

## **Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/14/01967/REG3</b>
<b>LOCATION</b>	<b>Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH</b>
<b>PROPOSAL</b>	<b>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.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>30 May 2014</b>
<b>EXPIRY DATE</b>	<b>29 August 2014</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>B3 Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>CBC is the applicant, is a major development and brought to Committee by the Head of Development Management.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **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).

## Recommendation

It is recommended that planning permission be **GRANTED** 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/m<sup>2</sup>, 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.

- 16 No development shall take place until a detailed management scheme for areas of wildflower meadow planting have been submitted to and approved in writing by the Local Planning Authority. The details shall include seed mixes and cutting regime.

Reason: To ensure the full ecological value of the proposed planting is achieved. (Policy 57, DSCB)

- 17 No development shall take place until a detailed landscaping scheme for the front section of the site along Steppingley Road has been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed paths, their location and final construction.

Reason: To safeguard the existing mature trees on the site in the interest of visual amenity. (Policy 43, DSCB)

## 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.

8. The Tree & Landscape Officer strongly suggests setting up an onsite meeting to discuss the landscaping condition in detail.

**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.

**NOTE**

In advance of the consideration of the application the Committee were advised of additional consultation received as follows;

Flitwick Town Council – In support of the application

Tree and Landscape Officer – Further landscape details have been received, however the Tree and Landscape Officer still has concerns with regards to the proposed paths and the existing mature trees. Therefore a condition has been recommended to deal with this matter.

Public Protection Contaminated Land – Following the submission of an updated ground investigations report, the Public Protection Officer has confirmed that development can proceed securely on that basis.

The Committee were advised of two additional Conditions and a Note to Applicant as set out in the Late Sheet appended to these Minutes.