

Item No. 11

APPLICATION NUMBER	CB/14/02174/REG3
LOCATION	Flitwick Leisure Centre, Steppingley Road, Flitwick, Bedford, MK45 1TH
PROPOSAL	OUTLINE APPLICATION: 72 no. dwelling units and associated roads, areas of play and regrading of open space.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Dee Walker
DATE REGISTERED	05 June 2014
EXPIRY DATE	04 September 2014
APPLICANT	Central Bedfordshire Council
AGENT	B3Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is the applicant, it is a major development and a departure
RECOMMENDED DECISION	Outline Application - Granted

Summary of Recommendation:

The site is within the settlement envelope and the development is considered to be commensurate with the size of the settlement. 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 CS1, CS2, CS7, DM3, DM4, DM5 and DM17 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 19, 22, 27, 36, 38, 39 and 43 of the emerging Development Strategy for Central Bedfordshire (2014).

Site Location:

The application site is currently occupied by 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, existing residential dwellings to the south east and north east and the proposed site for the new leisure centre 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 outline permission for the erection of 72 no. dwellings with access roads, local areas of play, the re-grading and landscaping of open space and the retention/relocation of the existing Flitwick Town Centre utility building.

A parallel full application (CB/14/01967/REG3) is currently being considered for a new leisure centre on the existing playing fields to the north/north-west to this site.

RELEVANT POLICIES:

National Planning Policy Framework 2012

Section 6 High quality homes

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

Policy CS1	Development Strategy
Policy CS2	Developer Contributions
Policy CS7	Affordable Housing
Policy DM3	High Quality Development
Policy DM4	Development within and beyond settlement envelopes
Policy DM5	Important Open Space within Settlement Envelopes
Policy DM17	Accessible Greenspaces

Central Bedfordshire Council's Emerging Development Strategy 2013

Policy 19	Planning Obligations and the Community Infrastructure Levy
Policy 22	Leisure and open space provision
Policy 27	Car Parking
Policy 34	Affordable Housing
Policy 38	Within and Beyond Settlement Boundaries
Policy 39	Formally Designated Important Open Space
Policy 43	High Quality Development

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 in late 2014.

South Bedfordshire Local Plan Review Policies

Not applicable

Supplementary Planning Guidance

Central Bedfordshire Council's Design Guide 2014
Central Bedfordshire Council's Adopted Supplementary Planning Guidance:
Planning Obligations Strategy (2008)

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/14/01967	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 – Pending Consideration

Representations: (Parish & Neighbours)

Flitwick Town Council	Comments to be reported verbally at committee
Adjacent Occupiers	No comments received

Consultations/Publicity responses

CBC Archaeology	No objections
CBC Disability Discrimination Officer	No comments received
CBC Highways	No objections subject to relevant conditions being attached to any planning permission granted
CBC Housing Strategy Officer	Would expect to see 35% affordable housing or 26 affordable residential units. The SHMA identifies a split of 63% Social/Affordable Rent and 37% Intermediate tenures such as Shared Ownership. In this case would like to see 17 units for affordable rent and 9 units for intermediate tenure. Would like to see the affordable units integrated with the market housing to promote community cohesion & tenure blindness. Would also expect all units to meet at

	the very minimum the code for sustainable homes level 3 and meet all HCA design and quality standards. The mix we would like to see is 2 bed family units or 1 bed Mobility Standard units for affordable rent and a mixture of unit types for Intermediate Tenure. Any homes built to Lifetimes Homes Standard would be welcomed. If these comments are taken on board, this application would be supported.
Anglian Water	No objection raised but suggested a condition be attached to any consent granted requiring a drainage strategy to be submitted and approved
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. They raise no objection to the redevelopment of the existing leisure centre site as a <u>non-statutory consultee</u> subject to phasing of the development being addressed through a planning condition as set out later in this report. A separate response has been made to the related planning application CB/14/01967 for the new leisure centre on the adjoining site.
Site Notice Posted	11.06.2014 located outside no. 90 Steppingley Road and adjacent to Valley Farm Cottages
Newspaper Advert	19.06.2014

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Layout and density
3. Impact on the amenities of existing and future residents
4. Highway Implications
5. Open space and landscape
6. Section 106 and Affordable Housing Requirement
7. Sport Facilities Implications
 - *Sport England's Statutory Consultee response*
 - *Sport England's Non-Statutory Consultee response*
8. Any other implications of the proposal
 - *Archaeology*
 - *Public Protection*
 - *Drainage*
 - *Human Rights*
 - *Equalities Act 2010*

Considerations

1. Principle of development

- 1.1 The site is located wholly within the defined settlement envelope for Flitwick as well as being designated as 'Open Space, Sports and Recreation'. Policy DM5 seeks to protect Important Open Space against development that would result in the loss of this space. However, the policy 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.*

- 1.2 The parallel application CB/14/01967/REG3 is proposing new modern leisure facilities adjacent to this site and therefore it is considered that the new leisure centre would result in enhanced provision in functional terms together with providing community benefit.

- 1.3 Therefore, subject to the favourable consideration of the new leisure centre, the redevelopment of the existing leisure centre site would not result in any adverse loss in functional terms.

- 1.4 Turning back to the site location within the defined settlement envelope, Policy CS1 defines Flitwick as a major service centre. Additional housing, employment and services will be provided through continued redevelopment within the built up area. Policy DM4 states that within the settlement envelopes of major service centres, the Council will approve housing development commensurate with the scale of the settlement, taking account of its roles as a local service centre.

- 1.5 In principle, the redevelopment of the existing leisure centre site to residential development is acceptable subject to consideration to other material planning considerations set out below.

2. Layout and density

- 2.1 Although the application is for outline planning permission with all matters reserved, an indicative layout plan has been submitted to illustrate how the site could accommodate 72 no. dwellings of varying mix of house types. The indicative layout provides for formal and informal open space as well as landscaped areas.

- 2.2 There were concerns with the initial indicative layout in planning terms and therefore, after negotiation the layout was revised to show a better illustrative layout to accommodate the 72 no. dwellings. Highway concerns have been raised with regards to his layout therefore it has been omitted as an approved plan.

- 2.3 The density of the site is approx. 25 dwellings per hectare and although this is considered low, this is an edge of town site and the current CBC parking standards would drive this.
- 2.4 It is therefore considered that the site would comfortably accommodate circa. 72 no. dwellings.
- 2.5 Notwithstanding this, a future application for reserved matters will consider the detailed layout of the site together with the scale and appearance.

3. Impact on the amenities of existing and future residents

- 3.1 The site is partially bound on the south east and north east by existing residential dwellings with some that are fairly close in proximity to the shared boundary. The relationship between the new development and the established dwellings will be carefully considered at the application for reserved matters.
- 3.2 Notwithstanding this, the Council's Design Guides gives clear advice on minimum back-to-back distances between dwellings and acceptable spatial awareness to the locality.

4. Open space and landscape

- 4.1 The application highlights the area to the north west corner of the site to provide informal and formal open space that will in turn serve the future residential development on this site. Although the Design Guide would normally require this space to be integrated within the housing development itself, given the nature of the leisure centre presence adjacent to the application site it is considered more acceptable to incorporate the open space within the overall leisure centre complex.

5. Highway Implications

- 5.1 This application alongside the proposals for a replacement leisure centre has been subject to extensive pre-application discussion. This current proposal is for outline approval with all matters reserved except access for subsequent approval. Despite this the application does provide an indicative layout which would not actually meet current design guide requirements and therefore should be specifically excluded from the scope of any planning approval issued.
- 5.2 That aside the Highways Officer is content that from a highway perspective there is no overriding reason why this site should not be considered acceptable for residential development. The site is on the edge of the town centre, close to amenities including the rail station. Traffic generation can be satisfactorily accommodated on the existing highway network and a satisfactory access arrangement can be easily accommodated with the frontage of the land. Therefore, a condition is recommended that addresses highway matters.

6. Section 106 and Affordable Housing Requirements

- 6.1 Given the nature of the application, the development would attract S106 contributions towards the local infrastructure. In this case, the following contributions are required for the outline application for 72 no. residential dwellings:

Education –	£420,420
Sustainable Transport -	£33,624
Health Care -	£86,400
Leisure, ROS & GI -	£184,032
Community Facilities & Services -	£32,976
Community Cohesion -	£1,368
Waste Management -	£3,312
Emergency Services -	<u>£14,904</u>
TOTAL -	£777,036

- 6.2 The Housing Strategy Officer would expect to see 35% affordable housing or 26 affordable residential units. The SHMA identifies a split of 63% Social/Affordable Rent and 37% Intermediate tenures such as Shared Ownership. In this case they would like to see 17 units for affordable rent and 9 units for intermediate tenure with the affordable units integrated with the market housing to promote community cohesion & tenure blindness. They would also expect all units to meet at the very minimum the code for sustainable homes level 3 and meet all HCA design and quality standards. The mix we would like to see is 2 bed family units or 1 bed Mobility Standard units for affordable rent and a mixture of unit types for Intermediate Tenure. Any homes built to Lifetimes Homes Standard would be welcomed. If these comments are taken on board, they would support the application.
- 6.3 As Central Bedfordshire Council will, 20 days after granting planning permission, become the freehold owner of the site it is not possible for Central Bedfordshire Council to enter into a s106 agreement with itself.
- 6.4 As it is the intention of Central Bedfordshire Council to sell the site with benefit of this planning permission, the new owner will be required to enter into a s106 agreement at the time they become the owner.
- 6.5 The s106 agreement will be protected by the imposition of a Grampian condition to prevent implementation of the planning permission prior to the s106 being secured with the developer.

7. Sport Facilities Implications

7.1 Comments made as a statutory consultee

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 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 a small part of the playing fields on the Flitwick Leisure Centre site for residential and associated open space together with the redevelopment of the leisure centre itself. A related planning application has been submitted for a replacement leisure centre on the majority of the playing fields (CB/14/01967). 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 Amphthill 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 1 of this guide relates to preventing the loss of sports facilities and land unless at least an equivalent replacement in terms of quality, quantity and accessibility is proposed. The related planning application (CB/14/00978) for the new leisure centre on the adjoining land would make provision for replacing all of the facilities in the existing centre with modern fit for purpose facilities. The replacement leisure centre is supported by Sport England as it is strategic priority in the CBC Leisure Facilities Strategy and is intended to address deficiencies of the facility it would replace. Sport England is therefore satisfied that the replacement would be at least equivalent in terms of quality, quantity and accessibility.

7.7 In terms of phasing, it is proposed that the new leisure centre (if permitted) would be constructed and operational before any construction on the site of the existing centre commences, which Sport England are happy with providing a planning condition is attached to secure acceptable phasing proposals in practice.

- 7.8 Sport England consider that the proposal complies with their Planning for Sport Objective 1 and they have no objection to the redevelopment of the leisure centre subject to the condition mentioned above

8. Any other implications

8.1 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 June 2013 a trial trench evaluation was undertaken on the land to the north-west of the proposed development site and the results suggest that the area has undergone a series of possible quarrying and levelling activities during the modern period, some of which may be associated with the exiting football pitches (Albion Archaeology: 2013/113 - unapproved report).

Given that the archaeological trial trench evaluation on the land immediately adjacent to this site did not find any evidence that pre-dated the modern period they have no objection to this application on archaeological grounds.

8.2 Public Protection

THE Public Protection Officer has been involved with extensive consultation regarding the impact on the proposed MUGA's on the adjoining site. Planning conditions have been recommended on planning ref. CB/14/01967/REG3 to mitigate potential impact upon residential amenity.

8.3 Drainage

According to Anglian Water, there are no assets owned by them or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment

The foul drainage from this development is in the catchment of Flitwick STW that at present has available capacity for those 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. Anglian Water will then advise them of the most suitable point of connection.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. Anglian Water therefore recommend a planning condition requiring a drainage strategy if the Local Planning Authority is mindful to grant planning approval.

8.4 Human Rights

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

8.5 The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

Recommendation

It is recommended that the 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 **No development shall take place until a Section 106 agreement has been entered into to secure financial contributions, open space maintenance and affordable housing substantial on the form of the draft attached hereto.**

**Reason: To secure appropriate contributions towards the maintenance and running costs of the social and community infrastructure needs of the local community.
(Policies 21 and 34, DSCB)**

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 3 Application for the approval of the reserved matters shall be made to the Local Planning Authority within five years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 Any subsequent reserved matters application shall include the following;
- An estate road junction onto Steppingley Road having a minimum width of 5.5m, 6.0m kerb radii and 2.4m x 43.0m visibility splays;
 - Estate roads within the site designed and constructed to a standard appropriate for adoption as public highway;
 - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission;
 - Cycle parking and storage in accordance with the councils standards applicable at the time of submission;
 - A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas;
 - Materials Storage Areas;
 - Wheel cleaning arrangements; and
 - A Residential Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 5 The residential development hereby permitted shall not be commenced until the replacement leisure centre on the adjoining site is completed and operational.

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

- 6 This permission shall not extend to the indicative layout and associated engineering details submitted in support of the application.

Reason: For the avoidance of doubt.
(Policy 43, DSCB)

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers G2-GA-100, G2-GA-R107, G2-GA-R108, 20227-Location Plan.

Reason: To identify the approved plans 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. 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 any associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

4. 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 developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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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