

Agenda Item A6	Committee Date 2 November 2009	Application Number 09/00668/FUL
Application Site Land At Mossgate Park Heysham Mossgate Road Heysham Lancashire Mossgate Park Heysham Lancashire	Proposal Erection of a medical centre, indoor sports centre with associated accommodation, flood lit outdoor sports pitch and associated car parking	
Name of Applicant North Lancashire TPCT	Name of Agent Mellor Architects	
Decision Target Date 16 November 2009	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

1.1 This site is located on the eastern side of Middleton Way. The 2.85 hectare application site currently accommodates 2 bowling greens, a children's play area, a small pavilion, a large area of uncultivated green space and unadopted tracks. The site slopes significantly upwards from Middleton Way to the rear of the existing Youth and Community Centre and the Methodist Church before falling away again to the east. Most of the existing boundary treatments, such as timber fencing to the residential properties and galvanised steel railings to the Community Centre, belong to the neighbouring uses.

Though the majority of the site has no formal landscaping to speak of (with the exception of some mown grass and flower beds close to the existing bowling greens), it has an open, green appearance with a scattering of young trees and shrubs.

1.2 The local environment around the site has a number of different uses. Between the proposed health centre and the proposed sports facilities are a Community Centre and a Methodist Church, whilst north of the proposed health centre are some existing tennis courts. On the opposite side of Middleton Way is an existing health facility with another church and public house further to the north. However, the predominant use in the area is residential, with houses on Douglas Drive and Douglas Avenue to the north bordering the application site.

Access to the proposed scheme is off Middleton Way via Emmaus Road. A new entrance is proposed to serve part of the health centre only.

1.3 Middleton Way is a Primary Bus Corridor. The section of the site enclosed by Middleton Way and Emmaus Road is allocated as Urban Green Space and Outdoor Playing Space in the Lancaster District Local Plan.

2.0 The Proposal

2.1 The application seeks planning permission for a new health centre, a sports centre, an all weather pitch, new access arrangements, and associated car parking and landscaping. To facilitate this development ground levels would be changed, supported by a number of low retaining walls. In

addition 2 bowling greens, a children's equipped play area and a pavilion would be demolished, though the first two elements would be re-provided adjacent to the application site.

The proposed health centre comprises 46 treatment rooms, 2 large therapy rooms, in-house training and conference facilities, a reception area, other administration areas, a pharmacy, storage and staff facilities, as well as further rooms not yet allocated for any particular use. It would provide accommodation for 3 GP practices, a dental practice and some community services. The design meets the needs of individuals and departments who would be working alongside one another to provide the necessary health facilities whilst maintaining sufficient flexibility to accommodate future changes in healthcare practice. The health centre is designed to meet BREEAM 'excellent' standard.

The sports centre includes a communal entrance, a 4-court indoor sports hall, fitness room, changing and shower facilities, equipment store and a plant room. In addition, a third generation, full sized sports pitch with associated floodlighting is proposed.

2.2 The health centre is arranged over 2 floors with a monopitch roof. It is designed with a central reception area and 4 wings comprising predominantly of treatment and training rooms. This 'H' shaped footprint creates 2 courtyards, the north one used for staff car parking (21 spaces) and deliveries and the southern one providing public parking (36 spaces). A courtyard would also be used to facilitate the parking of a mobile mammography scanner unit during occasional visits.

Provision would be made within the southern courtyard for underground tanks to gather rainwater for reuse within the building whilst the boreholes in the northern courtyard would serve ground source heat pumps to provide much of the heating for the shared space. The reception hub in the centre of the building is orientated south allowing the inclusion of a significant number of solar and photovoltaic cells.

The building itself has been designed to incorporate a mixed palette of materials. Though the 4 wings would predominantly have an off-white render with a split-faced blockwork plinth, different finishes are proposed for the hub, including a brick-red render and timber cladding. The roof throughout would be constructed of stucco embossed aluminium with a standing seam finish. A mid-grey, profiled metal cladding would be used below the monopitched roof and above the render. Hardwood louvres with hardwood frames would be incorporated to certain areas to shield rooms from direct sunlight. The building would measure approximately 36m in length, 34m in width and 12m in height.

The sports centre needs to take into consideration the sharp fall in ground levels between the permitted bowling greens and proposed all weather pitch. The sports hall would be created at lower ground level with the communal entrance and viewing gallery at ground level. The ground level would also provide facilities for the bowling green users to allow them to function independently of the sports centre. The 2 storey building would have a curved roof constructed of stucco embossed aluminium with a standing seam finish. Buff brickwork would be the primary material used on the elevations supplemented with translucent cladding to allow natural light into the building. Sunpipes are also proposed in this regard. A roof cowl would provide natural ventilation. The building would measure approximately 110m in length, 59m in width and up to 21m in height (though predominantly 14m in height).

The all weather pitch would be enclosed by a 3.5m thin gauge galvanised steel wire fencing with 4.5m high fencing behind the goals at either end, measuring 24m in width each. Gates within the perimeter fencing would allow access for emergency vehicles onto the pitch from the end of the proposed access road. In addition, a wall is proposed to the north and west sides of the pitch. 6 columns each measuring 18m in height and supporting 2 luminaries would be located around the pitch. The luminaries would be shielded to direct light downwards onto the pitch.

2.3 All access to the proposed scheme is from the west, Middleton Way. Vehicular access for cars, deliveries, emergency vehicles and coaches would be provided from this main road. The road also forms part of the local bus routes though there is no pedestrian crossing at present from the site to the bus stops on the opposite side of the road near Heysham Road.

In terms of access for the mobility impaired, over 10% of the car parking spaces are allocated as mobility spaces. Internally, lifts are proposed in addition to other measures to assist those with

visual and hearing difficulties. A ramp is proposed to the rear of the sports centre to provide an access route from the building to the all weather pitch for those in wheelchairs.

- 2.4 The application proposes to maintain as many trees as possible, especially close to the junction of Middleton Way and Emmaus Road. It is also proposed to use crib-lock retention wall, which would provide an opportunity for further landscaping, such as small flowering plants. The main area allocated for landscaping is land to the north of the proposed sports centre and all weather pitch. The proposal shows the creation of a series of buffers planted with indigenous species and small areas of decorative planting.

No boundary treatments are proposed, with the exception of the all weather pitch. The eastern boundary will remain open, whilst the fencing around the Community Centre and to the rear of the properties on Douglas Drive would be utilised to define the different ownerships.

3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority, including the bowling green relocation application that was approved by Committee on 28 September 2009. A previous application for a medical centre was submitted last year, and details of this are provided below.

Application Number	Proposal	Decision
08/01238/FUL	Erection of a medical centre, indoor sports centre with associated accommodation, flood lit outdoor sports pitch and associated car parking	Withdrawn
09/00776/FUL	Relocation of 2 bowling greens	Approved

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and internal consultees:

Consultees	Response
County Highways	<p>The Highway Authority has the following concerns:</p> <ul style="list-style-type: none"> • Inconsistencies within the Transport Assessment regarding traffic growth rates • Lack of design detail regarding the 2 access arrangements from Middleton Way • Inconsistencies within the submission relating to car parking spaces serving the health facilities – need to increase the number of spaces • Ability of the access road and its junctions to accommodate large vehicles, such as coaches, emergency vehicles, deliveries and waste collection vehicles • Lack of drop-off/pick-up arrangements at the sports centre • Lack of coach and motorcycle parking at the sports centre • Need to accommodate a combined foot and cycle path across the entire site from east to west • Need to provide a toucan crossing on Middleton Way to serve the scheme.
County Travel Plans Co-ordinator	<p>The Co-ordinator has requested that the following issues are resolved within the Travel Plan:</p> <ul style="list-style-type: none"> • Cycle links across the site • Footway links from the bus stops on Middleton Way into the site • Appointment of a Travel Plan Co-ordinator • Action plan for how the Travel Plan will be implemented and funded • Details of how the Travel Plan will be monitored and reviewed • Secure, covered cycle parking for staff and visitors • Request for £12,000 to help implement and review the Travel Plan

County Planning	The development conforms to the Regional Spatial Strategy, especially relating to health and sport facilities. However, attention is drawn to renewable energy generation to meet at least 10% of the development's predicted energy requirement. Also to the need to reduce construction waste (recycling materials) and make provision for the development's ongoing waste generation (segregation of waste).
County Archaeology	No comments.
County Ecology	No ecological assessment has been submitted to determine if protected species are adversely affected by the proposal and what mitigation/compensation measures will be required. An assessment should be made before the application is determined. If the impact on diversity cannot be adequately mitigated/compensated against, then planning permission should be refused.
County s106 Officer	No contributions sought except towards sustainable transport solutions.
Sport England	Given the level of new investment into sport and the absence of any impact on any existing facilities, Sport England offers their support for the scheme. However, the applicant should enter into a s106 agreement to secure the link between this application and 09/00776/FUL application for 2 relocated bowling greens. This would ensure that the 2 new bowling greens are provided and ready for use before the existing greens are lost to development. Furthermore, a Community Use Scheme should be required to detail pricing, hours of use, access for non-school/non-member users, management responsibilities and mechanisms for review.
Environment Agency	The Agency is pleased to see the commitment to a sustainable drainage system contained in the application as surface water should be attenuated to existing site levels or less. General comments are provided regarding foul drainage, the need for an oil interceptor for any excessive surface water discharge and the recycling of grey water.
United Utilities	<p>No objection to the proposal providing this site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to SUDS as stated in the planning application.</p> <p>Two public sewers cross this site with easements required either side of the centre line of the sewers. United Utilities will not permit building over the sewers or within the easements and will require 24 hour access for maintenance and repair. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems. If the application is approved United Utilities will need water requirements for the site in more detail.</p>
Police	<p>It is noted that there is no reference to crime and disorder or community safety within the 'Design and Access' statement. However, the applicant should undertake to achieve 'Secured by Design' for this development. Further advice includes:</p> <ul style="list-style-type: none"> ▪ Inclusion of gates to all car parking areas which should be closed and locked at the end of the working day. This will reduce the opportunities for unauthorised access to the site and therefore remove the opportunities for crime and disorder to be committed ▪ Installation of CCTV to monitor the building, entrance areas and parking areas ▪ Provision of lighting to car parking areas ▪ Erection of perimeter fencing around the health centre ▪ Removal of the access ramp to the rear of the sports centre as it has the potential to be misused, leading to anti social behaviour and a nuisance problem for the adjacent properties
Fire & Rescue	No comments received within the statutory consultation period.
Parish Council	No comments received within the statutory consultation period.

Environmental Health	<p>The Service seek the following conditions to control potentially adverse impacts:</p> <ul style="list-style-type: none"> ▪ Hours of construction: 0800-1800 Mon to Sat ▪ Dust control ▪ Sound insulation ▪ Pile driving ▪ Light pollution - external lighting details
Engineers	<p>It is of strategic importance to provide a cycle link between the Heysham Mossgate development and the proposed site. A link should be provided in an east/west alignment around the proposed football pitch. This cycle link should further be extended on, or alongside, Emmaus Road to link with the footway of Middleton Way such that cyclists can access the Sports facilities from Middleton Way.</p> <p>A further strategic link is to provide a cycle route onto and over Middleton Way and beyond to Heysham Village and linking with the Promenade Cycle route. This would require the following additional works:</p> <ul style="list-style-type: none"> ▪ Widen and convert the footway of Middleton Rd along the site frontage to Shared use to further extend the cycle route from the site to the existing crossing point of Heysham Road/Middleton Way. ▪ Upgrade the crossing point of Heysham Road/Middleton Way to accommodate cycles - preferably by provision of a Toucan crossing. ▪ Widen and convert the footway of Middleton Road o/s the 'Old Hall' PH to shared use, to link with School Road. ▪ Signage should be provided from the site to both the Mossgate development and Heysham village and the Promenade cycle route.
Land Drainage	<p>Run off from this development should be restricted to the equivalent pre-development or greenfield site discharge (i.e. to 6 litres per second per hectare). The applicant should be encouraged to use a Sustainable Drainage Solution in this regard.</p>
Access Officer	<p>Comments Regarding Access for Disabled People:</p> <p>Health Centre Exterior:</p> <ul style="list-style-type: none"> • Installation of dropped kerbs where appropriate for wheelchairs and pushchairs • Use of specific details to aid visually impaired people • Provision of benches at the entrance to enable people to rest • There is a need for a pedestrian crossing on Middleton Way adjacent to the front entrance <p>Health Centre Interior:</p> <ul style="list-style-type: none"> • Well designed reception with low desks, a loop system, space for wheelchairs and pushchairs in the waiting area • Lifts should not have shiny stainless steel interiors, but should have audio, buttons at correct height and a mirror at the rear of the cab • Improvements to the toilets to aid those with different mobility difficulties <p>Sports Hall External:</p> <ul style="list-style-type: none"> • Drop off area required for car park • Improvements required to entrance arrangements • External accessible toilets should be unisex • A wheelchair accessible route from the car park to the all-weather playing area should be created • The use of galvanised steel for the external access ramp around the back of the sports centre and its location is questioned • Pedestrian route from the road and health centre is poor and very long; some users may require benches or perches to rest. • Benches for spectators should be provided

	<p>Internal</p> <ul style="list-style-type: none"> • It is recommended that both accessible toilet facilities are showers as well • Improvements to the toilets to aid those with different mobility difficulties • Fitness room to incorporate accessible equipment and permit full circulation by wheelchair users • Staff facilities must also be accessible to accommodate disabled staff members • All steps, internal and external should have contrast nosings, treads and handrails
<p>Tree Officer</p>	<p>There are a total of 45 individual trees identified within the site, 6 of which are in a poor condition and are proposed for removal. It is unclear from the tree related information provided which trees are proposed for removal in order to accommodate the development. There are conflicts evident in the area proposed to build the new medical centre and in areas where new banking is proposed; there can be no changes in ground levels within the root protection areas of trees, as identified within the submitted Arboriculture Implications Study.</p> <p>Some pruning works of tree canopies maybe required to facilitate the erection and completion of the developments; to be submitted and agreed in writing prior to being undertaken. The site requires additional landscaping including new trees to mitigate the loss of trees proposed for removal. It is therefore recommended that:</p> <ol style="list-style-type: none"> 1. Consideration must be given to the identified root protection areas of all trees in relation to the proposed development; clearly identifying the proposed development in relation to existing trees, root protection areas and proposed tree removals. 2. The Method Statement for the Protection of Trees is satisfactory, however the full impact of the proposed development on existing trees & hedges must first be considered prior to acceptance of the Method Statement (see 1). 3. Landscape scheme to be submitted and agreed in writing and to include a maintenance regime for a 10-year period post planting; to include weed control, support systems - stakes & ties, watering regime, formative pruning, and replacement of failing trees/plants. Any agreed removal of trees must be mitigated with a replacement tree planting proposal of 3:1 (3 new trees for each tree proposed for removal).

5.0 Neighbour Representations

5.1 24 separate pieces of correspondence of objection have been received at the time of compiling this report, plus 2 petitions totalling approximately 300 signatories. The reasons for opposition include the following:

- The Royde family left this field "for the children of Heysham" and therefore this covenant prevents this field being built on;
- Noise pollution from the outdoor sports pitch;
- Light pollution from the floodlights;
- Visual impact - height of the proposed buildings;
- Loss of privacy to local residents, especially due to the proposed banking;
- Loss of natural light;
- Damage to local properties due to balls being projected over perimeter fences;
- Detrimental effect on property prices;
- Development will encourage anti-social behaviour into the area, including foul language and vandalism;
- No demand for the proposal due to adequate supply of existing sports facilities;
- Loss of open green space and wildlife habitats;
- Lack of car parking;
- Traffic congestion;

- Fear of pedestrian safety;
- Public sewer runs across the site that requires 24 hour access;
- Facilities do not cater for the elderly or for young children.

3 letters of support were received for the health centre and sport facilities, and the regeneration of the site.

6.0 Principal Development Plan Policies

6.1 National Planning Policy Statements (PPS) and Guidance Notes (PPG)

PPS1 (Delivering Sustainable Development) - provides generic advice for all new built development. Sites should be capable of optimising the full site boundary and should deliver an appropriate mix of uses, green and other public spaces, safe and accessible environments and visually pleasing architecture. The prudent use of natural resources and assets, and the encouragement of sustainable modes of transport are important components of this advice. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources, conserving and enhancing wildlife species and habitats and the promotion of biodiversity.

PPG13 (Transport) - encourages sustainable travel, ideally non-motorised forms of transport such as walking and cycling, but also other means like public transport. The use of the car should be minimised. This can be encouraged by the location, layout and design of new developments.

PPG17 (Planning for Open Space, Sport and Recreation) - seeks to protect, enhance and provide new open space and sport facilities by assessing existing supply and demand, and making planning decisions based on that robust assessment.

6.2 Regional Spatial Strategy - adopted September 2008

Policy **L1** (Health, Sport, Recreation, Cultural and Education Services Provision) - ensure that there is provision for all members of the community (including older people, disabled people and the black & minority ethnic population) for sport, recreation and cultural facilities. The facilities should ensure that accessibility by public transport, walking and cycling is a central consideration.

Policy **DP2** (Promote Sustainable Communities) - fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities, improving the built and natural environment, conserving the region's heritage, promoting community safety and security including flood risk, reviving local economies especially in areas in need of regeneration and housing restructuring such as Morecambe, promoting physical exercise through opportunities for sport and formal / informal recreation, walking and cycling.

Policy **DP4** (Make Best Use of Existing Resources and Infrastructure) - development should accord with the following sequential approach: first, using existing buildings (including conversion) within settlements, and previously developed land within settlements.

Policy **DP5** (Reduce the Need to Travel, Increase Accessibility) - development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.

Policy **DP7** (Promote Environmental Quality) - understanding and respecting the character and distinctiveness of places and landscapes, the protection and enhancement of the historic environment, promoting good quality design in new development and ensuring that development respects its setting, reclaiming derelict land and remediating contaminated land and use land resources efficiently, maximising opportunities for the regeneration of derelict or dilapidated areas, promoting green infrastructure and the greening of towns and cities.

Policy **RT2** (Managing Travel Demand) - measures to discourage car use (including the incorporation of maximum parking standards) should consider improvements to and promotion of public transport, walking and cycling. Major new developments should be located where there is good access to public transport backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car.

Policy **RT9** (Walking and Cycling) - encourage the delivery of integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility and capitalise on their potential environmental, social and health benefits.

Policy **EM10** (A Regional Approach to Waste Management) - promote and require the provision of sustainable new waste management infrastructure, facilities and systems that contribute to the development of the North West by reducing harm to the environment and improving the efficiency of resources (waste management principles set out in Policy EM11).

Policy **EM16** (Energy Conservation & Efficiency) - ensure that the developer's approach to energy is based on minimising consumption and demand, promoting maximum efficiency and minimum waste in all aspects of development and energy consumption.

Policy **EM18** (Decentralised Energy Supply) - new non residential developments above a threshold of 1,000m² and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.

6.3 Lancaster District Local Plan - adopted April 2004 (saved policies)

Policy **E12** (Nature Conservation) - Ensure that any impacts upon wildlife, wildlife habitats, protected species and important geological features are taken into full account. Where development is permitted, developers will be required to minimise any adverse impact and/or create and provide for the appropriate management of compensatory wildlife habitats.

Policy **E29** (Urban Green Spaces) - Areas protected from development and where appropriate enhanced. Exceptionally essential education or community related development will be permitted.

Policy **T9** (Providing for Buses in New Developments) - Seeks to locate development, which will significantly increase the demand for travel as close as possible to existing or proposed bus services (i.e. within a 5 minute walk or 400m).

Policy **T26** and **T27** (Footpaths and Cycleways) - Requirements to include cycle and pedestrian links for new schemes.

Policy **R1** (Outdoor Playing Space) - areas designated as outdoor playing spaces will be protected from development. Exceptionally where there is clear justification for development which would result in the loss of such space, this will be permitted only where sport and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site or alternative provision of equivalent community benefit is made available.

Policy **R2** (All Weather Pitches) - will be permitted where the proposal including ancillary features such as fencing, floodlighting, changing facilities and car parking would not have an adverse visual impact or result in an unacceptable nuisance to nearby residents and businesses.

Policy **R3** (Major Sports Clubs) - development will be permitted where it directly relates to the sports and social activities and account has been taken of development's impact on amenities of the surrounding area.

Policy **R4** (New Outdoor Playing Space) - new outdoor playing space will be permitted where the facility will meet demands generated locally, the site is located within or adjacent to a main urban area and the proposal would not result in a significant adverse impact on the appearance and character of the area, nature conservation interests or the amenity of nearby residents.

Policy **R21** (Access for People with Disabilities) - requires disabled access provision.

6.4 Lancaster District Core Strategy - adopted July 2008

Policy **SC1** (Sustainable Development) - Development should be located in an area where it is convenient to walk, cycle or travel by public transport between homes, workplaces, shops and other facilities, must not result in unacceptable flood risk or drainage problems, does not have a significant adverse impact on a site of nature conservation or archaeological importance, uses energy efficient

design and construction practices, incorporates renewable energy technologies, creates publicly accessible open space, and is compatible with the character of the surrounding landscape.

Policy **SC2** (Urban Concentration) - Focussing development in the urban areas of Lancaster, Morecambe, Heysham and Carnforth to minimise the need for travel and to support existing settlements.

Policy **SC5** (Achieving Quality in Design) - new development must reflect and enhance the positive characteristics of its surroundings, creating landmark buildings of genuine and lasting architectural merit.

Policy **SC6** (Crime and Community Safety) - developments should be pedestrian friendly, incorporate Secure by Design principles, avoid car dominated environments, deliver safe high quality public realm and open spaces, and achieve greater use of pedestrian and cycle networks.

Policy **SC8** (Recreation and Open Space) - existing sport facilities should be retained unless identified as no longer capable of meeting identified needs through the Open Space and Recreation Study. New provision for formal and informal provision in line with needs identified in the Study.

Policy **ER7** (Renewable Energy) - To maximise the proportion of energy generated in the District from renewable sources where compatible with other sustainability objectives, including the use of energy efficient design, materials and construction methods.

Policy **E1** (Environmental Capital) - Development should protect and enhance nature conservation sites and greenspaces, minimise the use of land and non-renewable energy, properly manage environmental risks such as flooding, make places safer, protect habitats and the diversity of wildlife species, and conserve and enhance landscapes.

Policy **E2** (Transportation Measures) - This policy seeks to reduce the need to travel by car whilst improving walking and cycling networks and providing better public transport services.

7.0 **Comment and Analysis**

7.1 **Proposed Uses**

The provision of a large health care facility in the midst of a significant residential area is appropriate. Planning policy supports development where it seeks to reduce the need to travel. It also encourages schemes on previously developed land. Unfortunately in this case, the health centre is proposed on an area of Urban Green Space and on an outdoor playing space. Whilst it is proposed to relocate the 2 bowling greens (Ref: 09/00776/FUL) and the children's play area, the proposal does have an adverse affect on the current openness of Middleton Way. If approved, the landscaping scheme must address this by creating a soft landscape feature along the Middleton Way frontage.

In terms of sports facilities, the Lancaster District PPG17 Study (the Open Space and Recreation Study) identifies a significant shortfall in outdoor sports facilities in Heysham and Morecambe. The existing level of provision in the District for outdoor sports facilities and the recommended standard for this type of open space is 0.81 hectares per 1000 population and 1.65 hectares per 1000 population respectively. In other words, Heysham and Morecambe currently have under half the recommended amount of outdoor sports facilities.

In contrast, the Study concluded that the only residents in the District to express any satisfaction in the current level of provision of sports halls were the residents of Heysham and Morecambe. Indoor sports courts at Morecambe High School, Heysham High School, Salt Ayre and Lancaster & Morecambe College are all accessible from this area, though none of these facilities fall within recommended 15 minute walk time of Moss gate. Therefore there is a reliance on motorised transport to access these sports halls.

In summary, the proposed sports and health facilities are appropriate uses in this residential location subject to appropriate landscaping and improvements to the site's accessibility.

7.2 Design and Layout

The current application is a significant improvement on the withdrawn one (Ref: 08/01238/FUL). The 2008 submission had the health facilities at the top of the incline making it very difficult to access other than by car. It also had positioned the floodlit, all weather pitch very close to the rear boundaries of the residential properties to the north.

The present submission has addressed these concerns by locating the health centre on Middleton Way, and by pushing the all weather pitch away from the residents' gardens and properties providing 30m of space for dense planting. The drawback of the scheme in layout terms was the relocation of the children's play area to the rear of the Methodist Church. This has been subsequently changed so the play area would be re-provided on land north of the existing tennis courts; an area with better access and natural surveillance.

However, as discussed later in this report, the application site is intensively developed leaving little space for essential infrastructure, or potentially even existing infrastructure. With the exception of the land north of the sports centre and all weather pitch, it also provides few opportunities for landscaping. Modifications to the layout may be required to accommodate the existing (2 sewers) and required infrastructure (adequate parking and access arrangements).

The application proposes two buildings. A large health facility with Middleton Way frontage and a sports centre. The highest part of the sports centre's curved roof would reach a height of 12m. Given the difference in ground levels between the base of the building (23.2m) and the garden levels of the properties on Douglas Drive (between 26m and 28m), it would appear that the building would be perceived to be shorter than this. Taking into consideration boundary treatments, such as fencing, the visual impact would be reduced further. However, the north elevation of the sports centre has a large area of translucent cladding, creating a potential issue in terms of light pollution and privacy. In response to the amenity issues raised above, the applicant has proposed to plant this area with trees to create a natural screen between the retaining wall by the sports centre and the boundary fences. Unfortunately, the application does not take into consideration the line of the existing sewer, which would prevent the planting of deep-rooted vegetation in this area. A creative landscaping solution is therefore required, and a solution from the applicant is awaited in this regard.

The proposed health centre is situated in a prominent location. In fact it has a 110m frontage along Middleton Way. It is therefore disappointing that this elevation, in particular, is predominantly finished in an off-white and grey finish. Though the central hub of the centre adds some alternative colours, the overall effect remains poor. The design generally is satisfactory, but the finishes require further work. The materials can be appropriately conditioned if Members are minded to grant planning permission.

7.3 Access and Parking Arrangements

The scheme proposes two access points off Middleton Way, both with priority right hand turns. However, County Highways have questioned the suitability of this arrangement, and have asked the applicant's Transport Consultants to provide further information in this regard along with a Safety Audit. A verbal update will be provided to Members at the Committee on this matter.

In addition, County Highways are not satisfied with the level of car parking proposed with the Health Centre. The submitted Transport Assessment calculates the number of spaces required to serve the health facility to be 124, reduced to 105 to take into consideration the site's accessibility. However, later in the Assessment it suggests 68 spaces, and a further layer of confusion is created by the layout plan which only shows 57 spaces. There is obviously a significant difference between 105 and 57 proposed. County Highways are similarly concerned about a number of other inconsistencies in the Transport Assessment (a late part of the submission that delayed the application's validation) and have therefore gone back to the Transport Consultants asking for clarifications, which are now awaited. Likewise, a revised car park that can accommodate more spaces is awaited. Whilst the Council encourages sustainable transport, it is well documented that health facilities generate a significant amount of car-borne traffic as medical staff need vehicles to visit other health establishments and patients' homes, whilst patients that are ill, disabled or elderly may not be capable of walking, cycling or using public transport. Though the 46 consultancy rooms and 2 large consultancy rooms may not all be used at once, to facilitate this development on this site a significantly larger number of spaces need to be accommodated within the application site if the

development is not to have a detrimental impact on the highway network and residential streets caused by overflow car parking. There are also a significant number of unallocated rooms being created, which may generate further parking demand.

A further concern relates the access road from Emmaus Road to the sports facilities. Though it is proposed to keep this as a privately maintained road, and therefore it does not need to meet County's adoptable standards, it has been designed to remain quite narrow (5.5m) along its length. Whilst it is understood that its main function is to serve a small car park of 46 spaces, it also needs to facilitate larger vehicles, such as refuse and other servicing vehicles, delivery vehicles, coaches and emergency services. The proposed layout is very tight, as is the car park of 46 spaces which serves 2 bowling greens, an all weather pitch and an indoor sports centre. The applicant needs to demonstrate that the road has been adequately designed, including turning circles, to accommodate the traffic that would be generated by the proposal. In addition to preserving the number of car parking spaces and necessary turning circles, the scheme must also provide covered and secure cycle parking, coach and motorcycle parking, a refuse store and a drop-off/pick-up area.

It is disappointing that though the Planning Statement that accompanied the application makes reference to the Strategic Cycle Network to the east of the application site, no effort has been made to connect the site into this important piece of infrastructure. Instead, the all weather pitch effectively severs the site from the cycle network. It is important that this is addressed adequately before the application is considered by the Planning Committee.

As proposed, the scheme cannot accommodate some of these points. A revision to the layout is required to demonstrate that:

1. The east-west foot/cycle path can be provided;
2. The sports facilities can be serviced by emergency, delivery and waste vehicles (taking into consideration the width of the access road and the turning arrangements without jeopardising the safety of car park users);
3. Coach and motorcycle parking can be provided;
4. A drop-off/pick-up area can be provided;
5. Disabled access can be provided to the all weather pitch (see 7.4 below) without reducing the number of parking spaces; and
6. The access road can be managed to prevent overflow parking (so adequate access for 2 above can be maintained at all times).

7.4 Disabled Access and Security

A number of issues have been raised by the Police and by the Access Officer, but one is of particular concern. A galvanised steel ramp is proposed to the rear of the sports centre. This would provide access from the sports centre to the all weather pitch. However, both consultees have raised concerns about its location. It is an inappropriate location from a security perspective and it should be removed from this part of the site and instead provided in proximity to the car park that serves the sports centre.

The proposed banking close to the proposed ramp has also raised objections from the Police and local residents. Though screening the sports facilities from the adjacent houses is welcomed, the height of the banks and their proximity to the houses creates a security problem and could lead to a loss of privacy for the local residents. Such buffers/banking should therefore be removed from the scheme.

7.5 Landscaping (trees, ecology, banking/topography, screening)

As discussed above, there are issues with the landscaping as proposed. The banking to the north of the site raises a security concern, and potentially could result in a loss of privacy for the adjacent residents. Furthermore, the submission is not clear as which trees would be lost to the development, and indeed if further trees than identified would be lost due to changes in ground levels as this would adversely affect their root system. Therefore a full landscape scheme is required, including changes to the topography and proposed planting. This should be informed by a tree and hedge protection method statement that will be required to ensure that the existing vegetation is protected. This should then be supplemented by the additional planting proposed in the landscaping scheme (3 new trees for every tree removed). Any trees to be lost will need to be agreed in writing with the

Council's Tree Officer in advance of the work taking place on site.

It is essential that the proposed new planting enhances the existing vegetation to create natural screening between the existing houses to the north and the sports facilities, especially near the flood-lit all weather pitch and the sports centre. However, there are limitations due to the proximity of the existing sewers (see 7.6 below). The full landscape scheme required (as mentioned above) is essential in this regard.

County Ecology has required a bat survey prior to the application's determination, though the City Council is awaiting a justification for this request as the site does not require one according to City Council's Validation Guide (as agreed with County Ecology).

7.6 Existing Infrastructure

The applicant failed to provide a Utilities Statement with the application despite being asked to provide one. The result of this omission has been discussions between the architect and United Utilities late in the determination period regarding the presence of 2 sewers that cross the site. The utility company understandably require easy access to these sewers for maintenance and servicing, and therefore need easements of up to 6m either side of the centre lines of each sewer. A response is awaited from United Utilities in this regard, but potentially this issue could jeopardise the whole submission, resulting in a negative recommendation. A verbal update will be provided at Committee in this regard.

7.7 Residential Amenities

A number of the objections received by local residents relate to the neighbourly nuisances of noise, light pollution and anti-social behaviour.

As already raised in this report, the scheme will need to be revised following comments from the Police, the Access Officer and the Tree Officer in relation to disability access and topography. Some of the amendments sought by these consultees will help to protect residents' privacy and provide adequate security. The removal of the proposed disabled ramp and the banking to the north of the site will help deliver a better scheme in this regard. Furthermore, the Police are seeking Secured by Design measures that will provide the surveillance required to reduce the risk of anti-social behaviour. It should also be highlighted that the provision of sports facilities would create an alternative channel for children's and young people's energies. It is often documented that by providing such age groups with an alternative choice actually helps to reduce the risk and incidence of anti-social behaviour. This point has been reinforced by some of the scheme's supporters.

It is recognised that the proposal will generate higher levels of noise and light pollution than currently experienced. The noise can be reduced by acoustic controls both within the sports centre building and by utilising acoustic fencing around the all weather pitch. Environmental Health has requested a condition relating to the former measure, but not raised any objections to the proposal either on noise or lighting grounds. Likewise they have requested a lighting condition to control the floodlighting proposed to the all weather pitch. The natural screening (as discussed in the landscaping section above) will also help in this regard, and the acoustic fencing will help shield the residents from most of the light reflecting from the playing surface. In addition, a condition controlling operating hours of the sports facilities will help protect residents' amenities during anti-social hours.

7.8 Sustainability – Energy Efficiency and Renewable Energy

The application seeks to address both of these above issues. In terms of the former, the scheme has been designed to reduce the cooling, lighting and heating requirements using layout, form and orientation. As for the renewable energy element, a number of technologies have been discounted due to site and financial constraints. These include wind turbines, air source heat pumps, small scale hydro-electric power and biomass. However, the installation of ground source heat pumps would provide some of the scheme's power requirement economically and so this measure has been pursued. Though photovoltaics and solar water heating have also been discounted in part of the submitted Energy and Resource Conservation Statement, these technologies are included in the plans of the building and also in the calculations for reaching the minimum 10% energy production target. Therefore it is not clear what the applicant is proposing to meet the renewable energy

requirement, and if this information is still absent at Planning Committee, then it is appropriate to condition this element of the scheme to ensure Regional Planning Policy is adhered to.

8.0 Conclusions

8.1 In principle, the proposed scheme is acceptable in terms of the uses it provides and the location of those uses. Reasonable conditions can be applied to control some of the outstanding details. Sport England's request for a legal agreement is not considered necessary because the matters that such an agreement would cover can be appropriately controlled through the imposition of planning conditions.

However, there remain a number of key omissions and therefore the application can only be supported subject to the resolving of these issues:

- Safe and agreeable vehicular access arrangements from Middleton Way;
- An adequate number and location of car parking spaces to serve the medical centre;
- Appropriate servicing arrangements for waste, deliveries and emergency services for the sports facility, as well as access and parking for coaches;
- The provision of a foot/cycle path across the site from the eastern boundary to Middleton Way;
- Suitable disabled access to the all weather pitch;
- Agreement with United Utilities that the proposal does not adversely affect the 2 sewers and their associated easements; and
- An agreeable landscape solution along the north boundary

Due to the site's constraints and the compact nature of the proposed layout within the application site, there is a possibility that the scheme may need to be altered fairly significantly to accommodate the changes sought. Hence these matters cannot be reasonably conditioned and the Planning Service (and its statutory consultees) requires these details before determination by the Planning Committee.

In the event that there remain outstanding matters, or matters which have not been satisfactorily resolved, then Officers will advise that the recommendation will be reversed and the application will be recommended for refusal.

Recommendation

That subject to the outstanding matters detailed in Paragraph 8.1 above being resolved prior to the Committee, Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year planning permission timescale
2. Development to accord with plans
3. Materials to be agreed - notwithstanding plans
4. Development to accord with Secured by Design principles
5. Provision of CCTV
6. Refuse storage details
7. At least 10% renewable energy condition
8. Landscaping scheme - detail required
9. Scheme for additional tree planting
10. Retention of existing trees/hedges
11. Scheme for the protection of all existing trees during construction
12. Adoptable highway details required
13. Protection of visibility splays
14. Provision of car parking areas
15. Mobility car parking spaces
16. Provision of cycle storage
17. Provision of motorcycle parking
18. Provision of coach parking
19. Parking Management Scheme - details required
20. Provision of vehicular turning space
21. On-site highway improvements, including a west-east foot/cycle path across the entire site

22. Off-site highway improvements, including quality bus stops, toucan crossing and cycleway connections
23. Wheel cleaning facilities - temporary during construction
24. Travel Plan - details required
25. Separate drainage system
26. Provision of inceptor - car parks
27. Hours of construction - 0800-1800 Mon to Sat
28. Scheme for dust control
29. Construction noise and vibration
30. Construction noise - pile driving
31. Sound insulation
32. Ventilation details
33. Details of floodlighting
34. Hours of operation of sports centre and all weather pitch - 0700-2200 Mon to Sun
35. Provision of 6m high ball stopping fencing around the perimeter of all weather pitch
36. Provision of rebound boards and acoustic fencing across the entire width at both ends of the pitch
37. Community Use Scheme for sports facilities - details required
38. Health centre to meet BREEAM excellent standards, or equivalent
39. Details of the provision of a new, relocated children's equipped play area to the north of the existing tennis courts to be submitted
40. Provision of the 2 new bowling greens and associated facilities prior to the loss of the existing 2 bowling greens

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.