

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr J Godwin	Demolition of existing Dolphin Centre and erection of new sport and leisure centre including swimming pools, health and fitness suite, climbing wall, multiuse studio/function and community spaces, wet and dry changing, offices, associated access, car-parking, servicing and landscaping Land at School Drive, Bromsgrove	25.01.2016	15/0919

RECOMMENDATION: that permission be **GRANTED**

Consultations

Worcestershire Highways

Consulted – views received 04 November 2015:

- No objection subject to Conditions relating to:
 - Closure of existing vehicular access prior to occupation
 - Access, turning and parking
 - Highway improvements/off-site works
 - Travel Plan

North Worcestershire Water Management

Consulted – views received 6 November 2015:

- No objection subject to Conditions relating to:
 - Scheme of foul and surface water drainage
 - Submission of SuDS management plan
 - Scheme for surface water treatment

Worcestershire County Council Countryside Service

Consulted 26 October 2015: views awaited

Ramblers Association

Consulted 26 October 2015: views awaited

Worcestershire County Council: Minerals and Waste

Consulted – views received 16 November 2015:

- No objection subject to Condition relating to:
 - Waste storage
 - Collection measures for waste and recyclable waste

Worcestershire Regulatory Services: Air Quality

Consulted – views received 13 November 2015:

- No objection subject to the scheme mitigating the cumulative impact on air quality through mitigation measures which are aligned with County LTP policies
- These measures will assist in alleviating pollution creep arising in the general area.

Worcestershire Regulatory Services: Contaminated Land

Consulted – views received 10 November 2015:

- No objection subject to Condition relating to
 - Risk assessment
 - Remediation strategy

Worcestershire Regulatory Services: Noise

Consulted – views received 26 October 2015:

- No objection

Worcestershire Regulatory Services: Lighting

Consulted – views received 26 October 2015:

- No objection

Landscape & Tree Officer

Consulted – views received 20 November 2015:

- No objection subject to Condition relating to:
 - Full landscape plan (to include planting specification), which should include additional tree planting in the verging along School Drive and a higher level of tree planting within the verge on the boundary of the footpath to Well Lane

Conservation Officer

Consulted – views received 17 November 2015:

- No objection

Worcestershire County Council Archive and Archaeological Service

Consulted – views received 10 November 2015:

- No objection

Health & Safety Executive

Consulted – views received 30 October 2015:

- No objection

Sport England

Consulted – views received 16 November 2015:

- No objection
- The strategic context for this application has been informed by a “Review of Future Leisure Centre Provision in Bromsgrove” and Facilities Planning Model (FPM) work commissioned by the Local Authority through Sport England. This modelling work included a local assessment of swimming pools and a local assessment of sports halls.
- The FPM swimming pool analysis concluded that the closure and replacement of the Dolphin Centre would appear to be a positive step which delivers significant quantitative and qualitative benefits. Although the FPM concludes that no further waterspace is required to meet current demand in Bromsgrove, some of the future demand for waterspace, created by the planned housing growth, will need to be met by improved access to certain facilities.
- The FPM sports hall work tested the impact of not replacing the sports hall in the replacement facility. The FPM concluded that the current supply of sports halls in

Bromsgrove was more than adequate to meet current demand with spare capacity at existing facilities to meet future demand. This analysis includes the 8 court sports hall at Bromsgrove School (constructed circa 2012).

- The replacement sports and leisure centre will provide studio space and the sports hall at North Bromsgrove High School which is adjacent to the Dolphin Leisure Centre is operated by the Council and is available for community use Monday to Friday 6.00pm – 9.00pm and Saturday/Sunday 9.00am – 5.00pm.
- The proposal will result in a reduction in the options for 'pay and play' to meet casual (i.e. non club) usage and there will also be an impact on existing day time users of the Dolphin Leisure Centre sports hall who will be displaced. However the loss of use of the sports hall during daytime hours does not justify the replacement of the sports hall given the high number of sports halls in Bromsgrove and the available capacity in the peak period. The FPM recommends that the LA works with Schools, other providers and relevant National Governing Bodies for Sport (NGBs) to develop a plan to relocate existing club and casual 'pay and play' usage from the Dolphin Leisure Centre to other sports halls ensuring continuity of use.
- This proposal addresses an identified need for a replacement Sports and Leisure Centre and has the potential to be of benefit to the development of swimming and general fitness in the Bromsgrove area. We would wish to see this accorded an appropriate weight in the decision that is reached on this application.
- The Sports and Leisure Centre has been assessed by Sport England's Technical Team and they are satisfied that the design of this facility meets Sport England/NGB technical guidance.
- The primary purpose of this development is to deliver community sport and as such Sport England is satisfied that it will fulfil the benefits to community sport identified above.

Additional comments received 24 November 2015:

- Comfort factor: The Facilities Planning Model analyses usage at Sports Halls during the peak period. The FPM includes a 'comfort factor' and assumes that usage of a sports hall over 80% of capacity is getting busy. However sports halls can and do operate successfully at up to 100% capacity in the peak period.
- Disparity between hours: I have been shown the 2015 usage plan for the sports hall and gym at North Bromsgrove High School (NBHS). This usage plan shows that the sports hall is available for 34 hours in the peak period (and 39 hours overall). The sports hall was modelled using a figure of 33 hours availability in the peak period in 2014. The usage plan therefore indicates that the sports hall is available for one more hour in the peak period than modelled in 2014 (providing more peak time capacity, but this would have limited impact on the modelling).
- Data discrepancies/timescales: This is a peak time analysis which has been signed off by the local authority and is still considered to be up-to-date. Any small changes/discrepancies in the hours of operation would only make marginal differences to the analysis and only fundamental changes would make the study out-of-date or incorrect (for example the opening or closure of large facilities). Furthermore the usage plan for the NBHS for 2015 supports the 2014 data used in the modelling and the conclusions are the same that there is spare capacity at NBHS.
- I also wish to make an amendment to my previous comments dated 16 November 2015: The 8 court sports hall at Bromsgrove School was constructed circa 2012 and was included in the 2014 FPM analysis.

West Mercia Constabulary

Consulted – views received 3 November 2015:

- No objection

Parks and Green Space Development Officer

Consulted – views received 11 November 2015 and 25 November 2015:

- No objection subject to Condition relating to:
 - The mitigation measures expressed in the submitted Ecological Report
 - The requirement for additional survey work expressed in the Bat Mitigation Strategy document

Urban Design

Consulted – views received 15 November 2015:

- The proposals are suitable for a new modern leisure centre in this location.
- Further thought/clarity is needed regarding the pedestrian connections into the town centre and between the two car parks.
- The shared access between the service entrance and the Registry Office again needs a greater level of sensitivity in the proposals.
- No objection subject to the following Conditions:
 - Landscaping
 - Boundary treatments
 - External materials

76 letters sent 26 October 2015 (expire 16 November 2015)

1 letter sent 5 November 2015 (expires 26 November 2015)

4 identical site notices posted 27 October 2015 (expire 17 November 2015)

1 press notice published 6 November 2015 (expires 27 November 2015)

19 representations letters received raising the following principle matters:

- There is no need for the current facility to be demolished/replaced
- The development will leave Bromsgrove residents with much reduced access to sports hall facilities and as a consequence is contrary to Bromsgrove Development Plan (BDP) policies BDP 17.12, BDP 25.3, BDP 25.4 and BDP 25.5
- Loss of community asset
- Without access to sports hall facilities during daytime hours, the proposals for the new leisure centre represent a significant deterioration in the provision of access to sports facilities in Bromsgrove and will have an adverse effect on the health and well-being of many residents
- It is unclear where alternative facilities can be hired. School facilities are not available during school hours and many evenings. North Bromsgrove School already has commitments during the evenings and weekends and its Sports Hall is smaller than the existing facility. The Ryland Centre's badminton courts are unsuitable for serious play.
- Impact on the public right of way

Other issues have been raised but these are not material planning considerations and have not been reported for Members

Members are encouraged to review all submitted documentation. All submitted information is available to view in full online via the Council's Public Access system.

Relevant Policies

Bromsgrove District Plan

C17: Retention of existing trees
DS13: Sustainable development
ES1: Protection of natural watercourse systems
ES2: Restrictions on development where risk of flooding
ES7: Sites suspected of contamination
ES11: Energy efficiency in buildings
ES12: Provision of recycling facilities
ES14A: Noise sensitive development
RAT3: Indoor sport development criteria
RAT 7 Sports halls standards
RAT8 Dual use facilities
RAT12: Support for public rights of way
S28: New and enhanced community facilities
S29: Access for the disabled
S35a: Development in Conservation Areas
TR11: Access and off-road parking

Emerging Bromsgrove District Plan

BDP1: Sustainable development principles
BDP2: Settlement hierarchy
BDP3: Future housing and employment development
BDP12: Sustainable communities
BDP13: New employment development
BDP16: Sustainable transport
BDP17: Town Centre regeneration
BDP19: High quality design
BDP20: Managing the historic environment
BDP21: Natural environment
BDP22: Climate change
BDP23: Water management
BDP25: Health and well being

National Planning Policy Framework

Section 1: Building a strong, competitive economy
Section 2: Ensuring the vitality of town centres
Section 4: Promoting sustainable transport
Section 7: Requiring good design
Section 8: Promoting healthy communities
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

National Planning Practice Guidance

Assessment of Proposal

Site Description

The site comprises 1.28 hectares located within Bromsgrove Town Centre. The site is located to the south of School Drive and is currently occupied by the existing Dolphin Centre (constructed 1967), the associated car-parks, the now demolished Blackmore House care home (with the site now fully remediated) and a section of the car-park currently serving the Registration Office. The site also extends into a small section of North Bromsgrove High School.

Residential properties are located to the north (School Drive/Oakhurst Drive) and three-storey apartments in Stratford Gardens to the south. North Bromsgrove High School and the Registration Office are to the east and to the west the existing council owned car park, the Methodist church and beyond to Stratford Road.

On the southern side of the site from Stratford Road links a Public Right of Way from Well Lane linking to Bromsgrove High School to the end of Blackwood Road. This also gives access to an external Multi Use Games Area (MUGA) which is owned and maintained by North Bromsgrove High School. The southern boundary of the site adjacent the footpath is well vegetated.

The topography of the site in places has a steep incline which rises significantly away from School Drive to Well Lane to the south.

The site is located in a designated residential area.

Proposals

This application is seeking full planning permission for the demolition of the existing Dolphin Centre and the erection of a new sport and leisure centre. The building will be split between a double height space above the pool areas, with a first floor above other areas, including the changing village and reception areas. In addition, the proposed works include below ground drainage, revised access points, car parking and ground remodelling following demolition of the existing Dolphin Centre facility.

The scheme includes the following elements:

- Main pool: 25 metre x 13 metre (6 lanes) with 108 spectator seats (104 seats and 4 wheelchair spaces)
- Learner pool: 10 metre x 15 metre with moveable floor with informal viewing
- Fitness suite: 100 stations with functional training spaces
- Dance studio: 2 spaces for up to 35-40 people in each, with moveable wall multi-use studio
- Group cycling studio: for up to 25 people
- Spa facilities and treatment rooms
- Sauna and steam room
- Climbing wall
- Foyer/café

- Wet and dry changing
- Car park with 190 spaces and parking/drop off for coaches
- Electric car-charging points
- Secure cycle parking
- Other ancillary accommodation: reception/staff welfare/reception/pole storage/first aid/wet health/plant room
- Substation (located to the side of the proposed plant rooms at the end of the Registration Office car-park)

The scheme also includes a link to North Bromsgrove High School Sports Hall to allow the use of the four court sports hall, gymnasium and dry changing areas. This facility is located adjacent to the proposed new leisure centre and is proposed to be operated by the Council between the hours of 6:00pm-9:00pm (Monday-Friday) and 9:00am – 5:00pm (Saturday and Sunday).

The building will have a mix of external materials to include:

Walls:	Staffordshire smooth blue brick Off white render
Cladding:	Light grey composite cladding Mid grey cement panel
Roof:	Zinc finish Stucco Embossed Aluminium
Climbing wall:	Coloured metallic: mid grey/zinc Coloured metallic: dark grey
Curtain walling:	Dark grey frames
Coloured glazing:	Red, green, blue, yellow and orange

The existing leisure centre will remain in operation whilst the new leisure centre is constructed. Following the completion of the new leisure centre, the existing Dolphin Centre will be closed and demolished to enable the completion of the car-park and coach drop off.

Key features of the scheme include:

- New facility with an active frontage clearly displaying the function of the building and compliance with modern standards of access
- Creation of a clear and user friendly main entrance lobby and reception area
- Clearly defined access for the community to use North Bromsgrove High School sports hall, gymnasium and changing facilities
- Creation of a mixed range of activities with improved sporting facilities and integrated additional multi-use studios and new climbing zone
- Improved pool area with moveable floor and learning facilities
- Provision of a clearly defined internal circulation routes
- The opportunity to install photovoltaic panels to the roof and other environmental promoters to create an energy efficient new leisure facility
- Promotion of health based sessions with the sports development team, health organisations and local partners, with the use of programmes available to encourage the local community to engage in positive healthy activities.
- Secure elements of design will be integrated into the scheme, active visible areas and glazed corridors will provide natural surveillance and reduce hidden areas

- Good quality car parking facilities

The external lighting strategy for the site comprises the following:

- 8 metre high columns for the main car-park
- Building mounted lighting

The proposed leisure centre maximum opening hours would be from 06:00 to 23:00 Monday to Friday and 07:00 to 22:00 on Saturday, Sunday and Bank Holidays.

The following information has accompanied the scheme:

- Design and Access Statement
- Ecological Report
- Energy Report
- External Lighting Report
- Flood Risk Assessment
- Ground Contamination Report
- Noise Survey
- Planning Statement
- Services Report
- Statement of Community Involvement
- Transport Assessment
- Travel Plan (Interim)

Appraisal

The site is located in an established residential zoned location under the BDLP. The site is previously developed and will replace the existing Leisure Centre.

Members will note the views arising from the publicity period concerning the absence of a sports hall facility within the new building. Members will note that reference has been given to the policies of the Bromsgrove District Plan (BDP) and how the new building would be contrary to the policies within this plan (with specific reference to policies BDP17.12TC5, BDP25.3, BDP25.4 and BDP25.5).

For the reference of Members, Policy BDP17.12 TC5 states that the School Drive site is a major leisure development opportunity within the Town Centre. Policy BDP17.12 TC5 (A) states that a leisure centre with associated parking and complementary uses including possible new public sector facilities will be the predominant use on site. BDP17.12 TC5 (C) states that the leisure centre should contain a swimming pool, fitness suite, multifunctional studios, sports hall facilities and ancillary uses such as café/restaurant.

The site is currently on the edge of the Town Centre in the extant Bromsgrove District Local Plan (BDLP) and identified as being within the Town Centre in the emerging Bromsgrove District Plan (BDP). Leisure uses are appropriate in town and edge of centre locations, and the sequential assessment detailed in the submitted Planning Statement indicates that there are no preferable sites which would be a better or more deliverable location for the development. In addition, the emerging BDP identifies at Policy BDP.17 TC5 this site specifically as the location as for a replacement leisure centre.

The BDP is at an advanced stage and is currently undergoing Examination in Public and as such can be afforded weight in the decision-making process. The application of weight is reinforced by the fact that the proposal to develop a leisure centre on the site has received no objections/representations in the statutory stages of plan making. This is important for Members to consider.

Members will note that the scheme does not contain a sports hall element. However, in considering the issue of compliance with the emerging policy (specifically policy BDP17.12 TC5), Members need to balance the thrust of this policy with the issue of financial viability and strategic demand and the presence of alternative sports hall facilities. These issues are dealt with in turn.

Viability Issues

In the context of achieving sustainable development, the National Planning Policy Framework refers to ensuring viability and deliverability in paragraph 173-177. Paragraph 173 of the NPPF states:

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Policy BDP1 of the emerging BDP refers to taking a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy BDP1.4(j) states that in considering all proposals for development in Bromsgrove District, regard will be had to financial viability and the economic benefits for the District.

The sports hall provision within the current Dolphin Centre has not been replicated within the new building on the grounds of viability when considering the financial impact on the scheme. When coming to this decision on 2 July 2014, viability and the impact of this decision on the current users of the Dolphin Centre was considered by Cabinet and identified within the Service/Operational Implications Section in paragraph 6.3 of the Report presented to Members.

A copy of this report is available for Members to read via the following link on the Council's website:

<http://modern.govwebpublic.bromsgrove.gov.uk/ieListDocuments.aspx?CId=105&MId=2034&Ver=4XXX>.

For the reference of Members, Prudential borrowing is the set of rules governing Local Authority borrowing in the United Kingdom. The Prudential system encourages Local Authorities to invest in the capital assets that they need to improve their services. It

allows Local Authorities to raise finance for capital expenditure without government consent as long as they can afford to service the debt out of their revenue resources. Borrowing must conform to the Prudential Code which (among other things) requires that borrowing be affordable and prudential. The levels of borrowing are identified for the Council within the Treasury Management Strategy as approved by the Audit Board in March 2014.

The level of borrowing that can be funded for the proposed replacement Leisure Centre is calculated based on ability for the Council to reduce the current net operating costs of the centre to meet the level of borrowing costs. The current cost (2014/2015) associated with the operation of the Dolphin Centre through the trust arrangement the Council entered into with Wychavon Leisure is £436k. Please note 2014/2015 figures are used to maintain a true cost of the provision as the 2015/2016 onward figures assume that the building will be closing in 2017 and maintenance decisions will be made on that basis.

Using the prudential borrowing model, the level of funding that can be achieved is £9.53m. In addition to the borrowing the surplus land will be sold and this is currently valued by the District Valuer at approximately £1.8m. This provides an estimated funding stream of £11.4m.

It is proposed that the Head of Leisure and Cultural Services continues to source external funding opportunities to deliver the £100k remaining, however it is proposed that £100k is used from working balances to meet this shortfall should there be no external funding granted. As detailed in the July 2014 Cabinet Report, the total agreed project for the new leisure centre is £11.5m. This figure is based upon the maximum borrowing allowed to Bromsgrove District Council, based upon its current costs in delivering the services from the Dolphin Centre.

The proposed revenue business case for the site assumes that the new centre will be delivered at a cost neutral position to the Council and as such all of the current funding will be used to service the debt incurred to provide the new facility.

It should also be noted that if the assumed £1.8 million for the enabling land is not be generated due to the land available for disposal being reduced, then the capital sum available for the new site would be reduced accordingly. The expected land requirement for a standard sports hall based on Sport England guidance (34.5 metres by 20 metres with a roof at 7.5 metres), plus changing and access requirements at 10%, would be 1087m². This would reduce the available funding by £271,750 based on previous information obtain from the District Valuer when setting the disposal land value.

At present the current costs of the current scheme for consideration by Members is £13 million with an assumption that £1.5million will be provided via an external grant. The costs associated with providing a sports hall within the scheme (excluding enabling land reductions), would be in the region of £1.5million, this would give a total cost of £14.5 million. The available budget for the project would be (following the loss of the enabling land) £11,288,250. Even with the maximum external grant funding (which would not be provided on a scheme of this size), the Council would only have funds available for a £13,288,250 programme. As such and when considering that the maximum external funding support that could be expected would be £1.5million, there would be a funding short fall of between £1,711,750 and £1,211,750.

Based on the above information, the addition of a sports hall within the agreed facility mix for the new leisure building would render the scheme unviable as it could not be progressed under prudential borrowing. Members need to be mindful of this issue in light of the weight attached to viability in decision-making advocated by the NPPF and the emerging BDP.

Strategic Demand and Alternative Sports Hall Provision

The strategic context for this application has been informed by a “Review of Future Leisure Centre Provision in Bromsgrove” and Facilities Planning Model (FPM) work commissioned by the LA through Sport England. This modelling work included a local assessment of swimming pools and a local assessment of sports halls. The FPM swimming pool analysis concluded that the closure and replacement of the Dolphin Centre would appear to be a positive step which delivers significant quantitative and qualitative benefits. Although the FPM concludes that no further waterspace is required to meet current demand in Bromsgrove, some of the future demand for waterspace, created by the planned housing growth, will need to be met by improved access to certain facilities.

The FPM sports hall work tested the impact of not replacing the sports hall in the replacement facility. The FPM concluded that the current supply of sports halls in Bromsgrove was more than adequate to meet current demand with spare capacity at existing facilities to meet future demand. The eight court sports hall constructed at Bromsgrove School was included in the FPM work and this contributes towards the supply of court space.

The proposal will result in a reduction in the options for ‘pay and play’ to meet casual (i.e. non-club) usage and there will also be an impact on existing day time users of the Dolphin Leisure Centre sports hall who will be displaced. The loss of the current sports hall at the Dolphin Centre would mean that the Ryland Centre in New Road, Bromsgrove would be the only accessible daytime venue within Bromsgrove for badminton. Concerns have been raised through the publicity period with regard to the suitability of the sports hall at the Ryland centre based on its roof height. However, although it would not conform to modern standards, it has been a venue for badminton for a number of years and when considered against the nature of the usage, it is considered to be a suitable alternative for recreational participation. It is also anticipated that the vast majority of current users outside of badminton and children soft play sessions would be unaffected and be able to be accommodated within the facilities of the new leisure centre (for example table tennis, martial arts and small group exercise sessions).

Importantly, Officers have for the past twelve months been in discussions with BAM Facilities Management (BAMFM) over a third party hire agreement that would allow a sports hall at peak times and weekends to be part of the overall scheme and in light of this, the access arrangements for this provision are shown within this application. This relates to access to provision at North Bromsgrove High School. Negotiations with BAMFM are continuing and are at an advanced stage. This will allow for year round access to be provided to both the on-site sports hall and gymnasium for up to 4 hours per evening and for 9 hours per day at weekends (inclusive of examination periods). Officers are also (as per Sport England recommendations), working with BAMFM to review their

current booking practices to ensure that the facilities are easy to access and use. This work will continue once the agreement is reached to ensure other sites across Bromsgrove can be used by residents to maximise the opportunity they represent to residents. The development provides a clear physical link between the new leisure centre and North Bromsgrove High School in order to provide clear and easy use of these facilities.

Given the high number of sports halls in Bromsgrove and the available capacity in the peak period, the loss of use of the sports hall during daytime hours does not justify the replacement of the sports hall facility. The FPM recommends that the Local Authority works with Schools, other providers and relevant National Governing Bodies for Sport (NGBs) to develop a plan to relocate existing club and casual 'pay and play' usage from the Dolphin Leisure Centre to other sports halls ensuring continuity of use. This approach was advocated in the July 2014 Cabinet report, whereby Members were mindful that they would wish to improve access to sports halls in Bromsgrove in line with the investment plans that they have supported in local sports clubs and organisations with a community focus to strengthen sporting infrastructure.

Sport England, therefore, considers this proposal addresses an identified need for a replacement leisure centre and has the potential to be of benefit to the development of swimming and general fitness in the Bromsgrove area. Sport England is of the view that the design of the building meets Sport England/NGB technical guidance and is satisfied that the primary purpose of the facility will fulfil the requirement to deliver community sport. Members are required to accord the appropriate weight to these comments.

Summary

Policy TC5 of the BDP identifies the application site as the location for a new leisure centre and the specification contained within this policy identifies what a new facility should contain. The only missing element is the inclusion of a sports hall. Although the loss of the sports hall facility is regrettable, having balanced the issue of viability, the demand statistics, the presence of alternative day time venues and the use of facilities at North Bromsgrove High School, I consider these are material planning considerations that outweigh non-compliance of the current scheme with the relevant emerging BDP policies. I thus consider the construction of the new leisure building to be acceptable in principle in this location.

The main issues to be considered in this application include:

- Design, form and layout
- Residential amenity
- Highway matters
- Trees and landscaping
- Flood risk and drainage
- Ecology
- Noise
- Lighting

Design, Form and Layout

I am of the view that the contemporary design approach would fit into the context of the immediate and wider urban landscape and provide a sensitively designed structure in this location that will establish a new landmark feature. The design of the most public aspect is finely detailed and crafted and outwardly expresses the sustainability credentials of the building. This includes the drama of the glazed curtain walling and the brise soleil as an introduction of the building to visitors through the entrance lobby. The building has three key elevations (car park, corner block and School Drive) which each take a different design approach. The large volume of the pool hall has purposely been design to minimise the impact to School Drive, with a low pitched roof reducing the scale of the building to the road and adjacent buildings. The materials are representative of modern building design with pale render, coloured panels and a range of cladding composite materials, including zinc.

Key activities take place off the internal circulation on both floors, where glazed screens and openings allow for informal viewing for glimpses of the activities taking place. This creates a spacious feel to the building and points of focus for navigation and orientation purposes to help visitors of the leisure centre to build an awareness of the facilities and activities available to them.

The sustainability credentials of the building (for example the inclusion of photovoltaic cells on some of the roof areas to generate electricity to be used in the running of the building and solar control glazing to the front elevation) are welcomed.

The materials of the building relate to the family of buildings located on School Drive, including the blue light campus, the Artrix and the school buildings. It is therefore considered that the building will complement the site and the setting and character of the surrounding area. The design is distinctive, of high quality and together with the proposed material palette, will result in a development which meets the applicant's needs, whilst enhancing the character and visual appearance of this Town Centre location.

The location and access to the building has been carefully considered and is a considerable improvement on the arrangements to the existing Dolphin Centre, with level parking areas and stepped and ramped accesses within the steeply sloping site. Members will note that the existing car park falls outside of the application site and does not form part of the proposals.

I am therefore of the view that the concerns of the Urban Designer have been addressed.

The scheme has no impact on the character or appearance of the designated Town Centre Conservation Area.

For clarification, signage does not form part of this application and is for illustrative purposes only. Building signage and directional signage will be subject to a separate application under Advertisement Consent.

Residential Amenity

There are no immediate occupiers affected by the proposal. There will be no loss of amenity to those occupiers closest to the site in School Drive/Oakhurst Drive/Stratford Gardens.

Highway Matters

The scheme includes a new access leading off School Drive. A separate service area is located to the east of the building. Car parking has been designed to take account of the topography of the site and includes a coach drop off point and secure cycle parking near the building entrance. Clear pedestrian routes have been incorporated into the car-park design, including the route to North Bromsgrove High School and pedestrian access external to the site.

I am of the view that there would not be any material harm to the safety or free flow of traffic on the local highway network and that there would be capacity within the existing network to cope with the development proposal. The use of School Drive and PROW 538(B) for walking and cycling opportunities, would also promote sustainable transport choices for users of the building and provide connectivity with the Town Centre and the wider locality. This would also enable greater permeability.

It is considered that the access arrangements, the level of parking and the parking layout are acceptable. Worcestershire Highways has raised no objection to the scheme.

Trees and Landscaping

The Tree Officer has raised no objection to the scheme. The soft landscaping would comprise trees, hedging, low shrubs and grassland and would be developed in accordance with the approved Ecological Management Plan. The submission of a landscape scheme, including additional tree planting as advocated by the Tree Officer, can be conditioned.

Flood Risk and Drainage

A Flood Risk Assessment (FRA) has accompanied the application. The application falls within the threshold for consultation with the Environment Agency. The submitted FRA concludes that the development is not at risk of flooding. In addition a SUDS drainage strategy has been produced to ensure that the new building does not increase flood risk to other developments and that the quality of surface water runoff is improved prior to discharge. North Worcestershire Water Management has raised no objection to the scheme, subject to the imposition of suitable Conditions.

Ecology

The survey area consists mostly of amenity grassland and hardstanding with small patches of tall ruderal vegetation along boundary features and is considered to be of low ecological value. Defunct hedgerow feature along the southern boundary of the survey area is considered to be of low ecological value, although the single mature oak tree on the site offers moderate ecological value.

The submitted Ecological Appraisal (October 2015) details potential opportunities for certain protected species and recommends further ecological work/enhancement works. This is with specific reference to the existing Dolphin Centre building that offers moderate potential to be used as a summer roost for several species of bat. An additional Bat Mitigation Survey (November 2015) has also been submitted at the request of your Officer given the recommendations of the Ecological Appraisal. At this stage the current bat species using the building are not confirmed and the type of bat roost present is not known. Members will be aware that the existing leisure centre will not be demolished until the new centre is operational. In this respect, it is not critical that a bat survey of the existing building is required prior to determination of the application at this stage given it is anticipated that the existing Dolphin Centre structure will remain *in situ* until at least 2017.

A full suite of bat surveys will need to be commissioned. This includes one dusk emergence survey and two dawn re-entry surveys. The bat survey season commences in May. A total of 4-6 surveyors are required to adequately observe all aspects of the building during each survey, including a full day time assessment and a loft space investigation where possible. Should a bat roost be confirmed, subsequent survey works may be required (such as maternity roost counts to ensure adequate information for a European Protected Species Licence).

The new building has been designed with bat mitigation measures in anticipation of bats being present within the Dolphin Centre building. This includes the installation of bat bricks to the east and west elevations at the recommended height. Given the unusual circumstances of the existing building not being demolished immediately to make way for the new building, I am satisfied that a suitable Condition can be imposed for the required bat emergence and/or pre-dawn re-entry surveys to be undertaken prior to demolition and a revised mitigation strategy to be submitted (as deemed necessary) following appraisal of these survey works.

The Parks and Green Space Development Officer has raised no objection to this approach or to the scheme on ecological or biodiversity grounds, subject to the suggested Conditions relating to mitigation measures for identified protected species on the site (with specific reference to bats).

Noise

The leisure centre maximum opening hours would be from 06:00 to 23:00 Monday to Friday and 07:00 to 22:00 on Saturday, Sunday and Bank Holidays. New plant noise levels have been predicted and the submitted noise assessment concludes that there would be no undue harm. The Worcestershire Regulatory Services Noise Officer has raised no objection to the scheme.

Lighting

An external lighting design statement has accompanied the scheme. The submitted illumination drawing shows that there would be minimal light spill onto the surrounding residential dwellings, thereby demonstrating that the lighting would not adversely affect residential amenity. The final lighting design for the site can be conditioned. The

Worcestershire Regulatory Service Lighting Officer has raised no objection to the scheme.

Other Issues

Crime Prevention

Members will note the views of the Crime Risk Manager. The CRM has raised no objection to the scheme. I am therefore of the view that the scheme has paid regard to planning policy and guidance on this issue and thus raise no objection on these grounds.

Construction Issues

Deliveries to the development site during the construction phase are able to be controlled through a Construction Management Plan. This could include the following:

- Restricting construction vehicles to designated routes
- The prohibition of the movement of construction vehicles on the local highway network in the vicinity of the development site during the morning and evening peak hour periods
- Restrictions of the hours of working on site
- Noise and dust suppression measures (with particular reference to the demolition of the Dolphin Centre)

I consider this to be appropriate given the proximity of the residential units to the north and south.

Public Right of Way

The proposal affects the setting of Public Right of Way 538(B) on Well Lane but will not impede access. The views of the County Footpaths Officer and the Rambler's Association have not been received to date.

Air Quality

Worcestershire Regulatory Services has recommended that a development of this size should mitigate the cumulative impact on air quality through mitigation measures which are aligned with County LTP policies. These measures will assist in alleviating pollution creep arising in the general area.

The scheme includes secure cycle parking in accordance with the submitted Transport Assessment and a single electric charging point to serve two vehicles is proposed within the car-park. This point will be monitored following installation through the Travel Plan, with the provision of further points if considered appropriate. Low emission boilers are also proposed.

As such I consider the application contains suitable mitigation measures in relation to air quality and I raise no objection to the scheme on this issue.

Conclusions

This application provides an opportunity to deliver a modern leisure centre that would provide enhanced facilities for residents of and visitors to Bromsgrove District. The removal of the existing outdated building and its replacement with a carefully considered building with an emphasis on high quality design and range of external materials, new landscaping and reconfigured car-parking and enhanced employment opportunities will all be of local benefit, which are factors that weigh in favour of the proposals. The scheme also forms part of the wider Town Centre Regeneration agenda and the maintaining of the sports and leisure offer within the Town Centre is clearly supported by the desire of the emerging BDP and the NPPF to promote healthy communities.

Having balanced the scheme in terms of viability, supply and demand, the availability of other venues due to the loss of the existing sports hall provision and the support for the scheme expressed by Sport England, I am of the view that the proposal will bring forward a substantial benefit to the District and its residents I am thus minded to approve the application.

RECOMMENDATION: that permission be **GRANTED**

Conditions

Time

- (1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed to Section 51 of the Planning and Compulsory Purchase Act 2004

General

- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans.

Reason: To define the permission and in order to secure the satisfactory appearance of the development in accordance with Policy DS13 of the Bromsgrove District Local Plan.

- (3) The materials to be used in the construction of external surfaces shall comply with those detailed on the approved drawings and the External Finishes sample panel board. The development shall be carried out in accordance with these approved details.

Reason: To ensure the satisfactory appearance of the development in the interests of safeguarding and enhancing the character and appearance of the area in accordance with Policy DS13 of the Bromsgrove District Local Plan.

- (4) The leisure centre shall only be open from 06:00 to 23:00 Monday to Friday and 07:00 to 22:00 on Saturday, Sunday and Bank Holidays.

Reason: To protect the amenities of adjacent occupiers in accordance with Policy DS13 of the Bromsgrove District Local Plan 2004

External Specification

- (5) Prior to occupation, full details of retained and new soft landscape works, including a phasing plan of new landscaping works, shall be submitted to and approved in writing by the Local Planning Authority. Such approved planting shall be completed in accordance with the approved details. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to secure a well-planned development in accordance with Policy DS13 of the Bromsgrove District Local Plan 2004

- (6) Prior to occupation, full details of all proposed hard surface areas shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include proposed finished levels or contours, car parking layouts, other vehicle and pedestrian footpaths/access and circulation areas, hard surface materials. Development shall be carried out in accordance with the approved details.

Reason: In order to secure a well-planned development in accordance with Policy DS13 of the Bromsgrove District Local Plan 2004

- (7) Prior to occupation, details of the external lighting to be used shall be submitted to and approved in writing by the Local Planning Authority. Such plans shall include scaled plans and drawings illustrating the design of the light units and columns. The development shall be carried out in accordance with the approved details and shall be maintained as approved.

Reason: To ensure the satisfactory appearance of the development in the interests of safeguarding and enhancing the character and appearance of the area in accordance with Policy DS13 of the Bromsgrove District Local Plan.

- (8) Prior to occupation, a plan indicating the position, design, material and type of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed in accordance with the approved details.

Reason: In order to secure a well-planned development in accordance with Policy DS13 of the Bromsgrove District Local Plan 2004

- (9) A plan including details of the facilities for the storage and collection of refuse for the development shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the approved refuse storage facilities have been constructed in accordance with approved details.

Reason: To ensure the proposed dwellings have adequate refuse storage facilities

Drainage

- (10) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first use of the development hereby approved.

- (11) No works or development shall take place until a scheme for surface water treatment has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reasons (10)–(11): To prevent the increased risk of flooding and to improve and protect water quality

Ground Conditions

- (12) A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

- (13) The detailed site investigation and risk assessment must be undertaken in accordance with the approved scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.
- (14) Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- (15) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
- (16) Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
- (17) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reasons (12)-(17): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Ecology

- (18) The building shall not be occupied until a plan containing a full and detailed mitigation strategy based on Section 7 of the Ecological Appraisal (dated 16 October 2015) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail timing and provision for implementing the mitigation measures. The scheme shall be implemented in accordance with the approved details.

Reason: To conserve and enhance the ecological value of the site

- (19) Prior to the demolition of the existing Dolphin Centre building, the Final Survey Work Recommendations of the submitted Bat Mitigation Statement (to include as a minimum bat emergence surveys and bat pre-dawn pre-entry surveys of the Dolphin Centre building), shall be undertaken by a suitably qualified Ecologist and a bat mitigation strategy based on the findings of these surveys shall be submitted to and be approved in writing by the Local Planning Authority. The mitigation strategy shall be implemented in accordance with the approved details prior to the demolition of the existing Dolphin Centre building.

Reason: To conserve and enhance the ecological value of the site

Construction

- (20) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a construction management plan. The plan shall include (a) areas within the site to be used for loading, unloading and manoeuvring, (b) areas within the site to be used for storage of materials and equipment including fuels, (c) wheel washing at the site and leaving the site to reduce mud and spoil on the highway, (d) proposals to minimise dust from construction (e) construction noise suppression, (f) areas within the site to be used for parking for site personnel, operatives and visitors (g) construction traffic routes, (h) piling techniques, (i) programme of works (including measures for traffic management and operating hours, (j) provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers

Highways

- (21) Prior to the occupation of the building hereby approved, the existing vehicular access onto the adjoining highway shall be permanently closed. Details of the means of closure and reinstatement of this existing access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the development hereby approved.

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- (22) The development hereby permitted shall not be occupied until a phasing plan for the development of the car-parking provision to serve the site has been submitted to and approved in writing by the Local Planning Authority. The phasing of the development shall be carried out as approved. The car-parking provision relevant to each phase detailed in the approved phasing plan shall be properly

consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

(23) Engineering details of the proposed access shall be submitted and approved in writing by the Local Planning Authority and the development shall not be occupied until the scheme has been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic onto the Highway.

(24) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a Travel Plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel Plan Co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access

Informatives

Section 278 Agreement

No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

Street Lighting

The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.

Advertisements

This consent does not permit the erection of any form of advertisement on the site.

Climate Change

Encouragement for the applicant to:

- Install low NO_x boilers in properties
-

Case Officer:

Dale Birch

01527 881341

d.birch@bromsgroveandredditch.gov.uk