

Application No: 18/6319C

Location: Congleton Leisure Centre, Worrall Street, Congleton, CW12 1DT

Proposal: Reurbishment and extension of existing Leisure Centre to include demolition of existing swimming pool and auxiliary buildings, new build pool including Reception and Changing Areas, plus refurbishment of existing Sports Hall and Gym Areas.

Applicant: Cheshire East Council

Expiry Date: 19-Mar-2019

### **SUMMARY:**

The proposal seeks permission for the refurbishment of an existing leisure centre including demolition, the erection of a large extension of external works.

As a result of the proposed extension, a parcel of Protected Open Space, also understood to be used as an outdoor playing pitch space for Congleton Rugby Club would be lost.

In order to mitigate the loss of these protected elements, an area of existing car park is to be returned to grass for the use by the Rugby Club although this would not completely account for the loss. However, as a result of this partial replacement provision, along with the requirement for the Council to provide various upgrades to existing facilities and the wider benefits to sport and physical activity across the borough as a result of the refurbishment works, it has been concluded that the benefits of the proposal in the round, outweigh the loss.

As such, the principle of the proposal is considered to be acceptable.

In consideration of other matters, the proposal is deemed to be of an acceptable design, that would not create any concern in relation to; neighbouring amenity, highway safety, landscape, trees and hedgerows, flood risk and drainage or public rights of way, subject to conditions and a financial contribution where deemed necessary.

However, as there has been insufficient information received in relation to bats, it is recommended that planning application be delegated back to the Head of Planning (Regulation) in conjunction with the Chair of Planning Committee to APPROVE as per recommendation but to resolve ecology matters and receive payment of the required highways contribution.

### **RECOMMENDATION:**

**That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Northern Planning Committee, to APPROVE the application for the reason set out in the report, subject to;**

- **The receipt of a contribution of £8,000, prior to the issuing of the decision notice, to consult upon and implement parking restrictions on Worrall Street; and**
- **Resolution of ecology matters in relation to bats**

## **REASON FOR REFERRAL**

The application has been referred to Northern Planning Committee as it is deemed to represent a significant application submitted on behalf of Cheshire East Council.

## **DESCRIPTION OF SITE AND CONTEXT**

The proposal site is an existing Leisure Centre and associated land which includes a car park, a skate park and playing pitches. The leisure centre is located at the eastern end of Worrell Street within the Congleton Settlement Zone Line. The site falls entirely within an Area of Protected Open Space and partially within the Town Centre boundary. The site also falls within a Flood Zone 2 and adjacent to a Locally Listed Church (St Stephen's).

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the refurbishment and extension of Congleton Leisure Centre. Proposed works include;

- Demolition of existing swimming pool and auxiliary buildings
- New build pool including; reception and changing areas
- Refurbishment of existing Sports Hall and Gym areas
- Return area of car park back to greenfield/playing pitch space

## **RELEVANT HISTORY**

**07/0460/FUL** - Various works including - construction of access ramp to front and side elevation. Construction of egress ramps to rear elevation to overcome stepped egress. Installation of 2.4m high security railings and gate to rear elevation to enclose rear yard area. Installation of 3 No. condensing units to front/side elevation flat roof area to provide air cooling to new staff areas to first floor. Installation of 2 No. louvers for air handling unit to staff area to front/side elevation – Approved 20<sup>th</sup> June 2007

**04/0442/FUL** (Skate Park) - 4 x 8m high columns supporting floodlights to illuminate skate park. 1 x 8m column supporting CCTV camera linked to CBC control room, Alsager – Approved 22<sup>nd</sup> February 2005

**30822/3** - Formation of Vehicular Turning Head – Approved 26<sup>th</sup> April 1999

**29188/3** - Formation of Vehicular Turning Head Between Astbury Lighting & Congleton Leisure Centre – Approved 22<sup>nd</sup> July 1997

**27134/3** - Single Storey Extension to Leisure Centre – Approved 25<sup>th</sup> April 1995

**18296/3** - Open Air Multi Sport All Weather Playing Area With 8 No. Lighting Columns 10 metres High, Perimeter Wall and Fence – Approved 10<sup>th</sup> March 1987

**14120/3** - New Roofing and Canopy To Front Elevation – Approved 2<sup>nd</sup> June 1982

**6857/3** – Alterations – 20<sup>th</sup> June 1978

**3266/9** – Display sign – Approved 15<sup>th</sup> April 1976

## **ADOPTED PLANNING POLICY**

The Development Plan for this area comprises of the Cheshire East Local Plan Strategy (CELPS) and the Congleton Borough Local Plan First Review 2005 (CBLP). The relevant policies include;

### Cheshire East Local Plan Strategy (CELPS)

MP1 (Presumption in favour of sustainable development)  
PG1 (Overall Development Strategy)  
PG2 (Settlement Hierarchy)  
PG7 (Spatial Distribution of Development)  
SD1 (Sustainable Development in Cheshire East)  
SD2 (Sustainable Development Principles)  
IN1 (Infrastructure)  
IN2 (Developer contributions)  
SC1 (Leisure and Recreation)  
SC2 (Indoor and Outdoor Sports Facilities)  
SC3 (Health and Well-Being)  
SE1 (Design)  
SE2 (Efficient use of land)  
SE3 (Biodiversity and geodiversity)  
SE4 (The Landscape)  
SE5 (Trees, Hedgerows and Woodland)  
SE6 (Green Infrastructure)  
SE7 (Historic Environment)  
SE8 (Renewable and Low Carbon Energy)  
SE9 (Energy Efficient Development)  
SE12 (Pollution, Land contamination and land instability)  
SE13 (Flood risk and water management)  
CO1 (Sustainable Travel and Transport)  
CO4 (Travel plans and transport assessments)

### Congleton Borough Local Plan First Review 2005

PS4 (Towns)  
GR6 and GR7 (Amenity and Health)  
GR9 and GR10 (Accessibility, Servicing and Parking Provision)  
GR14 (Cycling Measures)  
GR15 (Pedestrian Measures)  
GR20 (Public Utilities)  
NR2 (Statutory Sites)  
NR4 (Non-Statutory Sites)

S5 (Other Town Centre Uses)  
RC2 (Protected Areas of Open Space)  
RC10 (Outdoor Formal Recreational and Amenity Open Space Facilities)  
RC11 (Indoor Recreational and Community Uses (General))

### **Other material policy considerations**

National Planning Policy Framework (The Framework) (2019)  
Draft Congleton Neighbourhood Plan

### **CONSULTATIONS (External to Planning)**

**Head of Strategic Infrastructure (HSI)** – No objections, subject to a condition requiring the prior submission/approval of cycle storage details and the securing of £8,000 towards consultation and implementation of additional parking restrictions on Worrall St

**Environmental Protection** – No objections, subject to a condition requiring the submission/approval of a soil verification report in the event that any soil or soil forming materials are brought to the site for soft landscaping. An informative relating to hours of construction and contaminated land are also proposed

**Sport England** – No objections, subject to conditions/restrictions including; the protection of the main pitch during construction, improvements to the quality and drainage of the main pitch; the re-location and floodlighting of training grids; implementation of drainage and pitch quality improvements at Back Lane; re-location of storage units and provision of a 10-year licence to the Congleton Rugby Club to secure adequate security of the tenure

**ANSA Greenspace** - No objections

**Flood Risk Manager** - No objections, subject to a condition requiring the implementation of the Flood Risk Assessment mitigation and a condition requiring the prior submission/approval of a surface water drainage strategy and associated management and maintenance plan

**United Utilities** – No objections, subject to a number of conditions including; Foul and surface water shall be drained on separate systems, the prior submission/approval of a strategy outlining the method of cleaning and disposal of discharge from the swimming pool, the prior submission/approval of a surface water drainage scheme

**Indoor Sport (Cheshire East Council)** – Support proposals

**Cadent Gas** – No objections, subject to an informative that there is operational gas apparatus within the site boundary and the applicant must not infringe Cadent's legal rights

**Public Rights of Way (PROW)** – No objections

**Sustrans** – Concerned about the lack of cycling provision

**Congleton Town Council** – No objections

## OTHER REPRESENTATIONS:

Consultation letters were sent the occupiers of nearby properties, a site notice erected and the proposals advertised in the local newspaper. At the time of assessment, letters of representation had been received from approximately 62 interested parties/groups. Of the 62 received, 30 objected/raised concerns for the following reasons;

- Insufficient background research - Suggest that the proposals do not sufficiently account for the recently approved housing development/growing population of Congleton
- Insufficient facility provision / Design–
  - a) Swimming - Proposed pool and associated facilities is too small (should be 8 lanes) /not to a competitive standard with inadequate viewing area/starting blocks/turning boards – restricts number of galas possible
  - b) Squash and Badminton - Reduction in the number of badminton and squash courts which are needed
  - c) Re-design of part of the car park (rear) to a grassed area – inappropriate and will result in further walking distances impacting those vulnerable pedestrians
- Insufficient cycling facilities/infrastructure, contrary to CEC policy
- Lack of adequate consultation - seek further consultation (with specialist groups such as the Dane Valley Swimming Club) before progressing the submitted design
- Highways - Replacement access is unworkable and no speed bumps are being proposed on Worrall St

Of the 62 received, 26 wanted to make general observations including;

- Provision of facilities / re-design suggestions relation to;
  - a) Would like outdoor play equipment provided
  - b) Swimming - Suggest provision of removable, tiered seating indoors
  - c) Suggest the promotion of sauna/steam/spa facilities
  - d) Suggest inclusion of showers between the changing room and the pool
  - e) Suggest the provision of tennis courts
  - f) Want to know if the new facility will have cricket nets
  - g) Suggest the inclusion of renewable energy e.g. solar panels on roof, rainwater collection for toilets
  - h) Suggest the opening up of the St Stephen's entrance
  - i) Thought should be given to re-location of entire facility
  - j) General re-design suggestions
- Consultations - Suggest that the proposals do not sufficiently account for the recently approved housing development/growing population of Congleton

- Cycling provision;
  - a) Suggest the proposed footpath and cycling routes are made as easy as possible. Also suggest footpath width be increased to 3 metres to accommodate cyclists
  - b) Suggest the provision of a covered cycle store/stand
- General concerns/points of clarification;
  - a) Seek clarity whether car park will become 'pay and display'
  - b) Support reduction of viewing area / concerns about the viewing area from a safety perspective 'leering'
  - c) Request the costs of classes are kept down
  - d) Concerns about the mixed gender areas
  - e) That other towns have no swimming facilities e.g. Middlewich

Of the 62 received, 6 consultees/interested groups offered their support for the proposals for the following reasons;

- Health and wellbeing benefits
- Support the pathway link between the Leisure Centre and St Stephen's Church (improved accessibility)
- Welcome the provision of cricket facilities

## **OFFICER APPRAISAL**

### **Principle of development**

The site lies within the Congleton Settlement Zone Line where according to Policy PS4 of the Congleton Borough Local Plan (CBLP); there is a general presumption in favour of development provided it is in keeping with the town's scale and character and does not conflict with the other policies of the Local Plan.

The application site relates to Congleton Leisure Centre which lies within a Protected Area of Open Space, protected by saved Policy RC2 of the CBLP. As such, Policy RC2 of the CBLP is relevant, as are policies SC1 (Leisure and Recreation) and SC2 (Indoor and Outdoor Sports Facilities) of the Cheshire East Local Plan Strategy (CELPS). The key requirements of these policies are that proposals should;

- Not result in a shortfall in formal Open Space provision
- Address a recognised leisure need
- Not result in the loss of existing outdoor sports facilities unless there is a proven surplus or an alternative provision
- Not result in the loss of an area important for its amenity and contribution to the character of the area in general
- Adhere with all other relevant aspects of the development plan

The proposal seeks to demolish a large part of the existing Congleton leisure centre on the Worrall Street side of the site comprising of; a main swimming pool and smaller secondary pool, changing rooms, toilets and offices at ground floor level and a sauna, store rooms and a swimming pool viewing area at above and at first-floor. It is proposed that this element of the leisure centre be replaced with additional parking provision for the facility to increasing the parking capacity by 17 spaces.

An extension, not dissimilar in scale to the footprint of the area to be demolished, is then proposed to be erected on the eastern side of the remaining element of the building. This would include; a main swimming pool and a smaller secondary pool, changing facilities, a café area with seating and storage at ground-floor level and studio's, storage rooms and a upper element to a soft play area at first-floor.

The land on which this extension is proposed is an Area of Protected Open Space (which is also likely to be considered an Outdoor Sports Facility).

In response to the matters to be addressed by policy;

### **Not result in a shortfall in formal Open Space provision**

The proposals will result in the loss of Protected Open Space totaling 1,341sqm. This greenspace currently has two functions; Public Open Space accessible to all and Playing Field land, also accessible to all.

In consideration of the Public Open Space element, clearly the loss of any greenspace is considered carefully against the mitigation put forward and the overall wider benefits delivered by the scheme.

The redevelopment will have two key benefits in terms of Open Space which the Council's ANSA Open Space Officer advises, helps mitigate the net loss. The skate park will no longer be an isolated facility with very poor surveillance and a target for Anti-Social Behavior. The new layout of the leisure centre puts the skate park in full view from the car park and close to the main entrance. Improved access and a more visual position will encourage greater / wider use and the applicant has committed to renovating the park where required as a result of the development.

A new path will also link from the car park adjacent to the skate park to the existing route to Congleton park and the Council's ANSA Open Space Officer advises that this is a much welcomed addition.

The applicant also proposes a new area of grass on the overflow carpark which will offset a portion of the total area of Protected Open Space lost as a result of development.

In addition, the improved façade of the leisure centre will offer a more positive vista from Congleton Park, a heritage park and the newly created access from the building onto the open space to the rear of the centre will for the first time offer an opportunity to better integrate the indoor and outdoor sports elements provided on the site as a whole. This will also help bring activity and surveillance to this side of the building.

As such, although the development would still result in a net loss of Public Open Space which is regrettable, the Council's ANSA Open Space Officer advises that, on balance, due to the much improved indoor offer and greater connectivity between indoor and outdoor facilities, there is a substantial opportunity presented by the application to encourage greater sporting and active recreation participation. These benefits are deemed to outweigh the loss.

### **Address a recognised leisure need**

The application is supported by Design and Access Statement. Within this, it is advised that the current facilities are very worn and outdated and the following leisure' facilities will be enhanced/introduced along with ancillary non-leisure provisions;

- Provision of a two-storey gym and fitness suite and new accessible equipment
- Additional studio space. Introduction of a new thermal suite including sauna and steam room
- New soft play area for under 8-year olds

The Cheshire East Council document entitled '*Indoor Built Facilities Strategy 2017*' is the most recent document which assessed the existing indoor provision and the projected need for the length of the Cheshire East Council Local Plan term (2010-2030), to account for the erection of further housing. This document identified that the specific need going forward in Congleton would be for the additional provision of; 2 badminton courts and 1.5 swimming lanes.

Although this specific additional demand is not being met by the proposals, the proposals would help address the key challenge identified for Congleton within the Strategy which was '*to retain and enhance the facility mix at Peter Mason Leisure Centre as a priority and to ensure this is financially sustainable in the longer term*'.

It is understood that a balanced judgement was made in terms of providing a suitable provision of facilities across all elements of the leisure centre, against the loss of external protected open space and cost. It is advised as part of this assessment, consideration of; the local demographic, number of potential users for each element of the facility and predicted population growth/changes were taken into account. It was deemed that a reduction in the swimming pool viewing facilities and reduction in the number of badminton courts available were required in order to provide a greater quality of facilities in the round (e.g. the proposed badminton courts will have a recognised space between the courts for safety reasons) and a better balance/mix of facilities that the leisure centre could offer.

Whilst it is noted that the proposals would not address the specific additional individual sport needs within the 2017 Strategy, there are undoubtedly wider leisure benefits via the creation of additional studio rooms and the overall refurbishment of older, tired facilities and this would satisfy the key challenge for Congleton identified in the 2017 Strategy.

### **Not result in the loss of existing outdoor sports facilities unless there is a proven surplus or an alternative provision**

In accordance with Policy SC2 of the CELPS, it would need to be demonstrated that there is a surplus in the provision of outdoor play facilities in order to account for any loss.



The parcel of Public Open Space that would be lost to the development is understood to be used by Congleton Rugby Club for training and mini training reasons.

Sport England have been consulted on the proposed 'loss of pitch' element of the scheme. They have come to the following conclusions when assessing this against their policies;

- The proposal would result in a marginal benefit to the users of the rugby pitches/spectators from the improved leisure facilities. However, this is not significant as the rugby club has it's own clubhouse and changing rooms.
- The proposal would lead to the loss of a functional playing field (used for training and mini rugby by Congleton Rugby Club)
- Some of the grass playing field lost would be replaced by restoring an existing car park area to grass, but is not large enough to provide 2 mini rugby pitches whereas the new 'playing field area' is not large enough to provide any pitches. There is in effect, a loss of playing field land capable of providing two mini rugby pitches.
- For the above reasons, the proposal is deemed contrary to Sport England policy

However, there is an exception to breaches of Sport England policy, Exception 5, which states;

*'The proposed development is for an outdoor or outdoor facility for sport, the provision of which would be sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'*

In response to this exception, the key question is whether the benefits arising from the development of the leisure centre outweigh the benefits from protecting playing field land capable of providing two mini rugby pitches. The Council's Built Facility Strategy recommends an improved leisure centre as a strategic priority and the Playing Pitch Strategy seeks to protect and improve rugby provision. Sport England have considered the following factors relevant to this consideration;

- The **main pitch** is being retained. However, it will be necessary to undertake an agronomy assessment of the existing pitch to identify quality issues/solutions and agree a scheme of improvement in accordance with RFU guidance notes (Possible condition)
- The continued use of the **main pitch** could be impacted during construction. Following discussions between the Council and the RFU, the rugby pitch should still be usable during construction, and if necessary, can be temporarily narrowed and the goalposts re-centred which the Council will undertake. It is suggested that this could be conditioned in the event of approval.
- The **loss of the playing field training/junior match area** may be compensated to some extent by the improvement to the main pitch. There is scope for training grids to be provided on the replacement area and this will need to be set-out and floodlit to make it useable all year round. Two storage units will be retained and re-located and one provided with power for use of temporary lights for the main pitch upon the completion of the projects. In addition, the Council will invest in drainage improvements to Back Lane Playing field. It is suggested that this could be conditioned in the event of approval.

- **Floodlighting** - The training grid/mini pitch area is currently floodlit which extends the hours of use of the site. The specification and location of these lights have not been provided and should be conditioned in the event of approval.
- **Security of Tenure** - Sport England support the Council in providing a 10-year licence to Rugby Club to provide certainty
- **Storage** – Rugby club have agreed to rationalise their equipment and reduce their storage needs from three containers to two.

Sport England, in consideration of the above factors advise that on balance, whilst it is regrettable that there is a loss of functional playing field as a result of the proposal which may constrain the junior growth of Congleton Rugby Club, the benefits arising from the new leisure centre will be of greater benefit to wider sport and physical activity across the borough and there as measures referred to above, that would mitigate the level of harm to the rugby club.

As such, Sport England raise no objections are raised subject to a number of conditions/restrictions including; the protection of the main pitch during construction, improvements to the quality and drainage of the main pitch; the re-location and floodlighting of training grids; implementation of drainage and pitch quality improvements at Back Lane; re-location of storage units and provision of a 10-year licence to the Congleton Rugby Club to secure adequate security of the tenure.

The Council's ANSA Open Space Officer has advised that whilst the Rugby Club have recently begun to use additional areas of the playing field for formal mini pitches, historically their use of the areas surrounding the senior pitch have been informal, outside of any agreement with the council and for training practice only. As the club has a range of facilities that can be available to them and with the provision of the new grass area on the overflow carpark being constructed to a high standard to accommodate their training needs including floodlighting, the Council's ANSA Open Space Officer does not consider the sporting use of the site to have been compromised and as such, shares a similar view to Sport England.

### **Not result in the loss of an area important for its amenity and contribution to the character of the area in general**

As advised in the detail in the above sections, it is deemed by the Council's ANSA Open Space Officer that the overall wider benefits of the scheme would outweigh the harm.

### **Adherence with all other relevant aspects of the development plan**

These are considered below;

#### New indoor sports facilities (including matters of highway safety, amenity & design)

Saved Policy RC11 of the CBLP considers proposals for indoor recreations facilities. It advises that such proposals will be supported where a number of criteria are satisfied. This criteria includes; that the proposal lies within a settlement, the provision of adequate on-site parking and servicing is provided, satisfactory access can be achieved, the proposal would not give rise to unacceptable levels of vehicular traffic, that neighbouring amenities would both be unacceptably impacted, a high standard of design is achieved taking account the relationship with the surrounding areas and properties, suitable disabled access and

facilities are provided, appropriate noise control measures are carried out and the proposal adheres with other policies of the Local Plan.

In response to the above, the site lies within the Congleton Settlement Zone Line. In consideration of the other elements of Policy RC11;

### *Highways*

The proposal will result in an increase in the gross floor area of the building and the parking provision. The parking provision is to be increased from 104 to 121 spaces. Given the small increase in floor area and parking data from comparable sites, the Council's Head of Strategic Infrastructure (HSI) considers this provision to be acceptable.

A minor amendment is sought to the access off Worrall St, which the Council's HSI has advised is acceptable.

There are parking restrictions along one side of Worrall St, but parking takes place along the other side, reducing the usable width for large sections to a single car width. The Head of Strategic Infrastructure (HSI) has advised that it may be possible to extend some of the parking restrictions on both sides to free up some of the carriageway to account for the increased parking provision and possible traffic volumes. In order to explore this option, the Head of Strategic Infrastructure (HSI) request a sum of £8,000 towards the consultation and possible implementation of this change. The applicant has confirmed that they are agreeable to this contribution.

Given that the Council cannot enter into a legal agreement with itself, it has been agreed that in the event that the Council resolves to grant planning permission it is proposed that permission be granted subject to this payment being made and that the payment be made prior to the issuing of a decision notice. In the event that the consented development is not implemented, the payment would be returned to the applicant.

A new pedestrian/cyclist path will be provided from the eastern end of the site, improving connectivity to the site from the east. There have been comments submitted asking for a more direct, less conflicted cycle/pedestrian route through the site. Due to the requirement of the HGV turning area associated with the adjacent businesses, the Council's HSI has advised that it is not possible to provide a suitable and formal route through the site. In the event of approval, it is recommended that a condition be added to the decision requiring the prior submission/approval of cycle storage details.

As a result of the above reasons, the Council's Head of Strategic Infrastructure raises no objection to the proposed development, subject to a £8,000 contribution for the consultation and implementation of additional parking restrictions on Worrall St and a condition requiring the prior submission/approval of cycle storage details.

### *Amenity*

Policy GR6 (Amenity and Health) of the CBLP requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties in terms of loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or

pollution and traffic generation access and parking. Supplementary Planning Guidance Note 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. If the proposal adheres with these standards, issues such as privacy, loss of light and visual intrusion would be nullified.

The proposed built form would be located sufficiently away from neighbouring dwellings to overcome these concerns.

In consideration of matters of environmental disturbance (noise, air pollution, contaminated land matters), the Council's Environmental Protection Officer has advised that they have no objections to the proposed development, subject to a condition requiring the submission/approval of a soil verification report in the event that any soil or soil forming materials are brought to the site for soft landscaping. An informative relating to hours of construction and contaminated land are also proposed.

### *Design*

Policy SE1 (Design) of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings.

Policy SD2 of the CELPS states that development should contribute positively to an areas character and identity, creating or re-enforcing local distinctiveness in terms of; height, scale, form, grouping, choice of materials, design features, massing and impact upon the streetscene.

The scheme has been reviewed by the Council's Urban Design Officer who has considered its various elements.

*Materials* - A key consideration is to secure the best materials in order to achieve the best finish. The Council's Urban Design Officer has concerns about the proposed cladding, considering that the proposed copper could appear visually strident, especially having regard to the nearby Congleton park which is a registered historic park/garden. As such, it is recommended that a more subdued cladding material would be less harmful. It is considered that this matter can be conditioned for subsequent approval.

*Connectivity and provision for walking and cycling* - There are improvements in the connectivity of the site by foot and cycle and pedestrian priority within the site is an improvement upon the existing situation. Although the frontage to the centre would appear a little car dominated, more trees within this area would help to reduce that effect, if that can be achieved.

The Friends of the Park have welcomed the link to the existing footpath adjacent to St Stephens Church connecting to the park. The Council's Urban Design Officer also welcomes the improved formal connectivity to the park and the architectural announcement incorporated into the entrance into the building to reinforce links between the park and the Leisure Centre.

*Cycling provision* – It is noted that a number of consultation responses refer to provision for cyclists and clearly to promote cycling there do need to be facilities for storage etc. that are protected from the elements, secure and safe to use.

In summary therefore, the Council's Urban Design Officer supports the proposal subject to use of conditions to manage the materiality and working details of the following:  
Cladding/roofing (including features), brickwork and render, windows/doors glazing including finish of frames. In addition, an updated soft landscaping and planting plan is proposed to incorporate more trees into the car park area. Subject to these conditions, the design of the proposal is considered to be acceptable.

### *Policy RC11 conclusions*

Subject to the imposition of the conditions as suggested above, the proposal would adhere with policy RC11 of the CBLP.

### Landscape

The proposal is located within the Congleton Settlement Zone Line enclosed by development on all sides in its wider context. It is not considered that the proposal would result in any wider landscape concerns.

The application is supported by a planting plan which has been reviewed by the Council's Landscape Officer. It is advised that the detail of this is acceptable, subject to its implementation.

### Trees and hedgerows

The application is supported by a Stage 1 and Stage 2 Arboricultural Impact Assessment Report. This considered 59 trees and 6 groups of trees.

The report shows that the proposed development would result in the loss of 2 trees and part of 1 group of trees. The report recommends that 5 further trees are removed due to their condition.

The report has been reviewed by the Council's Tree Officer who advises that the overall arboricultural impacts are not significant. However, in the event of approval recommends conditions relating to tree protection and the submission of a revised landscaping condition to allow for replacement tree planting, a recommendation of the report. Subject to these conditions, the proposals are deemed to adhere with Policy SE5 of the CELPS.

### Ecology

The application is supported by a Phase One Habitat and Bat survey. The main ecology impacts of the proposal are considered below;

#### *Bats*

The buildings on site were identified during the habitat surveys as having low suitability for roosting bats. Consequently a single bat activity survey was undertaken. The bat activity

survey was undertaken very late in the survey season and the original submitted report did not provide any details of the level of qualifications of the surveyors that undertook the survey or the number of surveyors present on site. In addition the survey was undertaken over three years ago and the report advises that if works have not commenced by spring 2016 then an updated survey should be undertaken. As such, during the course of the application, it was recommended that an updated bat survey should be undertaken.

Due to time constraints, a further bat survey could not be completed at the time this report was drafted. It is recommended that the decision is delegated back to the Head of Planning (Regulation) in conjunction with Chair of Northern Planning Committee to consider these matters in the event that permission is supported in principle.

### *River Dane*

To avoid any impacts on the River Dane located to the north of the proposed development site, the Council's Nature Conservation Officer has advised that it must be ensured that all construction activity including the storage of materials and works compounds are restricted to the red line of the planning application. It is proposed that this be added as an informative in the event of approval.

### Flood Risk and Drainage

The application site lies entirely within a Flood Zone 2.

Policy SE13 of the CELPS states that all development must integrate measures for sustainable water management to reduce flood risk, avoid adverse impact on water quality and quantity within the borough by ensuring that; amongst other requirements, all development follows the sequential approach to determining the suitability of land for development, direct new development to areas at lowest risk of flooding and where necessary, apply the exception test. It also states that all development at risk of flooding should be supported by a Flood Risk Assessment and new development should be designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change.

Policy SD2 of the CELPS states that all development should avoid high risk flood areas, or where necessary provide appropriate mitigation measures.

The application is supported by a Flood Risk Assessment (FRA). This has been reviewed by the Council's Flood Risk Officer who concludes that he has no objections, subject to a condition requiring the implementation of the Flood Risk Assessment mitigation and a condition requiring the prior submission/approval of a surface water drainage strategy and associated management and maintenance plan.

It is not considered that a sequential test is necessary in this instance given that the proposals relate to an extension of existing facilities on site, rather than new provision.

In consideration of matters of drainage, United Utilities have been consulted and have advised that No objections, subject to a number of conditions including; Foul and surface water shall be drained on separate systems, the prior submission/approval of a strategy

outlining the method of cleaning and disposal of discharge from the swimming pool, the prior submission/approval of a surface water drainage scheme.

Subject to the above recommended conditions, no flood risk or drainage concerns are identified.

#### Public Rights of Way/Footpaths

The development does not appear to affect a public right of way.

#### Other matters

A number of the queries and suggestions made by interested parties such as the cost of classes and 'pay and display' of the car park, are not material considerations in the assessment of the planning application.

### **CONCLUSIONS**

The proposal seeks permission for the refurbishment of an existing leisure centre including demolition, the erection of a large extension of external works.

As a result of the proposed extension, a parcel of Protected Open Space, also understood to be used as an outdoor playing pitch space for Congleton Rugby Club would be lost.

In order to mitigate the loss of these protected elements, an area of existing car park is to be returned to grass for the use by the Rugby Club although this would not completely account for the loss. However, as a result of this partial replacement provision, along with the requirement for the Council to provide various upgrades to existing facilities and the wider benefits to sport and physical activity across the borough as a result of the refurbishment works, it has been concluded that the benefits of the proposal in the round, outweigh the loss.

As such, the principle of the proposal is considered to be acceptable.

In consideration of other matters, the proposal is deemed to be of an acceptable design, that would not create any concern in relation to; neighbouring amenity, highway safety, landscape, trees and hedgerows, flood risk and drainage or public rights of way, subject to conditions and a financial contribution where deemed necessary.

However, as there has been insufficient information received in relation to bats, it is recommended that planning application be delegated back to the Head of Planning (Regulation) in conjunction with the Chair of Planning Committee to APPROVE as per recommendation but to resolve ecology matters and receive payment of the required highways contribution.

### **RECOMMENDATION**

**That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Northern Planning Committee, to APPROVE the application for the reason set out in the report, subject to;**

- The receipt of a contribution of £8,000, prior to the issuing of the decision notice, to consult upon and implement parking restrictions on Worrall Street; and
- Resolution of ecology matters in relation to bats

And the following conditions;

1. Time (3 years)
2. Plans
3. Facing (including cladding, render and brickwork), roofing and external surfacing materials – Prior submission/approval
4. Prior submission/approval of windows/doors glazing details, including finish of frames
5. Levels – Prior submission/approval
6. Protection of the main outdoor pitch during construction (Sport England)
7. Prior submission/approval of a drainage improvement scheme to the main pitch (Sport England)
8. Prior to commencement of development, detailed plans of the relocation and floodlighting of training grids and timescales for implementation (Sport England)
9. Prior submission/approval of drainage and pitch quality improvements at Back Lane and timescales for implementation (Sport England)
10. Relocation of storage units shall take place, one to have power, in accordance with the details set out in the planning application and latest submission (Sport England)
11. Use of land for rugby
12. Prior submission/approval of cycle storage details (incl location)
13. Prior submission/approval of a soil verification report
14. Tree protection – Implementation
15. Landscape scheme – submission of details (incl replacement/further tree planting and)
16. Landscape scheme – Implementation
17. Implementation of the Flood Risk Assessment mitigation
18. Prior submission/approval of a surface water drainage strategy and associated management and maintenance plan.
19. Foul and surface water shall be drained on separate systems
20. Prior submission/approval of a strategy outlining the method of cleaning and disposal of discharge from the swimming pool
21. Prior submission/approval of a surface water drainage scheme

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*



