

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

18th July 2024

Application No:	SMD/2024/0176	
Location	Brough Park Leisure Centre Ball Haye Road Leek Staffordshire ST13 6AT	
Proposal	Extension and refurbishment of existing Leisure Centre including new Swimming Pools, Extended Fitness Gym and associated Parking.	
Applicant	Staffordshire Moorlands District Council	
Agent	Roberts Limbrick Ltd	
Parish/ward	Leek	Date registered 16/4/24
If you have a question about this report please contact: Jane Curley jane.curley@staffsmoorlands.gov.uk.		

REFERRAL

This is a major application and the applicant is SMDC

1. SUMMARY OF RECOMMENDATION

APPROVE subject to conditions

2. INTRODUCTION

2.1 This application relates to one of three Council projects which have been awarded funding under the Government's Levelling Up Fund. The funding in this case will be used to improve facilities at Brough Park Leisure Centre. The LUF bid acknowledged that the Leisure Centre and Brough Park have an important role to play in improving the overall health and wellbeing of residents and that by providing improved facilities it will help to encourage people to be more active which will benefit both their physical and mental health.

2.2 This application is made by Staffordshire Moorlands DC. It is determined under Regulation 3 of the Town and Country Planning General Regulations 1992

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application for the extension and refurbishment of the existing Leisure Centre to include new swimming pools, extended fitness gym and associated parking. The overall brief includes:

- New reception and café with shared reception desk/café servery
- New 6 lane 25m community pool
- New learner/training pool

- New changing village with 2 no. group changing rooms
- Enhanced accessibility (i.e. accessible changing and a Changing Places facility)
- Enlarged fitness gym to provide an extra 25 equipment spaces
- New 25 person Dance Studio
- A dedicated Spin Studio
- New soft play facility
- Refurbishment of the existing Dry change facilities
- Replace an existing squash court with a 'Community Wellness Suite'

Pool extension

3.2 This is the larger of the two extensions and is sited to the south east of the existing building. The plans show a new entrance with lobby leading through to the café area and Reception desk which also acts as the Café servery. The soft play area is part of the remodelled former reception area

3.3 The large Changing village provides unisex changing facilities, two group changing rooms for school/group use, family changing, accessible changing areas, lockers, male, female and accessible W/C's and post and pre swim showers.

3.4 The existing main 4 lane pool is to be replaced with a new 6 lane by 25m pool. It is said that a Pool pod for wheelchair user access will be provided. The proposed Training pool is 7m x 11.4m and is provided in a separate hall. A Pool pod will also be provided for this pool. Plant, pump pit, first aid and pool stores are provided as part of the extension.

Gym extension

3.5 This is the smaller extension sited to the north west and will accommodate a larger gym area (approx. 25 stations) and new studio (128 sq m) which will have a capacity of approx. 25 persons. Stores are shown for both the new studio and existing dance studio. The plans show that an area of the existing Fitness gym will be converted to form a dedicated Spin studio with a capacity of approx. 22 persons.

3.6 A new Community wellness suite is shown in the area currently occupied by one of the Squash courts. This it is said is aimed at elderly and disabled users and is a toning facility with equipment to promote flexibility and speed post-surgery recovery.

Drawings considered

10683-L(0)001-P01 Location Plan
 10683-L(0)003-P04 Existing Site Plan
 10683-L(0)004-P09 Proposed Site Plan
 10683-L(0)010-P03 Existing Ground Floor Plan
 10683-L(0)011-P03 Existing First Floor Plan
 10683-L(0)012-P03 Existing Roof Plan
 10683-L(0)013-P03 Existing Elevations Sheet 1 of 2
 10683-L(0)014-P03 Existing Elevations Sheet 2 of 2
 10683-L(0)015-P03 Existing Sections Sheet 1 of 2
 10683-L(0)016-P03 Existing Sections Sheet 2 of 2
 10683-L(0)026-P05 Proposed Ground Floor Plan Consultation
 10683-L(0)021-P08 Proposed First Floor Plan
 10683-L(0)022-P07 Proposed Roof Plan
 10683-L(0)042-P05 Proposed Sections Sheet 1 of 2
 10683-L(0)043-P05 Proposed Sections Sheet 2 of 2
 10683-L(0)045-P01 Proposed Elevations (Coloured) Sheet 1 of 2
 10683-L(0)046-P02 Proposed Elevations (Coloured) Sheet 2 of 2

The application is accompanied by a Design and Access Statement, Parking Statement, Lighting Assessment, Sustainability Assessment, Preliminary Ecological Appraisal, Biodiversity Net Gain assessment, Arboricultural survey and Tree Impact Assessment

3.3 The application files including the drawings, reports and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

[Planning Applications - Staffordshire Moorlands District Council \(staffsmoorlands.gov.uk\)](http://staffsmoorlands.gov.uk)

4. RELEVANT PLANNING HISTORY

SMD/2001/0869	Additional Leisure facilities	Approved
SMD/1999/0200	Additional leisure facilities	Approved
SMD/1987/0267	Internal alterations and extensions to form boiler room, beer store, oil tank and passage and first floor store room	Approved
SMD/1098/0398	Site for Sports Hall	Approved
SMD/1978/0227	Extension to squash courts	Approved

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SS5 Leek strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution
- SD 5 Flood risk
- DC1 Design Considerations
- DC3 Landscape
- NE1 Biodiversity and Geological Resources
- NE 2 Trees, Hedges and woodland

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Site Notice expired.

Nearby neighbours notified by letter. A number of representations have been received as follows:-

Neither: 33 Comments received

- Lack of pool viewing area/ spectator seating
- Closing over winter when people rely on indoor facilities
- Preference to losing Squash court 1 (on the far left, as it is the least utilised, rather than the 'best' which is court 3)
- Soft play area too close to café

- Do not cut down the mature Beech tree
- Suggestion for a grass maze outside
- Sauna or steam room would be appreciated
- Full size 3g football pitch on the site of the old golf course
- Secure fence around the Bowling Greens, as well as a small shelter around the gate area and refurbishment of the toilet facilities
- Please advise on what provisions have been made for disables/wheelchair users
- Refurbishment of outdoor pavilions
- Outdoor gym, table tennis, giant chessboard
- Indoor partition on badminton courts to allow Pickleball to be played indoors
- Olympic size pool
- Pedestrian safety in the car park

Support: 1 Comment received

- No specific comment given.

Objection: 5 comments received.

- Lack of pool viewing area/ spectator seating
- No bike store
- No electric car charging
- No solar panels
- Soft play area too small, and no store for prams
- No sauna
- Not enough squash courts
- Preference to losing Squash court 1

Leek Town Council

None received

Environmental Health Officer

No objection subject to conditions

Noise: Advise that the nearest residential properties are approx. 100m away from the development site. There is no record of complaint of noise or light nuisance against the premises on our records. We would advise a condition is placed on the premises to take account of any fan, air-conditioning or other plant/machinery noise which might be generated by the intensification of operations at the site.

Lighting: A light assessment has been submitted to assess car park lighting, the assessment predicts the proposed new car park lighting will be compliant with Institute of Lighting Engineers Guidance. This assessment can be accepted but we would advise the condition below is imposed to take account of any lighting installed on the buildings.

Food and Safety Team Comments and advice to applicant: "Soft play areas next to café/seating areas is a fairly common occurrence. Most Ball pool/soft play centres have a café attached where parents watch their children play. We would assume it will be reasonably well segregated/fenced from the dining areas but otherwise I don't see any issues. Please consult with us with the layout of the café etc."

Trees and Woodland Officer

Initial comments express concern about the application and advises that amendments are sought as follows:-

- Tree survey has not extended beyond the hedge to the NW of the building, where there are some mature ornamental trees along the path past the play area – but safe to say the proposed extension to the studios/gym at the NW corner, and the relocated bin store ASHP compound would have no detrimental impact on these trees.
- The proposed forward (SW) extension of the main pool would require removal of Beech tree T19. This is an early mature tree of good form in good condition and prominent position, I would suggest its theoretical remaining life would be more than the 20 – 40 year estimate in the application tree report. However, it is not an original tree from the Ball Haye House era and I can appreciate that the benefits of the proposed development would justifiably outweigh the loss of this tree. No objection on balance; scheme should make provision somewhere somehow for replacement planting elsewhere to mitigate the loss of this and any other trees.
- I do have concerns over some of the impact on trees arising from additional/reconfigured parking arrangements.
- T11 and T12 are probably the oldest Lime trees in Brough Park, could be at upper end of 200 years old and clearly part of the heritage/history of the site in addition to being significant individual trees of notable character. However, they have both (correctly) been identified as showing evidence of *Kretzschmaria deusta*, a very dangerous stem base/root decay fungus often leading to sudden stem snap and full tree failure (despite healthy crown condition). We are weighing up whether they could safely be retained in much reduced form to preserve part of the site heritage, although it is a distinct possibility that full removal of one or both is the most appropriate. If retained, it would be preferable that there is no development encroachment within their Root Protection Areas (RPAs for these 2 trees are not shown due to tree report recommendation of felling, but would be comparable radii to trees T6 & T7). However, bottom line is that due to their condition and requirement for dramatic management treatment, T11 and T12 should not appropriately or reasonably be held as overriding constraints/objection to development proposals.
- Notwithstanding issues/conclusion with T11 and T12, other trees in this area would also be affected by the scheme and I'm not very comfortable with potential impacts on the landscape structure/setting of the leisure centre within the main town park simply to accommodate extra parking in the form proposed. Is this amount of additional parking critically required? Could we look at alternative layout to provide more parking with lesser/no impact?
- Specifically, tree T14 (mature Lime in good condition – again I'd suggest its potential remaining life exceeds 40 years) appears to be indicated for removal without explanation, its stem position is not directly in the way of new parking although proposals would have a potentially significant harmful impact on its root system (well within RPA). However, it has grown as part of a pair with adjacent T15, each individually substantially 1-sided but in combination forming a significant combined canopy and important part of the landscape structure at the front of the leisure centre.
- Parking and accessways shown encroaching into RPAs of several nearby trees (T13 – T17 inclusive, in addition to aforementioned T11 and T12, and indicated electrical services installations for car park lighting would provide further encroachment. Application tree report suggests no-dig cellular confinement load support construction specification for hard surfacing within RPAs, but I'm never really confident that

developers implement timely and effective tree protection measures and special construction specifications unless brought to task by which time significant damage has often already occurred. Better to avoid harm rather than seek to minimise harm. I appreciate SMDC is both client/developer and LPA for this scheme which ought to give us considerable control, but that's just the theory.... It would be preferable to at least consider potential alternative parking provision/layout which could avoid or reduce harm to the important tree stock.

- A side issue: the scheme appears to propose quite a significant amount of blank/dead elevation – in particular to main frontage (pool extension) facing Park Road – and bin store/ASHP compound would also be very prominent – with little spatial opportunity for screening/filtering by new structural landscaping/replacement tree planting/landscape enhancement in keeping with the surroundings.
- In addition to the above the plans do bring a new chunk of parking close to the boundary with the vets' premises and visually impinge on the wide undeveloped strip of grass and large trees from Fowlchurch Rd, past the main leisure centre car park, past the back of the vets, and linking to Park Road within the main part of Brough Park – but equally the submitted layout also brings a new chunk of parking almost up to Park Road. To me, these issues both suggest additional parking would be better targeted at the existing open (tree-less) grass area outside the front door of the leisure centre to keep parking contained in close proximity to the building and avoid incremental car park extensions encroaching further and further into the attractive landscape structure of the wider park.

Local Highway Authority

Site Visit Conducted on: 25-Apr-2024

Notes to Planning Officer

Application is to extend and refurbish an existing leisure centre.

Existing accesses will be used. Additional parking in line with local plan standards is proposed.

Site is close to Leek town centre, in a sustainable location. Public parking is available nearby. Access is safe and reasonable for all users. Proposal could not be considered to have a severe effect on the highway.

Current records show that there were no Personal Injury Collisions on Ball Haye Road within 50m either side of the property access in the previous five years.

Regeneration Officer

The application states that the number of full time jobs will increase from 6 to 9 with the number of part-time jobs remaining at 27. National research on re-spend of employees has identified that between 4.5 per cent and 9 per cent of an employee's overall weekly household spend is spent close to their place of employment. In Staffordshire Moorlands this would equate to £1,394 per annum or an additional £4182 p.a. local spend by the 3 additional employees.

People who live and work locally, spend approximately 41% of their disposable income in the local area compared to average households (34%).

The development will also generate a range of additional job opportunities including temporary jobs in the construction phase and jobs generated through re-spend of new employees. The developer will need to supply estimates of these based on the individual development.

Police Architectural Liaison Officer

No overall concern. Notes some positive elements of the scheme in terms of designing out crime and also makes some suggestions as noted below

1. A review of the proposals does not indicate any obvious security or safety vulnerabilities associated with the extension and refurbishment as detailed. It is understood that the leisure centre site itself does not unduly suffer from anti-social behaviour or criminal activity, which seems a good starting point. One benefit of the proposals is that staff at the reception desk should be afforded a greater level of supervision over public entry to the sports facilities located beyond the pair of one-way gates, which should create a tighter control point than currently exists. The revised entrance/café/reception area should lend itself to a good level of CCTV surveillance camera coverage too.
2. It is understood that the leisure centre has limited CCTV coverage with various blind spots including externally. The extension and refurbishment would provide the ideal opportunity to assess how the system and coverage could be improved. Ultimately, the applicant would need to determine what they want the CCTV system to do for them. This should underpin any CCTV Operational Requirement that is produced.
3. Presumably the leisure centre would operate in a very similar manner to the existing arrangements, but with extra/improved facilities. With regard to the pair of gates next to the reception desk, presumably in reality these will offer a fairly limited level of control, perhaps being low in nature and even kept open much of the time (as is currently the case). The ability to lockdown the facility at that point to prevent access beyond and/or remotely secure the lobby entrance doors from the reception desk to deny access to the building, should the need arise such as that posed by an external threat, may at least wish to be risk assessed. Should the desire to incorporate this be deemed appropriate, some amendments to/upgrades of the reception desk and adjacent one-way gates would be required.
4. Suggests blocking the small gap at the rear where the gym extension comes very close to the boundary to prevent access would be worthy of consideration. It would need to be of a suitable design and avoid itself becoming a climbing aid, Also suggest that consideration could be given to further fencing along the boundary to reinforce the hedge and prevent a makeshift route being created through it.
5. It is understood that in recent times the leisure centre was subject to a burglary on the north-west elevation where spinning bikes were stolen (part of a wider series of such burglaries/thefts). The new spin studio would at least have windows that did not easily lend themselves to such thefts. Nevertheless, it would be prudent for the new doors and windows/glazing in connection with the entrance lobby and along the north-western elevation to offer a suitable level of attack-resistance.
6. Recommends consideration is given to the police's Secured by Design Commercial Guide 2023 (or any subsequently published version) for advice on security measures

Local Lead Flood Authority

No objection

Advise that the site is in Flood Zone 1 so is not at risk of fluvial flooding, however, our mapping shows that there is some existing ponding of surface water along the building's northern elevation in proximity to the new floor space proposed as part of the re-development.

As such, the LLFA would expect that any additional floor space be positively drained, and it is assumed that the site has an existing drainage system. To provide betterment to the existing drainage system, the LLFA would expect that SuDS features (e.g. water butts and rain gardens) be utilised to re-cycle and re-use runoff generated by the additional roof area before discharging into the main drainage system. Recommend a condition to secure details of the final detailed surface water design.

Severn Trent Water

No objection subject to a drainage condition

Sport England

No objection

In line with the Council's Leisure Transformation Plan (LTP) the proposal will replace the existing 4 lane pool, which was opened in 1975 and not been refurbished, with a 6-lane 13x25m pool. A new training pool will also be provided which will be 7x11.4m in size with the existing provision being 10x5m. Both pools will incorporate stepped access with additional Pool Pod lifts to cater for a range of abilities. The swimming pool provision will benefit from a changing village alongside 2 group changing rooms for school/group use, which will assist in meeting varying operational requirements and customer preferences. Accessible changing and toilet facilities will also be provided.

The existing gym is also proposed to be extended to provide an extra c25 station increasing the capacity to c60 stations. Similarly, a new 128m² studio will provide whilst an area of the existing fitness gym will be converted to form a dedicated 67m² (c22 person) Spin Studio. The existing sports hall will not be increased in size though the supporting dry change facilities will be refurbished. It is noted that the one of the squash courts is proposed to be turned into a community wellness suite which is stated to be an inclusive toning facility aimed at elderly and disabled users.

In relation to the proposed site plan, it is considered that the layout is in general accordance with Sport England's Affordable Sports Centre Design guidance note.

Given the above, it is viewed that the proposal will result in a modern and accessible leisure centre facility, which will help increase opportunities for residents to be more physical activity.

Staffordshire Wildlife Trust

Comments awaited

AES (Waste)

No issues regarding waste collection

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 Planning law requires that applications for planning permission be determined in accordance with the Development plan unless material considerations indicate otherwise.

Principle

7.2 There is no objection in principle to this proposal. It accords with Policy SS5 and the Leek Area Strategy which seeks to consolidate the role of Leek as the principal service centre. The Policy sets out the way this will be achieved which, amongst other matters, includes increasing and improving community facilities and protecting, increasing and improving the provision and accessibility of sport and recreation facilities in the town. This emphasis is repeated in Policy C1 which again supports the enhancement of community facilities and particularly those, such as this which are in accessible locations. For these reasons the principle is acceptable. The main issues to consider include design, residential amenity, access/highways, trees and landscaping and biodiversity. They are discussed under the subheadings below.

Design

7.3 The existing leisure centre has developed over the years through a series of extensions and alterations. It consists of a large building of varying heights and design. It is however for the most part of brick construction with areas of timber cladding at higher level. The roofs are a mixture of curved and mono pitches faced in metal sheeting.

7.4 The two new extensions are designed to complement the existing building. The extension to the existing swimming pool area to the south west (front) is designed it is said as a simple steel framed structure. The plans show a mono pitch roof incorporating a small area of flat roof to the side which modifies an existing area of flat roof - see Elevation E. It has a maximum height of 8.5m, higher than the existing roof but lower than other parts of the building. Facing materials are shown to be a mix of brick, timber cladding and the introduction of some render. The extension will come much close to Park Road, within 0.5m at its closest and the south west elevation (Elevation F) will consequently be much more prominent from the road and Park. The existing elevation has extensive glazing which makes for an attractive and active frontage. In contrast Elevation F has much less glazing. It contains two centrally positioned windows in its circa 30m extent. This was put to the applicant with a request for additional glazing to break up the elevation and provide a more active frontage. The applicant has responded as follows:-

'Glare and life safety within the pool environment was given priority when developing the proposed plans/elevations. The amount of glazing is limited in order to reduce reflections on the water - as reflections/glare negatively impact on a lifeguards ability to monitor the pool. To limit the impact of the pool frontage, the proposed roof profile lowers the building height towards the neighbouring park. The upper section of this elevation will also be clad in timber to create visual relief from the brickwork, we are investigating the inclusion of glazing to the proposed emergency escape doors.'

7.5 It is regrettable that more glazing could not be incorporated although the reasoning behind the design for what will essentially need to be a functional building is understood.

7.6 The gym extension to the north west (rear) is a mock hipped roof which conceals a central flat roof. It has a height of approx. 6m and brick facing walls with plenty of floor to ceiling glazing on Elevation E. No objection is raised to this element of the proposal.

7.7 The proposals also include a new main entrance which provides level access into the building and a lobby.

7.8 The proposed site plan refers to an ASHP (Air source heat pump) compound and Bin store to the north west of the main building albeit no details are provided as to what this might look like. Whilst the provision of renewable energy is supported under Policy SD2 and a welcome element, there is considerable sympathy with the concern of the Trees and Woodland Officer who comments that as shown the compound would be very prominent from Park Road with little spatial opportunity for screening/filtering by new structural landscaping/replacement tree planting/landscape enhancement in keeping with the surroundings. The applicant advises that this part of the proposal was reliant upon funding which has only recently been confirmed, hence the reason detailed plans are not yet available. It is considered that this could reasonably be conditioned to include a requirement to consider a revised layout to ensure greater separation between the compound and Park Lane

7.9 The DAS includes a materials palette which includes red brickwork, timber vertical cladding, cream render and profiled aluminium sheeting. Subject to agreeing details, there is no objection to these as they are found already on the existing building.

7.10 Overall the layout, scale and appearance is considered to be acceptable and in accordance with Policy DC1

Residential Amenity

7.11 There are residential properties close by and the amenity of occupiers of these dwellings is a material consideration in this application.

7.12 The Environmental Health Officer has considered the application. He advises that there is no record of any complaint of noise or light nuisance at the Leisure centre. In respect of noise he advises a condition to take account of any fan, air-conditioning or other plant/machinery noise which might be generated by the intensification of operations at the site. He also recommends a condition to control working hours and practices via a Construction and Environmental Management Plan.

7.13 An amended Lighting Assessment is provided for the proposed car park light scheme. It confirms that seven free standing lights are proposed in the new car park. These will be downward facing Holophane S line lamps each mounted on a 5m pole. It says that the lights will have integral PIR sensors and will be controlled via a central time clock set to switch off at curfew hours (11pm to 7am). The report assesses light spillage/intensity and concludes that it will be compliant with the Institute of Lighting Engineers Guidance.

7.14 The EHO has considered the Lighting Assessment and advises that it is acceptable. He recommends a condition to control any lighting installed on the actual building, as opposed to free standing lights and to ensure that the lighting scheme is implemented in accordance with the agreed Lighting Assessment.

7.15 With these conditions in place it is considered that residential amenity can be protected and there is compliance with relevant parts of Policies DC1 and SD4

Access/Highways

7.15 There is no proposed change to the access to the two existing car parking areas which are off Fowlchurch Road.

7.16 The application is supported by a Car Parking note which assesses the required parking provision in line with the Local Plan. The Proposed site plan shows that the existing car parking area to the south west is to be extended and remodelled in part to remove 4 spaces but to create 21 additional spaces including two disabled spaces leading to a net increase of 17 spaces.

7.17 The Local Highway Authority raise no objection to the application. They comment that the additional parking proposed is in line with the Local Plan and they also point to the fact that whilst not within the town centre the site is close to Leek town centre and in a sustainable location where modes of travel other than the car are available; walking, cycling, public transport. Furthermore public parking is available nearby. Both national and local planning policy seeks to promote and support development which reduces reliance on the private car for journeys and encourage active travel. The sustainable location of the site makes it very well placed to achieve these objectives.

7.18 For the reasons above, no objection is raised on access or parking grounds subject to a condition to secure the new parking spaces. There is compliance with relevant parts of Policies DC1 and T1

Tree protection/Landscaping

7.19 An Arboricultural Impact Assessment (AIA) by Arbtech supports the application. It has surveyed all trees/groups of trees on the site. It identifies that 2 trees will need to be removed to accommodate the development. These are T19 a Common beech situated at the front of the building and in the vicinity of the extension to the pool and T14 to accommodate the car park. Both are listed as Category B trees. A further three trees, T11, T12 and T24 (all Category C trees) are recommended for felling regardless of this development because of the presence of Kretzschmaria

7.20 The AIA also advises that some of the new car parking spaces are within the Root protection areas of T13, T15, T16 and T17. In addition to pruning and crown lifting the AIA indicates that any work here should be 'No dig' and that surfacing should be designed in conjunction with an arboriculturist so that it can be constructed entirely above the existing soil level

7.21 The Trees and Woodland Officer has considered the application and his comments are set out in full in the Consultation section below. He reluctantly accepts the loss of T11 and T12 which he says are probably the oldest Lime trees in Brough Park. However both are showing evidence of Kretzschmaria deusta, a very dangerous stem base/root decay fungus often leading to sudden stem snap and full tree failure (despite healthy crown condition). The Council, as landowner, is already aware of this and has been weighing up whether these trees could safely be retained in a much reduced form to preserve part of the site heritage. However the Trees and Woodland Officer accepts that because of their condition and requirement for dramatic management treatment, T11 and T12 should not appropriately or reasonably be held as an overriding constraint/objection to the proposed development.

7.22 There are two areas of tree impact arising directly from the proposal, firstly the loss of T19 to accommodate the swimming pool extension and secondly the loss of T14 and the impact on RPA's of T13 – T17 arising from the additional and reconfigured parking area.

7.23 In respect of T19 the Tree and Woodland officer advises that this is an early mature tree of good form in good condition and in a prominent position. He suggest its theoretical remaining life would be more than the 20 – 40 year estimated in the submitted AIA. However, he advises that it is not an original tree from the Ball Haye House era and he also appreciates that the benefits of the proposed development would justifiably outweigh the loss of this tree but with provision for replacement planting elsewhere to mitigate its loss.

7.24 In respect of the new and reconfigured parking area, the Trees and Woodland Officer has expressed concern about the loss of T14, a mature Lime in good condition and the fact that parking and accessways and potentially services for the lighting scheme would encroach into the RPA's of several trees, T13 – T17. Discussions have since taken place between the applicant and Officers with a view to negotiating an amended plan which addresses these concerns and avoids completely the loss of T14 and avoids or minimises any encroachment into RPA's.

7.25 At the time of writing this report an amended plan is awaited from the applicant albeit that Officers have had sight of a draft which gives sufficient comfort that this matter can be satisfactorily addressed to avoid impact on retained trees. However the layout does bring this new parking close to the boundary with the adjoining vets' premises and will visually impinge on the wide undeveloped strip of grass and large trees from Fowlchurch Rd, past the main Leisure centre car park, past the back of the vets, and linking to Park Road within the main part of Brough Park. Owing to these issues the Trees and Woodland Officer's preference would be for the additional parking to be directed to the existing open (tree-less) grass area outside the front door of the leisure centre to keep parking contained in close proximity to the building and avoid incremental car park extensions encroaching further and further into the attractive landscape structure of the wider park.

7.26 However the Council has received additional funding from Sport England's Active Environment Initiative to use areas to the front (i.e. the open grassed area referred to by the Trees and Woodland Officer) and rear of the building to increase physical in the wider community. It is mainly targeted towards demographics who might feel too intimidated by the thought of entering a Leisure Centre. It is understood that the inclusion of Active Environments Spaces is a condition of the funding for the wider project and because of this it is an integral part of the project and needs to be delivered. Regrettably therefore it is not available for additional parking.

7.27 It is for all of these reasons and on balance that Officers have concluded that subject to receiving the amended parking plan which avoids adverse impacts on any trees together any conditions recommended by the Trees and Woodland Officer, the proposal is acceptable in terms of Policy NE2 and the NPPF. Members will be updated on the plan and additional conditions at the meeting.

Biodiversity

7.28 Whilst Policy NE1 expects all development where possible to deliver a net gain in biodiversity, a net gain of at least 10% is now mandatory for major applications received since 12th February 2024. This is a major application received since 12th February 2024 and as such it is subject to the new requirements

7.29 A preliminary Ecological Appraisal and Preliminary Roost Assessment is provided with the application. It assesses that the majority of the site comprises of modified grassland habitat with scattered trees and a native hedgerow on the northern boundary. This is listed as a habitat of principal importance but is unaffected in the proposal. The assessment concludes that no direct impacts to any notable habitats will occur as a result of the proposed development. It recommends precautionary measures for protected species during construction and that the landscaping plans should include developing existing grassland into species rich sward or planting species rich wildflower grassland.

7.30 All application are now granted subject to a deemed biodiversity gain condition – unless of course exemptions or transitional provisions apply. The deemed condition is a pre commencement condition requiring a biodiversity gain plan to be submitted and approved by the LPA before development commences.

7.31 Before granting planning permission therefore the Council must consider the applicant's strategy for achieving the biodiversity net gain objective of at least 10%. In this case the applicants have submitted a Biodiversity Net Gain Assessment with calculation which is currently under consideration by officers and negotiations are on-going with regard to how the net gain will be achieved.

7.32 Whilst it may not be possible to achieve these measures within the red line application site but in this case the Council does own the adjacent Brough Park and there is therefore be scope therefore for off site provision and officers are therefore comfortable that in principle the required net gain can be achieved. The applicant will be required to submit the final detail for approval as part of the Biodiversity gain condition

Drainage

7.33 Both Severn Trent Water and the Local Lead Flood Authority have considered the application. No issues are raised in terms drainage subject to a condition to secure the detail

Planning balance and conclusion

7.34 The application has been found to comply with the provisions of the Development Plan. It will deliver sustainable development in line with the NPPF and a recommendation of approval is therefore made

8. RECOMMENDATION

That planning permission be granted subject to the receipt of an amended parking layout and subject to the following conditions:-

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:-

10683-L(0)001-P01 Location Plan
10683-L(0)003-P04 Existing Site Plan
10683-L(0)004-P09 Proposed Site Plan
10683-L(0)010-P03 Existing Ground Floor Plan
10683-L(0)011-P03 Existing First Floor Plan
10683-L(0)012-P03 Existing Roof Plan
10683-L(0)013-P03 Existing Elevations Sheet 1 of 2
10683-L(0)014-P03 Existing Elevations Sheet 2 of 2
10683-L(0)015-P03 Existing Sections Sheet 1 of 2
10683-L(0)016-P03 Existing Sections Sheet 2 of 2
10683-L(0)026-P05 Proposed Ground Floor Plan Consultation
10683-L(0)021-P08 Proposed First Floor Plan
10683-L(0)022-P07 Proposed Roof Plan
10683-L(0)042-P05 Proposed Sections Sheet 1 of 2
10683-L(0)043-P05 Proposed Sections Sheet 2 of 2
10683-L(0)045-P01 Proposed Elevations (Coloured) Sheet 1 of 2
10683-L(0)046-P02 Proposed Elevations (Coloured) Sheet 2 of 2

2399 HEN XX 00 DRG E 6915 P3 Lighting layout (Hensall)

Lighting Assessment Brough Park Leisure Centre BIM Yorkshire March 2024 Revision PO2

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

Materials

3.No development above slab level shall commence until such time as details, including samples where requested of all proposed walling and roofing materials have been submitted to and approved in writing by the LPA. The development shall thereafter be carried out strictly in accordance with the agreed details

Reason:- To ensure an acceptable external appearance in the interest of the character and appearance of the area

Drainage (Severn Trent Water)

4. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason:-

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution

Drainage (Local Lead Flood Authority)

5. No development shall begin until the final detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must demonstrate:

a) Detail and condition of the existing drainage system and outfall point (as built drawings and CCTV Survey).

b) A surface water drainage system for the additional floor space designed in accordance with the non-technical standards for sustainable drainage systems (DEFRA, March 2015).

c) The use of SuDS features to promote the re-use, recycling, or infiltration to ground (if viable) of runoff generated by the additional roof area, prior to discharge into any existing system.

d) Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme (both existing and proposed), including details on any attenuation system, SuDS features and the outfall arrangements. Performance calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and critical storm durations (15 mins up to 48 hours), to include as a minimum the 1:2 year, 1:30 year and the 1:100-year plus climate change return periods.

e) Provision of an acceptable management and maintenance plan to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.

The development shall thereafter proceed in accordance with the approved details.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution

Construction and Environmental Management Plan

6. No development hereby permitted shall take place until a Construction and Environmental Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00

hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;

- II. the method and duration of any pile driving operations (including expected starting date and completion date);
- III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. the arrangements for prior notification to the occupiers of potentially affected properties;
- V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. a scheme to minimise dust emissions arising from earth moving and construction activities on the site;
- VII. a scheme for recycling/disposal of waste resulting from the construction works;
- VIII. the loading and unloading of plant and materials;
- IX. the storage of plant and materials used in constructing the development;
- X. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- XI. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works;
- XII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,
- XIII. the details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenity of local residents and that of the surrounding area from noise disturbance.

Plant and Machinery Noise

7.The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Reason: To protect the amenity of local residents and that of the surrounding area from noise disturbance.

Lighting

8.Details of any building mounted floodlighting or security lighting proposed shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on the building. The development shall thereafter proceed only in accordance with the approved details

Reason: To protect the local amenities of the local residents by reason of excess of luminance.

9.The car park lighting shall be installed in accordance with the details shown on drawing 2399 HEN XX 00 DRG E 6915 P3 and maintained and operated for the life of the development in accordance with the Lighting Assessment dated March 2024 Revision PO2 prepared by BIM Yorkshire Ltd

Reason: To protect the local amenities of the local residents by reason of excess of luminance and in the interests of biodiversity

Unexpected Contamination

10.In the event that contamination including surface coal measures is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Soil Importation

11.No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health,

controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Car Parking

12. The proposed new car parking spaces shown on the Proposed Site layout 1068-L(0) 004 P09 shall be laid and marked out as shown on the drawing and made available for use before the development hereby approved is brought into first use

Reason:- In the interests of highway safety

Biodiversity

13. The development shall be carried out strictly in accordance with the recommendations, including the precautionary working methods to be employed and provision of 3 bird boxes as set out in the Table 8 of Section 4 of the submitted Preliminary Ecological Appraisal and Preliminary Roost Assessment

Reason:- In the interests of the protection of biodiversity

ASHP compound and Bin store

14. No development of the ASHP compound and Bin Store shown on the Proposed Site plan drawing no 10683-L(0)004-P09 shall commence until such time that the following plans and documents have been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be carried out strictly in accordance with the approved detail

- Layout
- Elevations
- Means of enclosure
- Details of the ASHP's
- Noise Assessment including any mitigation measures required
- Landscaping

The Layout shall have regard to the Trees and Woodland Officer comments dated 4th July 2024 and make adequate spatial provision for structural planting between the facility and Park Road

Reason:- To ensure an acceptable external appearance in the interests of the character and appearance of the area and to protect residential amenity and the amenity of the area

15. Landscaping

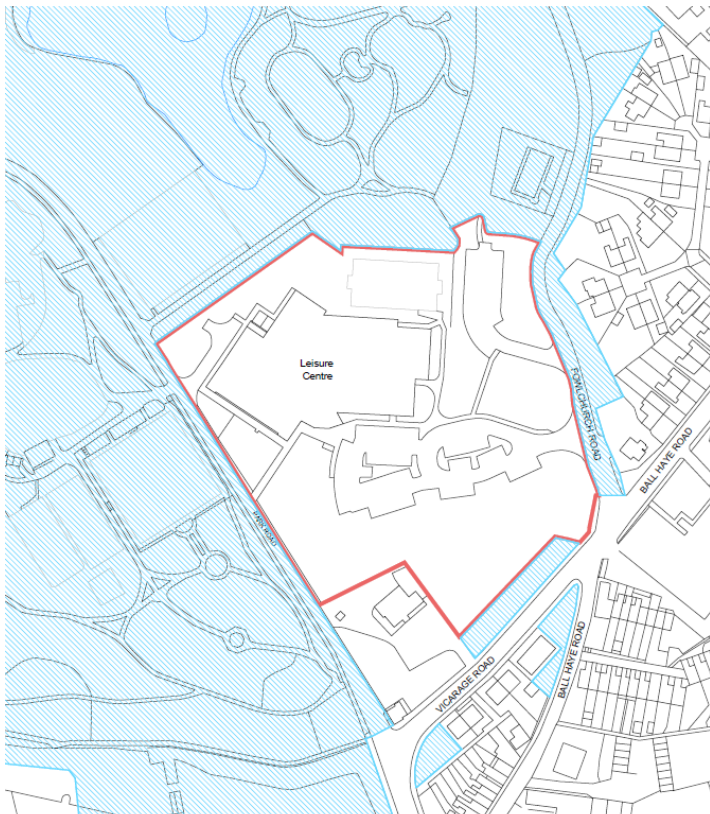
No development hereby permitted shall commence above slab level until such time that a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs and other plants which are planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- In the interests of the character and appearance of the area and to mitigate any trees lost to the development.

INFORMATIVE

1. The development is considered to be sustainable form of development in line with the provisions of the NPPF

- B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.



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Project Name
 Brough Park Leisure Centre
 -

Client Name
 Alliance Leisure
 -

Drawing Title
 Location Plan
 -

Scale **Project No.**
 1/1250 - A3 10683

Status **Purpose of Issue**
 A3 Issued for Planning

Project	Obj	Vol	Sheet	Form	Rev
10683	RL	XX	00	DR	A

Number	Revision
L(0)001	P01

LEGEND:
 Application Boundary
 Ownership Boundary

