	Comments made regarding the use of SuDS throughout the site
CBC Highways	No objections subject to conditions attached to any planning permission granted
CBC Public Protection	No objection subject to conditions being attached to any permission granted on noise from the MUGA, plant/equipment and operational use
CBC Tree & Landscape Officer	No objections
Anglian Water	No objections
Environment Agency	No objection subject to a condition attached to any planning permission granted for a surface water drainage scheme
Internal Drainage Board	No comment to make
Sport England	Makes no objection as a <u>statutory consultee</u> to the application subject to the phasing of the development being addressed through a planning condition as set out later in this report. Sport England is supportive as a <u>non-statutory consultee</u> of the new leisure centre development. A separate response has been made to the related planning application CB/14/00979 for the redevelopment of the leisure centre for residential.
Site Notice Posted	06.06.2014 located outside no. 90 Steppingley Road and adjacent to Valley Farm Cottages
Newspaper Advert	12.06.2014

Determining Issues

The main considerations of the application are;

1. Background
2. Principle of Development
3. Design, built form and massing
4. Trees and landscaping
5. The impact on the amenities of existing and future residents
 - *Valley Farm development*
 - *Redevelopment of existing leisure centre site*
6. Highway Implications
7. Flood risk and drainage
 - *Environment Agency*
 - *Anglian Water*
 - *Green Infrastructure*
8. Sporting Facilities Implications
 - *Sport England's Statutory Consultee response*
 - *Sport England's Non-Statutory Consultee response*

9. Any other implications of the proposal
 - *Archaeology*
 - *Noise Implications*
 - *Contaminated Land*
 - *Ecology*
 - *Human Rights*
 - *Equalities Act 2010*

Considerations

1. Background

- 1.1 A new Flitwick Leisure Centre is a short term strategic priority of the Leisure Facilities Strategy adopted by the Councils Executive on 8 January 2013. The capital programme 2013/14-2015/16, approved at council on 21 February 2013 included provision for funding for the Flitwick Leisure Centre.
- 1.2 The submitted Design and Access Statement states that the age, condition and capacity of the current facilities was determined to be inadequate to meet the needs of the current population within the Leisure Facility Strategy audit and assessment. When considering capacity, running costs, disability access and lifecycle costs, the benefits offered by a new facility far out way refurbishment. The existing centre is old, refurbishment has been piecemeal, running costs are high and the current footprint restricts extension. Notably, water space and fitness space is operating beyond reasonable capacity and at uncomfortable levels. Flitwick Leisure Centre has a 4 lane 25.0m pool with shared water in its teaching space. The current provision of 55 no. stations for cardio and resistance equipment is inadequate.
- 1.3 The Leisure Facilities Strategy identifies a requirement for an 8 lane 25.0m pool with separate teaching provision (double the amount of the current water space) to aid different pool activities requiring different water temperatures. A recently undertaken Feasibility Study by Central Bedfordshire Council indicated that the MOSAIC Demographical profile of the catchment could support a fitness room of between 100 and 120 pieces of equipment.
- 1.4 The preferred siting for the new leisure centre is on the area to the north west of the existing leisure centre, which is currently occupied by natural turf football pitches. In order that this site can be used, the Council needs to provide similar pitch facilities elsewhere in the area. On 18 March 2013 the Council Executive approved expenditure to replace the pitches at Flitwick Leisure Centre with similar pitches on an alternative site off Ampthill Road in Flitwick. This is described as Phase 1 of the Flitwick Leisure Centre project and is now well underway and the pitches are to be ready for the 2014-15 season to allow work to commence on the new leisure centre later this year.
- 1.5 It is proposed that the site of the existing leisure centre will be sold off for development of residential housing to help cross fund the cost of the new leisure centre. This is subject to a separate application (CB/14/0) currently under consideration.

2. Principle of development

- 2.1 Policy DM5 of the Council's Core Strategy and Development Management Policies (2009) sets out that the Council will protect designated Important Open Space within settlement envelopes where it would result in the loss of the space and would have an unacceptable adverse impact on its value either in visual or functional terms. The policy then goes on to state:

Redevelopment or partial redevelopment of an Important Open Space will only be considered favourably:

- *Where proposals would result in enhanced provision in functional terms (both the facility itself and its location);*
- *Where there are exceptional circumstances resulting in overall community benefit;*
- *Where there would be no adverse effect on the visual quality of the settlement.*

- 2.2 Policy 22 of the emerging Development Strategy for Central Bedfordshire (Revised Pre-Submission 2014) highlights the Council's Leisure Strategy and its delivery of enhanced or new leisure facilities. The policy sets out that the Council will require new development to be supported by the delivery of leisure facilities and open space.

- 2.3 The key consideration is to whether the proposal would be in accordance with Policies DM5 of the Core Strategy and Development Management Policies and the Policy 22 of the emerging Development Strategy for Central Bedfordshire.

- 2.4 The proposal is to replace an existing leisure facility which has become outdated and in addition is not able to provide the necessary facilities for the current demand. The new leisure centre and associated facilities would enhance the provision in functional terms to a significant community benefit. Given its location within the Flitwick settlement envelope there would be no adverse effect on the visual quality of the settlement.

- 2.5 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 complies with Policies DM5 and 22.

3. Design, Built Form and Massing

- 3.1 The proposal has been designed to have regard to the site location at the edge of the current settlement envelope for Flitwick, the proximity to the new residential development of Valley Farm and other potential neighbouring residential properties.

- 3.2 The design of the leisure centre has produced a building with a very simple and elegant massing. The majority of the building sits under a single roof which spans over the pool hall, fitness suite and sports hall. This element is expressed externally as a warm grey coloured brick work element with its roof concealed behind a level parapet wall. In front of this element to the entrance side of the building a second block has been formed which rises and falls under the wrapping of a bold flat roof element which rises from the ground over the block,

over the entrance element before becoming a large canopy shading the pool hall glazing from unwanted glare. This flat roof element wraps around the end of the pool hall tying all of the elements of the building together. The development of the building form has necessarily been very function led.

- 3.3 Vertical fins support the canopy in front of the pool hall, providing further shading as well as creating a strong visual statement which is enhanced further by their strong colours and their continuation in front of the dry sports block.
- 3.4 The entrance to the building gives you views into the pool hall, café area, reception, climbing wall and fitness suite. This creates a very light and airy space which provides links between the inside and outside of the building. This space is two storeys high and provides a glazed front to the fitness suite that cantilevers over it.
- 3.5 The pool hall glazing has been carefully considered to ensure that it does not become a source of glare. The south east elevation glazing is protected by the large canopy, vertical fins and 'brise soleil. To the south west it was not felt that they could adequately protect the glazing to avoid glare so the glazing here is 'Kalwall' translucent panels which allow defused light into the pool hall
- 3.6 The sports hall is located to the rear of the site as it is effectively a blank box. However, the hall stores and outdoor changing rooms wrap around the sports hall to help break up the mass.
- 3.7 The proposed leisure centre is marginally higher than the existing centre at a height of between 10.9m to 11.38m depending on the ground levels, the latter being furthest from the road. The height of the building is a result of the function of the spaces and their need to be suitable for sporting activities such as badminton to an appropriately high performance level.
- 3.8 Overall, 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.

4. Trees and Landscaping

- 4.1 The existing site is mainly limited to amenity grass land with some mature trees along the Steppingley Road frontage. The proposed building and external works have been designed so that all of these trees can be retained and that they will help to enhance the buildings setting.
- 4.2 Careful consideration appears to have been given to ensure that the facilities are not approached through a sea of parked cars therefore the building itself is the focus of attention when arriving at the site by curving the car parks axis. The car park area has been designed in simple and efficient blocks broken up by the introduction of landscaping. The service area to the front of the building is only to be used occasionally and therefore the access to this will be formed by using a geo-grid construction so that soft landscape is not interrupted. It will also be screened behind a landscaped bank.

- 4.3 An electricity substation is required for the site with its preferred location directly off Steppingley Road. However, this would have a detrimental effect of the appearance of the site and therefore it has been sensitively located just off the car park to the south of the site where it can be screened by appropriate landscaping.
- 4.4 An arboricultural report was submitted as part of this application and the Tree and Landscape Officer has provided the following comments:
- 4.5 The proposed access appears to be in the spaces between two of the largest of the Oak trees on the Steppingley Road boundary. These two Oaks identified as T82 and T83 have both been classified as Category A trees according to the Tree Report, the access appears to be within approx. 2.0m of T83 the larger of the two. These trees have low spreading canopies that we do not want to see the crown substantially raised to allow the new access. The Arboricultural Report supplied clearly shows the Root Protection Area (RPA) of the trees on the boundary and the proposed new access encroaches extensively into one of these. This is likely to result in extensive damage to the roots of this tree. The Design and Access Statement does recognize the importance of these trees in the setting of the development and as such we should ensure that they remain undamaged. Revised plans as part of this resubmission were received and the proposed access has been repositioned to a more acceptable location.
- 4.6 Shown on the plans are two curving paths alongside the access, one to the west and one to the east that appears to stop just inside the access. There is a second path shown as a path that passes immediately alongside the main stem of T38, the largest and best Oak on this boundary. This will inevitably cause unnecessary issues with regards to the roots of the tree and quite probably cause issues with its health and longevity in the future.
- 4.7 These matters have been raised with the agent and they will address them, and any minor alterations will be reported onto the late sheet.
- 4.8 The development is going to include many new service lines and surface water drainage infrastructure. All this should take into account the trees to be retained particularly along Steppingley Road and avoid either soil level changes or services going through those RPA's.
- 4.9 It would seem that a large amount of soil removed to facilitate the leisure centre is to remain on site as banks and bunds both at the rear of the site and the front boundary along Steppingley Road. Any additional soil should avoid the RPA of trees to be retained.

5. The impact on the amenities of existing and future residents

- 5.1 The new leisure centre is to be located towards the north west boundary that has existing residential dwellings at Valley Farm. This small cluster of terraced properties are set forward and closer to Steppingley Road with a number of unused farm buildings to the rear.

5.2 Valley Farm Development

The land to the north/north-west of the site, which is currently farmland, has outline permission for residential development. The built form masterplan indicates that there will be dwellinghouses near to the shared boundary on the opposite side of the existing ditch.

Farm buildings

There are currently unoccupied ex-farm cottages to the west of the site with unused farm buildings to the rear. The new residential development proposes to retain the cottages and replace the farm buildings with barn style residential units. It is noted that the section of the proposed leisure centre closest to them is some 9.5m in height but will be over 7.0m away from the boundary. Notwithstanding this the Valley Farm site has mature trees along this section of the boundary and it would be assumed that these will be retained by the land developer to mitigate against any potential impact.

Bridge link and MUGA Requirement

Part of the Section 106 legal agreement for the Valley Farm development was to provide a bridge link onto the new leisure centre site and provide the developments MUGA requirement off site. The proposed site layout plan shows 2 no. MUGA's that include the Valley Farm contribution and an indicative bridge link.

The future residential development has been considered within the siting of the building and the provision of a 7.0m easement between the ditch and the leisure centre together with the controlled multi use games areas.

5.3 Redevelopment of existing leisure centre site

The current leisure centre site is proposed to be redeveloped to provide approx. 72 dwellings. As part of a separate application, an indicative layout has been provided that illustrates how any new residential development will relate to the new leisure centre site and to conclude this is considered acceptable. The proposed MUGA's have been sited so that an acceptable distance is achieved between them and any residential dwelling.

6. Flood Risk and Drainage

- 6.1 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 potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off.

The application was been accompanied by a Flood Risk Assessment (FRA) which was subsequently updated following consultation between the agent and the Environment Agency.

6.2 Environment Agency

The following comments have been received from the Environment Agency (EA):

Following the submission of revised drainage plans the EA has removed their objection concerning the proposed development. The revised plans demonstrate that a suitable allowance for climate change has been utilised and that sufficient attenuation capacity can be provided.

It is their understanding that the site of the existing leisure centre is to be redeveloped privately into a residential development. They strongly recommend that it is stipulated that the residential developments surface water run-off rates are restricted to the greenfield equivalent. This could have a significant impact in reducing the surface water flooding associated within the adjacent watercourse.

They also recommend that the residential and leisure facility plan to utilise the same outfall to the watercourse. This will allow for the easier restriction of flow into the watercourse. Currently the outflow is restricted to 5l/s, the lowest practicable rate. However, due to the size of the catchment, this rate is above the greenfield run rate. By combining the outfalls, they will be effectively increasing the catchment size, making it feasible to restrict the rates to the greenfield conditions for the entire site.

The proposed development will be acceptable if a planning condition is included requiring surface water drainage details.

6.3 Anglian Water

The following comments have been received from Anglian Water:

Assets

There are assets owned by them of those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water have requested that the following text be included as a Note to Applicant on any permission granted:

‘Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.’

Wastewater Treatment

The foul drainage from this development is in the catchment of Flitwick STW that at present has available capacity for these flows

Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Local Planning Authority will need to seek the views of the Environment Agency. Anglian Water request that the agreed strategy is conditioned in the planning approval.

6.4 Green Infrastructure

The GI Officer has made the following comments:

The use of permeable paving through much of the site is welcomed as part of the proposals for sustainable drainage of the site.

However, the area to the west of the proposed new leisure centre, adjacent to the existing drainage ditch makes no contribution to sustainable drainage across the site. This area, with the existing ditch as a drainage feature, and a limited amount of space available could be more effectively used. For example, the area next to the MUGA could be enhanced for both biodiversity and sustainable drainage.

CBC's recently adopted Sustainable Drainage Guidance includes a series of local requirements for SuDS, including enhancing biodiversity and focusing on multi-functional uses. Although it is acknowledged that the limited space available on site is a constraint, the existing space should be used better to meet our adopted policy.

In addition, the SuDS should be designed with and complement any drainage proposals in the existing enabling residential development; it does not appear that this has taken place.

These comments have been referred back to the agent to ensure they are taken onboard when considering the detailed drainage and landscaping of the site.

7. Highway Implications

7.1 The proposal has been subject to extensive pre-application discussion and the Highway Officer confirms that the submission is compliant with the highway requirements identified and as such is acceptable from a highway context.

7.2 The application has been supported by a robust Transport Assessment including a Travel plan prepared following advice from the Sustainable Transport Team. Access onto Steppingley Road, on-site parking, manoeuvring and servicing areas are of an appropriate standard and traffic generation can be adequately accommodated on the surrounding highway network. Conditions have been recommended for a Construction Management Plan and parking surfacing to be submitted

7. Sport Facilities Implications

7.1 The site forms part of a playing field as defined in the Town and Country Planning (Development Management Procedure) England 2010 in that it is land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 hectares or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

7.2 Comments made as a statutory consultee

Sport England has therefore considered this application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area.

7.3 The proposal involves the redevelopment of the majority of the playing fields on the Flitwick Leisure Centre site for a replacement leisure centre. Following the completion of the new leisure centre, the existing facilities which adjoin the application site is proposed to be redeveloped for 72 no. dwellings. A related outline planning application has been submitted for the redevelopment of the existing leisure centre (CB/14/00979). The loss of the playing fields are proposed to be mitigated by the development granted permission in 2013 (CB/13/00333 & CB/13/02796) for the proposed 'Flitwick Football Centre' site on Ampthill Road in Flitwick.

7.4 To summarise, Sport England are satisfied that:

- The proposals would clearly provide at least equivalent replacement playing field provision in quantitative terms;
- Both the playing pitches and ancillary facilities proposed at the Flitwick Football Centre are considered to represent equivalent or better quality to the facilities that would be lost on the application site;
- The new pitches are located in a suitable location for the replacement playing fields;
- The management arrangements for the replacement site will be at least equivalent; and
- The proposed phasing can be subject to a planning condition being attached to any permission granted to secure acceptable phasing proposals in practice.

7.5 Overall, the proposal would accord with exception E4 of Sport England's policy and they raise no objection as a statutory consultee subject to the delivery of the replacement playing fields on the Flitwick Football Centre being completed and operational prior to the commencement of development on the application site.

7.6 Comments made as a non-statutory consultee

Sport England has assessed the application in the light of its Planning for Sport Aims and Objectives Guide (2013) which is consistent with the NPPF. Objective 3 of this guide relates to ensuring that the provision of facilities and opportunities for sport and recreation meets the needs of the local community which includes new facilities and the enhancement of existing facilities.

7.7 *Principle of Development*

The development is a strategic priority identified in Central Bedfordshire Council's Leisure Facilities Strategy which was adopted in 2013 and forms part of the wider Leisure Strategy that was adopted by the Council in March 2014. The proposal is considered to be of strategic importance for meeting identified current and future sport facility needs in the Flitwick area would specifically help address the following needs and offer the following benefits:

- The CBC Leisure Facilities Strategy identified that the existing sports hall and swimming pool facilities are at capacity and that there is a need to improve their quality as justified by the conditions survey of the existing centre. In particular, a replacement leisure centre as proposed is a cost effective solution to addressing the needs and offers long term solution to meeting needs and the cost of maintenance. An 8 lane pool would offer a greater range of usage options and would be better in terms of addressing capacity issues and reducing the export to facilities outside of Central Bedfordshire.
- The new health and fitness suite would help address deficiencies identified on the Leisure Facilities Strategy as the capacity would be increased from 55 to 120 stations thereby addressing a priority in the strategy to provide new and improved facilities.
- The provision of replacement squash courts would provide modern facilities and address a priority in the Leisure Facilities Strategy to retain and enhance squash court provision in this area.
- The design and layout of the proposed facilities is considered to accord with Sport England's design guidance and therefore the quality of the facilities is considered to be high and the facilities will be fit for purpose and responsive to the expectations of users.

Sport England therefore supports this planning application.

7.8 *Multi-Use Games Area (MUGA): Sports Lighting and Hours of Use*

The proposal for the MUGA to include sports lighting is welcomed and considered essential as this is required to meeting the needs of users especially as the evenings will be one of the peak periods of demand. Without sports lighting, the MUGA would not be fully responsive to the needs of the community.

7.9 *Facility Design*

Sport England has had significant engagement in the development of the project and can advise that the design and layout is considered to accord with their design guidance. The Amateur Swimming Association (ASA) is also supportive of the design of the swimming facilities.

9. Any other implications

9.1 Archaeology

The Archaeology Officer advises that the proposed development site lies within a known archaeological landscape that contains a number of features, for example cropmarks HER's 562 and 564. Under the terms of the National Planning Policy Framework (NPPF) these are heritage assets with archaeological interest.

In April 2013 they were consulted on the re-development of the Leisure Centre site and we advised that prior to the submission of a full planning application, an archaeological trial trench evaluation (in line with the requirements of paragraph 128 of the NPPF) should be undertaken at the site

The trial trench evaluation was undertaken in June 2013 and the results suggest that the site has undergone a series of possible quarrying and levelling activities during the modern period, some of which may be associated with the existing football pitches (Albion Archaeology: 2013/113 - unapproved report).

Given that the archaeological trial trench evaluation did not find any evidence that pre-dated the modern period the Archeology Officer has no objection to this application on archaeological grounds.

9.2 Noise Implications

A Noise Assessment was submitted as part of the application to consider the potential noise associated with the new leisure centre and MUGA's. The Public Protection Officer has provided the following comments:

Noise from MUGA

Calculations for the residential properties to the West are based on the fact that the pitches will be at least 40.0m from the residential properties, consisting of 20.0m from the pitch to the edge of the boundary of the leisure centre application site and a further 20.0m buffer between the western boundary and the nearest residential properties on the proposed housing site. With regards to the proposed properties to the East it has been assumed that these will be at least 20.0m from the boundary of the pitches.

Given that an acceptable balance needs to be obtained between residential amenities, visually and the provision of such a facility the Public Protection Officer has agreed with the conclusions in the report and proposed planning conditions covering the acoustic barriers and MUGA hours of use to seek such a balance.

Mechanical Services, Plant and Equipment Noise

It appears that the final selection of plant has not been completed and therefore it is not possible to conclude any acoustic assessment. The Public Protection Officer has recommended a condition requesting a noise attenuation scheme to deal with this matter.

Leisure, Break Out Noise from Classes etc.

Noise from activities within the centre, music associated with classes etc. needs to be explored further once the final construction method and materials have been agreed. It is not expected that requirements for the construction will be onerous to deal with these issues but again a scheme will be required to consider such at an appropriate stage, therefore a condition has been recommended to deal with the matter.

9.3 Contaminated Land

The Council's Pollution Officer has advised that a condition be attached to any permission granted for the submission of an update/follow up work to the 2008 Listers report on contamination as shown to be necessary. In particular the characteristic situation regarding gas, as well as the approach taken for arsenic levels.

9.4 Ecology

An ecological appraisal and initial bat survey was undertaken and the assessment submitted as part of the application. The Council's Ecologist was consulted on the assessment and is satisfied that the necessary surveys have been undertaken. A number of aspects have been addressed within the report to ensure no harm to protected species as a result of the development and also to provide some elements of enhancement as noted in section 7.

A single outbuilding has been identified as potentially of interest to bats and as such the assessment recommends two further bat activity surveys between May and August to determine whether a EPS licence will be necessary.

New proposed outside areas will contain elements of wildflower meadow planting which is welcomed. Details of a management scheme for this would be needed to ensure the full ecological value of the planting is achieved.

The retention of the mature oak trees along Steppingley Road are welcome which are of value not only aesthetically but ecologically also. The ditch along the western boundary with a line of trees has potential for biodiversity. The Ecologist also looked at the lighting proposed and notes that the MUGA will be some 9.0m from the ditch according to the identified easement. The impact of light spillage has been address through compliance with ILE guidance. Spillage of light into potential bat flight corridors should be avoided.

9.5 Human Rights

The development has been assessed in the context of human rights and would have no relevant implications.

9.6 The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010 and the building is fully accessible by all.

Recommendation

It is recommended that planning permission be **GRANT** subject to the conditions detailed below. However, if there are any minor changes or adjustments to the conditions considered necessary by the Head of Development Management then it is requested that these changes be delegated to the Head of Development Management or a Planning Manager.

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event.**

The scheme shall also include:

- Detailed drainage calculations that demonstrate that there will be no increase in surface water runoff rates and volumes from the current Greenfield conditions
- Detailed drainage plan demonstrating the location and capacity of the required attenuation facilities
- Infiltration test results and methodology used within the drainage calculations
- Details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, both on and off site. (Policy 49,DSCB)

- 3 **No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:**

- **Construction vehicle numbers, type and routing;**
- **Traffic management requirements;**
- **Construction and storage compounds (including areas designated for car parking);**
- **Siting and details of wheel washing facilities;**
- **Cleaning of site entrances, site tracks and the adjacent public highway; and**
- **Post construction restoration/reinstatement of any damage caused to the existing public highway, including footways and verges, during the construction period.**

**Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.
(Policy 43, DSCB)**

- 4 Prior to the commencement of development a scheme shall be submitted to and approved by the Local Planning Authority to demonstrate that noise from fixed plant, machinery and equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.**

**Reason: To prevent nuisance from noise and vibration and to safeguard the residential amenity of neighbouring occupiers.
(Policies 43 and 44, DSCB)**

- 5 Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to ensure that noise from the proposed use of the venue (classes, music, etc.) is adequately controlled. The scheme hereby approved shall thereafter be implemented and maintained at all times.**

**Reason: To prevent nuisance from noise and vibration and to safeguard the residential amenity of neighbouring occupiers.
(Policies 43 and 44, DSCB)**

- 6 Acoustic barriers shall be installed as detailed at Figure 1 of AEC Report: P2920/R1c/AGB at heights of 4m to the West of the MUGA and 2m to the East of the MUGA and form the perimeter of the pitch. They shall have a minimum surface mass of 10kg/m², be imperforate and sealed at the base and include impact reduction netting as specified. Such shall be installed prior to the pitches being first being brought into use, maintained accordingly and shall remain in-perpetuity.**

**Reason: To prevent nuisance from noise.
(Policies 43 and 44, DSCB)**

- 7 The MUGA hereby approved shall only be open between the hours of 10.00hrs to 22.00hrs Monday to Saturday and 10.00hrs to 18.00hrs Sundays and Public Holidays.

Reason: To safeguard the residential amenity of neighbouring properties.
(Policies 43 and 44, DSCB)

- 8 The development hereby permitted shall not be commenced until the replacement facilities on the Flitwick Football Centre permitted by planning permission CB/13/02796/REG3 dated 08.11.2013 has been implemented and made available for use unless otherwise agreed in advance and in writing by the Local Planning Authority in consultation with Sport England.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use of facilities.
(Sport England condition)

- 9 The proposed development shall be carried out and completed in all respects in accordance with the access arrangement and on-site vehicular layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.
(Policy 43, DSCB)

- 10 All on-site vehicle areas shall be surfaced in tarmacadam or similar durable, porous but bound material and 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: To avoid the carriage of extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.
(Policy 43, DSCB)

- 11 Unless agreed otherwise by the Local Planning Authority, before any part of the premises are open to the public all the on site vehicular parking spaces shown on the approved plan shall provided so as to ensure satisfactory parking and manoeuvring of vehicles within the site.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
(Policy 43, DSCB)

12 No occupation of the building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- As shown necessary by the Listers Geotechnical Report of 2008, PBET testing of Arsenic Bioavailability showing levels of Arsenic are acceptable for the proposed use of the site.

Reason: To protect human health and the environment.
(Policy 44, DSCB)

13 Prior to the first occupation of the building hereby approved, a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)

14 All external works hereby permitted shall be carried out in materials as detailed in plan nos. G2-EL-201 A, G2-EL-202 A.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement the existing building and the visual amenities of the locality.
(Policy 43, DSCB)

15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers G2-GA-001 G, G2-GA-002 G, G2-GA-003 C, G2-GA-100, G2-GA-101 N, G2-EL-201 A, G2-EL-202 A, G2-SE-301 A, G2-SE-302 A, 636-00-01 P2, 682-00-01 P2, L1691/D01 2, L1691/D02 S.

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
3. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements undertaken within the existing public highway. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
4. The applicant is advised that 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advise that parking for contractors vehicles and the storage of materials associated with this development should take place within the site and not extend within the public highway without authorisation from the highways authority. If necessary the applicant is advised to contact Central Bedford shire Council's Highway Help desk on 0300 300 8049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
7. With regards to condition 9:

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless the Agency condition already forms part of this permission.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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