

## DEVELOPMENT MANAGEMENT COMMITTEE – 6 NOVEMBER 2019

|                           |   |
|---------------------------|---|
| <b>Application Number</b> | 3/19/1642/FUL   |
| <b>Proposal</b>           | Demolition of existing Leisure Centre and the development of a replacement leisure centre with associated cycle parking facilities, landscaping, footpaths, children's play area, flood attenuation and amendments to playing pitches |
| <b>Location</b>           | Grange Paddocks Pool And Gym, Rye Street, Bishop's Stortford  |
| <b>Parish</b>             | Bishop's Stortford Town Council   |
| <b>Ward</b>               | Bishop's Stortford Meads  |

|  |                   |
|--|-------------------|
| <b>Date of Registration of Application</b> | 14/08/2019        |
| <b>Target Determination Date</b>           | 13/11/2019        |
| <b>Reason for Committee Report</b>         | Major Application |
| <b>Case Officer</b>                        | 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 the existing leisure centre and the erection of a replacement building providing improved leisure facilities including:

- An 8 lane 25m competition pool, with spectator seating a 20m training pool and a shallow confidence water area, with associated changing facilities.
- 2 fitness studios and a 140 station fitness suite and dedicated dry changing rooms.
- A café facility for both leisure centre user and park users.
- Designated changing rooms for outdoor pitch users.

- 1.2 In addition the proposals include new landscaping, provision of a new children's play area, realignment of footpaths, alterations to existing outdoor pitches and provision of additional cycle parking facilities.
- 1.3 The proposal is to site the new building to the south of the existing building to enable the continuation of the provision of the existing facilities throughout the construction period. The existing building would then be demolished and the land restored to playing field use.
- 1.4 The proposed building has a curving shape and has no obvious front and rear elevations as it can be approached from several directions. Its entrance has been located on the western side closest to the existing car parks and is emphasised by a strong entrance feature.
- 1.5 The proposed materials are a textured buff coloured block at the lower level and timber larch cladding above, which will weather over time to a silver grey colour. The curving walls are punctuated with large windows and louvres. The proposed café on the southern side has wide doors that open out onto a patio seating area.
- 1.6 The building is flat roofed and the height to the top of the parapet is about 10.6m. Whilst there are plant enclosures on the roof, which raise the overall height to about 12.7 metres, these are set away from the edges of the roof and will not be plainly visible from adjacent ground level. The building has a maximum length and width of about 68m and will provide over 5000 sq metres of floorspace.
- 1.7 No changes are proposed to the existing vehicular access from Rye Street and no additional car parking spaces are proposed.
- 1.8 The main issues for Members consideration are;
  - The principle of the development in the Green Belt
  - Leisure provision and impact on playing fields
  - Design and external appearance

- Environmental quality
- Highways and parking
- Flood risk and sustainable drainage
- Climate change
- Archaeology and the historic environment
- The natural environment

## **2.0 Site Description**

- 2.1 The red lined application site encompasses approximately 4.8 hectares of Council owned land within the Green Belt and designated Green Finger to the north of Castle Park Bishop's Stortford. The site includes the existing access and parking areas, the existing 1960's built leisure centre and predominantly open playing field land. The site is bounded to the west by the River Stort and the wider parkland area is bounded to the east by the railway line. Beyond these physical boundaries are residential areas of central Bishops Stortford.
- 2.2 To the north is more open space, leading out into open countryside and to the south lies the Bishops Stortford Town Centre Conservation area within which lies Waytemore Castle which is a Scheduled Ancient monument. The site lies within an area that is identified as being of Archaeological Significance.
- 2.3 There are substantial trees in and around the site, particularly on the western side, adjacent to the River.
- 2.4 Vehicular access to the site is from Rye Street to the East and over a bridge over the river. There is a formal pathway leading to the site from the housing area to the east via a footbridge over the railway line. There are also pathways from the south through the park from the town centre. The existing car parks within the site have space for 240 vehicles.
- 2.5 The existing Leisure Centre building sits in the middle of the application site adjacent to the existing car parks and is a part two storey part single storey building that has been extended and

altered significantly over the years and currently provides. The building contains a 25m pool, a small teaching pool, a 100 station gym and a fitness studio.

### **Planning History**

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

| Application Number | Proposal  | Decision | Date                        |
|--------------------|---|----------|-----------------------------|
| 3/08/2090/FP       | Single storey link extension, first floor extension over existing ground floor changing room and gym area. Two external metal escape stairs   | Granted  | 13 <sup>th</sup> March 2009 |
| 3/11/0544/FP       | Resurfacing of the existing car park. Temporary car park, new footbridge, pedestrian and cycle path alongside the river Stort, with link to grange paddocks, link to existing bridges and installation of lampposts along the route to Rye Street and Castle gardens. | Granted  | 22 July 2011                |

## 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 Bishop's Stortford Neighbourhood Plan (NP)

| <b>Main Issue</b>  | <b>NPPF</b> | <b>DP policy</b>        | <b>NP Policy</b>     |
|--|-------------|-------------------------|----------------------|
| Principle of Development. Green Belt and Local Green Space | Section 13  | GBR1, NE4               | GIP1                 |
| Leisure Provision  | Section 8   | BISH12, CFLR1           | HDP7, GIP2, SP1, SP3 |
| Design and external appearance                             | Section 12  | DES4<br>DES5            |                      |
| Environmental Quality                                      | Section 15  | EQ1, EQ2, EQ3, EQ4      |                      |
| Highway and parking Implications                           | Section 9   | TRA1, TRA2, TRA3        | TP, TP9              |
| Flood risk and sustainable drainage                        | Section 14  | WAT1, WAT3, WAT5, WAT6  | GIP7                 |
| Climate change and water resources.                        | Section 14  | CC1, CC2, WAT4          |                      |
| Archaeology/Heritage Assets                                | Section 16  | HA1, HA2, HA3, HA4, HA7 | HDP9                 |
| Natural Environment  | Section 15  | NE1, NE2, NE3           | GIP4, GIP5           |

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 advises that highway safety, accessibility and capacity have been considered and the proposed development will not have a "severe" impact on the highway and that the existing

and proposed shared paths within the site would encourage the use of more sustainable modes of travel. They request a legal agreement to secure bus stop improvements (around £54,000 and £6000 for travel plan monitoring. In addition, increased electric vehicle charging points and disabled parking bays are requested.

- 5.2 Lead Local Flood Authority advises that the proposed development site can be adequately drained and can mitigate any potential surface water flood risk if carried out in accordance with the submitted drainage strategy.
- 5.3 Environment Agency advises that the development is within Source protection Zone 1 and located upon a Principal Aquifer, but that the submitted Phase 1 desk top study demonstrates that it will be possible to manage the risks to controlled waters and therefore are content that the development will be acceptable subject to the imposition of conditions requiring further detailed information.
- 5.4 HCC Historic Environment Unit advises that the development is likely to impact on heritage assets of archaeological importance and therefore suggests conditions to ensure suitable investigation and recording.
- 5.5 EHDC Environmental Health Advisor raises no objection subject to conditions regarding contamination, unexploded ordnance, sound attenuation and construction management.
- 5.6 Sport England as a statutory consultee raises no objection to the proposal subject to conditions relating to enhanced playing field maintenance, temporary playing field mitigation during construction and a playing field construction and restoration scheme. In their non-statutory role they have provided advisory comments and support the application.
- 5.7 EHDC Landscape Officer Advises that he is broadly in favour of the development subject to a number of landscape design issues that can be addressed by condition.

5.8 EHDC Conservation and Urban Design advise that siting and overall design will be an improvement over the existing, whilst raising some concerns with regard to the timber cladding and how it will age over time, and disappointment that the carbon footprint of the building has not been reduced further. In addition some concerns are raised with regard to the details of the hard landscaping and cycle parking.

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

## **6.0 Town/Parish Council Representations**

6.1 Bishop's Stortford Town Council raised no objection to the application and agreed that the application was greatly needed and an improvement to the current facilities. They raised concern in regards to the disruption the development and the construction traffic would have on Rye Street residents and asked that environmental and sustainable energy sources be considered.

## **7.0 Summary of Other Representations**

7.1 Five neighbour responses have been received raising the following comments:

- Concern over the proposed timber cladding and its potential longer term maintenance issues and possibility it will look shabby and water stained. Cheap construction costs have been prioritised over sustainability with disregard to future cost to local population
- Concern that the design is bland.
- Concern over the flat roofed design and maintenance issues.
- Concern that the design has not fully explored sustainable issues and is not zero carbon. Ground source heat pumps and photo voltaics should have been designed in.
- Pleased that the location is easily accessible by public transport.
- Whilst it is vast improvement opportunity has been missed to include a soft play facility.
- Would have liked to see other facilities such as squash courts and multi-purpose courts.

## **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 and the proposed building is materially larger than the building that it will replace. It is therefore inappropriate development in Green Belt terms and by definition harmful. Permission should not therefore be granted unless there are very special circumstances sufficient to outweigh the harm to openness and any other harm. This will be explored in the course of the report.

### Leisure Provision

- 8.2 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. The population of Bishops Stortford and the surrounding area is expected to grow significantly over the next 30 years.
- 8.3 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 the projected population increase for Bishops Stortford results in the need for additional water provision and fitness facilities at Grange Paddocks.
- 8.4 The existing facility at Grange Paddocks was assessed and the option of extending the facility was considered but the centre is reaching the end of its cost effective life.
- 8.5 As well as replacing the existing facilities the proposed leisure centre would provide significant additional capacity for swimming and fitness. The main 25m pool proposed provides 8 lanes, and spectator seating is proposed at first floor to enable the pool to be used for competitions. In addition a 20m training pool with moveable floor and an area of confidence water are proposed. The



pools are to be supported by a wet side changing village which is designed to meet the needs of a range of users including families and disabled users.

- 8.6 The proposed fitness suite would have a capacity of 140 fitness stations (40 more than the existing facility) and two large activity studios are proposed, as opposed to the existing single studio. This again accords with the Councils OSSFA report. Both the fitness suites and the studios would be supported by modern dry side changing facilities on the first floor.
- 8.7 Externally accessed changing rooms are proposed, to address existing identified capacity and qualitative deficiencies of the existing external changing rooms that support the use of the surrounding football pitches.
- 8.8 Finally the proposals include a café and toilets that can be used by users of the playing fields, and the open space as well as the leisure centre.
- 8.9 Sport England was consulted during the design stage and influenced the internal design and layout and has confirmed that the proposal is broadly in accordance with current Sport England design guidance which helps ensure that the facilities will be responsive to current and future needs and expectations.
- 8.10 The proposal therefore accords with the strategic priorities identified in the Action plan in the OSSFA which confirmed the need for a new leisure centre. 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.
- 8.11 It is considered that the identified need for the facility, together with the clear benefits of the location with regard to accessibility by the target population and the lack of alternative suitable non Green Belt sites, weighs significantly in favour of the development.

- 8.12 In addition to the provision of the leisure centre the proposals necessitate the reorganisation of the existing outdoor pitch provision, as the proposed siting impacts on an existing senior football pitch. Sport England is a statutory consultee on any applications that result in changes to playing field provision.
- 8.13 Through reorganisation of the pitches following development of the new leisure centre and demolition of the existing building, there would be the net loss of one senior pitch, but a net gain of 1 Junior pitch. Bookings show that in the 2018/19 football season there were only 2 Sunday mornings on which all 6 senior football pitches were in use at the same time, therefore the permanent impact of the replacement of a senior pitch with a junior pitch is not anticipated to be significant. In the longer term the Council hopes to provide an artificial pitch in the locality which will increase capacity further.
- 8.14 Temporarily however, during the construction and subsequent demolition periods, there is expected to be significant disruption of the football pitches. The Council has prepared, in consultation with Sport England and the clubs that currently use the pitches, a mitigation strategy to minimise and mitigate disruption, this includes improved pitch maintenance to enable heavier usage of the pitches. In addition local schools and other providers have advised that they can make their pitches available if the need arises.
- 8.15 Over all, Sport England has advised that subject to conditions they do not wish to object to the application as it is considered to meet exception 5 of their adopted Playing Fields Policy as the benefits to sport are considered to outweigh the detriment caused by the impact on the playing fields.
- 8.16 It is considered that the identified need for more water, gym and studio facilities in Bishop's Stortford and that this development would successfully meet that need and enable continuity of provision, weighs significantly in favour of the development.

## Design and External Appearance

- 8.17 The proposal will result in the erection of the replacement leisure centre to the south of the existing, to enable continued leisure provision throughout the construction period. The original building will then be demolished. The position of the replacement has been carefully chosen to avoid flood zone 3 and to sit well within the surrounding parkland with easy access from the existing parking facilities.
- 8.18 The design has been the subject of extensive discussions with Officers and has been to the Hertford Design Review Panel. The building will be seen within its parkland setting as a singular entity and has been designed to be an attractive feature from whichever direction the building is approached. The proposed external cladding of the upper level is heat treated Siberian larch which is expected to weather within a few years to a silver grey colour. The design of the building is such that there are no overhangs, or corners which can result in uneven and unattractive weathering. The timber being a natural, uncoated material, is expected to change colour, getting darker in wet weather and lighter in the summer months and the smooth curve of the building is intended to ensure that variations in colour of the cladding are gradual changes as you walk around the building, adding interest and a natural organic element appropriate to the parkland setting, which responds to the changing seasons.
- 8.19 The lower level of the building is proposed to be of buff coloured concrete cladding in two different natural textures. The use of this material at the lower level protects the timber from ground water and provides a relatively vandal proof finish. It is considered that the contrast between the colour and texture of the lower level and the timber above adds interest and articulation helping to break up the bulk of the building.
- 8.20 A bold, full height, steel entrance feature is proposed which adds interest and contrast and makes the building more readable.

- 8.21 Large, two storey height, windows are proposed on the northern and eastern facing elevations to allow light into the main pool and confidence water areas and to enable views out from these areas over the open spaces. Similarly a large south facing window allows light and views into and out of the ground floor fitness studio and the first floor fitness suite. This south facing window is set back from the main façade and a brise soleil is proposed to reduce solar gain.
- 8.22 The proposed café area at ground floor has bifolding doors opening out onto an outdoor café space which is close to the proposed footpath and children's play area on the south western side of the building, to encourage users of the park and outdoor recreation areas to use the facility as well as the leisure centre users.
- 8.23 The internal requirements of the building have dictated the scale of the development and the flat roof design helps to minimise the height and bulk of the development in the interests of maintaining the openness of the Green Belt and to minimise the impact on the conservation area from longer views.
- 8.24 Overall, the design and layout is considered appropriate to its function and its setting. The space around the building has been well considered and once the existing building is demolished there will be a positive impact on the visual amenity of the area.
- 8.25 The removal of the existing building, which due to its piecemeal extension and alteration has little to commend it visually, and its replacement with the proposed well designed and considered building will enhance the visual amenity and quality of the public realm in accordance with policy and this has moderate weight in favour of the development.

#### Environmental Quality

- 8.26 The site has been identified as potentially contaminated and the development therefore has potential to impact on health and on the water environment. Environmental Health and the Environment

Agency were consulted and are content that the development can be completed without harm subject to the imposition of conditions.

- 8.27 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, given that site is currently playing fields which when in use can generate significant noise from participants and onlookers, it is not considered that noise from café users will have any greater impact on the amenity of the nearest residents. A condition is recommended by Environmental Health to restrict noise from amplified music from the facility in order to protect the amenity of the nearest residents.
- 8.28 In addition, the site has been identified as being within Source Protection Zone 1 and upon a Principal Aquifer, as such there is potential for the development to result in pollution of controlled waters, however the Environment Agency has confirmed that as it has been demonstrated that it will be possible to manage risks to controlled waters, they have no objection to the proposal, subject to the imposition of conditions.
- 8.29 The lack of harm to the environment in terms of contamination, light and noise, from the development carries neutral weight with regard to the assessment of the development.

#### Highways and Parking

- 8.30 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 transport statement and parking review which indicates that the existing car parks adjacent to the leisure centre are underutilised and at peak times, on the Saturday that was surveyed, there was 30% capacity remaining.
- 8.31 The site is well served by public transport and is readily accessible by walking or cycling to a significant proportion of residents of Bishops Stortford. Cycle parking facilities are to be provided and the final details of these is required by condition. At present there

are just 10 cycle spaces for the existing building, the proposal is to provide a total of 172 spaces including covered and secure spaces in accordance with the policy requirement, to encourage cycle usage.

- 8.32 The development is not expected to generate significant additional traffic on surrounding road and no changes are proposed to the existing access.
- 8.33 A travel plan was submitted with the application to demonstrate how both staff and users of the site will be encouraged to use sustainable means of transport.
- 8.34 The Highway Authority has raised no objection to the proposal, and are happy that the site is well served by foot and cycle paths and by public transport. They have however asked for additional detail with regard to the Travel Plan, (which can be required by condition) and are seeking £6000 for future monitoring of the Travel Plan.
- 8.35 In addition the Highway Authority is seeking improvements to the nearest bus stops, which is required as no additional on-site parking is proposed and to help encourage the use of public transport to access the facility. The bus stop improvements requested (raised kerbs and real time passenger information to the two nearest bus stops along Rye Street) are outside of the application site and details can be dealt with by the County Council under a S278 agreement. However the cost of this provision (around £54,000) would normally be covered by the applicant and enforced via a legal agreement under Section 106 of the Town and Country Planning Act.
- 8.36 The Council, as applicant, recognises the importance of sustainable transport initiatives as an improvement to infrastructure, and to encourage access to the new facility by public transport. However, the Grange Paddocks project is, of itself, an infrastructure improvement project and some of the funding for it will come from 106 contributions from other development. The Council, as applicant, is actively exploring whether the sustainable transport initiatives recommended by the Highway Authority can be secured from existing or secured Section 106 funding or by other means.

However, Members are advised that there is no legal mechanism for the Council to enter into a Section 106 Agreement with itself and therefore this does not form part of the recommendation on this application.

- 8.37 Additional electric vehicle charging points, and disabled parking bays have also been recommended by the Highway Authority and details of these can be required by condition.
- 8.38 The scheme is considered to comply with the policies of the District plan with regard to safe and convenient access to all users.
- 8.39 The improvement in cycle parking facilities at the site and the improvements to the pathways connecting to the facility are considered to add limited weight in favour of the development.

#### Flood risk and Sustainable Drainage

- 8.40 The proposed leisure centre building is located close to the river Stort and within the Flood Zone 2. Generally new development should be directed to areas at least risk of flooding. In this instance the siting has been chosen to avoid flood zone 3 and whilst it remains within Flood Zone 2 the whole of the land around the current leisure centre is flood Zone 2 and it is considered that in all other respects this is the most appropriate location in which to provide the replacement facility.
- 8.41 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.
- 8.42 The Lead Local Flood Authority (LFA) and the Environment agency have raised no objection to the proposals subject to conditions.

## Climate Change

- 8.43 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.
- 8.44 An Energy and Sustainability Statement has been submitted which advises that the building has been designed to secure building envelop thermal performance of between 12% and 28% above the requirements of Part L of the Building Regulations. This fabric first approach to reducing carbon emissions is the preferred option set out in the District Plan.
- 8.45 In terms of energy efficiency, the development will use high efficiency air source heat pumps to provide space heating in key areas of the building, low energy lighting technologies, hybrid heat recovery ventilation, low energy motors to drive ventilation. Where cooling and heating is required simultaneously, energy recovery systems will ensure heat/cool transfer between the two areas. This is particularly appropriate to this building due to the requirement to maintain fitness suites at a much lower temperature than other spaces in the building.
- 8.46 The proposals include the installation of a gas powered Combined Heat and Power plant to provide both electrical power and thermal heat, with any excess electricity being exported to the national grid. This was found to be the most feasible and cost effective solution. This together with the other elements quoted would be sufficient to reduce CO2 emissions by in excess of 11.6%, which is sufficient to exceed current building regulation requirements.
- 8.47 However, the Council as applicant is keen to set an example with regard to CO2 reduction and as a result it is also proposed to include the provision of roof mounted photovoltaics, which will further reduce the carbon footprint of the development. Other Low



and Zero Carbon Technologies were considered, in the submitted Energy and Sustainability Statement, but were discounted as not technically feasible or not economically viable for the development.

- 8.48 In addition to the sustainability of the building itself, 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 has been produced 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 significant increased energy efficiency over the current building and the reduction in carbon emissions beyond current requirements add some weight in favour of the development.

#### Archaeology and the Historic Environment

- 8.50 The proposed development is located within an Area of Archaeological Significance, as it is known to contain evidence of a substantial Roman Settlement. Some previous archaeological investigations carried out in 1978, 2001, 2009 and 2010 at the site of the existing leisure centre, identified significant Roman activity, including inhumation burials as well as preceding Iron Age activity. On the advice of the County Historic Environment Adviser trial trenching was carried out at the site of the new Leisure Centre and a report was produced which advises that evidence for Roman Settlement in the form of enclosures and associated ditches and pits was identified, beginning in the early Roman period and possibly continuing into the 3rd Century. In addition it also identified features that can be attributed to the Mesolithic to Neolithic, Late Iron Age/Early Roman periods. The trial trenches also established that the archaeological remains present are well preserved.

- 8.51 The advice therefore from the Historic Environment Adviser is that the development should be regarded as likely to have an impact on heritage assets of archaeological interest and therefore conditions are proposed that would ensure full archaeological investigation prior to development; monitoring during development, and analysis, reporting and publication of the results.
- 8.52 In addition to the archaeological importance of the site, the resiting of the Leisure Centre moves it closer to the Conservation Area boundary, and the impact on the character and amenity of the Conservation Area needs to be assessed.
- 8.53 The building is proposed to be located approximately 40m north of the Bishop's Stortford Conservation Area which encompasses the historic core of the Town. The nearest part of the Conservation Area is comprises Sworders Field and Castle Park, within which, further to the south, lies Waytemore castle. This 40ft high oval motte, with ruins of a 12th century shell keep on the top is a Scheduled Ancient Monument and Grade 1 listed building.
- 8.54 The Bishop's Stortford Conservation Area Appraisal adopted in 2014 identifies the open areas of Castle gardens and Grange Paddocks as an important open space open to the public, and places emphasis on the natural and treed environment adjacent to the river.
- 8.55 Given the distance and the extensive tree cover between the proposed building and Waytemore castle, it is not considered that there would be any adverse impact on the setting of the castle.
- 8.56 Additionally there is a distinct difference between the land within the Conservation Area and the application site. The parkland within the Conservation Area comprises formal historic gardens to the south and heavily treed natural/semi natural landscape, close to the boundary with the application site, whereas the application site itself and surrounding land to the north and west comprises open playing fields. The introduction of this larger imposing building closer to the conservation area boundary will provide significant

visual interest when approached through the park from the south, but will only become visible where one emerges out of the heavily treed area. Again given the surrounding vegetation it is not considered that the development will adversely impact on the character or historic interest of the adjacent Conservation Area.

- 8.57 The fact that the height of the proposed building has been kept relatively low, and that it is located on low lying ground means that it will not be a significant feature within longer views over the Conservation Area.
- 8.58 A comprehensive landscape impact assessment was submitted with the application which concludes that visual impacts will be very much localised; there will be the loss of an existing view of St Michaels Church to the south from a small part of the playing field area. The new leisure building will be clearly viewed from the playing fields and from the bridge over the railway line, but there are no long views into the site due to the topography and tree cover.
- 8.59 It is considered therefore that subject to the suggested conditions relating to archaeology, the development will not adversely impact on any heritage asset. In addition the archaeological investigation should result in a better understanding of the history of the area, in accordance with para 199 of the NPPF and Policy H3 of the District Plan 2018.
- 8.60 The lack of harm to any heritage asset carries neutral weight in the determination of the application.

#### Natural Environment

- 8.61 District Plan policies require that developments result in a net increase in the ecological value of a site. The application site currently is predominantly managed playing fields, however there are a significant number of trees and the site abuts the River Stort therefore a number of ecological surveys were carried out between 2018 and 2019.

8.62 The survey results are summarised as follows:

Reptiles: there were no reptiles on the site,

Breeding Birds: no notable breeding birds within the site.

Bats: the existing building is unsuitable for bat roosts, however some of the trees may have bat roost potential, the river and woodland at the edge of the site has high bat activity.

Badgers: no badger setts were found,

Water Voles: water voles are present along the river,

Otters: Otter holts were found along the river.

8.63 Suitable mitigation has been suggested to ensure that impacts are minimised during works. In addition suitable replacement planting that is more conducive to encouraging wildlife, together with the provision of bat and bird boxes is considered sufficient to ensure that there is a positive effect in terms of habitat in the longer term.

8.64 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

8.65 Comments have been received suggesting that other facilities should have been included within the development, such as a soft play area, 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 increase swimming and gym facilities and must be considered on its own merits.

8.66 Concern has also been raised with regard to the design of the proposed building and in particular the use of a flat roof and timber cladding. Officers raised issue with the architects with regard to the proposed timber finish of the upper level, and sought assurances with regard to the longevity of the material and the way in which it

weathers, as there are many examples of timber cladding that has become discoloured and patchy over time presenting a very unattractive finish.

- 8.67 We have been assured that the particular timber proposed (heat treated Siberian Larch) is a very long lasting and maintenance free material. Research suggests that it can last in excess of 60 years. Examples of buildings on which it has been used were sought in order to see how it weathers, but unfortunately, whilst it is currently a relatively popular material, there do not appear to be examples of its use, in excess of 10 or 15 years old for us to consider.
- 8.68 However the architects have been at pains to design the building taking into account the potential weather impacts and have designed out overhangs, corners and junctions that could otherwise have resulted in patchy water ingress and discolouration.
- 8.69 Some doubts remain (due to the lack of older examples for comparison) and there is concern that once the natural silver grey colour is established, the timber may actually turn quite dark or even black during wet periods, which may be an excessive contrast with the buff coloured lower level. However there is no clear evidence that the material will weather badly or provide longer term maintenance problems, and in the absence of such it is not considered reasonable to insist on an alternate material which may be at odds with the architects design concept of the building.

## **9.0 Planning Balance and Conclusion**

- 9.1 The proposed building is materially larger than the building that it will replace and is therefore inappropriate development in the Green Belt, by definition harmful, in addition there will be some increased loss of openness from the development. In order to be acceptable therefore there need to be very special circumstances sufficient to outweigh these two elements of harm. It is considered that the clear identified need for the additional swimming and gym facilities to provide for the growing local population, together with the very sustainable/accessible location, the already established use

of the site for a leisure centre and the lack of alternative suitable non Green Belt locations, in combination, amount to very special circumstances sufficient to outweigh the relatively limited harm to the Green Belt and to the purposes of including land within the Green Belt that will result from the development. No other harm has been identified.

- 9.2 It is considered that the development will provide an attractive and well located facility to replace the existing; that it is appropriate to its parkland setting, and will provide considerable public benefits in terms of health and wellbeing. The development will encourage the use of sustainable means of transport and provides opportunities to improve the ecology of the site. The character of the adjacent Conservation Area will be maintained and there will be no adverse impact on any heritage assets. The development will be more energy efficient than the existing facility, and the removal of the existing building will enhance the visual amenity of the area.
- 9.3 The application is therefore considered to accord with adopted policies and is recommended for approval.

## **RECOMMENDATION**

That planning permission be **GRANTED** subject to the conditions set out below, and to securing bus stop improvements and Travel Plan monitoring fee as set out above.

## **Conditions**

1. Three year time limit (1TI21).
2. Approved Plans (2E101).
3. Materials as on plan/application form (2E422).
4. The existing leisure centre, which it is proposed to replace, shall be fully demolished within 3 months of the first use of the replacement leisure centre hereby approved.

Reason: In the interests of maintaining the openness of the Green Belt and the visual amenity of the area in accordance with Policies GBR1 and DES4 of the East Herts District Plan 2018.

5. Lighting Details (2E272)
6. Green Travel Plan (V272)
7. All construction works shall be carried out fully in accordance with the recommendations set out in the submitted "Detailed Unexploded Ordnance (UXO) Threat and Risk Assessment" Project reference P7164, dated February 2019 by Alpha Associates.

Reason: To protect the safety of the public, of future occupiers of the land and of workers on the site.

8. Before the use of the building for D2 purposes is commenced 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.

9. 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.

10. 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.

11. No development approved by this planning permission, (excluding any demolition works) shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- a) A preliminary risk assessment which has identified:
  - i. all previous uses
  - ii. potential contaminants associated with those uses



- iii. a conceptual model of the site indicating sources, pathways and receptors
  - iv. potentially unacceptable risks arising from contamination at the site
- 
- b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  - c) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and to prevent further deterioration and enhance water quality within the Upper Lea Chalk WFD groundwater body.

The information submitted to date is considered sufficient to address part 1 of this condition.

- 12. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved

verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework and to prevent further deterioration and enhance water quality within the Upper Lea Chalk WFD groundwater body.

13. The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration and enhance water quality within the Upper Lea Chalk WFD groundwater body.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.  
Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified

contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration and enhance water quality within the Upper Lea Chalk WFD groundwater body.

15. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

To prevent further deterioration and enhance water quality within the Upper Lea Chalk WFD groundwater body.

16. Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

17. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be

decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework. Also to ensure that a sufficient monitoring network is maintained to allow for the completion any monitoring required to demonstrate as part of any verification plan, to demonstrate “betterment” or that no deterioration has occurred.

18. Following commencement of construction of the development hereby permitted, the enhanced playing field maintenance programme actions set out in the “Response to Sport England Regarding Football Pitch Mitigation at Grange Paddocks” document shall be complied with in full until the new and reinstated football pitches are completed and operational in accordance with Drawing GPLSBA-EW-XX-DR-A-5010.

Reason: To ensure that the playing field is capable of being maintained to a standard that will mitigate the impact of the development and to accord with Development Plan Policy.

19. Prior to commencement of demolition of the existing Grange Paddocks Leisure Centre, a playing field mitigation scheme for the demolition and post demolition phases of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The approved scheme shall be complied with in full.  
Reason: To secure continuity of use of playing field provision for playing field users and to and to accord with Development Plan Policy.

20. Prior to any playing field construction or reinstatement works commencing on the site of the New Junior Pitch, Senior Pitch 5 or

Junior Pitch 3 as shown on Drawing GPL-SBA-EW-XX-DR-A-5010  
(Phase 5 Completion Layout):

- a) A survey of the ground conditions of the land proposed for the new and reinstated pitches shall be undertaken to identify constraints which could affect playing field quality; and
- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed playing field construction and restoration specification; and
- c) A programme for the implementation of the detailed specification shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works shall be carried out in accordance with the approved specification and programme.

Reason: To ensure that site surveys are undertaken for new or reinstated playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Development Plan Policy.

21.

- a) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
  - i. The programme and methodology of site investigation and recording
  - ii. The programme for post investigation assessment
  - iii. Provision to be made for analysis of the site investigation and recording
  - iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - v. Provision to be made for archive deposition of the analysis and records of the site investigation
  - vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

- b) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under (A) above.
- c) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To ensure the appropriate management of archaeological remains in accordance with Policy HA3 of the East Herts District Plan 2018.

22. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by Richard Jackson Construction Limited reference 49075-Rev B dated 22 July 2019 and the following mitigation measures;
- a) Limiting the surface water run-off rates to maximum of 10l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the River Stort.
  - b) Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
  - c) Implement drainage strategy as indicated on the proposed drainage strategy drawing utilising permeable paving, a detention basin and green landscaping.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

23. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Flood Risk Assessment carried out by Richard Jackson [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

Construction Limited reference 49075-Rev B dated 22 July 2019. The scheme shall also include:

- a) Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
- b) Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc.
- c) Silt traps for protection for any residual tanked elements.
- d) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall then be completed and managed in accordance with the agreed details.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

24. Prior to first use of the approved leisure centre, cycle parking facilities shall be provided in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority. Such details are to include the provision of secure and covered facilities.

Reason: to ensure adequate cycle parking provision in accordance with adopted standards in the interests of encouraging sustainable transport as required by policy TRA3 of the East Herts District Plan 2018.

25. Within 6 months of the commencement of development details of the hard and soft landscaping, including pathways, fencing, surfacing and planting around the proposed leisure centre shall be submitted for agreement in writing, to the Local Planning Authority. The

development shall be completed in accordance with the agreed details.

Reason: To ensure high quality public realm and appropriate planting to encourage ecological diversity in accordance with policies DES3 and DES4 of the East Herts District Plan 2018.

26. Landscape Works Implementation (P132)
27. 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 programme; 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).

28. Prior to the occupation / use of the development hereby permitted, the details of the siting, type and specification of Electric vehicle Charging Points, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of the site and permanently maintained and retained.  
Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).
29. Prior to first occupation of the development hereby permitted the applicant shall ensure the provision of disabled parking space in accordance with EHDC's parking policy (Individual spaces for each disabled employee plus 2 spaces or 5% of total capacity, whichever is greater) and maintained in perpetuity unless the Local Planning Authority otherwise agrees in writing.  
Reason: To ensure the provision of disabled parking spaces in line with the Council's adopted standards contained in Policy 1 of the Hertfordshire's Local Transport Plan 4 and in accordance with the East Hertfordshire's parking standards.
30. Tree/hedge protection and retention (4P052).
31. The Ecological recommendations set out in the submitted Ecology Surveys Report (Commissioned by Liz Lake and Associates) July 2019, shall be carried out in full, unless otherwise agreed in writing by the Local Planning Authority. Details of the provision of bird and bat boxes shall be submitted to the Local Planning Authority for approval in writing and shall be installed in accordance with the approved details prior to the first use of the development.

Reason: To minimise any potential impact on the ecology of the site and to help enhance the ecology of the area in accordance with Policy NE3 of the East Herts District Plan 2018.

32. Details of photovoltaics and air source heat pumps to be incorporated into the development shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and the development shall be completed in accordance with the agreed details.

Reason: To ensure the satisfactory external appearance of the works and to minimise carbon dioxide emissions from the development in accordance with Policy CC2 of the East Herts District Plan 2018.

33. Prior to occupation of the development hereby approved, the proposed shared pathways as shown on the drawing (Ref- GPL-SBA-EW-XX-DR-A-5003, Rev- P06) shall be constructed to match the existing shared paths standards and connected with the existing shared footpaths as shown in the above drawings and maintained hereafter.

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

### **Informatives**

1. Justification Grant (JG4)
2. Other Legislation (1OL1)
3. The Environmental permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place: -on or within 8 metres of a main river (16 metres tidal) – on or within 8 metres of a flood defence structure or culvert (16 metres if tidal) or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in a floodplain more than 8 metres from the riverbank, culvert of flood defence structure

(16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

4. The applicant is advised that the detailed design and layout of the leisure centre should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and National Governing Bodies for Sport.
5. Prior to occupation of the development hereby approved, the applicant is advised to contact Hertfordshire County Council's Rights of Way Service <http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/> (Tel: 0300 123 4047, email at [row@hertfordshire.gov.uk](mailto:row@hertfordshire.gov.uk)) to obtain their agreement to enter into a permissive path agreement. Under this agreement Hertfordshire County Council would not be responsible for maintenance hereafter of proposed shared pathways.

### **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**

| <b>Use Type</b>        | <b>Floorspace sq.m</b> |
|------------------------|------------------------|
| Proposed: Leisure (D2) | 5,029                  |
| Existing: Leisure      | 1,796                  |
| Increase:              | 3,233                  |

| <b>Parking</b>              |           |
|-----------------------------|-----------|
| Existing                    | 240       |
| Proposed                    | 240       |
| Policy Requirement - Zone 4 | 250 - 335 |

| <b>Cycle Parking</b> |     |
|----------------------|-----|
| Existing             | 10  |
| Proposed             | 172 |