

ITEM NO.

3

COMMITTEE DATE:

08/12/2008

APPLICATION NO:

08/1666/03

FULL PLANNING PERMISSION

APPLICANT:

David Lloyd

PROPOSAL:

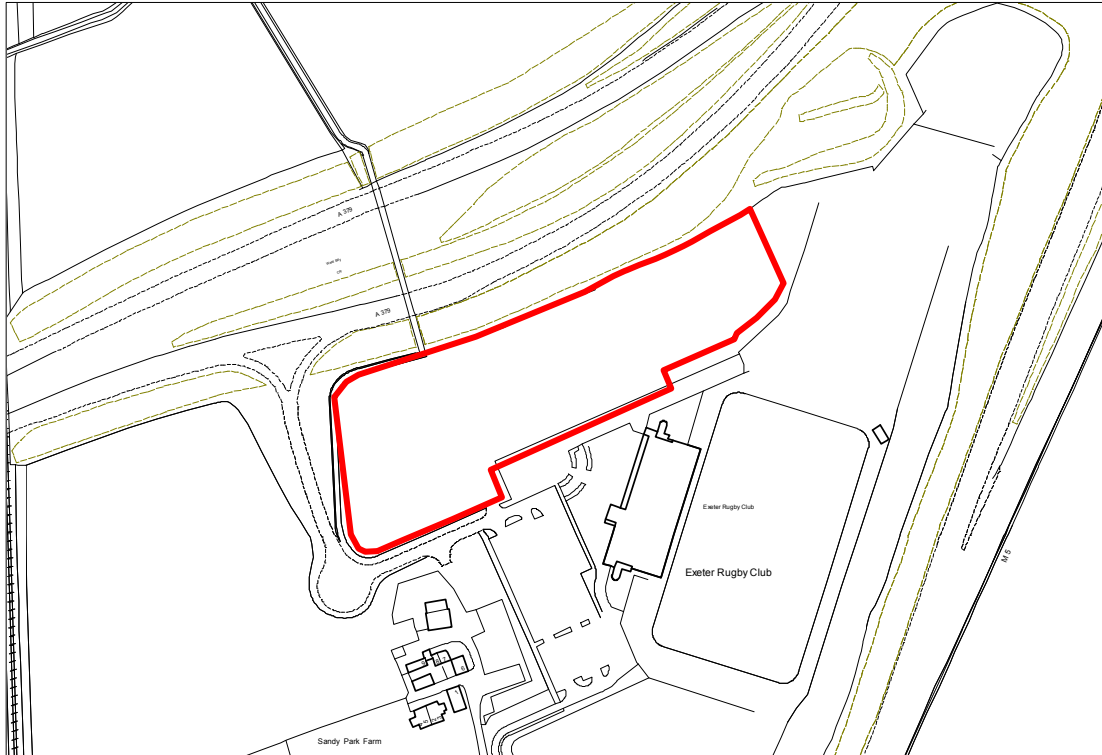
Health and fitness centre with internal and external facilities including tennis, health and fitness, multi-sports, swimming, club room and crèche, car parking and associated works

LOCATION:

Land adj. Sandy Park Farm, Old Rydon Lane, Exeter, EX2

REGISTRATION DATE:

14/10/2008



Scale 1:4000

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HISTORY OF SITE

- 03/1612/03 Erection of rugby stadium (8200 Capacity) and ancillary facilities, and sports pitches, tennis centre including indoor and outdoor courts, badminton hall, squash courts, crèche and swimming pool, car parking spaces (475 spaces) and other works including construction of new access to highway. Approved subject to conditions and a legal agreement. The Rugby Stadium element of this proposal has been constructed.
- 05/ 0629/03 Provision of cycle/footpath link including bridge over A379. Lane east of railway line from Apple Lane to Old Rydon Lane. Approved 27 September 2005
- 06/1801/03 Racquets, health and fitness centre with internal (7,416 sq.m.) and external facilities for tennis,

health and fitness, multi-sports, cricket, swimming, club room and crèche, car parking and associated works. (Amendment to Ref No. 03/1612/03 granted 9 September 2004). This application was approved on 13 November 2006.

DESCRIPTION OF SITE/PROPOSAL

The site comprises part of the land covered by the original application referred to above (03/1612/03) and lies between the new stadium and the A379. The site was levelled and prepared for construction as part of the preparatory works when the stadium was constructed.

Although there are two extant approvals for a Sports/Tennis Centre on this land the applicant has reconsidered the scheme and now seeks consent for a revised scheme comprising a smaller 2 storey building with a total floor area of 6643 sq m. Facilities are spread over 2 floors in addition to those external to the building. Within the building the ground floor contains one internal tennis court, 25m indoor swimming pool, children's pool, sauna, spa, solarium and steam rooms, club/bar area, adult and children's lounges and changing rooms. The first floor of the building comprises 2 tennis courts, gym facilities, 2 exercise/dance studios and clinic/treatment room.

Externally the facilities provided comprise 2 tennis courts with provision for temporary winter covers, an external show tennis court, 2 five-a-side football pitches, children's play area, garden patio area and car parking (246 spaces).

The building occupies a fairly central position on the site with the external courts located to the east of the building and the parking area to the west.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The following documents have been submitted in support of the application.

- Design and Access Statement
- Flood Risk Assessment
- Waste Management Plan

Design and Access Statement

This statement sets out the factors that have influenced the design and layout of the building, the juxtaposition of the various elements within and around the building and the access issues relevant to both the building and the external areas. The specific design of the building and the materials to be used both on the building and for the external areas are appraised.

Flood Risk Assessment

This document appraises the flood risk applicable to the site and examines the potential impact of the development, measures to manage flood risk, including drainage arrangements.

Waste Management Plan

This document examines the proposed development from a waste generation perspective, and measures to minimise the volume of waste created. It identifies soil and vegetation as the most likely waste streams during site clearance, and surplus/waste construction materials as the main source during construction. This waste will be sorted on site and measures taken

to minimise the amount through careful monitoring of construction to prevent over ordering. It also states that local sourcing of materials will be carried out wherever possible.

REPRESENTATIONS

1 letter of comment has been received from Bishops Clyst Parish Council concerning the potential for underground parking.

1 letter of representation has been received welcoming the provision of the type of facilities comprised in this development but expressing concern about their financial accessibility to the majority of residents in the surrounding locality. The affordability of membership of the proposed development is not a material planning consideration.

CONSULTATIONS

Environment Agency – Consultation response awaited.

Sport England – “With the scheme hoping to result in providing opportunities for group participation as well as contributing to healthier, fitter and more active communities; sport England would therefore wish to lend it’s support in principle to this planning application.”

Environmental Health – highlights issues of land contamination, noise, construction hours, hours of use of external facilities, lighting, air quality, drainage, need for details of all external plant/machinery and a green travel plan.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPS1 - Delivering Sustainable Development

PPG13 – Transport

PPG16 – Archaeology and Planning

PPG17 – Planning for Open Space, Sport and Recreation

PPS23 – Planning and Pollution Control

PPG25 – Development and Floodrisk

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST10 - Exeter Principle Urban Area

CO6 - Quality of New Development

CO8 - Archaeology

CO13 - Protecting Water Resources and Flood Defence

CO15 - Air Quality

CO16 - Noise Pollution

TR2 - Coordination of Land Use/Travel Planning

TR4 - Parking Strategy, Stands and Proposals

TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

L6 - Intensive Use Facilities

L8 - Indoor Sport Facilities

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

C5 - Archaeology
EN4 - Flood Risk
EN5 - Noise
DG1 - Objectives of Urban Design
DG3 - Commercial Development

OBSERVATIONS

The principle of a tennis/sports centre on this land is established by virtue of the previous consents that remain valid. The main issues in respect of this application therefore relate to the changes to the scheme as compared to the most recent approval and their impact on the visual amenity of the site and surroundings, highways safety implications and the relationship between the Tennis/Sports Centre and the Rugby Stadium.

This building is slightly smaller than the most recently approved scheme (6643 sq m as compared to 7416 sq m) and provides for 246 parking spaces as opposed to the 250 included in the last scheme. The ratio of parking provision relative to floor area of the building has increased as a result of the reduction in size of the building. The design of the building has changed as a result of the reduction in size and externally two 5-a-side football pitches have been included in addition to the external tennis courts. The revised scheme also includes provision for an air support dome covering 2 of the external tennis courts to facilitate greater year round use.

The new access from the A379 into the site was always also intended to serve this site and given the fact that there is no fundamental change in the nature of the proposal, nor the overall number of parking spaces it is not felt that this application should give rise to any significant highway concerns over and above those addressed during the approval of the previous schemes. Confirmation from the County Council that there is no highway objection to this revised scheme is awaited.

The position of the car park is as per the previous approval and this is considered appropriate in that it will to some extent be less visually prominent as it will be screened by the building. Neither of the previous approvals for a tennis centre on this site have required the provision of any underground parking. Notwithstanding the comments raised by Bishops Clyst Parish Council it is not considered that such provision would be desirable on this site and in any event adequate parking provision is already incorporated within the scheme. The applicant has been asked to clarify the overall height of the building relative to the Rugby Stadium by providing a section. The overall height of the building itself is governed by the function of the building as a tennis/sports centre and the need for height clearance. Notwithstanding this the building now proposed is comparable in height to the previous approvals. This revised scheme has a simpler design comprising a single curved roof spanning the whole of the building with external walls consisting of a mix of composite cladding panels, brick/blockwork, curtain wall glazing and small elements of cedar boarding. Other minor changes compared to the approved scheme relate to the positioning of an external plant room and changes to the hard and soft landscaping of the site.

The positioning of the plant room building in front of the pedestrian/cycle bridge across the A379 is not ideally located in terms of its visual impact upon a key arrival point into the overall Sandy Park complex. The applicant has been requested to reconsider the siting of this building to ensure that a better vista is provided on arrival over the bridge.

The introduction of an air support dome over the external tennis courts will ensure that greater use can be made of them on a year round basis. However the visual impact of this needs further clarification and the applicant has been asked to provide additional information on its appearance and the periods of year during which it would be erected. This information will be reported at Committee.

It is also considered important that the areas of hard surfacing around the building are designed such that the site of the tennis centre and the Rugby Stadium are linked in a consistent way in the interests of the character and appearance of the overall site. Consequently the applicant has been asked to revise the submitted plans to show the same

approach to hard surface materials and landscaping as that proposed on the previous approvals.

Although no formal consultation response has been received from the Environment Agency at the time of writing this report it is not envisaged, given their comments on previous schemes, that they will raise any fundamental issues from the Flood Risk Assessment. Their formal consultation response will be reported at Committee.

Issues relating to land contamination, associated remediation and air quality impact of the scheme were all dealt with under the originally approved scheme for the Rugby Stadium and tennis centre. Details of the proposed lighting, hours of use, hours of construction work, refuse storage arrangements and details of any plant and machinery associated with the development will all be controlled by appropriate conditions.

SOUTHERN AREA WORKING PARTY (19/11/08)

Members noted the history and the fact that previous approval had been granted for a David Lloyd tennis centre on this site. Members noted the differences between the approved scheme and that now proposed and recognised the concerns outlined by Officers as valid and worthy of further negotiation. Members noted that the application will be considered by the Planning Committee.

CONCLUSION

Subject to the satisfactory outcome of negotiations in respect of the points raised above it is considered that the overall visual impact of the scheme will be acceptable. Likewise, subject to clarification from the Highway Authority that they have no objection to the proposal, the highway aspects of the development are also considered acceptable.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C12 - Drainage Details
- 4) C17 - Submission of Materials
- 5) C35 - Landscape Scheme
- 6) H02 - Highways - Provision parking, etc
- 7) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the building, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 8) Prior to the commencement of the development hereby approved details of all external plant and machinery associated with the proposal, including sound power levels, shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the details of the scheme are acceptable in the interests of

residential amenity.

- 9) Prior to the commencement of the development the following details shall be submitted to, and be approved in writing by, the Local Planning Authority: -
- a) The hours operation of the Tennis Centre complex and outdoor facilities,
 - b) The hours of operation of the floodlights to the external courts and 5-a-side pitches,
 - c) Details of the type of lighting to the parking areas and their hours of operation, and
 - d) details of fencing/boundary treatments.

Reason: In the interests of residential and visual amenity in the locality.

- 10) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall only be used for activities falling within Use Class D2 (e) of The Town and Country Planning (Use Classes) Order 1978 (as amended), and not for any public performances of musical events.

Reason: To maintain control over the use of the premises in the interests of the residential amenities of nearby properties

- 11) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of occupants of nearby buildings.

- 12) Prior to the commencement of the development an assessment of the impact of all external lighting associated with the development shall be submitted to, and be approved in writing by, the Local Planning Authority. The assessment should address the impact of the lights (including hours of use) on the nearest receptors. Thereafter the lighting shall be installed and maintained in accordance with the findings of the lighting assessment and details approved pursuant to Condition 9(c).

Reason: In the interests of the amenities of the occupants of surrounding properties.

- 13) Prior to the commencement of the development a Green Travel Plan shall be submitted to, and be approved in writing by, the Local Planning Authority (in consultation with the County Council). Thereafter the development shall be carried out in accordance with the provisions of the agreed Green Travel Plan.

Reason: In the interests of minimising the use of the private motor vehicle and encouraging the use of sustainable modes of transport.

- 14) No development shall take place until details of the kitchen extraction system, including odour abatement equipment, have been submitted to and approved in writing by the Local Planning Authority. Mechanical extract ventilation should be provided with a high level discharge point. The mechanical extraction equipment should meet requirements set out in DEFRA guidance for odour and noise from commercial kitchens.

Reason: In the interests of residential amenity.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223