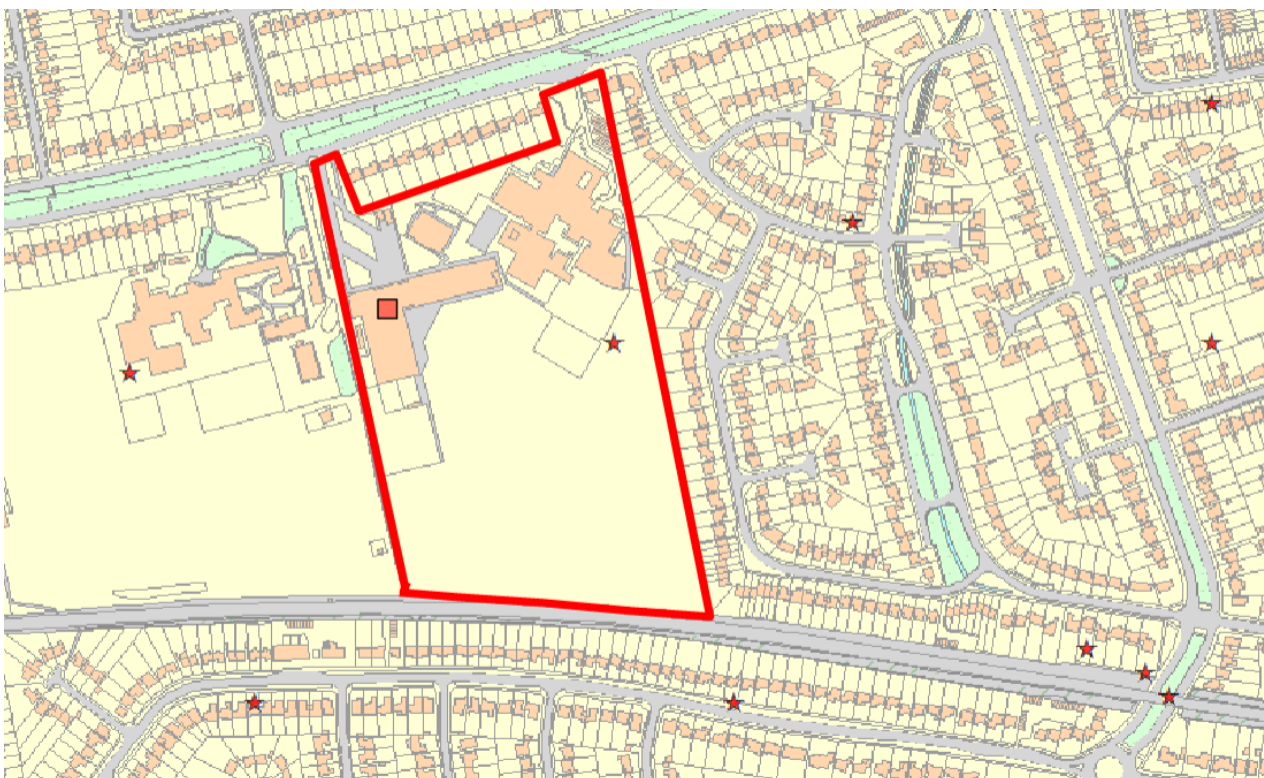


Reference:	17/01524/BC3M	
Ward:	Southchurch	
Proposal:	Erect building to be used as sports hall (Class D2) adjoining existing building	
Address:	Futures Community College Lower College Building, Prospects College, Southchurch Boulevard, Southend-on-Sea	
Applicant:	Southend-on-Sea Borough Council	
Agent:	SKArchitects	
Consultation Expiry:	05.10.2017	
Expiry Date:	25.11.2017	
Case Officer:	Kara Elliott	
Plan Nos:	453P01, 453P02	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 The Proposal

- 1.1 Planning permission is sought for a 4 no. court sports hall with associated storage facilities and connecting link to changing facilities within the adjacent previous workshop building. The external treatment is proposed as a powder-coated aluminium composite cladding finished in grey horizontal sections and ebony black bricks. The internal space is a double height open space will allow for a range of sporting activities.
- 1.2 The proposed sports hall would have a width of 36 metres, a maximum depth of approximately 24.6 metres (including linking section from existing building) and a height of approximately 9 metres. The roof is proposed to be fitted with photo-voltaic cells.
- 1.3 The proposed development would be attached to the rear of the existing Fraser Brown McKenna Futures building to the north and would be of a contemporary design with a flat wood and small
- 1.4 The proposed facility will allow a number of additional sports activities to be added to the sporting curriculum from Early Years Foundation Stage (EYFS) through to Key Stage 4 (KS4) and GCSE.
- 1.5 The application has been made by Southend Borough Council and is defined as major development based on site area (in excess of 1 hectare) and therefore falls under the jurisdiction of Development Control Committee.

2 Site and Surroundings

- 2.1 The building would be sited on an area of hardstanding which was previously used for construction activities to the rear of an existing school building to which the proposed development would be attached to. The proposed development would be located 199 metres from the main entrance to the north of the site, 17.4 metres from the western boundary and 155 metres to the rear of the site which contains a car park, outdoor playing courts and the Shoeburyness to London Fenchurch Street train line. An existing playing field is located to the west of the application site.
- 2.2 Futures Technical College occupied the new buildings to the west of the site to which the proposed development will be attached to for nearly a decade delivering construction trades training. Futures College has since ceased as an organisation due to low interest and the whole education complex is now known as Southchurch High School.
- 2.3 The school is located to the south of Southchurch Boulevard. The nearest residential properties are located approximately 225 metres to the south of the application site within Woodgrange Drive and approximately 215 metres to the east within Wansfell Gardens.

3 Planning Considerations

- 3.1 The main considerations are the principle of development, design and impact on the character of the area, traffic and transportation, impact on residential amenity, sustainable development and CIL contributions.

4 Appraisal

Principle of Development

National Planning Policy Framework; Core Strategy (2007) policies KP1, KP2, CP4, CP6, CP7; Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

- 4.1 This proposal is considered in the context of the National Planning Policy Framework, Core Strategy, Development Management Document and the Design and Townscape Guide relating to community services.
- 4.2 Policy CP7 relates to sport, recreation and green space and states that the Borough Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors.
- 4.3 Policy CP6 of the Core Strategy (2007) relates to community infrastructure and states that new development should not jeopardise the Borough's ability to improve education attainment, health and well-being of local residents and visitors to Southend. This will be achieved by supporting improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies.
- 4.4 It should be noted that the proposed development would not result in the loss of any part of an existing playing field. Furthermore, Sport England supports the application; subject to an appropriate condition in relation to a community use agreement which is discussed in later sections of this report.
- 4.5 Therefore, the proposed development consisting of a new sports hall is acceptable in principle, subject to other material considerations discussed below.

Design and Impact on the Character of the Area

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1 and DM3 and the Design and Townscape Guide (2009).

- 4.6 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *"the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."*

- 4.7 Paragraph 56 of the NPPF states that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* One of the core planning principles of stated in the NPPF requires *“to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.8 Policy DM1 of the Development Management DPD states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.9 According to Policy KP2 of the Core Strategy states that new development should; *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.10 The proposed sports hall would be attached to the rear of the existing school building and will largely not be in view from a main public vista. Whilst the proposed building would measure approximately 1.5 higher than the existing building, due to its siting in line with the existing, its lesser depth and the presence of a single storey linking section, it is considered that the proposed development would appear in keeping with the existing built form and would not result in demonstrable harm to the character and appearance of the application site or the wider area.
- 4.11 The use of materials in grey and black will also assist in ensuring the building will appear in keeping with the existing buildings on site. The proposed development is of a contemporary design with a flat roof and only two openings (double doors) to the exterior, to the east and west of the side elevations. The roof form and scale of the proposed development directly references the existing complex of school buildings. Therefore, no objection is raised in relation to the siting, design, size, scale and bulk of the proposed development.

Traffic and Transportation

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP3 and Development Management Document (2015) Policy DM15.

- 4.12 DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate traffic and parking demand generated in a safe and sustainable manner. The proposed development is described as being in association with the existing operations of the School and therefore would not result in additional parking demands.
- 4.13 However, reference is made within the application submission and in later sections of this report in relation to the use of the hall for the community, outside of school hours. Policy DM15 of the Development Management Document sets out a maximum parking standard of 1 space per 10sq.m of public area for sports halls.

- 4.14 Therefore, the proposed development may require up to 87 off-street parking spaces. This standard is presented as a maximum and development should prioritise and promote viable alternatives to private vehicle use. The existing car park to the rear of the application site contains 89 car parking spaces. Existing and proposed parking plans have been provided. The proposed development would not result in the loss of any existing car parking spaces. It is considered that the existing car park would provide suitable off-street parking on-site, outside of the school day where staff and visitors who normally use the car park will be absent.
- 4.15 Furthermore, the application site is well-served by a number of main bus routes providing sustainable public transport options in line with local and national policies which seek to avoid the use of a private car and existing cycle parking is available on site.

Impact on Residential Amenity

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

- 4.16 Policy DM1 of the Development Management Document ensures that development protects the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.
- 4.17 In terms of impact on nearby residential properties, the proposed development will be located within the existing school site and will be located over 200 metres to the nearest residential property. Due to separation distances and the presence of existing soft landscaping which surrounds the boundaries of the site and provides substantial screening it is not considered that the proposed development results in any demonstrable harm upon nearby residential occupiers from visual impacts. Furthermore, the proposed development would not result in any additional external lighting.
- 4.18 The sports hall activities will be contained within the building and are not considered to result in potential noise impacts upon neighbouring residential properties due to significant separation distances.
- 4.19 Therefore, it is not considered that the proposed development results in demonstrable harm upon the amenity of nearby residential occupiers in accordance with Policy DM1 of the Development Management Document, Core Strategy (2007) policies KP2, CP4 and guidance contained with the Design and Townscape Guide (2009).

Sustainable Development

National Planning Policy Framework; Core Strategy (2007) policies KP1, KP2 and CP4 and Development Management Document (2015) Policy DM2.

- 4.20 Paragraph 97 of the NPPF states that Local Authorities should promote energy from renewable sources. Policy KP2 of the Core Strategy states that all new development proposals should demonstrate how they will maximise the use of renewable and recycle energy, water and other resources. The policy states that at least 10% of the energy needs of new development should come from on-site renewable options. The roof of the proposed development would be fitted with photo-voltaic cells to deliver on site renewals to achieve the Councils Core Strategy requirements of 10% for new development.
- 4.21 The proposed development would not result in additional areas of hardstanding and therefore measures to reduce surface water run-off from the site. However, it is necessary for SuDS to be considered to promote sustainable methods of dealing with surface water from development. It is considered that this matter can be dealt with by way of a suitable condition attached to any positive decision.

Other Matters

Community Needs

- 4.22 Policy CP6 of the Core Strategy (2007) states that the Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors. In terms of community needs for sports hall provision in the Southend area, there is no up-to-date sports facilities strategy for the area available although the Council has recently commissioned a new indoor sports facility strategy that will assess current and future sports hall needs. Sport England's established Facilities Planning Model data shows that around 91% of sports hall demand from residents in Southend is satisfied by the existing supply but that the sports halls that are in dedicated community facilities such as leisure centres are being used well above levels that are considered to be comfortable.
- 4.23 Sports England, a statutory consultee, have discussed the proposed development with the England & Wales Cricket Board (ECB) and Badminton England who consider that the proposed development is likely to be well utilised by local clubs and members of the community in the area if the hall was accessible to the public outside of school hours.
- 4.24 The proposed development has been proposed principally to meet Southchurch High School's needs as set out in the planning submission, although reference is made in the design and access statement to the sports hall being designed for meeting community needs. However, no further detail is offered. It is considered that the proposed development, if available for use by the community outside of the operations of the school, would meet a currently unmet community need in the local area.
- 4.25 It is therefore considered that community access to the facility to be secured by way of a formal Community Use Agreement, secured through a planning condition, setting out policies and arrangements for community use of the sports facilities in relation to matters such as hours of use, types of bookings accepted, pricing policy, restrictions on community access.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.26 Although this application is CIL liable, in this instance the chargeable amount has been calculated as a zero rate as applicable to an educational and/or community use.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Core Strategy (2007): KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport & Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space)
- 5.3 Development Plan Document (2015): DM1 (Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 5.4 The Design & Townscape Guide (2009)

6 Representation Summary

Public Consultation

- 6.1 A site notice was displayed at the site and 83 letters were sent to nearby occupiers. A total of 2 letters of representation have been received. Summary of comments received;

Objections

- Understood the site was for community centre but not a sports hall;
- Privacy concerns;
- Oppose this and any future applications at the site

Officer comment; Sections 4.8 to 4.11 of this report relate to the implications of the proposed development upon the amenities of local residents. The concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

Environmental Health

- 6.2 No objection. Suggests conditions in relation to contaminated land, hours of work, no burning of waste on site, mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works.

Officer comment: Appropriate conditions and/or informative can be attached to any positive decision i.e. Construction Management Plan.

Sport England

- 6.3 Summary: The proposed development is supported subject to a condition being imposed requiring the submission and approval of a community use agreement for the sports hall as set out in the response. An informative is requested to be added to a decision notice in relation to the detailed design of the facility according with Sport England's design guidance.

Traffic and Transport

- 6.4 No comments received at time of writing

Education

- 6.5 No comments received at time of writing

7 Relevant Planning History

- 7.1 07/01672/FULM - Erect two storey building for use as vocational training college, lay out sports pitches, recreational space, car and cycle parking and landscaping – Approved 03.11.2008;
- 7.2 11/00089/AD - Application for approval of details pursuant to conditions 23 (Hours of Opening) of planning permission 07/01672/FULM dated 24.10.2008 – Approved 16.03.2011;
- 7.3 13/01152/FUL - Erect single storey side extension and canopy – Approved 07.10.2013;
- 7.4 13/01533/DOV - Modification of planning obligation (Section 106 agreement) dated 24/10/2008 (as varied by agreement dated 15/11/2010) pursuant to application 07/01672/FULM (as revised by applications 10/01540/FULM and 10/01550/FULM) to vary the s.106 agreements in respect of the highway works contribution – Approved 17.07.2014;
- 7.5 14/00631/BC4M - Erect single storey extension to existing building – Approved 08.07.2014.

8 Recommendation

8.1 GRANT PLANNING PERMISSION

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: 453P01, 453P02**

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

- 3 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition and site clearance works, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.**

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009.

- 4 Other than the demolition and site clearance, no development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.**

The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

5 Prior to first occupation of the sports hall hereby permitted, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:

- (i)** Hours of opening for the different sporting and community facilities provided at the site.
- (ii)** Pricing policy on charging for use of the facilities provided at the site.
- (iii)** Policy on access and availability to the sites facilities for non-school users and non-members.
- (iv)** Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
- (v)** Parking arrangements for users of the site, including cycle parking.
- (vi)** Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement in perpetuity from the first occupation of the site.

Reason: To secure well managed access to the sports and community facilities provided by the scheme and to ensure sufficient benefit to the development of sport in accordance with the National Planning Policy Framework (NPPF) and policies CP6, CP7 of the Core Strategy (2007).

6 A scheme detailing how at least 10% of the total energy needs of the new building will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the building. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with the National Planning Policy Framework (NPPF) and Policy KP2 of the Core Strategy (2007).

7 No development shall take place until details of the implementation, adoption, maintenance and management of the drainage system to be used at the site have been submitted to and approved in writing by the local planning authority. This shall include full details of the sustainable urban drainage systems to be used and how these have been selected. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable urban drainage system throughout its lifetime.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (NPPF), Policies KP2 and CP4 of the Core Strategy (2007) and policy DM2 of the Development Management Document (2015)

8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities;
- measures to control noise and the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- hours of work.

Reason: To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (NPPF); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policies DM1 and DM14.

9 The use of the development hereby approved shall be used for no purposes other than for those falling within Use Class D1 or a D2 or combination thereof. Notwithstanding the content of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking or amending or re-enacting this order, the development shall be used for no other purposes falling outside Use Class D1 and/or D2 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to protect the impacts on community infrastructure in accordance with policy CP6 of the Core Strategy (2007).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

- 1** You are advised that as the proposed development involves new buildings or floorspace in relation to educational or community facilities, the proposal is not CIL liable, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.
- 2** The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.
- 3** The developer should also consider control measures detailed in Best Practice Guidance “The control of dust and emissions from construction and demolition”. <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>
- 4** The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Sport England’s “Sports Hall Design & Layouts” design guidance note; <https://www.sportengland.org/facilities-planning/design-and-cost-guidance/>.