

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>Proposal, Location and Applicant</b>
(3)	13/02581/COMIND Greenham	Proposed sports and leisure club, with indoor and outdoor tennis courts, sports and leisure building, outdoor swimming pool, with associated parking and access, and landscaping.  Land at Newbury Rugby Club, Monks Lane, Newbury.  Stax Leisure [Newbury], Ltd.

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=13/02581/COMIND>

<b>Recommendation Summary:</b>	<b>The Head of Planning and Countryside be authorised to GRANT planning permission, subject to the first completion of a s106 planning obligation.</b>
<b>Ward Member(s):</b>	Councillors Drummond and Swift Hook.
<b>Reason for Committee Determination:</b>	Major application, not appropriate to delegate, and more than 10 objections.
<b>Committee Site Visit:</b>	17 <sup>th</sup> March, 2014.

<b>Contact Officer Details</b>	
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## 1. Site History

Most relevant.

- 142801. Construction of playing fields, clubhouse etc for new rugby club. Approved 1996.
- 150285. Relaxation of condition 19 of 142801, in order to allow outdoor sales. Approved 1997.
- 07/00534/comind. S73 application. Allow Sunday markets. Approved 2007.
- 09/02204/comind. Construct all weather pitch. Approved 2010.
- 13/02598/out. Erection of new nursery building. Pending consideration.

## 2. Publicity of Application

Press Notice Expired: 12<sup>th</sup> December 2013.  
Site Notice Expired: 5<sup>th</sup> December 2013.

## 3. Consultations and Representations

<b>Parish Council:</b>	Objection. Reduction in squash courts. Why an outdoor pool? Layout within gym is poor. Due consideration for bats. GPC believe that there should be no time delay between opening of new centre, if approved, and closure of Greenacres.
<b>Newbury Town Council</b>	Objection/comment: Members were concerned at the total lack of affordable housing; Members feel that this is not a financially viable scheme. Insufficient facilities – proposed plans do not seem to provide the facilities that Sports England suggested; Members did not agree that demand for squash has fallen and that any reduction in squash courts is justified.
<b>Highways</b>	Amended plans sought on minor technical details. Increased traffic generation onto Monks Lane, needs to be mitigated via a s 106 contribution of £127,000. Conditional permission recommended.
<b>Sport England</b>	Will remove their outstanding objection, so long as the proposed replacement pitches at the Club to the north are implemented, via a s 106 obligation. Policy E4 applies. Would remove their objection to the loss of Greenacres [12/02884] if a mechanism is found to ensure replacement via this current scheme
<b>Berkshire Squash Raquets Association</b>	Object to the application since it still entails the loss of one squash court. Will have a detrimental impact upon competitions etc.
<b>Archaeologist</b>	Site area has limited potential for finds. No objections.
<b>Planning Policy</b>	Comment that whilst not objecting to the application, they note that the site is green field lying outside any defined settlement boundary. However, it is noted that the new centre lies in a very good location for the Sandleford Park Housing Allocation, and meets some of the objectives of the Newbury Vision, in enhancing local sports facilities. The views of Sport England should be sought, and in addition the decision taker should satisfy themselves that the sequential and impact tests as defined in the NPPF have been met, if the application is to be approved.
<b>Public Open Space</b>	Given that the application will obviously enhance local sports facilities, no contribution is requested.

<b>Tree Officer</b>	Area of ancient woodland lies to the south of the site, but given the 15m buffer zone, this will not be affected. However a lime tree avenue on the proposed access route should be maintained. Conditional permission is duly recommended.
<b>Economic Development Officer</b>	Supports the application, since it will provide 40 additional jobs and will comply with the economic strategy for the District. Officer note - it should be noted that jobs will however be lost at Greenacres.
<b>Fire Service</b>	Additional hydrants required on site. Condition this on any permission.
<b>Newbury Society</b>	Object. The loss of one squash court breaks the principle of para 74 in the NPPF regarding suitable replacement facilities. Also cannot see the linking justification for the "loss" of 12 affordable units at Greenacres. The latter would be commercially viable if suitable investment had been put into it over recent years.
<b>Thames Water</b>	Do not object, but request various conditions re fat traps and oil interceptors, plus controls on the swimming pool discharges.
<b>Waste Services</b>	No comments offered.
<b>Natural England</b>	No objections made. Does not affect any local SSSI.
<b>Ecologist</b>	Views awaited. Cross sections requested.
<b>Environmental Health</b>	Conditional permission – re. noise on air handling plant, plus lighting control.
<b>Environment Agency</b>	No objections. A suitable flood risk assessment has been submitted. The site is less than 5ha in a flood zone 1 area, so risk of flooding is low - see standing advice.
<b>Correspondence</b>	19 letters of objection received. Most concerned about reduction of squash courts from 3 to 2, poor layout, why an outdoor pool, is not a good replacement for Greenacres. If approved what of timing delays, and how can the Council be assured about implementation of the new scheme, if Greenacres closes. As the application is linked to Greenacres, still need affordable housing on that site. One letter of support, but no reasons given. One further letter from an agent representing occupants of the sheltered housing site to the north concerned about noise and lighting impact on residents on the site, if the scheme proceeds.

#### **4. Policy Considerations**

National Planning Policy Framework, 2012.

West Berkshire Core Strategy 2006 to 2026. Policies ADPP1, ADPP2, CS5, CS6, CS10, CS13, CS14, CS15, CS18, CS19.

West Berkshire District Local Plan 1991 to 2006 [saved 2007] Policy HSG1.

Delivering Investment from Sustainable Development June 2013.

#### **5. Description of Development**

- 5.1 The application site lies to the south of Monks Lane in Newbury, on an existing green field site, comprising rugby pitches. It lies to the west of the present club house of Newbury Rugby Club, and to the south of the Cloisters and the St Johns Surgery. It is proposed to access the site off the existing Monks Lane access into the Rugby Club. The site has a

total area of 1.5ha. It is proposed to erect a 2 storey sports centre, comprising the following: indoor pool, [20m length], lounge, kitchens, spa and sauna on the ground floor, and on the first floor, a gym, 2 squash courts, spinning room, and 2 gym studios. Outside will be another swimming pool, plus 4 enclosed tennis courts and 2 external ones, a terrace, and a 180 parking space car park.

- 5.2 The mini overflow rugby pitch will remain to the north of the site, whilst ancient woodland [Barn Copse] will lie to the south, with an intervening 15m buffer zone. There is also to be cycle storage for visitors and staff.
- 5.3 Whilst the application is a freestanding one, in both physical and planning terms, the Committee will note from elsewhere on this agenda, that should the scheme be approved, it will be linked to the application 12/02884 for housing at Greenacres, also in the same parish. In addition, for information, whilst not considered on this agenda, the applicants have submitted an outline application for a new children's nursery building to the south of the application site [13/02598/out]. Any decision on this scheme [without prejudice] should be related to the result of Committee's deliberations.

#### 5.4 Town and Country Planning Environmental Impact Assessment Regulations 2011.

The application site area is 1.5ha. As such, it falls to be considered under part 10[b] of the above regulations, in Schedule 2, being an urban development scheme. Accordingly, the Council, having regard to the advice in Schedule 3 of those Regulations, on the 25<sup>th</sup> February 2014, determined that NO environmental statement was required to be submitted for the application in question. The applicant has submitted a considerable amount of information/ reports in relation to the submission, which allows the Council to adequately assess the scheme, in terms of its potential environmental impacts.

### **6. Consideration of the Proposal**

The application falls to be considered under the following primary matters, of policy [national and local] transport/ highway implications, visual impact, and other issues such as s106 contributions and continuity of provision.

#### 6.1 Planning Policy.

- 6.1.1. The National Planning Policy Framework [NPPF] was published in 2012. This sets out a number of tests upon which new sports and leisure facilities must "pass" before being considered favourably by Local Planning Authorities. The first test relates to the **sequential test**, as identified in para 24 of the NPPF. This corresponds to main town centre uses [which includes sports centres] if the application site does not lie within an identified town centre. The next default location should be edge of centre, and then out of centre sites. The current application site is the latter, being in fact out of settlement, on a green field site. This sequential test is applied in the interests of not only promoting town centre vitality and viability, but also in the overall interest of sustainability, having regard to the accessibility of this public facility to the general public.
- 6.1.2. The applicants, in their submitted Planning Statement, have undertaken a fairly basic sequential test, which, in their view, clearly demonstrates that the 1.5ha facility, being of 3144m<sup>2</sup> gross floor area, cannot possibly be located within any suitable site closer to the town centre, and remain viable. This is based on the following two principal premises. Firstly, the value of land cost closer to the town centre, on brown field sites, are such that the provision of the new centre would not be possible. Secondly, the future profitability of the centre can only "work" on the basis that all the varied sports uses, such as the swimming pools, gym stations, tennis courts and so on can only operate in one combined centre, when reduced overheads and administration costs are taken into account, not to mention the obvious benefits to the customer of having a variety of facilities on one site.

This corresponds to the dis-aggregation element of the sequential test, i.e. whether a smaller component of the proposal [e.g. the tennis courts] could be located on a smaller site closer to the town centre. Officers have viewed the four possible sites that might be available closer to Newbury centre, as identified by the applicant's agent, and have concluded that there is NO viable alternative, particularly when the clear linkage benefits of the location at the Rugby Club are also taken into account. The last sentence of para 24 in the NPPF specifically requires not only Developers, but also Councils to show flexibility when judging applications, in regard to the sequential test. Officers are of the opinion that it would not be reasonable to refuse the present application upon the sequential test alone, nor would there be any clear planning basis for so doing. Just for information, the four possible sites noted by the agents are Hutton Close, Northcroft Park, the London Road Industrial Estate, and Market Street.

6.1.3. Paragraph 26 of the NPPF sets out the nature of the **Impact Test**, which should be applied to any leisure [inter alia] uses not proposed in a town centre, where the size threshold being in excess of 2500m<sup>2</sup>. The application site accordingly needs to be examined on this basis. The premise of the impact test, is the need to protect existing facilities from undue competition, which would/ might otherwise harm the viability of an existing centre. Impact upon local consumer choice, and planned future investment should also be taken into consideration. The applicants have commissioned sports solutions to examine this impact, who have concluded that impact will not present a problem. This is based on the following points:-

- 1 - The Greenacres centre will close in any event, so this will itself create an element of unmet demand.
- 2 - Members will appreciate that the town has a growing population, a proportion of which will be interested in participating in organised sport, based at new leisure centres.
- 3 - The site is very well located in relation to not only the existing Rugby Club, but also the potential sports quarter envisaged by the Council in the Newbury Vision, encompassing not only the adjacent Park House School, but also the Sandleford Park Housing allocation of up to 2000 dwellings overall.
- 4 - Having regard to the comparison between Greenacres and the new centre, and the overall provision of health and fitness "stations" within a 15 minute drive time of the Rugby Club, it is expected that given future population growth, and an increasing participation in sports, the core catchment could support up to 662 stations, a rise of 140 over the present capacity. The present application simply supplies an increase of 34 stations, so only meets 24% of the potential shortfall.
- 5 - Officers are not aware of any planned future investment elsewhere in the 15 minute catchment, which might be put in jeopardy if this centre is built out. Similarly, if built, it will undoubtedly enhance local consumer choice, in sporting facilities.

Accordingly, having regard to the basis of the impact test, it is concluded that this new centre will have no harmful impact upon the continuing viability and vitality of Newbury Town centre. As such, policy CS11 in the Core Strategy will not be undermined. In addition, the last bullet point in policy ADPP2 in the Core Strategy, corresponding to the need to avoid closure of important community and leisure facilities, is respected, since this scheme provides a replacement of such a planned closure.

6.1.4. **Paragraph 74** of the NPPF corresponds to the need to ensure that where planning applications would result in the loss of existing sporting fields [inter alia] this should be duly compensated elsewhere, unless it can be shown that the loss is clearly surplus to present and future needs. In addition, if an existing sports centre is lost, the replacement facility must be at least of equal quality and quantity. This is probably the most contentious aspect of this application, when linked not only to the closure of Greenacres, but also the loss of existing rugby pitches at the Rugby Club. Most [but not all] letters of objection have been based on these factors, including the potential time lag between the closure of Greenacres, and the opening of the new facility.

6.1.5. Taking the rugby club land first. The applicants have submitted a report by Sports Solutions which examines the loss of the rugby pitches. This makes the following concluding points. In the District there are currently 36 adult and 12 junior pitches at 18 sites [including schools.] However, about two thirds are not available for public use. And, significantly, local participation rates in the District's population is much higher than the national average at 1.67%. Accordingly, it is important that new rugby pitches are re-provided at the Club, if the NPPF test is to be met, and Sport England satisfied. The applicants are thus proposing that should the application be approved, this will provide funding for the following. One full sized main stadium pitch [existing] 4 additional full size pitches, 2 of which are to be floodlit, and 4 mini rugby pitches. This will mean that the actual number of all pitches at the Club will rise, overall. Sport England, in looking at the proposal overall, have concluded that the above will satisfy their exception policy E4, in that the loss of pitches will be mitigated elsewhere. However, in doing so, they make the valid point that any planning permission should be linked via a s106 obligation, to ensure that the planned new pitches are actually constructed as proposed, following implementation phases of the new leisure centre, for obvious reasons. It is understood that the applicants are willing to enter into such an agreement. They have thus removed their original objection to the application per se.

6.1.6. Exception policy E5 is also quoted by Sport England, who suggest that it is for the Council to consider, under the NPPF policy, whether the replacement sports facility is indeed an adequate replacement for Greenacres. This will now be examined.

6.1.7. The new leisure centre will have the following: 34 more fitness stations, 1 more floodlit outdoor tennis courts, one new outdoor pool, and one new aerobic plus spinning studio, when compared to Greenacres. In addition in terms of pure replacement, the indoor tennis courts will remain [4 No.] as will the badminton markings, and no change to indoor swimming. The sole detriment will be the reduction of the three squash courts to two. This is on the basis that the applicant/operator does not consider that the introduction of three courts is justified in economic terms. The Council has received many objections from existing players on this basis, but the level of objection, whilst obviously legitimate, is not wholly understood, given the actual usage of squash courts at Greenacres, and indeed across the town, having regard to existing courts at other centres. So, although strictly speaking the precise replacement for squash is not being made at the new centre, the following is prayed in aid by the applicants, with which officers concur.

1 - There will remain a reasonable volume of spare squash court capacity in the local catchments.

2 - Greenacres could close at any time outside planning control.

3 - The new sports centre, with the exception of indoor tennis and indoor swimming, will be a significant improvement over Greenacres.

6.1.8. In conclusion, given the apparent equivocation of Sport England on this matter, officers view the lack of one additional squash court as being a minor objection to the application as a whole, and indeed, certainly not one that could possibly sustain a reason for rejection.

6.1.9. To conclude as a whole on the three principal tests in the NPPF noted above, officers consider there is no basis for rejecting the application having regard to paragraphs 24, 26 and 74. Indeed, taking the overall advice in section 8 of the NPPF which promotes healthy communities, it is envisaged that not only will the application be an excellent opportunity for meeting between members of the local community, but also for the future community arranged around the Sandleford allocation in policy CS3 in the Core Strategy. It will also be an example of planning positively for future sports needs in the local community.

## 6.2. The Council's Core Strategy 2006 to 2026.

6.2.1. Policy **ADPP1** in the above, recognises that most development will be within or adjacent to settlements. Policy HSG1 in the saved Local Plan identifies Monks Lane to the north being

the defined boundary of the town. However, the red line access of the application site area does adjoin Monks Lane, and, in addition, to the west of the site lies Park House School, and to the north St Johns surgery and the Cloisters a care home. The rugby club building lies to the east with its associated car park, whilst to the south, in time, will be the new housing site for Sandleford Park. Accordingly, it is considered likely [without prejudice] that over time, when the defined settlement boundaries are revisited, the application site could be included. Even if not fairly substantive built form will be near the site. Accordingly ADPP1 is met. Policy **ADPP2** has already been considered above, in terms of replacement facilities. Policy **CS5** examines the need for future impacts to be mitigated by developer contributions. It is recognised that if the application proceeds, payments for local highways works will be required, given the significant increase in local traffic generation arising from the new sports centre. No public open space or library contributions are however sought in this instance. Policy **CS6** relating to affordable housing is relevant, insofar as the partner application 12/02884, has ramifications for the delivery of this scheme, in funding terms. Policy **CS11** corresponds to the future protection of town centre vitality. Whilst this relates principally to retail, leisure is a factor. Once again this issue has already been considered in the “NPPF section”. Policy **CS13** corresponds to highways issues. The highways officer is largely content with the existing access to be used onto Monks Lane, and the level of proposed car and cycle parking. In terms of the increased traffic generation, the facility will create an additional 27 vehicle movements in the morning peak hour [8am to 9am] and an additional 72 movements in the evening peak hour [5 - 6pm]. This equates to a 2.7% rise in movements on Monks Lane, in the morning, and slightly more in the evening peak. This is not considered so significant as to merit rejection of the application in highways terms, but it does merit a s 106 highways contribution of £127,000, which will assist in mitigating congestion on the roundabouts on the west and east ends of Monks Lane. Policy **CS14** relates to design of new buildings. This will be taken in more detail under the visual impact section. Policy **CS15** corresponds to sustainable construction. It is expected that should the application be approved, BREEAM excellent will apply via condition, to the new sports building. The applicants have submitted a satisfactory flood risk assessment so meeting the test of policy **CS16**, and the Council ecologist and Natural England have no objections under ecology/ biodiversity – policy **CS17**. The ancient woodland to the south is being adequately protected by the 15m buffer zone noted on the submitted plans, and no SSSI is being impacted. Policy **CS18** relates to the Districts green infrastructure [GI] which, inter alia, comprises sporting pitches as at Newbury Rugby Club. The application site is currently a little used practice rugby pitch, but still retains an attractive open quality, which is significant to the soft visual setting on the southern margins of the town. There is no doubt that it comprises GI, which policy CS18 seeks to conserve, save in exceptional circumstances. The Committee must make this judgement in determining this application. Officers consider the loss is acceptable, since the provision of the sports centre, with its associated open air sporting facilities [tennis courts and swimming pool] in itself constitute GI. This policy is accordingly satisfied, if the Committee is also satisfied that the overall visual impact arising from the new centre is acceptable. This is examined now.

### 6.3. Visual Impact.

- 6.3.1. Policy **CS19** seeks to ensure that the diversity and local distinctiveness [and hence attractive qualities] of the District’s landscape/ countryside is sufficiently conserved and where possible enhanced, via new development. Regard must be had to the area’s sensitivity to change, and ensuring that the new development is appropriate in terms of scale, and design, in relation to local settlement form and overall character.
- 6.3.2. What is proposed on the application site is a major scheme. The sports centre itself is 2 storey, and will be 11.2m in height, 42m in width, and over 50m in length. This is substantial. In addition, it is proposed to have enclosed tennis courts [as currently at Greenacres] which will involve a domed structure some 9m high, 34.5m wide and just over 60m in length. Whilst it is understood this will have a quasi translucent appearance, it will

undoubtedly still be a significant visual structure, and so will inevitably, in conjunction with the associated sports centre, car parking and floodlighting, have a substantial localised visual impact. However, there are a number of factors which assist in reducing this potential impact. Firstly, from the closest public vantage point, being Monks Lane, there are two intervening buildings which will screen the new build, assisted by their higher elevation. Namely, St Johns surgery and the Cloisters Nursing Home. Secondly the buildings will have a comfortable visual backdrop of Barn Copse to the south which again will screen the new build very well. Thirdly, built form already exists to the south west and east of the application site, so the new centre will not sit in an open setting. Fourthly, it is inevitable that over time once the Sandleford allocation is initiated, the overall character of the vicinity will alter irrevocably, at least to a degree. Given all these issues, it is officers balanced view that, whilst the new scheme will have a localised visual impact, its wider impact will be well contained, and there will be little if any impact on wider landscape character. On balance therefore, on this issue and policy CS19, it is considered the scheme will be acceptable, particularly taking into account the wider community advantages arising from the sports centre.

#### 6.4. Other issues.

- 6.4.1. The above agenda report sets out all the relevant planning issues, in regards to extant Development Plan policy, highways and visual impact issues. This section sets out the officers' response to a number of remaining "problems" highlighted by objectors' letters. One letter has been received specifically on behalf of the Priory Group who operate the Cloisters to the north of the application site, very recently built out and occupied. Indeed it was the present case officer to this application who dealt with that proposal. Concerns have been raised about potential amenity impact from noise / disturbance and floodlighting. This appears to be rather poorly based, given the good separation between the Cloisters and the new development [over 70m] with intervening mini rugby pitches remaining, and the fact that Monks Lane is a busy road far closer to the Cloisters. Indeed there is already noise and disturbance from the very busy St Johns Surgery close by, in addition. It is accordingly not considered that this is any basis for an objection. Policy CS14 in the Core Strategy is met.
- 6.4.2. Secondly, a range of objectors are concerned about the possible **time lapse** between the closure of Greenacres and the opening of the new centre. This is a relevant planning issue, given the fact that the officer recommendation to approve is based upon a suitable replacement for Greenacres. In an ideal situation, there would be no time lapse at all. However, officers consider this to be technically/legally and financially extremely difficult if not impossible to deliver, given the number of parties involved [at least four, namely the Rugby Club, Stax Leisure, Bloor Homes, and the owners of Greenacres]. Whilst this is in some ways unfortunate, the fact that must still be borne in mind is that Greenacres can still close at any time, outside planning control. If a reasonable timing mechanism is put in place, via a s106 obligation, linking the timing of a build contract for the new sports centre being let, with the demolition of Greenacres, this can be the "best" that the Authority can seek. Members need to bear in mind the forward funding by Bloor Homes for the Stax site [land purchase etc] and the advice in para 205 in the NPPF, which states Councils should be sufficiently flexible to prevent planned development from being stalled. It is anticipated that the worst case scenario is a maximum of one year between the closure of Greenacres, and the opening of the new centre. The applicants have made it clear that if this can be expedited it will be, since it is clear that the shorter the time lapse, the better this is commercially. At present, the applicants are proposing that the Greenacre Centre be kept open for a period of one year from the date of the agreement, which will be when both planning permissions are granted. However, if a period of 3 years is granted for a start on site, this will be of little help. Accordingly, in this unusual circumstance, officers are recommending that the planning permission be granted on the Monks Lane site with a time period of just one year.

6.4.3. For further clarity, the submitted viability assessment on application 12/02884, allows for a financial “contribution” by the applicant [Bloor Homes] in order that the Greenacres sports centre remain open for one further year, in what are apparently poor trading conditions.

## 7 Conclusion

On the one hand, there are notable objections to the development to be determined. These are as follows.

- 1 - It will entail the loss of Greenacres, a much valued local facility.
- 2 - It will mean the “loss” of one squash court in terms of pure replacement provision.
- 3 - The centre will undoubtedly create some localised visual impact, and a degree of noise and light pollution, plus some increased traffic generation onto Monks Lane.
- 4 - It will involve the loss of some local green space.
- 5 - Its location out of settlement is not ideal in pure accessibility/ sustainability terms.
- 6 - Some minor exceptions to policy will be required to be made, if it is to be approved. However, it is noted that the application does NOT comprise a departure from identified planning policy.
- 7 - By definition, since it is linked to application 12/02884, it will involve the “loss” of 12 affordable housing units elsewhere in the town.

On the other hand, there are a range of demonstrable benefits arising:

- 1 - The creation of modern new sports centre, with associated infrastructure. This will significantly enhance sports centre facilities to the south of Newbury.
- 2 - The location in a highly accessible location, where future population growth is all but “guaranteed”
- 3 - The creation of 40 new homes on a site nearby ie Greenacres.
- 4 - The forward funding of the Rugby Club, which will improve its sports pitch provision, via the s106 obligation. This will be most valuable to the town in future years.

In conclusion, given the strong reasons to support the proposal, the recommendation to support the application is fully justified, in the views of officers.

## 8. Full Recommendation

**The Head of Planning and Countryside be authorised to GRANT planning permission, subject to the first completion of the required s 106 planning obligation, whose heads of terms are set out below.**

- 1 - The linkage of the demolition of Greenacres as noted under application 12/02884, with the implementation of the new sports centre. The completion of the new centre within a maximum of one year from that demolition date.
- 2 - The required funding for highway improvements, as noted in the agenda report. [£127,000]
- 3 - The implementation on an agreed timescale of the new rugby club sports field provision on site.

If for any reason the required s 106 obligation is not completed by the end of 2014, the application, if expedient, be refused for the following reason.

“Notwithstanding the applicants willingness to do so, the required s106 obligation has not been entered into, which would mitigate the highways impact from the new sports centre, and provide a means of ensuring the implementation of the new centre, plus the new rugby club sports pitches as replacement facilities. Accordingly, the application is contrary to the advice in para 74 of the NPPF of 2012, policies CS5 and 13 in the West Berkshire Core Strategy 2006 to 2026, and the advice in Delivering Investment from Sustainable Development adopted June 2013. It is accordingly unacceptable”.

## CONDITIONS

1. The development shall be started within one year from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2010, and the unusual context of the application site, being linked to the Greenacre site in the town.

2. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy CS14 of the West Berkshire Core Strategy 2006 to 2026.

3. No development shall commence until details of floor levels in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with Policy ADPP2 of the West Berkshire Core Strategy 2006 to 2026.

4. The new sports centre building shall achieve Excellent under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved for the development, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policy CS18 of the West Berkshire Core Strategy 2006 to 2026.

6. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2012. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy CS18 of West Berkshire Core Strategy 2006 to 2026.

7. No development shall commence until the applicant has submitted full details of the fire hydrants to be provided on the application site. The approved scheme shall then be implemented as agreed.

Reason: To ensure public safety is protected, in accord with the advice in the NPPF of 2012.

8. No floodlighting or other form of external lighting scheme shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, which is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance that does not change its details.

Reason: In the interests of visual amenity and/or highway safety. In accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

9. No development shall commence until full details of the following shall be submitted to the Local Planning Authority.

- (a) Written details concerning any proposed air handling plant associated with the development including;
  - (i) the proposed number and location of such plant as well as the manufacturer's information and specifications.
  - (ii) The acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.
  - (iii) The intended operating times.
- (b) calculations showing the likely impact of noise from the development;
- (c) A scheme of works or such other steps as may be necessary to minimise the effects of noise from the development;

The development shall not commence until written approval of a scheme under the above has been given by the Local Planning Authority.

Reason: To ensure public amenity is respected, in accord with policy OVS6 in the West Berkshire District Local Plan 1991 to 2006 [saved 2007].

10 No development shall commence until details of the method of discharge of water from the two swimming pools, and the method of intercepting fats, oil and grease, from the building and the

car parks, have been submitted to, and approved in writing, by the Council. The development shall then be built out in strict accord with the details so approved.

Reason: To ensure no pollution of the local water system, in accord with the advice in the NPPF.

11 The mitigation measures described in paragraphs 6.3 - 6.22 of the Phase II Reptile and Phase II Bat Survey Report by PV Ecology and dated October 2013 will be implemented in full. No development shall commence on site until detailed Habitat Enhancement and Management, Landscape, and Construction Management Plans have been submitted to the Local Planning Authority for prior written approval. Before the first use of the Sports Centre hereby permitted, a report from a qualified ecologist will be submitted to the local planning authority which confirms that the approved mitigation measures have been implemented in full.

Reason: To ensure the protection of species protected by law and to accord with Policy CS17 (Biodiversity and Geodiversity) of the West Berkshire Core Strategy 2006 to 2026.

DC