
Report of the Head of Development and Master Planning**STRATEGIC PLANNING COMMITTEE****Date: 11-Jul-2019****Subject: Planning Application 2019/91491 Demolition of existing fitness complex and erection of Spen Valley Leisure Centre Spenborough Fitness Complex, Bradford Road, Littletown, WF15 6LW****APPLICANT**

Kirklees Council

DATE VALID

03-May-2019

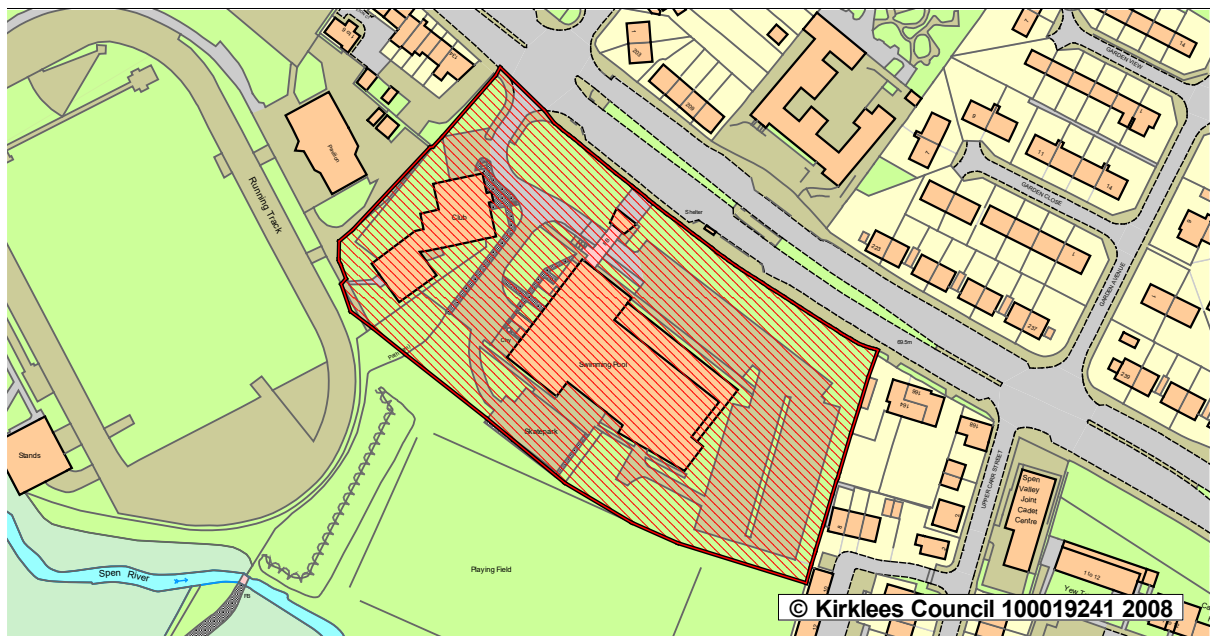
TARGET DATE

02-Aug-2019

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN

Map not to scale – for identification purposes only

Electoral Wards Affected: Liversedge and Gomersal

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

Delegate approval of the application to the Head of Development and Master Planning to:

1. Secure the signing of a Legal Agreement to provide:

- Travel Plan Monitoring fee (£2,000 per annum)

2. Complete the list of conditions including those contained within this report and Issue the decision notice.

In the circumstances where the legal agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Development and Master Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Development and Master Planning is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

1.0 INTRODUCTION:

1.1 This application is reported to the Strategic Planning Committee as the application site is above 0.5 hectares and it is also submitted on behalf of the Council.

1.2 The site was subject to an EIA Screening opinion which concluded that an Environmental Impact Assessment was not required.

2.0 SITE AND SURROUNDINGS:

2.1 The application site extends to 1.466 ha, and at present is occupied by the existing Spenborough Fitness Complex. The site is bounded to the North East by Bradford Road (A638) and to the South by existing playing fields which are bordered by the Spen River. To the East of the site are a mixture of two storey semi-detached and detached residential dwellings on Upper Carr Street. To the West of the site are two storey terraced dwellings fronting Bradford Road with the athletics track pavilion to the rear.

2.2 The Spenborough Fitness Complex currently incorporates:

- A swimming pool complex and separate fitness centre with car parking
- Skate Park
- Athletics track and field with adjacent car parking
- Sports pitch
- Area used by a remote-control model cars club

2.3 The existing building was opened in March 1969. The two storey structure is clad in two-tone blue panels facing Bradford Road. The first floor of the building sits 3m lower than the road level with a grass embankment between the building and road. A bridge link allows pedestrian access from Bradford Road to the 1st floor reception.

2.4 Vehicular access is taken from the North West of the site from Bradford Road. Vehicles pass underneath the bridge to access the car park. There is currently no access for Coaches onto the site.

2.5 The fitness centre is detached to the West of the main building. The single storey building has a modular extension to the rear. There is a small car park (3 no. accessible spaces) located to the front of the building.

2.6 The site is Unallocated within the Kirklees Local Plan. Land to the South of the site is allocated as Green Belt land.

3.0 PROPOSAL:

3.1 The application is sought to provide a replacement Spen Valley Leisure Centre. The Kirklees Built Leisure and Sports Facilities Framework states that the existing fitness complex building is reaching the end of its economic life. There is an existing shortfall of water space across the Borough which is heightened by an increase in population. It is advised within the report that the Spenborough pool should be replaced with a minimum of 8 lane x 25m pool and teaching pool.

3.2 The proposed replacement two storey Leisure centre will provide the following facilities:

- **Entrance reception and foyer**

- **Wet and dry Changing facilities**

A mixture of village change, Team/ Male and Female changing facilities are provided.

First floor male and female separate changing facilities with accessible showers and changing facilities.

- **Swimming Pools**

8-lane, 25m pool (max. depth 2m) and a 5-lane, 20m learner pool (max. depth 1.8m with a variable depth moveable floor) are located in an interconnected pool hall.

Spectator seating will be provided with 94 spaces for main pool spectators along a first floor gallery and 27 spaces for the learner pool at poolside with further spaces for accessible seating.

- **Gym**
The gym will provide a variety of different Cardiovascular, functional and weight zones
- **Multi-purpose Exercise studio**
Two, multi-purpose studios provided to accommodate movement and exercise activities. The larger room will have a moveable acoustic screen to provide flexibility.
- **Staff Area**
A staff zone including offices and a staff room at ground floor. A meeting/training room is provide which will be available for hire.
- **Plant Zone**

- 3.3 Vehicular access to the site will be provided by the existing access point from Bradford Road to the North West of the site. The access will lead into a car park, including eight accessible bays; eight enlarged standard bays and a further four enlarged bays, located behind a barrier.
- 3.4 A new vehicular access route is proposed into the car parks which has been designed into two distinctive parking areas, upper and lower, which will be joined by two vehicular access ramps.
- 3.5 The proposed building is a rectangular, two storey building with canopy sails over the entrance and plaza areas. The foyer entrance to the West will be fully glazed
- 3.6 The proposed external building materials are as follows:
- Facing brick to the external walling
 - Feature element to the first floor comprises panel cladding and translucent glass channel walling framed by aluminium rainscreen treatment
 - Curtain walling to main entrance
- 3.7 The application includes landscaping proposals within the site surrounding the building and car park.

4.0 RELEVANT PLANNING HISTORY:

- | | | |
|-----|------------|---|
| 4.1 | 2019/92005 | Prior notification for demolition of building
Undecided |
| | 2019/91160 | Erection of fence
Undecided |
| | 2015/91872 | Erection of modular extensions and associated works to
Spenborough Fitness Complex
Granted under Reg. 4 General Regulations |
| | 2004/93509 | Formation of a skate park and associated works
Granted under Reg 3. General Regulations |

97/90645	Erection of 2.4m high security fence and gates and increased height of existing lighting columns Granted under Reg 3. General Regulations
92/01972	Siting of storage container and change of use of playing field/waste land to radio controlled model car racing track Conditional Full Permission

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The application site has been through an informal pre-app with case officers which included informal consultations with internal statutory consultees.
- 5.2 The case officer has been in negotiations with the applicant to provide an amended plan in order to address concerns with regards to the retention of trees along the North West. An amended plan was submitted addressing the concerns which was considered to be acceptable.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is Unallocated within the Kirklees Local Plan.

6.2 Kirklees Local Plan (LP)

LP 1 – Sustainable Development
 LP 21 – Highway Safety and Access
 LP 22 – Parking
 LP 24 – Design
 LP 27 – Flood Risk
 LP 33 – Trees
 LP 30 – Biodiversity and Geodiversity
 LP 47 – Health, active and safe lifestyles
 LP 48 - Community Facilities
 LP 50 – Sport and Physical activity
 LP 52 – Protection and improvement of environmental quality
 LP 53 – Contaminated and unstable land

6.3 National Planning Policy Framework (NPPF):

Chapter 8 – Promoting health and safe communities
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been advertised by means of neighbour notification letter, site notices and notice in the press.

7.2 No representations were received following the period of public consultation

8.0 CONSULTATION RESPONSES:

8.1 The following is a brief summary of consultee advice (more details are contained within the assessment section of the report, where appropriate):

8.1 Statutory Consultees:

K.C Ecology – No objection subject to the implementation of a condition securing the submission of an Ecological Design Strategy (EDS).

K.C Environmental Health – No objection subject to the imposition of further conditions to secure further investigative works.

K.C Highways – No objection subject to the imposition of conditions

K.C Trees – No objection subject to condition requiring the submission of an Arboricultural Impact Assessment and an Arboricultural Method Statement.

The Coal Authority – No objection

Local Lead Flood Authority – No Objection subject to the addition of conditions relating to a finalised scheme for surface water drainage; a finalised scheme to prevent fats, oils and grease from entering the drainage network; a finalised scheme detailing temporary surface water drainage for the construction phase; details of a scheme for the interception of oils from surface water flows and a scheme detailing the provision of a flood warning system.

The Environment Agency – No Objection

Yorkshire Water – No Objection subject to the implementation of conditions

Public Rights of Way – No objection

8.2 Non-statutory:

Sport England – No objection

Crime Prevention – No objection subject to the addition of a condition for further details to be submitted and agreed.

9.0 MAIN ISSUES

- Principle of development
- Visual amenity/local character
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 Local Plan Policy 1 states that the Council will take a positive approach that reflects the presumptions in favour of sustainable development contained within the National Planning Policy Framework to secure development that improves the economic, social and environmental conditions in the area. Proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise.
- 10.2 The application has no specific allocation within the Kirklees Local Plan. As such, Local Plan Policy 24 of the KLP is relevant in that it states that proposals should promote good design in accordance with a specific set of considerations. All the considerations are addressed within the assessment. Subject to these not being prejudiced, this aspect of the proposal would be considered acceptable in principle.
- 10.3 Local Plan Policy 48 states that Community facilities should be located in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. Proposals will be supported which protects, retains or enhances provision, quality or accessibility of existing leisure facilities that meets the needs of all members of the community.
- 10.4 The proposal is for a replacement fitness complex which will provide a much improved leisure facilities to meet the needs of the local community. The proposed leisure centre will provide facilities for indoor sport and physical activity, catering for the needs and demands of a diverse community.
- 10.5 The application site currently operates as a fitness complex which is considered to be a sustainable and accessible location for members of the local community. The proposed new Leisure Centre will enhance the quality and provision of leisure facilities. The proposed improved replacement facility is therefore considered to comply with the aims of Local Plan Policy 48.
- 10.6 The proposal will include the loss of the existing skate park which is located to the South of the existing building. The Statement of Community Involvement states that the skate park will not be replaced within the site. The applicant has confirmed that this was due to constraints within the site as a result of the flood plain and underground piping.
- 10.7 The applicant also stated that a recent consultation about the Spen Valley Leisure Centre has resulted in mixed views about the skate park but the council is listening to the voices of the young people who feel passionately about the skate park. A project is currently underway to explore the feasibility of relocating the Skate Park within Royds Park to the North of the site. This would result in relocation to a more visible site than at present. Reports of anti-social behaviour have been received in relation to the existing skate park which is located to the rear of the existing Sports Centre and lacks natural surveillance.

Impact on visual amenity

- 10.8 LP24 states that good design should be at the core of all proposals. Proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. This is supported by The National Planning Policy Framework (NPPF) which sets out that, amongst other things, decisions should ensure that developments are sympathetic to local characterwhile not preventing or discouraging appropriate innovation or change (para.127 of the NPPF).
- 10.9 The proposed fitness complex is considered to be acceptable in both scale and design. The proposed complex is similar in scale, position and massing to the existing leisure centre. The proposed building remains two storey in height with a flat roof, set down from Bradford Road.
- 10.10 Due to the difference in land levels, the site is located approximately 3m down from Bradford Road to the North, therefore, the building will not create an incongruous feature within the street scene.
- 10.11 The proposed car parking will be located to the West and South of the building which is broken up by areas of planting and landscaping. A number of existing trees will be retained which are considered to have amenity value. In addition, new trees will be planted throughout the site to add interest visually and to enhance biodiversity.
- 10.12 The proposed fitness complex is of a modern design with a variety of materials which are considered to be acceptable in this location. However, a condition would be recommended for full details to be submitted and approved prior to the commencement of development.
- 10.13 The service area and staff parking will be located to the North East of the site, accessed to the North of the building and protected by an access barrier for safety reasons. The bin store will be located within this area and all plant associated with the building located inside the building for operational purposes and so as not to detract from visual amenity.
- 10.14 The design of the proposed buildings is considered to be functional and modern and given the varied character and design of surrounding development, is considered to be acceptable within this setting.
- 10.15 In summary, there would be no undue harm to visual amenity as a result of the proposed development. As such, the application is considered to comply with Policies LP 1 and LP 24 of the Kirklees Local Plan and guidance contained within Chapter 12 of the National Planning Policy Framework (NPPF).

Impact on residential amenity

- 10.16 A core planning principle set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. Policy PLP 24 of the Kirklees Local Plan states that proposals should promote good design by ensuring that they provide high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings.

- 10.17 The closest neighbouring dwellings which could be impacted by the are 164 Bradford Road to the North East; 8 and 10 Radulf Gardens to the East and 134 Bradford Road to the North West. To the North of the site are number 205 to 225 Bradford Road which are broken centrally by Littletown Junior Infant and Nursery School.
- 10.18 164 Bradford Road is a two storey, semi-detached dwelling located to the North East of the application site. The dwelling has large garden which extends along the East boundary of the site. Numbers 8 and 10 Radulf Gardens are two storey detached dwellings located along the Eastern boundary of the site. The proposed leisure centre will be located 20m to the boundary from the North East corner of the building and 24m from the East boundary adjacent to 8 Radulf Gardens. The building will be located closer to the adjacent dwellings, however, as the building remains two storeys in height with no potential of overlooking due to the proposed fenestration on the East elevation there is considered to be limited impact over and above the level set from the existing building.
- 10.19 The area directly adjacent to building to the East is originally the main car park for the fitness complex. This area will become the service yard and staff parking area. As the car parking is proposed to the West of the building and accessed via the North West of the site there will be a noticed reduction in movement in this area which will result in less impact from vehicle noise and light on the adjacent dwellings.
- 10.20 No.134 Bradford Road is a two storey end terraced dwelling located to the North West of the site adjacent to the existing entrance to the site. The dwelling is divided from the site by a grass verge and a private access for the terraced properties. The proposed building will be located further from the dwellings than the original dwelling and the existing fitness suite removed. The West of the site is proposed for an area of parking and pedestrian entrance to the Leisure Centre. Although this area of the site will now generate more movement due to the relocation of parking, it is considered by officers that the retention of the existing grass verge border and mature trees along this boundary will act as a buffer in addition to the relocation of the built form further from the residential dwellings. Due to the reasons listed there is considered to be no impact on residential amenity.
- 10.21 205 to 225 Bradford Road and Littletown Junior Infant and Nursery School are located to the North of the site on Bradford Road. The dwellings are a mixture of two storey terraced and two storey semi-detached dwellings. Littletown junior Infant and Nursery School is a 1.5 storey period building set back from Bradford Road. The pedestrian entrance to the school is to the South East. The proposed Leisure Centre will be set 3m lower than the level of Bradford Road. The existing bridge will be removed and replaced with stairs set into the existing grass verge. As a result the built form from the North elevation will be reduced. The grass verge and a number of existing trees will be retained with additional planting. Due to the land levels of the site and limited views from the North, there are considered to be no impact on the residential amenity of neighbouring dwellings and the existing school to the North.

- 10.22 In summary, there would be no undue harm to the residential amenity enjoyed by occupiers of neighbouring properties. As such, the application is considered to comply with Policies LP 1 and LP 24 of the Kirklees Local Plan and guidance contained within Chapter 12 of the National Planning Policy Framework (NPPF).
- 10.23 The development would not result in overshadowing to these dwellings, nor would it have an overbearing impact, in accordance with Policies D2, BE1 and BE2 of the Unitary Development Plan.
- 10.24 The existing use of the site is a leisure centre, therefore there is an existing level of noise from the building through vehicle movements and sports and activities on the site.
- 10.25 The applicant has submitted an Acoustic Design Specification (WYG, dated February 2019 reference A097478-1) which details that the plant and equipment to be installed will be decided at a later date. However, it is predicted that the site will be able to achieve levels below background noise at all nearby sensitive locations. A condition will therefore be added to control the combined noise any fixed mechanical services and external plant and equipment.
- 10.26 On this basis, Officers consider that the development is unlikely to result in any significant increase in noise levels above those already experienced as a result of existing school activities. As such the proposals would accord with Policy LP52 of the Kirklees Local Plan and guidance contained within Chapter 12 of the NPPF.

Highway Safety

- 10.27 The application site is located on the A638 Bradford Road, which in the vicinity has an existing dedicated right turn lane to serve the development access with a similar arrangement access to the junction of Eddercliffe Crescent which is opposite the site entrance. Cycle lanes and parking laybys are also present on both sides of the road.
- 10.28 There are bus stops located in both directions directly adjacent to the site in addition to a zebra crossing and staggered by a central traffic island.
- 10.29 The Highways DM Officer considers that the existing highway arrangements are sufficient to serve the proposal with no further engineering works required to the adopted highway.
- 10.30 The application is supported by a Transport Assessment which informs all traffic and transportation matters associated with the application. The Kirklees Highways DM Officer concur with the findings of the Transport Assessment from a traffic and highways safety perspective:

Traffic Generation

- 10.31 The supporting Transport Assessment (TA) and Interim Travel Plan (TP) provide information regarding 'trip rates'. The TA assess the traffic impact of a development of 'leisure' and 'leisure centre' in trip generation terms. Section 5 of the TA refers to the measurable impact in terms of 'new trips' being negligible as the site is currently in use with this proposal consolidating all buildings into one. Therefore, although the trip rate data is provided, there are no traffic generation figures summarised.

Parking Provision

10.32 To support the application, a parking accumulation survey was carried out on five separate occasions. The results identified that the peak period is as follows:

- 5:00pm to 7:00pm on a weekday
- 11:00am to 12:00pm on a Saturday
- Total maximum demand of 116 parking spaces.

10.33 In order to be robust, a 10% buffer was applied to this figure. However, through negotiation to retain two protected trees along the north western boundary, a provision of 127 car parking spaces is now to be provided (including 25 staff parking spaces). The removal of 2 spaces from this buffer is considered to be negligible. A total of 44 cycle spaces are also proposed to the front of the building.

10.34 Whilst the proposed car park may initially attract an over subscription in terms of parking demand, it is considered that this will settle down over time. There is also on street parking provision and parking available at the adjacent running track facility which could be used if an additional need be identified.

10.35 In conclusion, the proposed car parking is considered to be acceptable. The site offers sustainable travel measures on site in the form of cycle stands with a good link to public transport and accessibility for pedestrians. It is considered by implementing a travel plan with a full commitment to creating a modal shift to sustainable travel modes, the need to rely on the car will be significantly reduced.

Travel Plan Monitoring

10.36 Kirklees Council requires developers to contribute to the cost of monitoring Travel Plan progress. The Council charges an annual fee for five years for this service, with two rates based on the size of the development.

10.37 A contribution of £2,000 per annum would be required for the development for the first five years from the development being brought into use.

10.38 The fee will cover assistance with the development of the Framework Travel Plan into a Full Travel Plan in discharging the Travel Plan condition directly with the Leisure Centre. Thereafter, the contribution will be used to assist the appointed Travel Plan Co-Ordinator in implementing, maintaining, and monitoring the Full Travel Plan. This will be secured by a suitable Legal Agreement.

Public Rights of Way

10.39 A Public footpath reference Spe/110 runs within the site from the North West of the site along the frontage of the fitness complex and to the West of the existing building. As such the Public Rights of Way Officer was consulted as part of the application process.

- 10.40 It is noted that an application has been submitted for a public path order under s119 HA 1980 to divert public footpath Spe/110. This application is currently at consultation stage. A further application has also been submitted (2019/91160) for the erection of a fence along the West boundary of the site.
- 10.41 The Public Rights of Way Officer has confirmed no objection to the proposed development of the site. It is recommended that a condition be attached which restricts permitted development rights for the enclosure of the proposed footpath alignment.
- 10.42 The applicant has submitted detail of the electric vehicle charging points which are considered to be acceptable. The implementation of the facility will be secured by condition.

Drainage and Flood Risk

Main River flood Risk

- 10.43 The Environment Agency were consulted as a proportion of the site to the South is located within flood zone 2 and 3. The SFRA introduces an additional subdivision detailed as flood zone 3ai which is defined as 'development land within Flood Zone 3b where water would flow or be stored in times of flooding if not already constrained by development'.
- 10.44 The Lead Local Flood Authority confirmed that the approved SFRA dated 2016 had a digitisation error which reduced the extent of flood zone 3ai compared to the original draft SFRA dated 2015. The 2015 version of the SFRA mapping has been confirmed as the correct version. The Environment Agency agree with these findings which has been formalised through a formal update to the 2016 SFRA map.
- 10.45 Following the update to the SFRA, it is confirmed that no part of the proposed development falls within flood zone 3b. As such, the Environment Agency does not object to the development on flood risk grounds.
- 10.46 A sequential test was submitted to support the position of the proposed replacement leisure centre. Officers are satisfied that a sequential approach has been adopted for the position of the new building and designed to reduce flood risk in line with the desired outcomes of the NPPF.
- 10.47 The proposed building has been moved to slightly to the North, does not displace flood waters currently experienced and has located areas of hardstanding within SFRA flood zone 3ai. The finished floor levels are also above flood levels.
- 10.48 A detailed evacuation procedure for the car parking area which will be available to all staff and customers will be required by condition. In addition, details of fencing or containment method will be required to secure cars within the car park in the event of a flood.

Surface water flood risk

- 10.49 The proposal recommends a 375mm pipe for surface water outfall. It is recommended that as a 300mm pipe is present on site which requires repairs in several places it would be advised to renew the system as required to the outfall.
- 10.50 A final discharge rate of 73l/s has been calculated within the submitted Flood risk assessment. An appropriately sized interceptor has been proposed to accommodate for the number of parking spaces. Full details of the car parking retention strategy would be required for final design by condition.

Coal Mining Legacy

- 10.51 The application site falls within the defined high risk development area, therefore, the application site and surroundings area there are coal mining features and hazards which would need to be considered. As required, the applicant submitted a Geo-Environmental Report (dated 26th April 2017, prepared by WYG) which confirms the results of an instructive site investigation undertaken. On the basis that the boreholes identified sufficient competent rock cover, the Coal Authority concurs with the conclusions made that risks posed are minimal and no further investigations are warranted.
- 10.52 As such the Coal Authority confirms that the mineral support conditions beneath the site are satisfactory. Therefore, the Coal Authority has no objection to the proposed development.

Contaminated Land

- 10.53 A Contaminated land report (WYG, dated 26th April 2017 reference A097478-1) was submitted to support the application. The Environmental Health Officer has confirmed that the details within the Desk Top Assessment (Phase 1) of the site is adequate. The report details that further investigation of the site is required, as such, it is advised to progress to a phase 2 intrusive investigations to fully assess the ground water regime at the site.

Trees and Ecology

- 10.54 Although there will be a loss of two trees located to the South East of the existing access which are considered to provide amenity value, given the high level of new trees to be planted within the site and the retention of the two valuable trees to the North West, the KC Tree Officer considers the proposal to be acceptable on the basis that details of landscaping, an arboricultural impact assessment and an arboricultural method statement are secured by condition.
- 10.55 A Bat Survey and an ecological appraisal were submitted in support of the application. The reports addressed concerns of the impact on protected species and ecological harm. However, for the proposed development to comply with Local Plan Policy 30, ecological enhancement will need to be provided on the site. The submitted reports contain outline recommendations for ecological enhancement. In order to secure details of enhancements and implementation,

a condition will be added for the submission of an approved Ecological Design Strategy (EDS).

Representations

- 10.56 No representations were received following the period of public consultation for the application.

Other Matters

Site demolition

- 10.57 The site demolition is under consideration by a prior notification application reference 2019/92005. The application details that the expected date of commencement of the demolition of the site is 9th September 2019.
- 10.58 The fitness suite is not included within the application for demolition. The fitness suite will remain in operation until a later stage in the development of the site. Vehicles will be directed to use the car park associated with the athletics pavilion to the South West of the site.

Crime Prevention

- 10.59 The proposal has been assessed by the West Yorkshire Police Architectural Liaison Officer. The Supporting Design and Access Statement references the proposed crime and prevention measures which are to be incorporated into the building and surrounding site. The proposed measures are considered to comply with Local Plan Policy 24.

Sport England

- 10.60 Sport England were consulted as part of the application process due to the nature of the proposed development for the provision of a new indoor sports facility. The site encroaches onto the playing field, however as this is marginal it is not considered to impact on the ability to set out a playing pitch. It is also taken into consideration that the existing swimming pool is reaching the end of its economic life. Sport England did not object to the proposed scheme.

Legal Agreement

- 10.61 A contribution of £2,000 per annum would be required for the development for the first five years from the development being brought into use. The fee will cover assistance with the development of the Framework Travel Plan into a Full Travel Plan in discharging the Travel Plan condition directly with the Leisure Centre as included in Paragraphs 10.36-10.38.

11.0 CONCLUSION

- 11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the government's view of what sustainable development means in practice.

- 11.2 The proposed leisure centre will provide much improved facilities for indoor sport and physical activity, catering for the needs and demands of a diverse community and there are no substantiated planning reasons to justify withholding consent.
- 11.3 This application has been assessed against the relevant policies in the development plan and other materials considerations and it is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS

Development to commence within 3 years
Development built in accordance with approved plans
Samples of materials to be approved
Areas to be drained and surfaced
Travel plan to be submitted
Method of storage/access for waste
Construction access
Remove PD rights to prevent enclosure of footpath
Noise restriction from fixed plant and equipment
Submission of phase 2 report
Submission of remediation strategy
Implementation of remediation strategy
Submission of validation report
Details of Travel Plan implemented
Electrical vehicle charging points
Submission of Arboricultural Impact Assessment
Submission of arboricultural method statement
Submission of drainage details and attenuation
Submission of scheme for fats, oils and grease
Temporary drainage, pollution prevention and flood risk (construction phase)
Details of interceptors
Details of floor warning and evacuation plan
Details to protect public water supply
Details of satisfactory outfall for surface water
Submission of an ecological design strategy

Background Papers:

Link to the application details:-

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f91491>

Certificate B signed and dated 03.05.2019