

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 13 AUGUST 2008

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

**08/1431/FUL
Splash, Church Road, Stockton-on-Tees
Extension and alterations to existing leisure facility**

Expiry Date 3 September 2008

SUMMARY

The application site lies on Church Road within the defined Stockton Town Centre boundaries and forms part of a civic quarter with the Municipal Buildings, Library and the Grade I listed Church of St. Thomas situated to the south of the application site.

Planning consent is sought for the expansion of existing services and facilities at the Splash Leisure centre. This is to include extension to the main entrance, providing a larger foyer area and café area, And a further extension to the north-east of the building providing additional leisure facilities, which includes additional changing room facilities, a new fitness suite at ground and first floor and a large activities room.

There is a need for the expansion of the health and leisure facilities at Splash due to the imminent closure of the Tilery Sports centre. The proposal is considered to be visually acceptable and does not harm the character of the conservation area, does not have any significant impacts on the amenity of surrounding properties or on highway safety. Consequently the application is recommended for approval.

RECOMMENDATION

Planning application 08/1431/FUL be Approved subject to the following conditions

01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>0483/0002/1068/6 F</i>	<i>17 July 2008</i>
<i>0483/0002/1068/9 A</i>	<i>17 July 2008</i>
<i>0483/0002/1068/7 D</i>	<i>17 July 2008</i>
<i>0483/0002/1068/3 A</i>	<i>17 July 2008</i>
<i>0483/0002/1068/1</i>	<i>4 June 2008</i>

Reason: To define the consent.

- 02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).**

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 03 No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.**

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

- 04 Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with all existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:**
- a) commencement of the development**
 - b) or agreed phases**
 - c) or prior to the occupation of any part of the development**

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

- 05 Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and maintained for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

- 06 Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans, all means of enclosure and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure and street**

furniture shall be implemented in accordance with these details and shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality.

BACKGROUND

1. Planning permission was originally granted for the erection of a new swimming pool/leisure facility and associated works in both 1997 (app ref 97/1074/P) and in 1998 (98/0625/P), resulting in the current building on the site.
2. In 2005 planning consent was also granted for the construction of an additional flume (water slide) to the swimming pool (05/0217/LA).

PROPOSAL

3. Planning consent is sought for the expansion of existing services and facilities at the Splash Leisure centre. This is to include a 8m (w) x 24m (L) extension to the main entrance, providing a larger foyer area and café area, this will be contained within the existing main roof structure, with a small additional entrance protruding outwards and reaching a height of 7 metres.
4. A further extension to the north-east of the building measuring a maximum of 23m (w) x 33m (L) and reaching a maximum height of 18m will provide additional leisure facilities, which includes additional changing room facilities, a new fitness suite at ground and first floor and a large activities room. This will also allow for the conversion of the existing gym and aerobatics area to become multi-purpose rooms.
5. The existing through route from the car park to Church Road will also be re-located westwards from its current position.

CONSULTATIONS

6. The following Consultations were notified and any comments received are set out below:-

Urban Design Engineers

I refer to your memo dated: 21/07/08

General Summary

Urban Design raises no objections subject to the comments below.

Highways Comments

All developments should be designed and constructed in accordance with SBC's Design Guide and Specification and SPD3: parking Provision for New Developments.

In accordance with SPD3 the parking requirement for this leisure is 1/22m² gfa that equals 175 no. spaces. The car parks adjacent to Splash will provide 176 no. spaces. The proposed development extends into the car park and requires the layout to be reconfigured which results in the loss of 7 no. car parking spaces. The submitted Transport Statement details the average capacities of these car parks and it should be noted that the peak times for Splash would be weekends whilst the peak times for the Bath Lane North car park are weekdays. Therefore it is considered that the loss of 7 no. spaces is not significant.

The submitted Transport Statement details existing and predicted person trips and it is noted that peak footfall will occur outside the network peaks particularly during school holidays when network flow are generally lower, therefore the predicted additional trips are not anticipated to be of material concern.

The relocated disabled bays should be laid out in accordance with the SBC Design Guide and Specification.

Landscape & Visual Comments

Drawing number: 0483/0002/1068/3A *Proposed Site Plan*

Following the submission of the revised drawing above indicating the realignment of the surrounding public realm I have no objections to the application in relation to landscape and visual subject to the following comments and conditions below:

Due to the removal of existing trees as a result of the proposed extension, it is recommended that replacement tree planting is carried out along the northern boundary of the car park. Tree numbers, species and locations are to be agreed with the Arboricultural Officer Stuart Hibbert and any agreed details can be submitted as part of the following Landscaping softworks condition:

LANDSCAPING – SOFTWORKS

Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with all existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:

- d) commencement of the development
- e) or agreed phases
- f) or prior to the occupation of any part of the development

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

LANDSCAPING – HARDWORKS

Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

ENCLOSURE & STREET FURNITURE

Notwithstanding the proposals detailed in the Design and Access Statement and submitted plans,

a) All means of enclosure and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality.

Built Environment Comments

Drawing numbers: 0483/0002/1068/3A *Proposed Site Plan*
0483/0002/1068/9A *Elevations as proposed*

I support the application in principle following the submission of the revised drawings above. The revisions to the façade treatments on the south western corner of the extension allow the building to 'turn the corner' and therefore contribute to the public realm and be more sympathetic to pedestrian scale.

I also note changes in façade treatment to the western elevation of the sports hall; again the revised treatment provides detailing to reduce the scale of the extension.

Environmental Health Unit

I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved.

Construction Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site.

Should the application be approved, the developer should apply for consent under Section 61 Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

I will recommend working hours on site to be restricted to 8.00 a.m. - 6.00 p.m on weekdays, 8.00 a.m. - 1.00 p.m. on a Saturday and no Sunday working.

Rodent Control

New shrub beds should be provided with permanent covert rodent bait stations to allow rodent control in a Safe and effective manner.

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development. We have the following comments to make:

The application has been examined and Northumbrian Water has no objections to the proposed development.

It is important that Northumbrian Water is informed of the local planning authority's decision on this application. Please send a copy of the decision notice.

Northern Gas Networks

No objections

CE Electric

No objections but refer the developer to the Health and Safety Executives publications on working in and around electricity

Sport England

Thank you for consulting Sport England which is the brand name for the English Sports Council, on the above application.

Sport England has considered the application in the light of Sport England's Land Use Planning Policy Statement *Planning Policies for Sport* (a copy of which was sent to your Council in the

autumn of 1999). The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

Sport England has adopted the following policy objective:

To ensure that a planned approach to the provision of facilities and opportunities for sport is taken by planning authorities in order to meet the needs of the local community. The level of provision should be determined locally, based on local assessments of need and take account of wider than local requirements for strategic or specialist facilities

The preparation of a Local Needs Assessment (covering indoor and outdoor sports facilities in line with PPG17) by Local Authorities is vital in terms of meeting this policy objective.

Work on Stockton Local Needs Assessment is underway, but to our knowledge, has not reached a stage where it is advanced enough to help inform the kind of investment that is being proposed as part of this development.

The sports sector has to fight hard for its share of capital investment & it is imperative when funding is committed to new sports facilities that we get the best possible return for the investment. A thorough Local Needs Assessment should help to identify priorities for investment & avoid duplication of provision.

In advance of the publication of the Local Needs Assessment, Sport England considers that the Council should be satisfied on the following matters before committing to further investment in Splash;

- ❑ Analysis using Sport England's web-based database 'Active places Power' shows that in terms of health and fitness provision Stockton already has 27% more fitness stations per head of population than the regional average, & 39% more than the national average
- ❑ Of the 24 health and fitness suite sites across the Borough, only 5 sites are in the control of the Council.
- ❑ Justification is needed for additional health and fitness provision in light of the above or additional information provided about potential rationalisation of stock.
- ❑ Stockton is a wave 6 Building Schools for the Future (BSF) authority & a number of schools will be completely rebuilt in the borough over the coming years. The stand specification for medium sized new-build secondary schools includes an 185sq.m activity studio similar to the facility proposed at Splash.
- ❑ Stockton should consider in light of the above whether investment in this form of facility is justified at this time or whether the investment at Splash will allow the Council to vary the type of indoor sports facilities provided within its BSF programme.

Until these matters have been satisfactorily addressed by either the applicant or the Council, Sport England is **unable to support this application**.

You may be aware that Sport England produces a series of Guidance Notes which given clear, concise and up-to-date information on the planning, design and management of a range of sports facilities. In particular I would refer the applicant to the ones on Fitness & Exercise Spaces which can be found at the following website.

http://www.sportengland.org/fitness_exercise_spaces_v002_final.pdf

I would be grateful if you would advise me of the outcome of the application by sending me a copy of the decision notice. If you would like any further information or advice please contact me at the address below.

Steve Chaytor – Tees Active

comments on the Sport England response as a consultee.

1. They recognise the council is currently conducting its PPG17 needs assessment and suggests waiting until that is complete before deciding about investment. This is clearly neither practical, politically realistic nor does it take account of factors on the ground like the imminent closure of Stockton Tilery.
2. They suggest that Active Places indicates SBC has a greater than average supply of health and fitness facilities. An interesting fact but not a supply/demand analysis so not relevant in this context.
3. They state that of the 24 fitness sites across the Borough only 5 are run by the local authority. Actually of those 5, 4 are run by Tees Active which is independent of SBC. All very interesting but again, not an analysis of supply and demand.
4. They say that justification of additional supply is required because of the above. I would say that the above statements do not in themselves cast doubt about the supply/demand match. Nor do they take account of the business model of Tees Active that uses surpluses from activities such as health and fitness to cross subsidise other initiatives to meet social targets and increase activity rates in line with Sport England aspirations.
5. They note that SBC is in wave 6 of BSF and suggest schools will have activity spaces similar to Splash – I suppose suggesting that Splash may not need such a space. I would suggest that we can't wait for wave 6. We are about to lose Tilery sports centre and in any case, we are trying to grow the leisure offer and increase the spread of facilities not ration them. I would have thought Sport England might applaud this and support it.

It's probably worth stating that we have an independent supply/demand analysis completed by consultants PMP that provides information and statistics that support the scheme. We have consulted with the public and users who support the scheme and we are acting quickly to replace an aging facility at Tilery that has no future. In addition, Sport England has offered no funding for Splash so it's all self-funded. However, we do have a success story in Stockton with participation rising and investment in facilities planned for the next three years and more – everything SE is championing. It all tends to suggest that SBC policy decisions in this area have proved to be successful and should be supported.

PUBLICITY

6. The application has been advertised in the local press, through a site notice and neighbours were notified through individual letters. No objections to the proposal have been received.

PLANNING POLICY

7. The relevant development plan in this case is the adopted Stockton on Tees Local Plan. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1:

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy EN24

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

Policy EN28

Development which is likely to detract from the setting of a listed building will not be permitted.

Planning Policy Statement 1 - Delivering Sustainable development (PPS1)

Planning Policy Statement 6 - Planning for town centres (PPS6)

Planning Policy Guidance 15 - Planning and the Historic Environment (PPG15)

Planning Policy Guidance 17 - Planning for open space, sport and recreation (PPG17)

SITE AND SURROUNDINGS

8. The application site lies on Church Road within the defined Stockton Town Centre boundaries and forms part of a civic quarter with the Municipal Buildings, Library and the Grade I listed Church of St. Thomas situated to the south of the application site.
9. Further Council offices are situated to the west and east of the Splash complex, both of which are listed buildings. No16 Church Road to the west is grade II listed and No 70 & 72 Church Road, to the east is Grade II* listed. To the north of application site lies a large car park with a residential housing estate beyond.
10. The actual location of the proposed extension is to the east of the existing building, adjacent to the existing entrance and walkway.

MATERIAL PLANNING CONSIDERATIONS

1. The main planning considerations of this application are planning policies, the impact on the character of the area and conservation area, setting of listed buildings, amenity of neighbouring occupiers and access and highway safety.

Principle of development;

2. PSS1 encourages sustainable forms of development and high quality design and layouts in order to achieve the wider aims of social inclusion, enhancement of the environment, prudent use of natural resources and the need to reduce car dependency. PPS 6 encourages all town centre uses to be located within town centres, the proposed extension offers further and enhanced leisure facilities at the existing site.

3. PPG 17 sets out the government's agenda for open space, sport and recreation. Some of the key aims of PPG17 are to support urban renaissance through local networks of high quality and well managed and maintained open spaces, sports and recreational facilities; promoting social inclusion and community cohesion by improving people's sense of well being in the place they live and as a focal point for community activities; improving health and well being through play, sporting activities and interaction with others and achieving sustainable development by ensuring that open space, sports and recreational facilities (particularly in urban areas) are easily accessible by walking and cycling, and are well served by public transport.
4. The development offers further opportunity for health and fitness activities to all and in a location well served by public transport, enhancing social inclusion, adding to the attraction of the town centre and creating sustainable forms of development in accordance with the aims of PPS1, PPS6 and PPG17, and the principle of development is considered acceptable.
5. Given the principle of the development is deemed to be acceptable the development is subject to criteria laid out in policies GP1, EN24 EN28 of the adopted Stockton on Tees Local Plan.

Character of the area and conservation area;

6. Since the original submission, internal discussions have been held in order to create improvements to the layout and design of the proposal. This has included re-instating/widening the footpath c/c from Bath Lane to Church Road, the re-positioning of the Stockton town centre map and the introduction of further cladding to break to the expanses of brick work and overall massing of the building.
7. Overall the design of the building fits with the style, materials and proportion of the existing leisure facility and it is considered that visually it is acceptable and does not have a detrimental impact on the character of the Stockton conservation area.
8. The Urban Design unit have considered the information and have no objections to the revised scheme subject to further details on hard/soft landscaping and means of enclosure being provided. These matters can be satisfactorily addressed by planning conditions.
9. On balance the scheme is therefore considered to accord with policies GP1 and EN24 of the adopted Stockton on Tees Local Plan.

Setting of listed building;

10. The grade II listed No. 16 Church Road, lies immediately adjacent to the location of the proposed development. Although the proposal will result in the separation of the two buildings being reduced to the north, the relationship between the principle elevation of this building and urban realm space to the front/side of Splash will remain the same. The impact of the extension behind the existing light green tiled wall also lessens the impact on this listed building and it does not have a dominating appearance. The relationship between the proposed extension and the listed building is not considered to have a detrimental impact on its overall setting in this instance.
11. Given that Gloucester House (70 & 72 Church Road) is situated some 100m to the north-east of the application site it is not considered that the proposal has any significant impacts on the relationship of space between the buildings or harm the overall setting of this listed building.
12. Given that much of the spacing adjacent to the listed building remains and the extension does not dominated the adjacent buildings, the proposal is therefore considered to accord with policy EN28 of the Local Plan.

Amenity of neighbouring occupiers;

13. Within the immediate locality there are several Council offices and other commercial properties. Given the proposal is for extension to the existing leisure facility and the commercial nature of the surrounding adjacent properties, it is considered that the proposed development will not have a detrimental impact on the overall level of amenity currently enjoyed.
14. To the rear of the proposal are some residential dwellings, these are located approximately 50m from the proposed extension and it is considered that the use of extension is unlikely to worsen the existing situation in terms of privacy, levels of daylight or general amenity levels.
15. Given the above the proposal is not considered to have a detrimental impact on the amenity of the neighbouring occupiers/properties and is in accordance with policy GP1 in this respect.

Access and highway safety;

16. The Councils Highways Officers have considered the information submitted in support of the application and that despite the loss of 7 no. parking spaces the demand for the facilities available at Splash occur outside the highway network peak periods and that the proposal should not have a detrimental impact on either the highway network or existing parking provision.
17. Given the above the proposed development is not considered to have a detrimental impact on highway safety and is in accordance with policy GP1 of the adopted Stockton on Tees Local Plan.

Residual Issues;

18. Sport England have made representations and state that they cannot support the application until the Local Needs Assessment has been completed which should show where priority investment is required particularly given the Building Schools for the Future (BSF) programme and requirements for fitness studio's.
19. The applicant Tees Active have responded to the comments of Sport England by stating that the new facility is required to replace the facilities due to the imminent closure of the Stockton Tilery Sports Centre and that the comments are not a true supply/demand issue. They further state that Tees Active use surpluses from health and fitness to cross subsidise other initiatives to meet social targets and that Splash is completely self funded.
20. Whilst the Local Needs Assessment may not have yet been completed, there appears to be both a demand and need for these additional facilities. It should be noted that Sport England's comments are not an objection and in addition the Local Planning Authority has no evidence to suggest otherwise, particularly with the imminent closure of the Tilery sports centre. On this basis it is considered that the proposal will help to meet the demands of the local population and accords with the governments policy aims set out in PPS1, PPS6 and PPG17.
21. The Environmental Health Unit have also request that a planning condition be impose to ensure rodent measures are introduced into planting areas, however, this is an environmental health issue and cannot be addressed through planning conditions.

CONCLUSION

22. There is a need for the expansion of the health and leisure facilities due to the imminent closure of the Tilery Sports centre, the proposal is considered to be visually acceptable and does not harm the character of the conservation area. The proposal is also judged not to have any significant impacts on the amenity of surrounding properties or highway safety.

23. The proposed development is therefore judged to accord with national planning policies and guidance and also with Local Plan Policies GP1, EN24 and EN28. Consequently the application is recommended for approval.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

As report

Human Rights Implications.

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers.

Stockton on Tees Local Plan

Tees Valley Structure Plan

Planning Policy Statement 1; Delivering Sustainable Development

Planning Policy Statement 6 - Planning for town centres

Planning Policy Guidance 15 - Planning and the Historic Environment

Planning Policy Guidance 17 - Planning for open space, sport and recreation

Planning Applications - 97/1074/P & 98/0625/P

WARD AND WARD COUNCILLORS

Ward

Stockton Town Centre

Ward Councillors

Councillor D. W. Coleman & Councillor P. Kirton