

DEVELOPMENT MANAGEMENT COMMITTEE – 8 JANUARY 2020

Application Number	3/19/1882/FUL
Proposal	Demolition of western part of Leisure Centre and northern part of plant building. Construction of 2 storey extension to leisure centre incorporating a ground floor café with outside seating and construction of 1 detached substation. Rearrangement of part of car park and cycle storage.
Location	Hartham Leisure Centre Hartham Lane Hertford SG14 1QR
Parish	Hertford Town Council
Ward	Hertford Bengo

Date of Registration of Application	20 September 2019
Target Determination Date	20 December 2019
Reason for Committee Report	Council Application
Case Officer	Jill Shingler

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

1.1 The proposal seeks permission for the demolition of existing 1998 single story extension on the western side of the leisure centre and the erection of a two storey replacement extension to provide increased gym and studio space, children's soft play area and café facility. The works also include changes to the plant building to the front of the site and the erection of a further sub station building, together with changes to the layout of the existing car park and cycle parking facilities.

- 1.2 As part of the overall scheme the existing swimming pool and associated facilities are also to be upgraded, but these works are within the existing building and do not entail any external works that would require planning permission.
- 1.3 The main part of the existing leisure centre building, which is to be retained is predominantly single storey and its main feature is its extensive light green corrugated metal roof with large overhanging curving eaves. The building was constructed in the late 1980's to enclose the original open air pool. The later extension, approved in the late 1990's is a brick built single storey hexagonal structure which provides a reception area and limited studio and gym space.
- 1.4 The proposal would see the removal of the brick addition, and its replacement with a simply designed two storey extension which adds about 1540 square metres of floorspace, bringing the total size of the leisure centre up to about 3655 square metres.
- 1.5 No changes are proposed to the existing vehicular access which is from Cowbridge/Old Cross to the west of the site, via Hartham Lane. It is proposed to improve the coach drop off facilities at the front of the building and reconfigure the parking area such that there will be 86 car parking spaces and 3 coach parking spaces, together with 56 cycle spaces.
- 1.6 The main issues for Members consideration are:
 - The principle of the development in the Green Belt
 - Leisure provision
 - Design and external appearance
 - The Conservation Area
 - Environmental quality
 - Highways and parking
 - Flood risk and sustainable drainage
 - Climate change
 - The natural environment

2.0 Site Description

- 2.1 The red lined application site encompasses approximately 1.06 hectares of Council owned land within Hartham Common. It is within the Green Belt, Hertford Conservation Area and designated Local Green Space-Hertford Green Finger and is located close to the centre of Hertford on the southern edge of Hertford Common. The common is bounded by the River Lea and the River Beane and the park provides playing pitches, children's play facilities and an attractive well treed area for informal recreation.
- 2.2 Vehicular access to the site is via Hartham Lane which leads to the Leisure Centre and to other public car parks that serve the area. Public footpaths enable pedestrian access from north, south, east and west and the National Cycle Route passes the site.
- 2.3 The existing leisure centre and the proposed addition fall within Flood Zone 2
- 2.4 The main visual feature of the existing leisure centre is the series of different height slack pitched light green corrugated metal roofs with extensive curved overhanging eaves feature, which extend over the pool area. There is a substantial mature tree screen close to the rear elevation of the building, which helps screen the building, when viewed from the north. Further trees to the west screen soften views from the approach through the park from the west. The later curved reception block is a more attractive and well-designed element, with zinc roof, and is subservient to the main structure.
- 2.5 The existing main building provides a 33.3 metre swimming pool and separate learner pool, changing village for the pools, male and female dry side changing rooms at ground floor and a narrow gym area at first floor, while the later addition provides a curving studio space and a small gym area as well as the reception area.
- 2.6 The parking for the leisure centre lies to the south and east of the building and there are disabled parking spaces and coach parking spaces close to the entrance.

- 2.7 The main plant area and store for the existing centre is located in a separate building to the front of the site adjacent to the main entrance.

3.0 **Planning History**

The following planning history is of relevance to this proposal:-

Application Number	Proposal	Decision
3/88/1436/DC	Conversion of outdoor pool to indoor pool	Deemed Approval
3/98/1331/FP/FP	Extension to front of leisure centre	Granted
3/08/2089/FP	Windows to enable first floor gym.	Granted
3/10/1901/FP	Car park extension and regrade of earth mound	Granted

4.0 **Main Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP) and the Consultation Draft (Reg14) Bengeo Neighbourhood Area Plan 2019-2033 (BNAP). The emerging BNAP policies are at a relatively early stage and whilst they are material to the consideration of the planning application they can only be afforded limited weight.

Main Issue	NPPF	DP Policy	NP Policy
Principle of Development. Green Belt and Local Green Space	Section 13	GBR1, NE4	
Leisure Provision	Section 8	CFLR1	HBC2
Health and wellbeing	Section 8	CFLR9	HBC2

Design and external appearance	Section 12	DES4 DES5	
Environmental Quality	Section 15	EQ1,EQ2, EQ3, EQ4	
Highway and parking Implications	Section 9	TRA1, TRA2, TRA3	HBT1,HBT2, HBT3, HBT4, HBT5
Flood risk and sustainable drainage	Section 14	WAT1, WAT3, WAT5, WAT6	
Climate change and water resources.	Section 14	CC1, CC2, WAT4	
Heritage Assets	Section 16	HA1, HA2, HA3, HA4, HA7	HBC3
Natural Environment	Section 15	NE1, NE2, NE3	HBH3, HBN3

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority acknowledges the good sustainable transport links to the site and does not wish to restrict the grant of permission, subject to conditions.
- 5.2 Lead Local Flood Authority advise the proposed development site can be adequately drained and can mitigate any potential surface water flood risk subject to conditions.

- 5.3 Environment Agency advise that the development is within Flood Zone 2 and standing advice should be followed.
- 5.4 EHDC Environmental Health advise that they raise no objection subject to conditions regarding, sound attenuation and construction management.
- 5.5 EHDC Landscape Officer advises raises concerns with regard to the impact of the development on the park and has suggested a number of landscaping of landscaping conditions.
- 5.6 EHDC Conservation and Urban Design initially raised concern with regard to the design of the extension, particularly with regard to the pattern of fenestration proposed. The amended plans largely overcome these issues and they advise that the less than substantial harm to the conservation area is outweighed by the benefits of the proposal.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

- 6.1 Hertford Town Council raise strong objection to the proposal on a number of grounds. The design is not suited to the Green Finger of Hartham and the characteristics of the area – its wide openness and greenness. The extension is overbearing and the design does not mitigate this. The design does nothing to reflect the open space and woodland environment. It fails to enhance the characteristics of the conservation area and ignores the openness of the Green Belt. They express concern regarding the planned changes to limit the use of the swimming pool which will no longer be able to be used for scuba diving, life saving training and water polo.

Note - Since the submission of these comments the detail of the fenestration of the building has been amended and the pool details have changed to enable diving etc. to continue at the site.

7.0 Summary of Other Representations

7.1 32 neighbour responses have been received raising the following comments and objections:

- Inappropriate, cheap, industrial style design out of keeping with the parkland setting and with historic character of the area. (21)
- Too many established trees will be lost and inadequate replacement landscaping. (6)
- Sauna and steam room should be included. (3)
- Clip and climb facility should be included. (2)
- Loss of diving facility regrettable.
- Swimming pool should be given more natural light
- Swimming pool should have steps rather than ladders to help older users.
- Internal layout inappropriate- No direct access to pool from female members changing rooms so would have to use changing village.
- Should include provision for badminton and indoor sports.
- Should have green roof.
- Should better address energy usage and CO2 emissions.
- Café welcomed but should be better located where it will get more sun and better views.
- Will not relate well to the proposed new Children's Play area.
- Destroys only part of building of architectural merit.
- Inadequate car parking provision, problems occur when there are events.
- Car park needs to be managed so only leisure centre users can park there.
- Cycle parking should be covered.
- Electric Vehicle charging points should be provided.
- No evidence that the extension is needed,
- Concerned about losing access to studio facilities while works take place
- Existing building and proposed extension obstruct route of public footpath which should be legally diverted.
- Ware facilities also need upgrading, there should be a more balanced spend in the district.

- Support the use of photovoltaics on roof.
- Plans look great.
- Hertford needs a proper leisure centre, could be co- located at one of schools rather than here.
- Pleased to see investment and improvement in facilities.

8.0 Consideration of Issues

Principle of Development

- 8.1 Despite being within very close proximity to the Town Centre, the site lies within the Metropolitan Green Belt wherein only limited additions to existing buildings can be considered appropriate. In this instance the proposals include the removal of the existing extension and must be considered in relation to the size of the original 1980 building. The resulting building will be higher than the existing building and approximately 60% larger than the original building. Therefore it cannot be regarded as proportionate to the original building.
- 8.2 The development is therefore, by definition, inappropriate in the Green Belt and permission should not be granted unless there are very special circumstances sufficient to outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm. This will be explored in the course of the report.

Leisure provision, health and wellbeing

- 8.3 National and Local policies identify the need to promote health and wellbeing and it is recognised that sports and leisure facilities are an important element in achieving a fit and healthy population.
- 8.4 The Council undertook an Open Space and Sports Facility Assessment (OSSFA), which forms part of the Council's District Plan, evidence base and found that whilst the pool provision in the area is considered sufficient for the population growth until 2033, there is a need to improve the existing facilities and expand dryside fitness provision. In addition the report refers to the Max Associates Review

of fitness provision, which identified a significant latent demand for gym membership at Hartham which cannot be met within the current limited facility.

- 8.5 The existing facility at Hartham was examined and it was found that the existing pool area, whilst in need of refurbishment still meets current needs whilst the space available for gym stations and fitness studios is inadequate and poorly configured. The proposed development has been designed to meet this identified need and it is considered that this weighs in favour of the development.
- 8.6 As well as providing for the fitness needs, the proposed extension also incorporates a café area which will serve not only the users of the leisure centre, but also the users of the surrounding park and playing fields. This will replace the café that operated from the adjacent pavilion building to the west of the leisure centre.
- 8.7 The proposal therefore accords with the strategic priorities identified in the Action plan in the OSSFA. Policy CFLR1 of the District Plan states that proposals for new open space, indoor and outdoor sport and recreation facilities which meet identified needs will be encouraged in suitable locations served by a choice of sustainable travel options.
- 8.8 It is considered that the identified need for the enlarged facility, together with the clear benefits of the location with regard to accessibility by the target population, weighs significantly in favour of the development.

Design and External Appearance

- 8.9 The proposal will result in the demolition of the existing extension on the western side of the leisure centre and the erection of a much larger two storey addition. The original pool building is to be retained.

- 8.10 The design has been the subject of discussions with Officers and has been reviewed by the Hertfordshire Design Review Panel. Whilst ideally it would be preferable in design and visual amenity terms to demolish the whole building and start again, as the metal roofed building erected over the original open air pool is far from attractive. However, this has not been proposed and the extension must be considered on its own merits.
- 8.11 Alternative options such as keeping the existing brick built reception area extension and extending instead to the eastern side to provide the gym and studio area, were considered at an early stage. However, this was rejected as it would not enable separation of the wet and dry areas and could not be made to work logistically without the need for two reception areas and potentially a much greater spread of development, including car parking into the undeveloped area of the common, which would have had greater impact on the Green Belt and Green Finger.
- 8.12 The design of the extension, in terms of its size and shape, reflects the nature of the spaces within it. Whilst it is unusual to have an extension to a building that has a higher ridge line than the building being extended, it is considered that the higher roof line will help hide the existing unattractive corrugated metal when viewed from the west. In addition it reflects the fact that the existing building itself has a series of rising ridge heights.
- 8.13 Whilst often an extension would reference the materials of the main building, it is considered that the choice to move away from the light green corrugated metal that dominates the existing building is appropriate. The proposed dark grey cladding is considered to provide a suitable modern contrast. A lighter colour and glazed area provide the link between the two elements.
- 8.14 Considerable concern has been raised by consultees with regard to the design of the proposed building and in particular it's "industrial" appearance. Initially a timber finish had been suggested, but Officers, and the Design Review Panel, raised issue with this, as it would not complement the existing building and, more worryingly,

would be likely weather in an unattractive way, particularly on the north facing elevation which is overshadowed by trees. This elevation would therefore be likely to remain damp for much of the winter and become patchy and stained within a relatively short period of time.

- 8.15 The windows of the proposed extension and details of the cladding have been amended in the course of the application to better reflect the horizontal emphasis of the building and present a more pleasing visual cohesion.
- 8.16 The internal requirements of the building have dictated the scale of the development. The slack roof pitch, matches the existing roof pitch, and helps to minimise the height and volume of the development in the interests of maintaining the openness of the Green Belt, and minimising the visual impact of the development.
- 8.17 Whilst the final design is not to everyone's taste, it is simple and unassuming, and has the benefit of being wide and high enough to screen the main building from view as it is approached from the west. It is not considered that a more complex and intricate design, or the use of more traditional materials would necessarily be appropriate here as it would likely draw attention to the obvious visual shortcomings of the existing metal shed-like building it is extending.

Conservation Area

- 8.18 The site lies within the Hertford Conservation Area and as such any development should preserve or enhance the special interest, character and appearance of the area. Policy HA4 of the adopted District Plan expands on this requirement stating that proposals will be expected to:
- (a) Respect established building lines, layouts and patterns,
 - (b) use materials and adopt design details which reinforce local character and the tradition of the area.

- (c) be of a scale, proportion, form height design and overall character that accords with and complements the surrounding area
- (d) in the case of alterations and extensions , be complementary and sympathetic to the parent building; and
- (e) have regard to any 'Conservation Area Character Appraisals' prepared by the District Council and safeguard all aspects which contribute to the area's special interest and significance, including important views and green spaces.

8.19 The proposal has therefore been considered in relation to this policy;

- (a) The proposed extension respects/continues the existing front and rear building line of the building. Whilst the building stands on its own and not part of a traditional street scene it is considered that maintaining the established depth of the building and not extending further out into the open parkland to the rear is a positive factor, which helps maintain the open character of park, and also does not result in a loss of the exiting playing fields.
- (b) With regard to materials, and design features, this part of the conservation area has no clear palette of materials or design features. The leisure centre is a stand-alone building and its materials and design features are not ones that Officer's consider should be replicated.
- (c) The height proposed is only marginally higher than the existing building and is considered appropriate. The scale of the building, as extended is appropriate to its status as a public leisure facility, and is not overbearing.
- (d) As explained under the Design section above, the extension has been designed as a contemporary addition that complements the existing building but does not seek to replicate it.

(e) The Hertford Conservation Area Appraisal adopted in March 2017 does not identify any important buildings or architectural features in the locality of the leisure centre but identifies the importance of the Common as an open space. The Appraisal states: "Hartham Common. Hartham Common is a 'Green Finger' and an extensive area of open space of high quality which provides recreational and accessible open space some of which is of great environmental, wildlife and ecological importance. It is crossed by the River Beane and the River Lea and woodlands, open areas and playing fields are accessed by an extensive network of footpaths actively used by pedestrians, joggers, cyclists, sportspeople and fishermen. There is a large Leisure Centre and car parking area in the southern part of the site. It is of significant importance to the well-being of the town for the wide variety of reasons briefly referred to above."

- 8.20 The plan that accompanies the Conservation Area Appraisal identifies particularly important trees. It should be noted that the trees to the immediate west of the leisure centre, are proposed to be removed to enable the extension. These trees are annotated on the plan. It is accepted that these trees do contribute to the special interest, character and appearance of the Conservation Area. The trees are mature and at present help to reduce the visual impact of the leisure centre building when viewed from the west.
- 8.21 It is considered that the loss of these trees will have a degree of adverse impact on the special interest, character and appearance of this part of the Conservation Area. Their loss is as a result of the need to extend on the western side, of the building, but it should be noted that whichever way the building were to be extended, there would likely be some loss of well-established trees. However, some of the trees to be lost are identified as being of high landscape value. Compensatory tree planting to the east of the building is proposed but it is not proposed to provide replacement tree screening to the western side of the building.
- 8.22 The submitted supporting documents suggest that the Design Review Panel was happy with the concept of opening up the

western elevation to longer views. However, whilst this was discussed the advice of the DRP was that this would provide an “opportunity to make an interesting architectural feature” and to “positively address the parkland by relocating some outdoor seating here to take advantage of the more comfortable aspect”

- 8.23 As the final design of the building incorporates neither of these two suggestions it is considered that replacement tree planting to soften the visual impact of the western elevation on the natural setting of the park is required, and therefore a condition requiring replacement tree planting is proposed.
- 8.24 The proposed development is not considered to either preserve or enhance the character and appearance of this part of the Conservation Area, which is characterised by its openness, natural setting and established tree screening. There will inevitably be some localised visual harm from the development on the Conservation Area from the development.
- 8.25 The submitted Landscape and Visual Impact Assessment however, demonstrates that the visual impact is low level and limited to the immediate proximity of the leisure centre building when viewed from the south and west. Longer views across the Conservation Area, including across the park from the north and south will not be significantly impacted. The building will not adversely impact on views that have been identified in the Draft Neighbourhood Area Plan as of particular importance. It is considered that the localised visual harm, to the character and appearance of the Conservation Area will be less than substantial: but this identified harm needs to be taken into account in the planning balance, and weighed against the public benefits of the proposal, in accordance with paragraph 196 of the NPPF.
- 8.26 The clear public benefit of achieving expanded and improved public sports provision, for which there is an identified need, and which will enhance health and wellbeing is considered to be sufficient to outweigh the less than substantial harm identified, to this part of the Conservation Area.

Environmental Quality

- 8.27 A Phase II Geoenvironmental Assessment was submitted with the application to assess risks with regard to contamination. This has been considered by the Environmental Health Officer, and is considered to provide a robust assessment. Having regard to the end use, no soil, ground water or ground gas risks were identified therefore no remediation measures are required.
- 8.28 The development is not expected to result in any excessive noise or light pollution. Whilst there is potential for some noise from people utilising the external café seating area, the noise is unlikely to be greater than is generated by the adjacent playing fields and play areas. A noise assessment was submitted with the application and concluded that noise from the adjacent river was the dominant noise source.
- 8.29 A condition is recommended by Environmental Health to restrict noise from any external plant, to ensure that there is no adverse impact on residents. The nearest residents are those living on house boats on the river approximately 48 metres away from the site.
- 8.30 Conditions to restrict construction working hours and to require submission of a construction management plan to minimise disruption during construction are also proposed.
- 8.31 The lack of harm from the development to the environment in terms of contamination, light and noise carries neutral weight.

Highways and Parking

- 8.32 Despite the increase in size of the building, over that of the existing, no additional car parking spaces are proposed. The application was accompanied by a parking review and a transport statement has been submitted.

- 8.33 The site is well served by public transport and is readily accessible by walking or cycling. There are currently 57 cycle parking spaces on site, although being relocated within the revised layout, no additional spaces are proposed. It is considered that further spaces, including covered long term spaces (for staff) are required in accordance with policy and a condition is proposed to secure this.
- 8.34 The parking provision falls well short of the level set out in the parking standards (93 car spaces compared to the maximum adopted standard of 243 spaces and the level of 183 spaces when the Zone 4 accessibility reduction is applied). However, the parking assessment submitted, which highlights the close proximity of other public car parks and the relatively limited times at which the car parks are full to capacity, provides a robust basis for accepting a lower provision here. The lack of parking will help discourage people from driving into Hertford, which already suffers from traffic congestion and issues with air quality.
- 8.35 Furthermore, to require increased parking to meet the maximum standard would have a significantly adverse impact on the openness of the Green Belt and on the character and appearance of the Conservation Area and would significantly erode the natural landscape of the park.
- 8.36 The development is not expected to generate significant additional traffic on surrounding roads and no changes are proposed to the existing access.
- 8.37 The Highway Authority has raised no objection to the proposal, and is happy that the site is well served by foot and cycle paths and by public transport. Conditions are to be imposed to ensure that a travel plan is produced, to demonstrate how staff and customers will be encouraged to use alternate modes of transport to the site. In addition a car park management plan is required to better restrict the use of the car park to those utilising the leisure facilities.

- 8.38 The Highway Authority has identified that the proposed extension to the building, "clips" the route a public footpath (88), however it appears that the existing building and car park likewise impact on the lawful route of the footpath, which has therefore apparently been diverted without formal approval for a great many years.
- 8.39 Whilst the proposals do not require any change to the current position of the path (as it currently exists on the ground) there will be a need to apply to formally divert the right of way, to its current apparently unlawful, position.
- 8.40 An application for footpath diversion can be submitted separate to the planning application process and does not prevent determination of the planning application.
- 8.41 The scheme is considered to comply with the policies of the District Plan with regard to safe and convenient access to all users.
- 8.42 The sustainable location of the development, and its connectivity, are considered to add limited weight in favour of the development.

Flood risk and Sustainable Drainage

- 8.43 The leisure centre building is located within the Flood Zone 2. Generally new development should be directed to areas at least risk of flooding. In this instance the proposed development is an extension and by default cannot avoid being within the flood zone.
- 8.44 The application was accompanied by a flood risk assessment, and the proposals include the provision of sustainable drainage such that there will be no increased risk of flooding elsewhere as a result of the development. The building itself has also been designed with a high level of flood resilience.
- 8.45 The Lead Local Flood Authority (LFA) has raised no objection to the proposals subject to conditions.

Climate Change

- 8.46 The District Plan seeks to ensure that new development is adaptable to climate change i.e. is designed to minimise overheating in summer and reduce the need for heating in winter, and can demonstrate how carbon dioxide emissions will be minimised across the development site. Achieving standards beyond the requirements of Building Regulations is encouraged.
- 8.47 An Energy and Sustainability Statement has been submitted which advises that with the inclusion of low energy design principles and Low/Zero carbon technologies (including solar photovoltaics on the south facing roof of the extension) the development results in a reduction in CO₂ emissions of 2.3% compared to a notional building. Given that the Council is generally seeking to achieve exemplary standards of carbon reduction in new development, this low level is disappointing, however, it is sufficient to meet the current policy requirements.
- 8.48 The development is very well located to meet the needs of the community without encouraging additional vehicular traffic movements. The town centre location and the extensive foot and cycle network around the site mean that walking, cycling and public transport can be utilised to access the facility. No additional parking spaces are proposed and a Travel Plan is proposed to show how both staff and customers will be incentivised not to travel by car.
- 8.49 It is considered that the locational benefits of the development together with the small reduction in carbon emissions beyond current requirements add limited weight in favour of the development.

Natural Environment

- 8.50 District Plan policies require that developments result in a net increase in the ecological value of a site. Hartham Common, which wraps around 3 sides of the leisure centre is identified by Hertfordshire Ecology, as an Ecosite. Ecosites do not have any form

of status of importance, but are sites on which there is some existing ecological information. They do not meet the rigorous and quantifiable assessment criteria needed to identify them as non-statutory Local Wildlife Sites.

- 8.51 The application was accompanied by an ecology report and the site itself, including the buildings and car park, is not considered to support significant habitats or protected species, other than potentially nesting birds. Hertfordshire Ecology have confirmed that this report is adequate and that no further surveys are necessary.
- 8.52 The trees that are to be removed are to be replaced, and whilst a small amount of amenity grassland is to be lost this will be suitably mitigated with an area of new wildflower grassland, also at the eastern end of the site. The river, which runs in front of the leisure centre, will not be impacted.
- 8.53 Hertfordshire Ecology are satisfied that suitable mitigation and enhancement can be made and have suggested conditions including a requirement for submission of a Landscape and Biodiversity Plan to ensure a net gain in ecological value is achieved.
- 8.54 The development is therefore considered to comply with the policy requirement with regard to biodiversity and this carries neutral weight in the consideration of the proposals.

Other Matters

- 8.55 Comments have been received suggesting that other facilities should have been included within the development, such as a climbing wall, squash courts and indoor sports hall facilities for badminton etc. It is not considered that this is relevant to the determination of the planning application. The proposed facilities have been justified in terms of the identified need for increased gym and studio facilities and must be considered on its own merits.

- 8.56 Concern has been raised regarding the temporary loss of the gym/studio facilities while the extension is being built. Whilst not directly relevant to the determination of this application, Members should be aware that the Council is seeking to address this issue by providing temporary gym facilities within a currently vacant industrial building in Fountain Drive. The application (ref: 3/19/2218/FUL) for the temporary change of use to facilitate this continuity of service is to be considered later in this agenda.
- 8.57 Objections have been received regarding a reduction of the depth of the main pool. However, the submitted Design and Access Statement makes it clear that the existing deep water area of the main pool is to be retained at circa 3.1m (10'2"). Earlier suggestions of a reduction in depth were dropped following concerns raised during pre-application public consultation.

9.0 Planning Balance and Conclusion

- 9.1 The proposed extension, at approximately a 60% increase in floorspace over and above that of the original building. This is larger than that which could be considered to be proportionate to the size of the original building. The proposal therefore amounts to inappropriate development in the Green Belt and by definition harmful. In addition to the harm by reason of inappropriateness there will be some physical loss to the openness of the Green Belt and it is considered that the development fails to preserve or enhance the character of this part of the Conservation Area.
- 9.2 Therefore in order to be acceptable in Green Belt policy terms the proposal must demonstrate very special circumstances sufficient to clearly outweigh these elements of harm.
- 9.3 In this case the following considerations have been identified:
- The clear identified need for the additional gym facilities and studio space, to provide for the health and wellbeing of the growing local population;
 - The very sustainable/accessible location of the site;

- The established use of the site for a leisure centre.
- 9.4 The development will provide a well located facility to meet growing recreational needs and will provide considerable public benefits, in terms of health and wellbeing. It is considered that these considerations clearly outweigh the harm such that they amount to very special circumstances.
- 9.5 It is therefore considered that the planning balance falls in favour of the development and the application is recommended for approval, subject to conditions.

RECOMMENDATION

That planning permission be **GRANTED**, subject to the conditions set out below.

Conditions:

1. Three year time limit (1T121).
2. Approved Plans (2E101).
3. Lighting Details (2E272)
4. Prior to their first use within the development samples of the external materials of construction of the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development and in accordance with policy DES4 of the East Herts District Plan 2018.

5. Before the first use of the extension hereby approved a scheme of sound attenuation works shall be submitted to the Local Planning Authority for written approval, installed and thereafter retained. The

scheme of works shall be capable of restricting noise breakout from the D2 use to nearby residents.

Reason: To safeguard the amenities of neighbouring residential occupiers.

6. In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 07.30hrs Monday to Saturday, nor after 18.30hrs on weekdays and 13.00hrs on Saturdays, not at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

7. Prior to the commencement of the development, a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
 - a) The construction programme and phasing
 - b) Hours of operation, delivery and storage of materials
 - c) Details of any highway works necessary to enable construction to take place
 - d) Parking and loading arrangements
 - e) Details of hoarding
 - f) Management of traffic to reduce congestion
 - g) Control of dust and dirt on the public highway
 - h) Details of consultation and complaint management with local businesses and neighbours
 - i) Waste management proposals
 - j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
 - k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

All works shall be carried out in accordance with the approved CMP thereafter.

Reason: In the interests of highway safety and in order to ensure an adequate level of amenity for existing residents in accordance with policies DES4, EQ2 and EQ4 of the adopted East Herts District Plan 2018.

8. No development shall take place (including demolition, ground works, and vegetation clearance) until a Construction Environmental Management Plan (CEMP): Biodiversity has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones";
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - d) The location and timings of sensitive works to avoid harm to biodiversity features;
 - e) The times during which construction when specialist ecologists need to be present on site to oversee works;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - h) Use of protective fences, exclusion barriers and warning signs;
- Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that impacts on existing habitats and species are minimised in accordance with Policy NC1 of the East Herts District Plan 2018

9. At least 3 months prior to the first use of the approved development a detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be

submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

10. Prior to the first use of the extension hereby approved, a Car Park Management Plan shall be submitted to the Local Planning Authority (in consultation with the Highway Authority), for approval in writing. The plan should describe how parking will be managed with respect to preventing non-leisure centre related trips and how capacity may be managed using the Hartham Common and Hartham Lane car parks.

Reason: To ensure suitable arrangements for car parking as part of the development in accordance with EHDC requirements.

11. Within 3 months of commencement of development, and notwithstanding the submitted landscaping plans, revised full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority.

These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Car parking layouts (d) Other vehicle and pedestrian access and circulation areas (e) Hard surfacing materials (f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (g) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.) (h) Retained historic landscape features and proposals for restoration, where relevant (i) Planting plans (j) Written specifications (including cultivation and other operations associated with plant and grass establishment) (k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) implementation

timetables. The submitted details shall include details of tree planting to the west of the extension hereby approved. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy DES3 of the East Herts District Plan 2018.

12. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. The statement should include: a) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures; b) access arrangements to the site; c) the date of start and finish of works on site; d) siting, methodology and facilities for wheel cleaning; e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities; f) cleaning of site entrances, site access roads and the adjacent public highway and: g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas; h) hours of construction operations including times of deliveries and removal of waste; i) the estimated number and type of vehicles per day/week; j) details of any vehicle holding area; k) details of the vehicle call up procedure; l) details of any changes to on-street waiting and loading restrictions that will be required; m) access and protection arrangements around the site for pedestrians, cyclists and other customers; n) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent; o) details of a construction phasing programmed; The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with

Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

13. Tree/hedge protection and retention (4P052).
14. Within 3 months of commencement of the development, a Landscape and Biodiversity Plan shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include details of appropriate habitat improvement, management and creation schemes. The plan shall be submitted to the LPA to demonstrate the expectations of NPPF in achieving overall net gain for biodiversity have been met. Development shall proceed in accordance with the approved LEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development results in a net gain in biodiversity as required by Policy NE3 of the east Herts District Plan 2018.

15. The development permitted shall be carried out in accordance with the approved surface water drainage assessment carried out by Richard Jackson Ltd, project number 49075H, dated November 2019 and following the mitigation measures: 1) limiting the surface water runoff generated by the critical storm events so that it will not exceed the surface water runoff during the 1 in 100 year event plus 20% of climate change event. 2) providing storage to ensure no increase in surface water runoff volumes for all rainfall up to and including the 1 in 100 year plus climate change event providing a minimum of 13m³(or such storage volume agreed by the Local Planning Authority in consultation with the LLFA) of storage volume in the northern sub-base soakaway and a minimum of 17.5m³ (or such storage volume agreed by the Local Planning Authority in consultation with the LLFA) of storage volume in the western sub-base soakaway. 3) Discharge of surface water from the private drainage network into the ground.
The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other

period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy WAT1 of the East Herts District Plan 2018.

16. No development (other than demolition) shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
1. Detailed infiltration test conducted to BRE Digest 365 Standards at the exact location and depth where western soakaway is proposed.
 2. Final detailed modelling of the drainage network for up to and including the 1 in 100 year rainfall event including 20% for climate change.
 3. Final, detailed drainage layout with all SuDS features indicated
 4. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding both on and off site, in accordance with Policy WAT1 of the East Herts District Plan 2018.

17. Prior to their installation, full details of the proposed photovoltaic panels shall be submitted to and agreed in writing by the Local

Planning Authority. The development shall then be completed in accordance with the approved details.

Reason: To ensure satisfactory appearance in the interests of maintaining the character and appearance of the conservation area in accordance with policy HA1 of the East Herts District Plan 2018.

18. Prior to installation details of the signage to be installed on the extension and on the plant room, hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved details.

Reason: In the interests of maintaining the character and appearance of the Conservation Area in accordance with Policy HC1 of the East Herts District Plan 2018.

19. Within 3 months of the commencement of development a scheme for the provision of additional cycle parking facilities including covered secure spaces for staff, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed facilities shall be provided prior to the first use of the extension hereby approved and retained thereafter.

Reason: To encourage cycling in accordance with policy TRA1 of the East Herts District Plan 2018.

Informatives

1. Justification Grant (JG4)
2. Other Legislation (1OL1)
3. Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist

and if active nests are found, works should stop until the birds have left the nest.

4. During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.
5. Prior to the commencement of demolition of the existing building, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the East Herts District Plan, the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Non- Residential Development**

Use Type	Floorspace sq.m
Proposed: Leisure (D2)	3,655
Existing: Leisure	2,440
Increase:	1,215

Parking	
Existing	97
Proposed	97
Policy Requirement	243
Zone 4 Accessibility reduction 25%	60
Requirement	183

Cycle Parking	
Existing	57
Proposed	57