

## COMMITTEE REPORT

**Committee:** Planning Committee      **Ward:** Westfield  
**Date:** 25<sup>th</sup> October 2007      **Parish:** No Parish

**Reference:** 07/01345/GRG3  
**Application at:** Oaklands Sports Centre Cornlands Road York YO24 3DX  
**For:** Extensions to existing sports centre to provide swimming pool and associated facilities including additional car parking and associated plant. New canopy to existing sports centre entrance.  
**By:** City Of York Council  
**Application Type:** General Regulations (Reg3)  
**Target Date:** 6 September 2007

### 1.0 PROPOSAL

1.1 The applicant seeks planning approval to extend the existing sports centre to include a 25 metre pool, learner pool, hydrotherapy suite, extended gym, changing village, pool viewing gallery, staff welfare facilities and associated plant rooms. Improvements are also proposed to the main entrance with an extension to the community room to provide crèche facilities and a new entrance canopy.

1.2 Members will recall that this application was deferred from Committee on 30th August so that further consideration could be given to Member concerns regarding spectator provision, depth of the main pool, size of the hydrotherapy pool, and other design details. The applicant has responded with additional information relating to these issues as appended to this report (appendix 1). In summary the document states :-

- \* The hydrotherapy facilities are appropriate for the size of activities required and are more conducive to the needs of service users.
- \* The new hydrotherapy pool will provide an improvement in specification and quality compared to the current facilities at Yearsley Bridge and will also create an inclusive environment.
- \* The swimming pool has been designed to focus on "casual community swimming" by virtue of the "Excellent Facilities" document and is consistent with Active York's long term strategy for swimming provision.
- \* Spectator areas will accommodate 40 customers in 2 rows of 20 seats, which is considered sufficient enough to address the requirements arising from organised swimming lessons.
- \* In summary, the design, layout and mix of facilities will offer increased opportunity for sports participation and will contribute to raising the standard of facilities available in line with the aspirations of Active York.

1.3 In February 2006 the Council agreed a Swimming Strategy for the city that included investment in Edmund Wilson Swimming Pool. Following consultation with residents in 2006 about the options available to improve swimming in the West of York, it was decided to build a new community pool on the Oaklands Site rather than refurbish the Edmund Wilson pool. This new pool will replace the provision of

Edmund Wilson Pool and result in the aforementioned closure once an appropriate scheme has been agreed.

1.4 The existing sports centre at Oaklands School was reopened in September 2006, after £1.8m worth of improvements were made. The improvements included a new climbing centre, dance studio, fitness suite, changing rooms, bar/viewing area, reception/offices, ICT suite and the replacement of the outdoor synthetic pitch.

## RELEVANT HISTORY

1.5 07/00515/GRG3 - Two Storey and Single Storey Extension, External Alterations, Infilling of Existing Courtyard and New Car Park. Alterations to Entrance from Cornlands Road - Approved 06.06.07

## 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

Schools Oaklands 0252

2.2 Policies:

CYED3

Change of use of Pre-School, Primary and Secondary Educational Facilities

CYGP4A

Sustainability

CYED1

Primary and Secondary Education

CYED11

Protection of Playing Fields

CYGP1

Design

CYL1A

Sites for Leisure development

### **3.0 CONSULTATIONS**

#### INTERNAL

3.1 Environmental Protection Unit - No Objections , recommends conditions and an informative.

3.2 Highway Network Management - No objections, any further detailed comments to be reported to Committee.

3.3 Design, Conservation and Sustainable Development - No Objections; landscaping condition to be Included.

3.4 City Development - No Objections.

3.5 York Consultancy - Initially objected due to inadequate drainage information, although the applicant has since submitted additional drawings showing drainage details and layouts. Revised comments from the York Consultancy will be reported to the meeting.

#### EXTERNAL

3.6 Sport England - No Objection subject to inclusion of conditions (conditions included in recommendation).

"The proposed development is for an indoor and outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields"

3.7 Other Third Parties - One letter of objection has been received with regard the applicants' proposals. The letter raises concern that the limited spectator provision , concentrated at the learner end to both the learner pool , is a 'major design failure' which does not allow maximum community involvement.

### **4.0 APPRAISAL**

4.1 Key Issues:-

- \* Policy Context
- \* Highway Issues
- \* Protection of Trees
- \* Neighbouring Amenity
- \* Design
- \* Lighting
- \* Sustainability
- \* Response to Received Comments
- \* Additional Comments from the Applicant in Response to the Committee Deferral.

#### POLICY CONTEXT

## North Yorkshire Structure Plan

4.2 Policy R1 States provision will be made for the development of recreational, leisure and cultural facilities in locations accessible to both public and private transport where this is not detrimental to local interests.

4.3 Policy R9 states provision will be made for the development of community leisure facilities throughout the county and priority will be given to extending the joint provision and dual use of education facilities and other suitable publicly owned land and buildings for leisure purposes.

## City of York Draft Local Plan

### 4.4 Policy ED1: Primary and Secondary Education

Planning applications for new/extended primary and secondary education facilities will be granted permission provided that:

- a) it would meet a recognised need; and
- b) the proposed development is of a scale and design appropriate to the character and appearance of the locality; and
- c) an area of open space and playing fields, sufficient to meet the needs of pupils is incorporated in the development; and
- d) where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design.

### 4.5 Policy ED11: Protection of Playing Fields

The loss of playing fields associated with educational establishments will not be permitted, unless exceptional circumstances are proven to exist. Where education establishments are due to close the development of associated playing fields, will not be permitted where they can be used to address deficiencies in the surrounding area.

### 4.6 Policy GP1: Design

Development proposals will be expected to :

- a) respect or enhance the local environment;
- b) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials;
- c) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment;
- d) where appropriate incorporate informative landscapes design proposals, where these would clearly have an influence on the quality and amenity and/or ecological value of the development;
- e) retain, enhance and/or create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;

- f) design outdoor lighting schemes, which are energy efficient and provide the minimum lighting level required for security and working purposes, taking into account any adverse impact on residential amenity, the character of the area and night sky illumination and ecological systems;
- g) provide and protect private, individual or communal amenity space for residential and commercial developments;
- h) provide individual or communal storage space for waste recycling and litter collection;
- i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures;
- j) accord with sustainable design principles (GP4a) and incorporate the principles of the Building for Life Standard as a fundamental part of the design;
- k) provide disabled toilets/parent baby changing facilities in public, non-residential buildings;
- l) Where opportunities exist, new open space/landscape treatment should be incorporated to close gaps between green corridors and take account of ecological principles through habitat restoration/creation.

#### 4.7 L1a: Leisure Development:

Leisure development is considered appropriate on the following sites:

YC1 York Central.

E12e, H1.12 Hungate.

S1c - Land at Foss Islands.

S1d - Part of Heworth Green.

Out of centre locations will only be considered for leisure developments when it can be demonstrated in accordance with Policy SP7, that none of the above or alternative City Centre or Edge of Centre sites are suitable to accommodate such a proposal, or if the proposal is primarily to serve local need and is of a suitable scale.

#### 4.8 ED3: Change of Use of Pre-School, Primary and Secondary Educational Facilities:

Planning Permission will only be granted for the redevelopment or change of use of pre-school, primary and secondary education facilities where;

- a) it can be demonstrated that the existing site is surplus to the existing or future needs of the local catchment area.
- b) It can be demonstrated that alternative acceptable sites for the existing use can be provided: and
- c) The proposal is of a scale and design appropriate to the character and appearance of the locality; and
- d) The proposal would not result in a loss of facilities for the local community; and
- e) Any redevelopment or extension of existing facilities should have minimal impact on surrounding residential amenity.

#### 4.9 GP4a - Sustainability:

Requires that proposals for development should have regard to the principles of sustainable development including accessibility of the development site by means other than the private car, contributing to the social needs of the community (including housing), high quality design, enhancing local character and making adequate provision for storage and collection of refuse.

## HIGHWAY ISSUES

4.10 In line with the CYC City Development and Transport requirements, a Traffic Impact Assessment was commissioned to report on all transport issues into and around the Oaklands site.

4.11 Improved cycle/pedestrian links on Gale Lane and Cornlands Road, the inclusion of a crossing point on Gale Lane and Cornlands Road, improvements to the existing access points have all been considered as part of the York High School Application and all were considered adequate to deal with the increase in pedestrian and traffic movements in and around the application site. Associated parking for the Sports Centre will be located to the east of the site and incorporates 73 additional parking spaces, 7 of which are suitable for disabled use. In total 40 additional parking spaces have been provided; and all cycle parking will be located close to, and be visible from, the main Reception area.

4.12 Cycle and pedestrian access will be provided from Gale Lane. The access runs to the south of 152 Gale Lane and has been included to reduce the usage of the sites main entrance. All work to increase safety on local cycle and pedestrian routes to "York High School" and the Sports Centre/Swimming Pool will be carried out in accordance with Highway recommendations

4.13 No management plan has been provided, however a working group has been set up to agree details. Conditions will be included to ensure the management plan is submitted for the written approval of the Local Planning Authority prior to the new facilities being first brought into use.

## PROTECTION OF TREES

4.14 The Landscape Architect had raised concerns regarding the removal of a Maple tree to the rear of the Cadet Hall. The parking plans have now been revised to retain the aforementioned tree. The future of all trees both proposed and existing have their future management/maintenance are secured by condition LAND1.

## NEIGHBOURING AMENITY

4.15 The eastern elevation of the new swimming pool (which measures 12 metres at its highest point) is located approx. 67 metres from the rear elevations of the properties on Gale Lane. The nearest parking spaces although running parallel with the rear boundary fence and existing hedgeline of the aforementioned properties are located approx. 25 metres from these elevations. These distances are considered sufficient enough to mitigate any significant impact upon the the visual and residential amenity of these properties.

## DESIGN

4.16 The applicants have considered the following design principles:-

4.17 A new canopy is proposed at the main entrance to the sports centre, this will both provide a major uplift to the public entrance and also form a link to the new school extensions. The canopy will replicate proposals for the school courtyard infill and the internal details of the new swimming pool hall. The canopy is at a height to allow emergency vehicles to access the rear of the school and the synthetic turf pitch.

4.18 The design of the superstructure of the building has been influenced significantly by the requirements for the building to be a climate container. Robust materials have been incorporated externally, focussing on the lower 2.5 metres of the envelope, to reduce the risk of vandalism at the facility. Dark corners have been designed out of the proposals to encourage natural surveillance and overhanging eaves are incorporated to single storey elements to restrict roof access.

## LIGHTING

4.19 No lighting details have yet been provided. Two conditions; one to prevent light pollution and one specifying a "turning off" time (specified at 23:00hrs) have been included to ensure that future lighting does not adversely affect any nearby residents.

## SUSTAINABILITY

4.20 Part 2 of the Sustainability Statement shows a clear commitment by the applicant to embrace sustainable principles. The key components of the energy hierarchy include:

- \* New Bio-mass boilers utilising combustible pellets.
- \* Solar thermal water heaters (located on the roof).
- \* Energy efficient lighting.
- \* Rainwater harvesting (to serve the toilets).
- \* Considerable insulation has been provided within the building s structure and electrical systems and plant have been designed with energy reduction measures included.

4.21 These strategies when developed in conjunction with each other, will aid in considerably reducing the amount of harmful greenhouse gases, which may be expected from a facility of this nature.

4.22 The building fabric has been designed to far exceed current Part L2 (building regulations) requirements. The applicant is aiming to achieve a BREEAM rating of Very Good for the new build. Conditions are included to ensure these ratings are achieved.

4.23 The Sustainability Statement also considers the recycling /reusing of materials, sustainable energy, water use/natural drainage, site/waste management, contamination and the natural environment.

## RESPONSE TO COMMENTS RECEIVED

4.24 The one letter received in respect of the application raises the issue of spectator provision. The proposals do incorporate a viewing gallery, and the development is for a community pool rather than a competition pool. Sport England have raised no objection to the level of spectator provision. It is not considered that there is any planning basis to require the provision of additional spectator facilities for this community leisure development.

## ADDITIONAL COMMENTS FROM THE APPLICANT IN RESPONSE TO THE COMMITTEE DEFERRAL.

4.25 The applicant has submitted additional information in response to initial concerns raised regarding the Hydrotherapy and Swimming Pool provisions. The aforementioned document is attached as Appendix 1.

4.26 In summary the applicant states that:-

- \* The hydrotherapy facilities are perfectly appropriate for the size of activities required and are more conducive to the needs of service users.
- \* The new hydrotherapy pool will provide an improvement in specification and quality compared to the current facilities at Yearsley Bridge and will also create an inclusive environment.
- \* The swimming pool has been designed to focus on "casual community swimming" by virtue of the "Excellent Facilities" document and is consistent with Active York's long term strategy for swimming provision.
- \* Spectator areas will accommodate 40 customers in 2 rows of 20 seats, which is considered sufficient enough to address the requirements arising from organised swimming lessons.
- \* In summary, the design, layout and mix of facilities will offer increased opportunity for sports participation and will contribute to raising the standard of facilities available in line with the aspirations of Active York.

## 5.0 CONCLUSION

5.1 The applicants' proposals will provide a much needed facility for the surrounding area and the City as a whole, the proposals also improve existing highway and parking provisions without harm to the visual and residential amenity of neighbouring properties and is therefore recommended for approval.

**6.0 RECOMMENDATION:** Approve under General Regs 3 Council Dev

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-



9356 (2)11 ver3 - Proposed Ground Floor.  
9356 (2)12 ver3 - Proposed First Floor.  
9356 (2)13 ver3 - Proposed Roof Plan.  
9356 (2)10 ver3 - Proposed Basement Floor.  
9356 (2)50 ver3 - Proposed Elevations.  
9356(2)09 RevA - External Works.  
T5463/2 Rev 2 - Topographic Survey.  
D202 Rev P1 - General Arrangement of Surfacewater Storage Tanks and Slot Drainage Channels.  
D201 Rev P1 - Drainage Details.  
D200 Rev P1 - Drainage Details.  
D101 Rev P2 - Proposed Drainage Layout.

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Prior to the development hereby approved coming into use details of the illumination of the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented and maintained on site thereafter. The lighting scheme should include the following:

- \* a contour map with illumination levels of the area to be lit and the spill beyond the lit area given in lux in the horizontal plane;
- \* the angle of the lights and details of the beam - whether asymmetric or otherwise;
- \* the height of the lighting stanchions;
- \* the luminance level in lux in the vertical plane at the windows of the nearest residential properties.

Reason: To protect the amenity of near by residents from light intrusion from lighting.

4 The use of lighting as described in the lighting scheme shall be confined to the following hours:

Monday to Friday	07:00 to 23:00
Saturday	07:00 to 23:00
Sundays and bank holidays	07:00 to 23:00

Reason: To protect the amenity of near by residents from light intrusion from the car park lighting.

5 The use hereby permitted shall be confined to the following hours:

Monday to Friday	07:00 to 23:00
Saturday	07:00 to 23:00
Sundays and bank holidays	07:00 to 23:00

Reason: to protect the amenity of local residents from noise

6 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at any noise sensitive boundaries when in use, shall be submitted to the local planning authority for approval. These details shall include maximum (L<sub>Amax</sub>(f)) and average sound levels (L<sub>Aeq</sub>), octave band noise levels, times of operation and any proposed noise mitigation measures. All such approved machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use and shall be appropriately maintained thereafter.

Reason: to protect the amenity of local residents from noise

7 VISQ8 Samples of exterior materials to be app

8 HWAY19 Car and cycle parking laid out

9 Prior to the commencement of the development hereby approved details of playing field provisions (showing existing and proposed) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure playing field facilities are reprovided to a satisfactory level.

10 LAND3 Protection of existing planting

11 Prior to the commencement of development details of all hard surfacing shall be submitted for the written approval of the Local Planning Department, all new surfacing should be of porous construction and retained as such thereafter.

Reason: In the interests of sustainable development.

12 A Car Park Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the new facilities being first brought into use. The Plan shall thereafter be implemented in full to the satisfaction of the Local Planning Authority.

Reason: In the interests of the safety and convenience of pedestrians, cyclists and motorists using the Centre.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### 1. Demolition and Construction - Informative

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. Should City of York Council become

aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

i) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

ii). The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

iii). All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

iv) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

v). All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

vi). There shall be no bonfires on the site

## 2. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to residential and visual amenity, highway safety, sustainability and design . As such the proposal complies with Policies R1 and R9 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies ED1,ED11,GP1,L1a,ED3 and GP4a of the City of York Local Plan Deposit Draft.

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