
MAIN CASE

Proposal: Provision of new district wide leisure centre and associated transport works

Location: Land Adjacent To Ely Rugby Club Downham Road Ely
Cambridgeshire

Applicant: East Cambridgeshire District Council

Agent: Carter Jonas LLP

Reference No: 10/01020/FUM

Case Officer: Alan Dover

Parish: Ely
Ward: Ely West
Ward Councillor/s: Councillor Sheila Friend-Smith
Councillor Sue Austen

Date Received: 10 December 2010 Expiry Date: 11 March 2011

[K285]

1.0 EXECUTIVE SUMMARY

- 1.1 The application is for a Leisure Centre and associated access works, to be sited on a field to the west of the A10, adjacent to existing sports facilities. It will provide a swimming pool, a sports hall, and a variety of ancillary elements such as a gym, saunas, and studios. The overall concept is that of a sports village, with both indoor and outdoor provision to meet the demand for an updated centre to address the current deficit, and to provide the basis for future expansion both for the city of Ely, and the District of East Cambridgeshire.
- 1.2 The proposal is accompanied by a sequential test, that is sufficient to address the criteria of PPS4, insofar as the proposal falls within that national policy. It also meets the majority of the applicable criteria of PPG17, which acknowledges that land availability, viability, and deliverability do not always fall into an ideal locational relationship with the existing centres of the urban form. There have also been surveys carried out on users of the Paradise Centre.
- 1.3 In recognition of the primary issues, the site is immediately adjacent to the city boundary; it links with existing sports facilities; it offers the ability to meet current and future needs; and an active access to it is to be provided by an underpass for pedestrians and cyclists. In addition, the promotion of public transport links are an integral part of the submitted Transport Plan. The statutory consultees, subject to the consideration of a report before the Strategic Committee of the County Council, have

not raised any objections to the scheme that cannot be overcome by the imposition of suitable conditions.

- 1.4 The issues of visual impact in the landscape, the design of the building itself, the layout of the parking and access, and the drainage and environmental issues have already, or can be, met. It can be considered as conforming to both national and Core Strategy policies, and as such, it is recommended for **Approval**.

2.0 THE APPLICATION

- 2.1 The proposal is for the construction of a building to house sports and leisure facilities, together with access, car parking, and soft and hard landscaping. Flood attenuation, sewage treatment works and a recycling area would also be on site. On land to the south-east, an underpass of the A10 would be constructed, to allow access for pedestrians and cyclists.
- 2.2 The building would measure 84m x 74m, providing a footprint of 6216 m². There would be a total of 379 car parking spaces, of which 258 would be for daily requirements, 117 for peak sports events and/or overspill/replacement Park and Ride facilities, and 4 spaces for the recycling area. 22 spaces would be designated as accessible.
- 2.3 The ridge height of the sports hall element would be 12.5 m, and the swimming pool would be 10.7 metres at its highest, sloping down to 6.1 metres. The highest part of the building, at 14.6 m, would be a cylindrical tower with an angled top, housing the main staircase and a lift.

3.0 THE APPLICANT'S CASE

- 3.1 The applicants' case is set out in three main documents; The Planning Statement; PPS4 Planning for Sustainable Economic Growth; and The Design and Access Statement. There are further accompanying documents dealing with specific aspects of the development proposal (drainage, transport, underpass construction). These can be viewed at the ECDC Offices, The Grange, Nutholt Lane, Ely, or on-line on the ECDC website.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site extends to 4.9 ha, located to the west of the A10/Downham Road roundabout. To the east of the site, there is the existing access to the sports pitches and facilities, together with trees and hedging, whilst the western boundary is formed by a line of trees and hedging that separate the site from the existing all-weather-pitch and the rugby pitches. To the south there is a belt of trees bordering the A10, and along the north boundary, there runs the existing access road for the football, rugby, golf, tennis and squash facilities. The land slopes by approximately 3.5 metres from north to south.
- 4.2 The land itself is currently used for agricultural grazing, and to the south west, there is more extensive agricultural land. The predominant adjacent land use is for sports pitches, golf, and tennis, together with clubhouses and other associated outbuildings.

4.3 Without the intervening A10, the existing sports provisions and the site for the proposed sports centre, would sit fairly closely to the western built up area of Ely, with a strip of landscaped public open space (the buffer strip) allowing pedestrian and cyclists, safe and protected movement to the north, south, and east. At present, there is no immediate crossing over the A10, other than at the roundabout junction with Downham Road and the footpath adjacent to it.

5.0 **PLANNING HISTORY**

5.1

Land adjacent Various permissions for football, rugby, golf and tennis.

6.0 **REPLIES TO CONSULTATIONS**

6.1 **Ely City Council;** Voted in favour of the application, but queried why an underpass was preferred to a bridge.

6.2 **Ely Society;** Approve proposal in principle, but concerned that access to the centre would exclude anyone without a car. Would seek a guarantee that public transport would be made available. Appears to contradict PPS6 that leisure facilities should be located on most central and accessible locations.

6.3 **County Archaeology;** site already subject to an evaluation. Recommend that site be investigated through an agreed programme of work. They would be able to supply a brief for this. Would seek condition on any consent to ensure that this approach is followed.

6.4 **Access Group;** majority of issues are internal constructional. They seek good lighting for the underpass, and suitable signage and wayfinding.

6.5 **Internal Drainage Board;** No objection in principle. Would wish for a management agreement for the attenuation pond.

6.6 **Environment Agency;** No objection, but they would seek their comments on the drainage schemes to be passed on to the applicants.

6.7 **Environmental Health Officer;** No objection but would seek conditions to control construction activities through a management plan, and for the operation of centre itself, conditions to limit the noise emanating from the site both with regard to machinery/plant, and the activities taking place on the site. No requirement for contamination or air quality conditions.

6.8 **Sustrans;** The location might be considered inappropriate given the Council's policy to increase sustainable travel. Less easy for active access, but easier for car access from the northern parts of the district. Will need financial contributions to increase pedestrian and cycle connections with all parts of Ely, including future growth areas. Applaud the provision of a good quality underpass. Excessive car parking and not enough cycle bays. Cycle parking needs natural surveillance and minimum 2.5 m width with level verges and flush kerb onto carriageway to path leading north to B1411. Recommend removal of centre line on road from site to Little Downham and

cycle symbol markings, given it is part of National Cycle Network between Ely and Welney.

- 6.9 **'On Par' Golf;** Having become well-established, a decision needs to be made on whether to keep facilities as they are, or to expand and offer more to families, not just golfers. If the centre goes ahead, possible investment in new project to appeal to family and tourist market. Also extension of clubhouse and facilities. Offers support to the venture as it would replace an over-used and outdated facility providing better access for cars, buses, and outlying villages.
- 6.10 **County Council Highways:** Holding objection, pending negotiations.
- 6.11 **Ely Outdoor Sports Association (EOSA);** Third rugby pitch not properly shown on submitted plans. Pleased that proposal includes car parking, but concerned whether this would be made available to adjacent sports facilities. Would ask for condition to ensure that this takes place. Numbers participating in outdoor sports at Downham Road is increasing (tennis, rugby, football, hockey, golf etc) and this gives rise to a need for 5.4 ha. for more pitches. Perhaps better to leave swimming pool and sports hall at Paradise, and use land for pitches. If approved, would seek condition for land for pitches elsewhere to be identified. Concern that EOSA parking could be used by people visiting the centre, causing further problems. How would this be controlled? Concern over surface water drainage if field is replaced by tarmac. Issue of balls from hockey and rugby ending up in the proposed car park, possibly damaging cars. Whose responsibility would this be?
- 6.12 **Sport England;** The need for the new sports hall and swimming facilities to serve East Cambridgeshire was highlighted in 'Creating Active Places'; Sport England's Regional Sports Facilities Strategy 2007: The Cambridgeshire County Sports Facilities Strategy (Sport England/Living Sport 2008); and the Cambridgeshire Horizons study 'Major Sports Facilities Strategy for the Cambridgeshire Sub-Region (2006). Sport England (SE) feels that there is a strong evidence base for the enhanced indoor sports provision, and the proposed site can best provide the facility mix and associated infrastructure. SE is of the view that leisure centres as referred to in PPS4 is not applicable to sports halls and swimming pools. SE are supportive of the proposed 'sports hub' linking with the existing outdoor sports, and do not think that it could be provided within the built up area of Ely. SE do not consider that the 'leisure' sports should be disaggregated from the overall sports provision. They are fully supportive of the principle of the proposed site. Would like condition to ensure construction does not impede use of existing facilities. Some internal facilities should have improved storage capacity. Would hope that existing cricket pitch at Paradise Centre can be retained along with sufficient changing facilities.
- 6.13 **Architectural Liaison Officer;** Possible vulnerability for cars and cycles from crime. Width of access pathways good. Needs good lighting and surveillance. Lighting of underpass should be from both the ground and from ceiling. Possible gating of car park during out of hours. Would like to see fence or hedge along the boundary of the site with Downham Road.

7.0 THE PLANNING POLICY CONTEXT

7.1 East Cambridgeshire Core Strategy 2009

EN7	Flood risk
EN6	Biodiversity and geology
CS5	Retail and town centre uses
CS6	Environment
CS7	Infrastructure
CS8	Access
CS9	Ely
EC8	Tourist facilities and visitor attractions
S1	Location of retail and town centre uses
S3	Retaining community facilities and open space
S6	Transport impact
S7	Parking provision
EN1	Landscape and settlement character
EN2	Design
EN3	Sustainable construction and energy efficiency
EN4	Renewable energy
EN6	Biodiversity and geology
EN7	Flood risk
EN8	Pollution
CS1	Spatial Strategy

7.2 National Planning Policy

PPS1	Delivering Sustainable Development
PPG17	Planning for Open Space, Sport and Recreation
PPS4	Planning for Sustainable Economic Growth
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation
PPS12	Local Spatial Planning
PPG13	Transport
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPG24	Planning and Noise
PPS25	Development and Flood Risk

8.0 PLANNING COMMENTS

8.1 The main planning issues are;

- The effect that the siting of the sports centre would have on the vitality and viability of the city centre.
- The sustainability of the proposal with regard to its linkage to adjacent sports provisions, and with the city.
- The ability of the proposal to meet the existing and future needs of Ely (including those of residents, businesses, and wider sports initiatives and competitions)
- The extent to which the site and the sports provision can meet, and relate to, the needs of the hinterland of East Cambridgeshire.
- The visual impact that it would have on the countryside and the city.
- The transport and access to the centre, particularly by way of public transport, and for pedestrians and cyclists.

8.2 There are also a number of other issues that have to be considered, including drainage, biodiversity (protection and promotion), energy conservation/generation, and highway construction/specification.

8.3 Initially, this report will consider the relevance of national policy, expressed mainly through PPS4 and PPG17. Although there are references to PPS6 in the Core Strategy, this policy document has now been superseded by PPS4.

PPS4 (PPS6) and the Core Strategy

8.4 For clarification, it is important to look at the components of the application itself, rather than the title of 'Leisure Centre'. It is in fact a sports centre, providing indoor facilities for a variety of sports. There is an ancillary element of what has been described in PPS4 and PPG17, as 'intensive sports', predominantly the provision of a gym, and other health and fitness facilities. These intensive sports are often to be found in city centre developments, both existing and proposed. In PPS4 they have been grouped together with other leisure provision such as cinemas, museums, night clubs, restaurants, bars, and ten pin bowling. It should also be noted that PPS4 is intended to set out policies for economic development (para. 1). The extent to which the proposed sports centre falls within this economic, rather than a sports remit, is a matter for consideration.

8.5 The provision of a new leisure/sports centre is contained in the key Policy CS9 of the Core Strategy. In that policy it states that;
'A site for a new leisure centre (sports hall and swimming pool) will be identified in a future site specific Development Plan Document (DPD). Regard will be had to the Council's Leisure Study and PPS6.'

8.6 Whereas PPS6 indicated that the assessment of 'intensive leisure' provision should also be considered in relation to sports provision in general, as addressed in PPG17, that link has not been retained in PPS4. However, there does seem to be a clear difference between the intensive sports expected in city centres, and the non-intensive sports that would be expected to be provided under a broader sports provision.

- 8.7 Instead of a site specific DPD, the Council has embarked on a review of the Core Strategy with allocations for major development schemes. It is likely that it will broadly mirror the vision expressed in the Ely Masterplan. Although the Masterplan is not a statutory planning document, and would therefore be afforded less weight than the Core Strategy, it is nonetheless an expression of Council policy. Furthermore, The Leisure Study completed in 2007 was predicated on the fact that the site at Downham Road had been acquired by the Council, and it examined the requirements for sports provision that should be proposed in any future plans for such a centre.
- 8.8 The connection of a leisure centre to the financial well-being and vitality of a city centre, is primarily concerned with the linked trips that would result from its positioning in proximity to the retail and commercial presence in the city. Consideration therefore has to be given to the effect that the removal of the existing Paradise Centre would have on the centre of Ely. It should be noted that whilst it might be closed at some time in the future, the application itself is not accompanied by any application for its demolition. However, given the need to fund the construction of a new sports centre, this is likely to be the scenario.
- 8.9 The following points are pertinent;
- The proposed sports centre has a footprint that is 20% larger than the buildings at the Paradise Centre, with a 100% increase in the parking/bus access. The increase is necessary if the current deficiencies are to be made good, and it is fit-for-purpose for the future growth of the city.
 - If the existing centre were to be expanded, it would result in the significant loss of the green space to the north, an area that has been suggested for community parkland in the Ely Masterplan. Furthermore, a building of sufficient size to accommodate all the proposed elements, might well have an adverse visual impact on the city, particularly on the cathedral.
 - In terms of the economic prosperity of the centre, the use of the existing land for a sports centre would prevent its use for more profitable development.
 - The beneficial use of the land at the Paradise Centre for alternative uses might actually appeal to a wider range of the population than a sports provision.
 - The finance needed for either the renovation of the existing centre, or any existing expansion of its provision to meet current needs, or the ability to meet the needs for the future growth of the city and East Cambridgeshire more widely, might be difficult to realise from the income that would be generated by the existing/expanded centre.
 - Ely is a small city with a limited amount of space for development within its core. To expect that there will be sufficient central land for all the requirements of a city experiencing growth, is perhaps unrealistic. The vision put forward in the Ely Masterplan would suggest that this is the case. It will be almost inevitable that greenfield sites will need to be factored into the equation.
 - There is little evidence that the buses that serve the hinterland and Ely itself, bring in custom for the Paradise Centre. The survey carried out in January 2011, indicated that only approximately 2% of those using the centre, travel to it by bus. In a rural area such as East Cambs, the likelihood is that cars will be the predominant form of transport (69% in the survey). There has to be a balance struck between the provision of sufficient parking, and a proper network for pedestrian and cycle access, together with adequate space for public transport and private buses being used in connection with special events and team competitions.

- The proposed sports centre can be seen as part of a wider sports hub, with the overall concept of a sports village. Whilst the removal of the existing provision from the centre could be seen as detrimental to the centre, this has to be balanced against the beneficial aspects of the synergy that would result from the aggregation of an improved provision located alongside extensive existing outdoor sports provision, together with the scope for expansion that this provides.
- The A10 forms a significant barrier to the west of the city, but if this were to be the determinant of all development, it might be seen as creating an undesirable focus on a north-south orientation. If a satisfactory means of crossing this barrier can be achieved, then the physical distance from the centre of the city, and the large proportion of the residential development, would be no greater than for other sites around Ely.

8.10 The application can be said to have 'had regard' to PPS4 (PPS6) and to the Leisure Study. There is a sequential assessment of 11 sites in the document entitled 'PPS4 Planning for Sustainable Economic Growth', and this concludes that in terms of the facilities and the deliverability of those facilities, that Downham Road is on balance, the most acceptable site. There are a limited number of sites available for the wider sporting provision envisaged for the whole district, and there is no clear evidence that the relocation to Downham Road would significantly weaken the retail/commercial centre of the city. Indeed, the private Atrium Gym might benefit from the proposal. The evening economy is just as likely to be accessed by the users of the proposed centre, as it would be by users of the Paradise Centre. A customer survey of users of the Paradise Centre has indicated that it is likely that 69% of those using the centre, do so by car (The full survey is attached as Appendix 1). The survey gives an indication of the spend in the city by those visiting the Paradise Centre, but it does not show whether this would be lost to the city centre as a result of its relocation. It may be that the users of the new centre would still come into the city, and with an increase in the number of visitors for sport, there could be a knock-on benefit to the city.

8.11 It is also worth considering whether the route of the A10 was intended to define the city boundary to the west, or merely a pragmatic solution to a road transport issue at the time.

PPG17

8.12 In terms of compliance with the principles of PPG17, the Council has carried out an assessment of both the existing, and future, needs of the communities in East Cambridgeshire (2007). Prior to this, an audit of all the provision of open spaces and sports facilities in East Cambs was completed in 2005. PPG17 supports the need for such assessments, both with regard to the physical provision, and to the quality of that provision.

8.13 By carrying out these assessments, the Local Authority has been able to draw up the standard of provision that they wish to see in their locality. This has informed the proposals put forward in the current application. It is recognised in PPG17 that the development of sports facilities can be an ideal opportunity to remedy deficiencies in provision.

- 8.14 When planning for new sports facilities, Para 20 of PPG17 suggests (inter alia) that local authorities should seek to;
1. promote accessibility by walking, cycling, and public transport.
 2. locate more intensive recreational uses in a town centre.
 3. avoid any significant loss of amenity to residents, neighbouring uses or biodiversity.
 4. improve the quality of the public realm through good design.
 5. add to, and enhance the range and quality of existing facilities.
 6. carefully consider security and personal safety, especially for children.
 7. assess the impact of new facilities on social inclusion.
 8. consider the recreational needs of visitors and tourists.
- 8.15 There is also a recognition that the countryside around towns provides a valuable resource for the provision of sport, particularly where there may be an absence of land in the urban area to meet the demand (Para 25). In addition, in rural areas, sports and recreational facilities that are likely to attract significant numbers of participants or spectators should be located in, or on the edge of, country towns. There are already a considerable number of pitches for a variety of sports adjacent to the site, and the countryside location would enable future extensions to be made, either for indoor, or outdoor sports provision.
- 8.16 The proposed sports centre plans have made provision for access by pedestrians and cycling. The pathways would create links between the residential areas on the west of Ely, as well as tie in with the route westwards to Little Downham. Future development to the north of Ely would be able to use the existing range of routes down Cam Drive. It should also be possible for cyclists from Witchford and Sutton to gain access to the site using existing routes to reach the southern part of the western buffer strip, and then proceed northwards to the proposed underpass.
- 8.17 As described previously, the term ‘intensive sports/recreation’ has not been clearly defined. In any case, only a minor part of the proposed centre would fall within such a definition, and there is nothing within PPG17 that suggests that there cannot be an ancillary element of such sport in a broader sports provision. The fact that there would be a gym in the sports centre, does not imply that all the other sports would therefore fall into the same category.
- 8.18 There are unlikely to be any neighbouring land uses that would be disadvantaged by the proposal. Indeed, it is much more likely that there will be a mutually beneficial relationship between the adjacent outdoor sports and the new facilities. The landscaping that will be provided around the site, should be planted in such a way that the biodiversity would be considerably enhanced, as opposed to the previous agricultural use.
- 8.19 The range of sports would be greater than currently exist in Ely, and when this is combined with the upgrading of the overall quality, the centre has the potential to satisfy the users of the existing facilities, as well as attract new participants to the range on offer. Whilst the distance that will have to be travelled to the new centre, for some of the residents of Ely, would be greater than to the Paradise Centre, this has to be balanced against the security that would be provided on site, the close links between the outdoor sports and the sports centre, and the accessibility that is afforded to villages that lie outside the city. It is the case, that apart from public transport to

Little Downham, the site does not currently benefit from a better bus service, but that is not to say that the sports centre would not act as a catalyst for an increased service. PPG17 Para 20 talks of the 'promotion' of accessibility, rather than having to use existing services as a determinant for the site of a sports centre. The Council has indicated its clear intention to develop routes to link the station, supermarkets, new residential areas, and the sports centre. Forthcoming S.106 funds could be used for this very purpose.

- 8.20 In conclusion, the proposal would seem to be achieving the majority of the aims of PPG17, although some aspects are more likely to be realised as a result of future demands being met by the private sector, rather than being provided at the outset.

Other relevant Core Strategy Policies

Policy CS1; Spatial Strategy

- 8.21 Ely is seen as the most significant service and population centre in the District.
- 8.22 Other than the Market Towns, The Key Service Centres, the Limited Service Centres, and Smaller Villages, the rest of District is designated as 'Countryside', and strictly controlled except for development involving outdoor recreation, and other uses specifically identified in the Plan which provide essential rural services and infrastructure.

Policy CS7; Infrastructure

- 8.23 Appropriate infrastructure is required to serve the needs of new development, with a key requirement for a new leisure centre in Ely, and other improvements to leisure and recreational provision across the District. This proposal is the actual construction of that very provision, and is likely to be the recipient of the contributions made by development in general in the District. It is therefore considered that it is not appropriate to seek developer contributions in relation to this application

Policy CS9; Ely

- 8.24 A site for new leisure centre (sports hall and swimming pool) is to be identified. Regard has to be had to the Leisure Study 2007 (which proposes the site at Downham Road) and PPS6.

CS5; Retail and Town Centre Uses

- 8.25 Retail and Leisure development should be located in Ely (N.B. discussion on leisure versus sport in section in this report on PPS4 and PPG17).

CS8; Access

- 8.26 Of note, is the need to improve access for pedestrians and cyclists, but also the connectivity within the District. (Refer to the Transport section of the report).

S1; Location of retail and town centre uses

- 8.27 Refer to the discussion on the nature of the proposed use in this report. Mention is made in the policy for an exception to the stated approach, for the expansion of existing tourist facilities in the countryside.

S3; Retaining community facilities and open space.

- 8.28 The provision of a new facility that is of better quality, would pave the way for the removal of the existing Paradise Centre.

EN4; Renewable energy.

- 8.29 The proposal is accompanied by an Energy Strategy Report. This indicates that the combination of construction techniques and Photovoltaic panels would be sufficient to meet, and would likely exceed, the 10% requirement. The implementation of the features highlighted in the report would be controlled by a suitable condition. The energy efficiency would certainly be better than the existing centre, and it would also meet the requirements for the generating capacity that is needed for the future.

Design

- 8.30 It is probably a futile pursuit to try and describe the design of the proposed building in verbal terms. The Design and Access Statement accompanying the application states that;

‘The building design has been developed to provide a respectful and evocative form and to reflect local colour, materials and textures...’

- 8.31 The various elements providing for the range of sports and activities, each require a fairly functional shape and form. The link to these elements is provided by the cylindrical central feature, from which the roof planes all emanate when viewed from the south-east (this being the primary aspect). There is a smaller version of the cylinder, providing the tower for the flume (no amount of design input can prevent a flume from appearing rather like an umbilical cord). The roof plane for the pool would be covered with sedum, providing an advantage in terms of its biodiversity, and helping to bring the building in closer visual contact with the surrounding landscape.
- 8.32 The more rectangular, and substantial, section of the building providing the sports hall, is located on the northern/western side, thereby benefiting from minimal views, given the existing and future tree planting across the site and on its periphery. It is also the intention to break up the south façade by adjacent tree planting.
- 8.33 The use of a variety of materials to distinguish each section, gives both interest and contrast to the expansive elevations, and the use of ‘earth’ colours will help to integrate it into the rural setting. Pages 58 – 60 of the Design and Access Statement provide a visual overview of the design concept of the building.
- 8.34 Given the comparatively low height, and the clear punctuation of the elements of the building, together with their detailing, the proposal represents an attractive but

functional addition to the sports provision in this location. As such, it complies with Policy EN2.

Environment and Landscape

- 8.35 The site is currently set down to grazing pasture. To the north, there is a substantial belt of trees and hedging, whilst to the south it bounds onto the adjacent pitches, albeit with some hedging in between. The southern boundary slopes down towards the A10, the roadway being several metres above the land level.
- 8.36 Policy EN1 of the Core Strategy sets out criteria for the consideration of development proposals. The accompanying sub-text refers to the Cambridgeshire Landscape Guidelines and to the District Council's 'Ely Environmental Capacity Study'. With regard to the latter of these documents, the proposed sports centre would not adversely affect any of the identified quintessential views of the cathedral.
- 8.37 The plans submitted show the cross sections through the site, together with the levels and topography. There are substantial buildings located on other parts of the adjacent sports provision, together with tree belts and hedging. With the proposed planting, the bulk of the sports centre would be broken up in views from the north, south and west. It would of course be clearly visible from the A10, but its presence would not detract from any particular vista or feature. With a well-designed building, it should not be necessary to hide it from view, and as with many other public buildings (churches, halls, museums etc), there is no reason why it should not establish its presence and function. The tapering roofline would help to integrate the form into its surroundings, and the use of a sedum roof-covering on the east facing plane would help this further. There are some elements that require supervision, predominantly the access provision, and these will be more open in their aspect.
- 8.38 Care has been taken to retain existing features and to respect and be sympathetic to, the adjacent land forms. As a landscaping scheme, it addresses the policy criteria, and would be considered to be acceptable. For illustration, refer to pages 50 and 52 of the Design and Access Statement, with photomontages of the existing views and the superimposed sports centre.
- 8.39 Policy EN6 seeks to protect the biodiversity value of land, provide mitigation measures where necessary, and maximize opportunities for the creation and enhancement of natural habitats. An area of 11 ha. which includes the site and its environs, has been the subject of a Phase 1 Habitat Survey (September 2010). Whilst the site could support a number of protected species, there was no evidence of their presence, other than possible foraging by bats. There is the potential to enhance the possibility of bats roosting, and both this, and general soft landscaping, are included in the plans submitted, and could be conditioned to ensure that the works are an integral part of the proposal. The incidence of site lighting, particularly with regard to retained trees and hedgerows, should also be controlled. It is considered that due regard has been had to habitat and species protection, PPS9, and Core Strategy Policy EN6.

Transport

- 8.40 There have been extensive discussions with the County Council. These have centred on both the particular highway issues appertaining to the site, and the more strategic transport aspects.
- 8.41 Revised plans and documents have been submitted that relate to the dimensions of the underpass; the drainage ditches that run alongside the A10 and how they will function and be managed; information to demonstrate that there will be no adverse run-off from the site into the existing ditches; the clearance of vegetation to maximize visibility; consideration of the implications for the partial closure of the A10 to allow for construction of the underpass; labelled dimensions on the junction of the site access with the B1411.
- 8.42 From the Strategic Transport aspect, the initial holding objection is likely to be removed, with the following points addressed by either revised plans or conditions;
- The underpass to be adopted by ECDC.
 - Agreement on a maintenance regime for the underpass and details of the planting along the verge of Downham Road, south of the A10.
 - Details of the construction methodology for the underpass.
 - An agreed plan for the management of waste during construction.
 - A Travel Plan to be submitted for approval prior to occupation.
 - Bus service provision proposals to be revised to ensure sustainable alternative is on offer rather than car use.
- 8.43 This being the case, the proposal can be considered as being broadly in accord with national and local sustainable development policies.
- 8.44 County Highways are not required to comment on the internal arrangements of the site layout for parking and access roads.

Drainage and Flooding

- 8.45 The Drainage Strategy and Flood Risk Assessment submitted with the application have satisfied both the Environment Agency and the Internal Drainage Board.

Other issues raised

- 8.46 There are two main issues that have been raised by organizations that run the sports facilities adjacent to the site. One of these relates to the parking provision. At present the field is used informally on certain occasions, and The Ely Outdoor Sports Association would like an assurance that they would still be able to use the new car park, free of charge. From a planning perspective, this would need to be dealt with under a separate agreement between the relevant parties. The fact that the land has been used for parking does not imply that this is the designated use of the land. It would therefore be unreasonable to impose such a requirement on any future user or owner of the land. On the other side of the coin, the existing parking might be used by visitors to the new sports centre, and the question has been asked as to how this could be controlled. It is the case that the proposed centre has more than sufficient parking provision in terms of the current requirements, and if the public do stray onto private

land, as with all such instances, it would be up to the owners of that land to protect it. Hopefully, the combination of the new parking, improved cycle and pedestrian access, and any increased public transport, would more that make up for any intermittent problems arising.

8.47 The second issue concerns the future provision of pitches to meet the expected increase in demand. The allocation of land for this use would be part of the forward planning for the District, but, as with the parking, the actual proposal for the leisure centre could not have imposed on it, a requirement for development outside the site that might well be dependent on other landowners. The determination of the application has to be made on the proposal as presented, rather than on management aspects, or the possible development of other land.

8.48 Other issues relate to the possibility of damage to cars resulting from errant balls from the adjacent pitches. Given the sporadic nature of this type of occurrence, it would be more properly dealt with as a management issue rather than as a land use matter. The source of the problem would be the existing facilities rather than the new proposal, and they would need to address this.

Summary

8.49 It is a truism that national policies were not written with Ely in mind. The judgement that has to be made, is to find a balance between the parameters of policy, and the reality of the built form, in and around the city. This report has looked at the relevant policies as listed in Section 7 of this report, and it is reasonable to surmise that, whilst not complying with every criteria, there are sufficient mitigating circumstances to conclude that the essential elements have been either met, or at least addressed. Core Strategy policies do not rule out the locating of a sports centre at Downham Road, and combined with the visioning documents that are emerging, it is reasonable to suppose that there is both public and Member support for greenfield areas to be used to provide the growth that is sought for Ely. The A10 is a difficult barrier to overcome, but with the link between the existing public open space and the proposed underpass, it certainly provides a viable and active connection. That same connection would be available and appropriate if the growth to the north of Ely is realised. There are no objections to the principle of the scheme, and with suitable conditions, the relevant planning issues can be properly controlled. The application is therefore recommended for **Approval**.

9.0 RECOMMENDATION

Subject to the resolution of Transport issues, the application should be approved with the following conditions (with any subsequent additional conditions, or amendments to the wording, being delegated to the Head of Planning and Sustainable Development);

1. The development hereby permitted shall be commenced within 5 years of the date of this permission.
1. Reason. To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2. Prior to any development commencing, a management scheme for the future maintenance of the soft landscaping shall be submitted for the written approval of the Local Planning Authority. Once agreed, the scheme shall be implemented in perpetuity.
2. Reason. To ensure the proper future maintenance of the site in the interests of visual amenity and environmental enhancement in accordance with Policies CS6, EN1, EN2 and EN6.
3. No development shall begin until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The archaeological work shall be carried out in accordance with the approved details.
3. Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.
4. Prior to any work commencing on site, the specification for the construction, and a future management plan, for the underpass and associated drainage, shall be submitted for the written approval of the Local Planning Authority. The plan shall include details of the adoption of the underpass, the maintenance regime and liabilities, and the construction methodology and associated traffic management.
4. Reason. To ensure that there is the minimum of disruption to traffic on the A10 during construction, and that the underpass, which is an essential component of the leisure centre, is properly maintained in the future for the benefit of highway safety and those using the centre on foot or cycles in accordance with Policies S6 and S7.
5. Prior to any work commencing on site, details of the planting on the verge for Downham Road, south of the A10 shall be submitted for the written approval of the Local Planning Authority. Once agreed, the scheme shall be implemented prior to the underpass being brought into use.
5. Reason. To ensure that the underpass area can be viewed from the adjacent public highway in accordance with Policy EN2.
6. Prior to any work commencing on site, a Travel Plan shall be submitted for the written approval of the Local Planning Authority detailing the full range of sustainable travel options for access to the site, together with a timetable for their implementation. Once agreed the Plan shall be implemented in accordance with its approved content and timetable. For the avoidance of doubt, the Travel Plan shall include a bus service provision that offers a sustainable and attractive alternative to the car.
6. Reason. To ensure that there are sustainable travel options for the site, in accordance with Policies CS1, CS8, S6, and S7.
7. Prior to any work commencing on site, a plan for the management of waste during construction, shall be submitted for the written approval of the Local

Planning Authority. Once agreed, the scheme shall be implemented in accordance with the approved details during the construction process.

7. Reason. In the interests of visual amenity and highway safety in accordance with Policies CS6, and EN2.
8. Prior to the commencement of the development hereby permitted a construction management plan which includes commencement and completion dates, hours of operation for construction work and measures to control noise and dust, shall be submitted and approved by the local planning authority. The approved plan shall be fully implemented throughout the construction phase of the development.
8. Reason. No avoid adverse effects from noise and dust and to control the hours of construction work in accordance with Policies EN2 and EN8.
9. Prior to the centre being brought into use, the access from Downham Road, and the pedestrian and cycle underpass, shall be completed in accordance with County Highway specifications, and usable by the public.
9. Reason. In the interests of highway safety, and for the provision of access for all, both for routes into, and through, the site, in accordance with policies S6 and EN2.
10. The landscaping scheme indicated on Drawings 2925/110, 2925/100, and 2925/101, shall be planted no later than the planting season prior to the date for the intended opening of the centre for public use. Nothing within this condition shall prevent the planting of the scheme at the earliest opportunity following the granting of this planning permission.
10. Reason. In order to assimilate the proposal into the landscape and to enhance the biodiversity of the locality in accordance with policies EN1 and EN6.
11. The measures to ensure energy efficiency and generation shall all be installed prior to the building being brought into use. For the avoidance of doubt, the BREEAM measures and those indicated in the Design and Access Statement, shall all be included. Before the PV panels are installed, details of their extent and siting shall be submitted for the written approval of the Local Planning Authority. Once agreed, they shall be installed in accordance with the approved scheme, and before the building is brought into use.
11. Reason. To comply with policies EN3 and EN4.
12. Prior to any works commencing on site, the tree protection measures shown on Drawing No.2925-109, shall be implemented and remain in place until construction work has been completed.
12. Reason. To ensure that the existing trees are protected from damage, in accordance with policies CS6, EN1, and EN6.
13. The recommendations and suggestions indicated in the Bat and Reptile surveys submitted with the application shall be implemented in full prior to the leisure

centre being brought into use. Where the surveys refer to the period of construction, the recommendations and suggestions shall be implemented accordingly.

13. To ensure that habitats and species are properly protected and enhanced, in accordance with Policy EN6.
14. The drainage scheme detailed in the approved plans shall be constructed, completed, and implemented before the centre is brought into use. For the avoidance of doubt, the drainage for the A10 and the underpass is the subject of a separate condition.
14. Reason. To ensure a satisfactory drainage scheme for the site in accordance with Policy EN7 and EN8.
15. The hard landscaping as indicated on Drawings 2925/101 Rev A and 2925/100 Rev A shall be laid out and completed before the centre is brought into use.
15. Reason. In the interests of visual amenity, highway safety, and to ensure that the layout and accessibility of the centre is provided in accordance with S6 and S7.
16. The following noise restrictions shall apply;
 - i. The free field rating level, L_{Ar,T}, of the noise emitted from the site attributable to the operation of machinery and equipment shall not exceed:
 - 52 dB L_{Ar}, 1 hour between 07:00 and 19:00
 - 41 dB L_{Ar}, 1 hour between 19:00 and 23:00
 - 33 dB L_{Ar}, 5 minute between 23:00 and 05:00
 - 45 dB L_{Ar}, 5 minute between 05:00 and 07:00When evaluated for a position 1m from the facade of any dwelling to the south of the site.
 - ii. The free field rating level, L_{Ar,T}, of the noise emitted from the site attributable to the operation of machinery and equipment shall not exceed:
 - 45 dB L_{Ar}, 1 hour between 07:00 and 19:00
 - 46 dB L_{Ar}, 1 hour between 19:00 and 23:00
 - 33 dB L_{Ar}, 5 minute between 23:00 and 05:00
 - 45 dB L_{Ar}, 5 minute between 05:00 and 07:00When evaluated for a position 1m from the facade of any dwelling to the north and west of the site

The determination of compliance with the requirements of conditions i and ii shall be made by measurement and calculation according to the methodology provided in BS4142:1997. In these conditions the terms rating level, L_{Ar,T}, and background noise level, L_{A90,T}, have the meanings assigned to them in BS4142:1997

- iii. The free field level of activity noise emitted from the site attributable to sporting and related activities shall not exceed:
 - 49 dB LA_{eq}, 5 minute between 07:00 and 19:00
 - 38 dB LA_{eq}, 5 minute between 19:00 and 23:00
 - 21 dB LA_{eq}, 5 minute between 23:00 and 05:00

42 dB LAeq, 5 minute between 05:00 and 07:00
When evaluated for a position 1m from the facade of any dwelling to the south of the site

- iv. The free field level of activity noise emitted from the site attributable to sporting and related activities shall not exceed:

42 dB LAeq,5 minute between 07:00 and 19:00

43 dB LAeq,5 minute between 19:00 and 23:00

26 dB LAeq,5 minute between 23:00 and 05:00

42 dB LAeq,5 minute between 05:00 and 07:00

When evaluated for a position 1m from the facade of any dwelling to the north and west of the site

16. Reason. To ensure that the noise levels, particularly from machinery and plant, are not above a level that would adversely affect residential dwellings in the locality in accordance with Policy EN8.
17. The details of external finishes and colours shall be as laid out in the approved plans and the Design and Access Statement, unless otherwise agreed in writing with the Local Planning Authority.
17. REASON: To safeguard the character and appearance of the area, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.

APPENDICES

- Appendix 1 – Public Consultation Responses

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Planning application 10/01020/FUM. Cambridgeshire Landscape Guidelines 1991. Ely Landscape Capacity Study 2001. National Planning Policies. Core Strategy 2009	Alan Dover Room No. 011 The Grange Ely	Alan Dover Principal Development Control Officer 01353 665555 alan.dover@eastcambs.gov.uk