

UPDATE SHEET

PLANNING COMMITTEE – 15 October 2019

**To be read in conjunction with the
Report of the Interim Head of Planning and Infrastructure to
Planning Committee**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

A1	19/01343/FULM	<p>Erection of a detached building for use as a leisure centre (Use Class D2) together with external landscaping, pedestrian accesses and parkland (including external trim trails and activity stations) associated parking and servicing areas alongside provision of a new vehicular and pedestrian site ingress/egress from A511 (Stephenson Way)</p> <p>Land Adjacent to A511 Stephenson Way, Coalville</p>
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Ward Member Comments

A letter of support addressed to members of the Planning Committee has been received from the ward member, Councillor Stuart Gillard; a copy of the letter is attached.

Additional Consultee Responses

Leicestershire County Council Highway Authority has no objections subject to contributions, and subject to conditions. In particular, the County Highway Authority advises as follows:

Site Access:

- The proposed vehicular access takes the form of a simple left in / left out arrangement, has been designed in accordance with DMRB TD41/95 and has been subject to a Road Safety Audit.
- Whilst the access is such that an inconsiderate car driver may be able (physically) to undertake right turn movements when accessing / egressing the site, these are clearly discouraged by the layout, this matter having been previously raised by the road safety audit and the splitter island enlarged as a result. It cannot be enlarged further, as this would restrict access to and from the site by refuse vehicles and coaches, and the proposed access is therefore considered satisfactory in this regard.
- The applicant has advised that it does not wish for the proposed bridge across the Grace Dieu Brook on the access road into the site to be adopted by the County Highway Authority - the bridge will therefore be private and will need to be maintained by the applicant in perpetuity. This would also require part of the existing adopted highway to have highway rights extinguished over it (i.e. to be stopped up). The County Highway Authority has no objection to this, but advises that this will require an application for the stopping up under Section 247 of the Town and Country Planning Act 1990.

Highway Safety:

- A five-year collision analysis has been undertaken. There have been no reported collisions in the immediate vicinity of the proposed site access location, but there have been "slight" collisions at the nearby roundabout junctions. The County Highway Authority does not consider that an existing road safety issue would be exacerbated by the proposed development.

Trip Generation, Distribution, Assignment and Junction Capacity:

- The County Highway Authority considers that the applicant's trip distribution and assignment are robust and are acceptable.

- Whilst the County Highway Authority considers that some of the junction modelling had not taken into account different levels of lane use for roundabouts, based on other modelling work undertaken by the County Highway Authority for other improvement works, the County Council has been able to assess the impacts. In terms of the specific junctions:
 - The Proposed Site Access is predicted to operate well within its operational capacity during peak hour conditions.
 - The Stephenson Way / Hermitage Road roundabout is predicted to exceed capacity in all scenarios, but the proposed development would have a minimal effect on delays and queues when compared to the case without development.
 - The Stephenson Way / Thornborough Road roundabout is predicted to exceed capacity in all scenarios, but the proposed development would have a minimal effect on delays and queues when compared to the case without development.
 - The Stephenson Way / Hough Hill / Ashby Road roundabout is predicted to exceed capacity in all scenarios. In particular, the Stephenson Way (west) approach would operate above capacity in all scenarios, but it is noted that the with-development case would only result in an increase of Reference Flow / Capacity (RFC) of 0.01, which has a corresponding increase in average delay per vehicle and average queue of 26 seconds (from 278 seconds to 304 seconds) and 4 vehicles (from 70 to 74 vehicles) respectively.
- On this basis, the County Highway Authority does not consider the impacts to be significant or to require mitigation.

Off-Site Implications:

- Notwithstanding the above in respect of junction capacity, the County Highway Authority confirms that it has an evidenced understanding of the cumulative effects of development on the highway network within the Coalville area, and that a contribution towards a comprehensive package of transport works (including walking, cycling, and bus service improvements, as well as highway link and junction improvements) ought to be made.

Internal Layout:

- The County Highway Authority considers that sufficient car parking (including disabled) spaces would be provided.
- Clarification over proposed cycle and motorcycle parking is required (and should be resolved by way of condition).

Transport Sustainability:

- In order to maximise future employees' travel choice, bus passes should be provided.
- A Travel Plan should be secured (and an appropriate Travel Plan monitoring fee paid to the County Council).

Leicestershire County Council Planning comments that the site lies within a Mineral Safeguarding Area for surface coal and Policy M11 of the Minerals and Waste Local Plan (Safeguarding of Mineral Resources) is therefore relevant. The County Council notes that the application does not include an assessment of the presence or absence of any mineral within the site and, were any present, this would be permanently sterilised by the development. Having said this, however, the County Council acknowledges that it is considered unlikely that this site would be considered an acceptable location for the surface mining of coal.

National Forest Company confirms that it is satisfied that the minimum 20% woodland planting and landscaping requirement would be met (assuming the existing on-site

woodland is brought into management, and if the proposed Landscape and Ecological Management Plan is amended to include retained habitats). The National Forest Company also considers however that further changes to the landscaping ought to be made, and concurs with the views of the County Ecologist that additional wildflower grassland should be included at the expense of woodland in certain locations; the National Forest Company is content for these to be dealt with by way of condition, and advises that it would be happy to discuss the detailed landscaping plans with the applicant prior to submission.

North West Leicestershire District Council Environmental Protection has no objections

Applicant Comments

Further to the members' briefing held on 9 October 2019, the agent has provided a briefing note in respect of the issues raised, and which has been previously circulated to members of the Planning Committee; a copy is attached for completeness.

Insofar as the contributions sought by the County Highway Authority are concerned, the agent confirm that the bus pass contributions are agreed in principle, but that the precise details would need to be resolved. In terms of Travel Plan monitoring fee, the agent suggests that this be dealt with by way of condition.

Officer Comment

Insofar as the issue regarding sterilisation of mineral resources is concerned, Leicestershire County Council advises that it has no records to indicate whether there would be any usable mineral within the site, nor how deep any such coal would be if it were present. The County Council also advises that (if there were any surface coal), under the criteria set out within Policy M11 relating to the circumstances in which planning permission may be granted for development within a safeguarded area, the development may be permitted in the event that there is an overriding need for the development; in this case, given the conclusions set out within the main report, this would be considered to apply in this instance. It is also understood from the County Council that, in any event, given the nature of the site in terms of its size and its surroundings, it would be unlikely to be considered suitable for mineral extraction development, even if there were mineral resources at a workable depth. As such, no objection per se is raised by Leicestershire County Council. The County Council also recommends that, should planning permission be granted, the Local Planning Authority gives consideration to drawing to the applicant's attention that any incidental mineral recovered during the development process may only be worked if recovered as part of the "normal" development process (i.e. and that any operations beyond what would be incidental to the usual site development processes (e.g. excavations to a greater depth than would normally be associated with the construction of the proposed building on the site etc.) may need separate planning permission issued by Leicestershire County Council as Mineral planning Authority).

In terms of the issues raised by the County Highway Authority, it is considered that the contributions sought would meet the relevant tests for obligations as set out in the National Planning Policy Framework and Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Whilst the agent suggests that the Travel Plan monitoring fee could be secured by way of condition, as a financial contribution, it is considered that a legal agreement (in whatever form were considered most appropriate by the District Council's Head of Legal and Commercial Services) would be likely to be required. Insofar as the County Highway Authority's recommended conditions are concerned, these would in general be as per those set out in the main report, save for an

additional condition making specific reference to visibility splays, and which is included within the updated recommendation below.

The applicant's briefing note also now confirms that solar PV panels are proposed to be installed to the roof of the sports hall, and a condition ensuring that the details of any equipment in respect of this are agreed prior to installation is also included below.

RECOMMENDATION- PERMIT, subject to Section 106 Obligations (or equivalent obligations secured under an alternative mechanism as considered appropriate by the District Council's Head of Legal and Commercial Services), and subject to the conditions as recommended in the main report, plus the following conditions

- 24 Provision of visibility splays
- 25 Details of solar panels

8th October 2019

DEVELOPMENT CONTROL COMMITTEE 15TH OCTOBER 2019: NEW LEISURE CENTRE IN WHITWICK

Chairman, Members Good Evening,

I am wholly supportive of the application proposal for a replacement leisure centre in both the parish of Whitwick and the Hermitage Ward.

I think that we all agree that the existing Hermitage Leisure Centre is outdated and no longer able to meet both existing and future demand for leisure services within the district.

The application proposals provide an unrivalled opportunity to significantly improve leisure and health provision within the district for many years to come. It is a scheme which is the culmination of several years' work and one which has evolved through significant design, feasibility and technical input prior to submission. I have to commend the council's project team on the design and believe the proposal will act as a high quality 'gateway' leisure destination for Whitwick and the district generally.

In planning policy terms, it should be said that the leisure proposals are an appropriate use within the identified Area of Separation. Through adopting a high quality and sympathetic design, fully informed by the landscape context of the site, the exciting proposals can be brought forward without any detriment to the Area of Separation.

The suitability of the application site for leisure purposes has been robustly considered through extensive feasibility work. Accordingly, it has been shown that this site is the only realistic site capable of accommodating the scale and nature of replacement leisure facilities for the district. Indeed, it is a logical location having regard to the existing facilities it will eventually replace.

The new leisure centre will provide fantastic benefits for Whitwick and the wider community which will last for years to come. It will create a direct legacy in terms of health and activity benefits and will have significant benefit to the local area by providing existing and future residents access to high quality sport and physical activity provision. There is no doubt that this proposal will increase awareness and participation in sport activity delivering truly transformation change for the reducing inactivity in groups such as these will not only achieve the council's health and wellbeing agenda but will also meet aspirations for a healthier community.

A key aim of the proposal is to offer something for everyone in the local community. However, there is a particular focus on targeting key groups such as children and young people, the inactive, those referred for medical reasons and people from deprived areas.

There is substantial research recognising that the wider built and natural environment is an important factor in increasing physical activity. In short, the type, suitability and quality of sporting infrastructure is inextricably linked to increasing physical activity.

This can be achieved at this location through the delivery of a wonderful 'destination' venue with a varied facility mix and high quality provision for swimming, climbing, fitness, sports and fun family activities etc.

Delivery through innovation and state of the art equipment will offer something for everyone at all ability levels, from community use to sporting excellence, talent identification and even more importantly a life skill - learning to swim.

The new leisure centre will also play an important role as a provider, employer and partner in North West Leicestershire. It will also have a key contribution to social value benefits such as community engagement, contributing to economic growth by attracting both interest and investment to the area, and acting as a gateway to Whitwick, Coalville and the National Forest. It will also help meet future housing and population growth as the needs of the community grow.

This fantastic facility will help the council and Everyone Active to deliver quality award winning programmes through best practice service provision. All this set in a parkland setting offers a unique opportunity to mix social engagement with health and wellbeing benefits for the wider community.

The proposals have overwhelming public support and NWLDC have secured full funding for the project. It strikes me that we have a window of opportunity to deliver these exciting proposals which must be taken.

Yours sincerely

Councillor Stuart Gillard

Land Adjacent to A511 (Stephenson Way)

Erection of a Detached Building for Use as a Leisure Centre (Use Class D2), together with External Landscaping, Pedestrian Accesses and Parkland

Planning Application 19/01343/FULM

Members Briefing Note

Introduction

This Briefing Note has been prepared in response to matters raised by Members at their Planning Committee Briefing, which took place on 9th October 2019. We respond, in turn, to the matters raised below under a series of separate headings.

Left-In/Left-Out Junction Arrangement

In terms of vehicular access, the submitted scheme shows a left in / left out only access directly onto the A511; this proposed access has been the subject of a successful Stage 1 Road Safety Audit (RSA) and pre-application discussions, etc. with Leicestershire County Council.

The site access has been designed to meet the criteria for a road of the required type but also, equally, to ensure larger coaches and delivery vehicles can enter and exit the site safely – a prerequisite for a leisure destination such as this. The size of the access “bell-mouth” has, therefore, been designed on this basis (i.e. to ensure all vehicles can enter and exit the site).

On the assumption that the nosing of the splitter were to be extended then a driver leaving the site would be looking over their shoulder given they would not be at 90° to the edge of the A511. Such an arrangement would be unacceptable.

We accept that it may, in theory, be possible for a vehicle to turn right of the site should they be determined to so. Such a scenario is not unique to this access site and, furthermore, the A511 is wide enough, in practice, to facilitate U-turns should, a driver, be minded to disobey the Road Traffic Act. Put simply, the development cannot legislate for such behaviour. Commenting on this point LCC remark the following:

“The proposed vehicular access takes the form of a simple left in/left out arrangement and has been designed in accordance with DMRB TD41/95 to reflect a type 4 layout as shown on David Tucker Associates drawing number 19252-03 revision D. The site access has been subject to a Road Safety Audit. Whilst the LHA notes that the access is such that an inconsiderate car driver may be able to physically undertake the right turn movements when accessing/ egressing the site, these are clearly discouraged by the layout, this matter having been previously raised by the road safety audit and the splitter island enlarged as a result. It cannot be enlarged further, as this would restrict access to and from the site by refuse vehicles and coaches, and the LHA is therefore content that the proposed access is satisfactory in this regard”

The traffic diagram below shows that the bell-mouth has been designed to be as tight as possible, whilst facilitating safe egress and access to the site for all vehicles. The applicant, of-course, gives a commitment to installation of

appropriate signage and road markings. These will be agreed with Leicestershire County Council Highways and will likely form part of the detailed S278 design. Such measures will ensure that drivers are aware that they must not turn right under any circumstance.



In response to concerns raised by Members, the only physical measure that could be installed (to prevent right-turns) would be a barrier along the A511 within the hatched area (shown above). This could not be conditioned as part of any planning permission (as there are no guarantees that LCC Highways would accept such an approach). That said, the applicant provides a commitment to exploring this further during the detailed design stage and, therein, S278 process. Of course, longer-term any solution will need to be designed so as not to prejudice the future dualing of the A511.

Pedestrian Access

Pedestrian access to the site would be available via the main site access route, or via Bridle Lane, to the northern side of the site.

In terms of wider pedestrian access to the site, it is important to note that all arms of the Thornborough Road roundabout are provided with central splitter islands alongside dropped kerb tactile crossing points, with the exception of the western arm where there is a signalised crossing. There have been no recorded collisions regarding pedestrians at these locations. This clearly indicates that the current provision offered is safe for pedestrian crossing. Indeed, no consultees have raised a concern on this basis.

As your Officer notes within their Committee Report, there are considered to be a range of pedestrian access routes to the site from the Bridleway in the north east and north western corners and from the main vehicular access to the site from the A511. It is also noted that the proposal includes for an internal perimeter path along the majority of the site boundaries. Pedestrian connectivity is, therefore, considered to be acceptable and is highly important to the applicant.

A pedestrian footbridge does not fall within the parameters of this proposal and would, we suggest, introduce significant cost and uncertainty (in terms of land assembly, etc.). It is, however, something that could be investigated in the future should a requirement for a footbridge become clear during the operational phase of the leisure centre (we don't anticipate it would do so).

With regards to accessibility generally, the entrance to the site is located approximately 1km (via the shortest walking route) from the town centre of Coalville. The proposal is both well related to the existing leisure centre that it is to

replace (Hermitage Leisure Centre), yet will have greater ability to form sustainable links with the town centre and vice versa when compared to the existing Hermitage Leisure Centre. This is an important aspiration of the proposal.

Insofar as accessibility for cyclists is concerned, it should also be noted that the A511 and Whitwick Road have dedicated off-road cycle routes, with the Whitwick Road route forming part of the National Cycle Route 52, allowing for traffic-free cycle routes to the eastern end of the town centre; Route 52 then continues to the western end of the town centre via the Belvoir Centre car park. Bridle Road is not only a public right of way, but also forms part of Route 52, providing further connections to Whitwick and other settlements to the north of the site.

In terms of public transport accessibility, the closest bus stops are on Thornborough Road and it is accepted that the site is not only very well served by cycle routes but also public transport connections generally. Opportunities are also to be explored with bus operators to increase public transport connectivity further. Overall, the site is considered to perform reasonably well in terms of accessibility by modes of travel other than the private car.

The proposals have been designed to maximise existing access points and desire lines to the centre from both Whitwick (current location of Hermitage Leisure Centre) and Coalville town centre residential area (i.e. areas of higher need). Our design team have had due regard to existing walking and cycling routes to the new centre and the proposals have fully responded to such desire lines, whilst respecting certain restraints of the site (i.e. topography/ecology).

Members should also be aware that NWLDC are currently preparing a business case for submission to the Future High Streets Fund. They are working with appointed consultants to develop a business case for various development sites within the town. The business case will also seek to include proposals for gateway sites in Coalville. Within the Council's expression of interest the desire to increase connectivity between the proposed Leisure Centre and the Town Centre has been articulated. The final business case will include proposals for greening the town centre through cycling and walking routes. Such proposals can be refined once a fuller understanding of important desire routes is established.

Sustainability

The application is accompanied by a detailed BREEAM and Sustainability Statement. This sets out the environmental credentials of the proposals, and the measures to be incorporated within the scheme. It identifies the proposal will meet, as a minimum, BREEAM "Very Good".

For the avoidance of all doubt, the applicant proposes to install a PV array on the roof of the sports hall. This is not a planning requirement but will have added sustainability benefits and enhance the sustainability credentials of the proposal even further.

The extent of PV will be optimised based on predicted energy use. This will ensure the PV set-up will function in tandem with the other low energy features of the building and reduce further the running costs and the environmental impacts of the building.

Drainage

With regards to drainage we understand that members queried the capacity of the sewer connection. In that regard, Seven Trent are a statutory consultee and it is important to note that they have raised no issue in that regard.

Our technical analysis has, however, shown that surface water does have the potential to affect the site.

Accordingly, there have been detailed on-site investigations that have taken place on site which have assessed, amongst other things, the permeability of the existing development site. This has informed the final drainage strategy for the site. However, in short, the application site lies in Flood Zone 1 and is appropriate for the proposed leisure use. The existing surface water flood risk will be mitigated by creating a new flood storage area in the south-east of the site to better reflect the natural topography. The development surface water will be discharged at controlled rates via a SUDs train including raingardens and permeable pavements. The applicant has worked with the Local Lead Flood Authority in designing the drainage solution for the site and they raise no objection.

Terrawatt

In terms of the objection made by Terrawatt, we wish to place on record that the applicant has been working with Terrawatt since 2018 to review their proposals and try to incorporate an open loop heat pump system into the proposed scheme.

It is acknowledged that the open loop system would have carbon emissions benefit to the scheme. However, it is not currently available nor is it likely to be by the time the building work is complete.

There are also a number of fundamental issues with the Terrawatt proposal in relation to capital cost and potential paybacks for the system. Consequently, the applicant is proposing to design a system which can have a heat pump system connected in the future, should it be proven to be viable.

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