

COMMITTEE REPORT

Date: 12 August 2010 **Ward:** Heslington
Team: East Area **Parish:** Heslington Parish Council

Reference: 10/01052/FULM
Application at: Sports Centre Heslington Lane Heslington York
For: Variation of condition 3 of planning permission 05/00983/FULM to extend the time limit for removal of the temporary sports hall until 14 July 2020 (resubmission)
By: University Of York
Application Type: Major Full Application (13 weeks)
Target Date: 18 August 2010
Recommendation: Refuse

1.0 PROPOSAL

1.1 This application seeks to vary condition 3 of planning permission 05/00983/FULM for the erection of a lightweight temporary indoor sports hall, permanent all-weather football pitch and single-storey extension to an equipment store within the University of York's Heslington West Campus. The consent was granted in 2005. Condition 3 requires the temporary indoor sports hall to be removed after five years, i.e. by 14 July 2010. The current application seeks to extend the time limit for removal by a further ten years, i.e. to 14 July 2020. All other elements of the 2005 application are unchanged.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP23
Temporary planning permission

3.0 CONSULTATIONS

3.1 Internal

Lifelong Learning and Leisure - Support retention of the structure but would like to know the university's long term plans for the structure.

Highway Network Management - No objections.

Environmental Protection Unit - No objections.

3.2 External

Heslington Parish Council - No response.

Sport England - No objection. Content that the facility would remain fit for purpose during the renewal period.

Public consultation - The consultation period expired on 29 June 2010. No representations have been received.

4.0 APPRAISAL

4.1 Key Issues: -

- Need for the Sports Hall
- Character and Appearance within the area
- Permanent Replacement

THE APPLICATION SITE

4.2 The indoor sports hall is a lightweight structure 55m long by 40m wide with a shallow-pitched roof. The ridge height is 9.5m. The building is made of light-grey waterproof fabric laid over a tubular-steel frame. Inside are three separate multi-purpose sports courts, each of which is approximately the size of a tennis court. They are used for 5-a-side football, basketball, netball, volleyball and badminton. Users include (a) York Student Union sports clubs (b) 5-a-side football leagues for students, staff and corporate firms (c) the local community (d) Fulford school for PE classes (e) one-off sports events and (f) summer sports courses for local children.

4.3 The building lies towards the south-west corner of the Heslington West campus, close to Heslington Lane. It lies among other indoor and outdoor sports facilities including tennis courts, permanent indoor sports centre, all-weather hockey pitch, basketball court and running track.

POLICY CONTEXT

4.4 Local plan policy GP23 - Planning permission will be granted for the temporary use of land or the erection of temporary buildings for a limited period, provided: (a) there would be no loss of amenity to adjacent occupiers (b) there is no viable permanent alternative immediately available (c) plans are to be brought forward for permanent development (d) the period of consent is the minimum to allow the permanent development to be implemented and (e) a trial period is necessary to assess the development's character or effects.

NEED FOR THE SPORTS HALL

4.5 The applicant states that the temporary sports hall was provided in 2005 to alleviate some of the current excess demands on the indoor sports facilities on campus and to cater for the recreational needs of the present and future university community. Furthermore, that there is an ongoing need for the facilities within the sports hall to serve the existing staff and students at Heslington West, particularly as the student population has grown by almost 3,400 since 2005 to over 13,000 today. The sports hall is clearly well used. According to the university, during peak periods the sports hall operates at 95% capacity in term time and 75% capacity outside term time.

CHARACTER AND APPEARANCE

4.6 The building has a utilitarian appearance and the fabric already shows signs of wear, despite having a life expectancy of up to 25 years. Furthermore it is in a prominent location, easily visible from Heslington Lane and close to Walmgate Stray to the south and west. Whilst the appearance of the building was adequate for a limited time (hence condition 3) its prolonged use would have an unacceptable impact on the character and appearance of the area. The university has said it now intends to invest in routine cleaning of the fabric to maintain its original appearance. Officers consider that this is unlikely to significantly mitigate the visual impact of the structure on the character and appearance of the area.

PERMANENT REPLACEMENT

4.7 The section 106 agreement for the Heslington East campus requires the University of York to provide, among other things, a 25m swimming pool and a permanent sports hall. The university intends to provide these facilities, with council support, in a new 'Sports Village' at Heslington East, close to Grimston Bar. Phase 1 is intended to include the pool plus a dance studio and gymnasium. Provision of the sports hall would be part of a later phase but there is no programme for the work and the s.106 has no end date by which the university has to provide it. Notwithstanding this uncertainty the university says that the Heslington East sports hall would not serve the ongoing need for a sports hall at Heslington West. Nevertheless, the university has to date given no indication of how and when it will replace the temporary sports hall with a permanent structure.

5.0 CONCLUSION

5.1 Temporary planning permission for five years was granted because the applicant specifically volunteered that intention and because it was expected that the planning circumstances would have changed at the end of the 5-year period - i.e. a replacement permanent sports hall would have been constructed. However, the university appears at this stage to have no firm plans for a replacement despite the continuing need for a sports hall at Heslington West. This uncertainty is insufficient reason to justify extending the planning permission by 10 years. Circular 11/95 states that a second temporary planning permission should not normally be granted. Furthermore the application is contrary to policy GP23 due to the absence of

redevelopment proposals and the structure's utilitarian design, deteriorating visual appearance and prominent location next to Heslington Lane and Walmgate Stray.

6.0 RECOMMENDATION: Refuse

1 It is considered that the temporary sports hall, by virtue of its impact on the character and visual amenity of the surrounding area created by the prominent location, utilitarian design and deteriorating visual appearance, is unsuitable for retention at the site for a further 10 years beyond the 5 year temporary permission originally granted. Further, no firm indication of the replacement of the structure has been submitted. Therefore the proposal is considered to be contrary to Circular 11/95 and Policy GP23 of the City of York Local Plan Deposit Draft which seek to ensure that temporary structures are approved only on the basis that they will be removed or retained for the minimum period necessary by more appropriate planned, permanent development.

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