

# PLANNING APPLICATION REPORT

**Case Officer:** Clare Stewart

**Parish:** Ivybridge **Ward:** Ivybridge East

**Application No:** 3083/17/FUL

**Agent/Applicant:**

Miss Karen Banks  
Canterbury Innovation Centre  
University Road  
Canterbury  
CT2 7FG

**Applicant:**

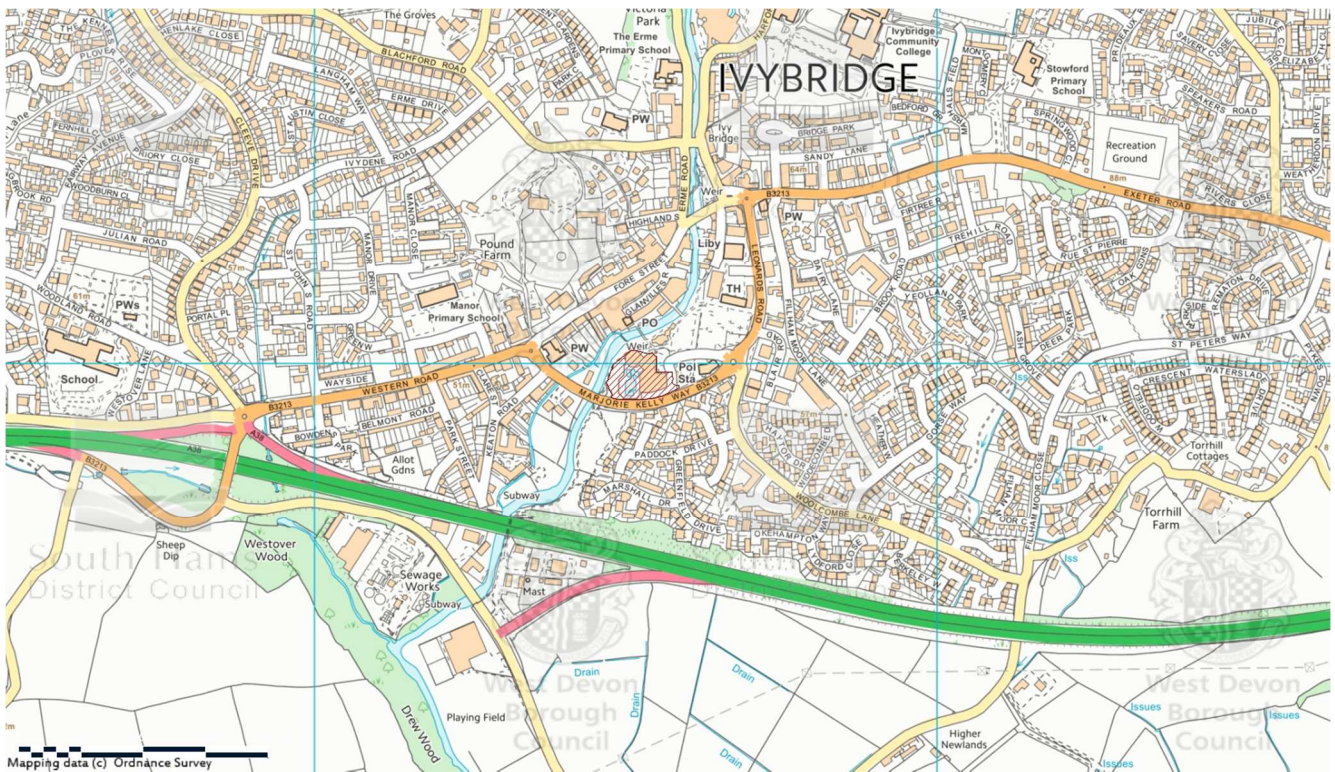
Mr A Cawley  
C/O Agent

**Site Address:** Ivybridge Leisure Centre, Leonards Road, Ivybridge, Devon, PL21 0SL

**Development:** Erection of an extension to provide new swimming pool and alterations to allow refurbishment to existing leisure centre.

**Reason item is being put before Committee:**

The Council has a freehold interest in the application site



**Recommendation:** That Authority be delegated to the CoP DM Lead in consultation with the DM Committee Chairman to approve the application subject to the outstanding drainage issue being resolved (and necessary drainage conditions being added).

### Conditions

1. Time limit
2. Accord with plans
3. Construction Management Plan
4. Details of any external lighting to be agreed
5. Recommendations of ecology report

### Key issues for consideration:

Principle of development, design, visual impact, heritage, drainage, highways.

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### Site Description:

The site is situated close to the centre of Ivybridge to the north of Marjorie Kelly Way and east of River Erme. There is an existing children's playground immediately to the north east. Vehicle access to the site is via Leonards Road to the east of the site. The site comprises the existing large public leisure building and outdoor swimming area (currently disused). External walls include a mixture of render and stone. There is pedestrian access around the site to the north and west along the river path. The site is largely screened from Marjorie Kelly Way by mature vegetation.

The site is located within the Ivybridge Development Boundary and Critical Drainage Area (CDA).

### The Proposal:

Permission is sought for an extension to the existing building to provide a new 25m swimming pool, which would be located on the site of the existing outdoor pool area. The new swimming pool would have a retractable mono-pitch glass roof. External walls would be a mixture of stone and render. Additional toilet facilities would be provided at the end of the new pool area, and a sun terrace is proposed to the west. The existing boundary wall and vegetation around the site on the Marjorie Kelly Way frontage is shown as being retained.

The submitted plans also indicate alterations to the interior of the existing building including the café area and changing facilities.

### Consultations:

- County Highways Authority – No objections but recommends a Construction Management Plan condition
- Drainage – HOLDING OBJECTION
- Wales & West Utilities – Wales & West Utilities has pipes in area. Developer to contact directly if consent granted to discuss their requirements
- Ivybridge Town Council – *“SUPPORT The committee welcomed the proposals describing the proposed works as good for Ivybridge. Members would be pleased to see family changing rooms with baby changing facilities and suitable access for disabled. They did however raise concerns over the lack of poolside seating and would wish to see this addressed.”*

## **Representations:**

4 letters in general support of the application have been received but with the following comments:

- Encourage walking and cycling by widening shared access path and further cycle stands.
- Views from reception into main pool are poor, poolside seating should be provided
- Poolside seating would enable use for events/competitions and swimming clubs
- Existing pool should be changed to make suitable for small children
- No specific reference to improving appearance of the existing building on plans
- Absence of offices, staff areas, meeting rooms

## **Relevant Planning History**

The existing leisure building was originally consent in the 1980s and there have been no recent applications.

## **ANALYSIS**

Principle of Development/Sustainability:

The proposal would provide for an enhancement to an existing public leisure facility in a town centre location, which is supported by local and national planning policy (including Policies SPT2 and DEV3 of the emerging JLP). The proposal would make use the existing disused outdoor pool area (and the retractable roof would still provide an opportunity for outdoor swimming when the weather permits).

Design/Visual Impact/Heritage:

The proposed swimming pool extension would be contained within the existing leisure centre site, and does not raise any design concerns having regard to the appearance of the existing building. Public views from outside the site would be constrained by the existing site boundary wall and vegetation (which would also provide privacy for the users of the pool and terrace area and as such are very unlikely to be removed).

The application has been advertised as affecting the setting of a listed building. The Ivybridge Aqueduct on the west side of the River Erme is Grade II listed, as well as the Methodist Church beyond. The nature and location of development proposed (with additional physical separation provided by the River Erme) would not result in harm to the setting of these heritage assets.

Ecology:

An Ecological Appraisal Report has been submitted with the application, which finds that the site itself is of low ecological value and no further survey work is identified. The report raises some concern about the impact of light spillage into the dark river corridor and assumes no external lighting is proposed. Light spillage from within the building itself would likely be contained within the leisure site, but a condition to ensure no external lighting is installed without prior agreement is recommended. A condition to ensure the other mitigation measures identified within the report are followed is also recommended.

Neighbour Amenity:

No concerns raised having regard to the existing site context and use.

Flood Risk/Drainage:

The application is accompanied by a Flood Risk Assessment. The Council's Drainage Specialist initially raised an objection on the grounds of insufficient information, having regard to the location of the site within the Ivybridge CDA. The Agent is aware of the objection and is working to resolve the matter, and

a further update will be provided at the Committee meeting. The Officer Recommendation reflects the need to address this issue prior to determination of the application (having regard to the CDA designation).

#### Highways/Access:

Devon County Highways have requested a Construction Management Plan condition which forms part of the Officer recommendation. A third party has requested additional cycle stand provision but in the absence of an objection from Devon County Highways Officers do not consider it would be reasonable to insist on this.

#### Other Matters:

Letters of representation are supportive of the principle of the development, but comment on the detail of the internal layout and lack of improvement to the exterior of the existing building. The internal layout of the building could be amended without the need for planning permission. Members need to consider the application as submitted, and for the reasons identified above Officers consider the current scheme is acceptable.

#### The Planning Balance:

The proposal would provide for an enhancement of an existing community facility without detriment to the visual amenities of the area or the historic environment. There are no planning reasons why permission should be withheld, and the application is recommended for approval subject to conditions as detailed above.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.***

#### **Planning Policy**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

#### ***South Hams LDF Core Strategy***

CS1 Location of Development  
CS7 Design  
CS9 Landscape and Historic Environment  
CS10 Nature Conservation

#### ***Development Policies DPD***

DP1 High Quality Design  
DP2 Landscape Character  
DP3 Residential Amenity  
DP4 Sustainable Construction  
DP5 Conservation and Wildlife  
DP6 Historic Environment  
DP7 Transport, Access & Parking  
DP8 Open Space, Sport and Recreation  
DP9 Local Facilities

## **South Hams Local Plan**

SHDC 1 Development Boundaries

## **National Planning Policy Framework**

### **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

## **PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)**

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV7 Spatial priorities for development in Ivybridge

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV3 Sport and recreation

DEV20 Place shaping and the quality of the built environment

DEV21 Conserving the historic environment

DEV28 Protecting and enhancing biodiversity and geological conservation

DEV31 Specific provisions relating to transport

DEV37 Managing flood risk and Water Quality Impacts

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

### **Recommended conditions in full:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers 01, 08, 09, 10, 11, 12, 13, 14, Transportation Technical Note received by the Local Planning Authority on 27th September 2017;

Planning, Design & Access Statement received by the Local Planning Authority on 5th October 2017.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

(a) the timetable of the works;

(b) daily hours of construction;

(c) any road closure;

(d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;

(e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;

(f) the compound/location where all building materials, finished or unfinished products,

parts, crates, packing materials and waste will be stored during the demolition and construction phases;

(g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

(h) hours during which no construction traffic will be present at the site;

(i) the means of enclosure of the site during construction works; and (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site (k) details of wheel washing facilities and obligations

(l) The proposed route of all construction traffic exceeding 7.5 tonnes.

(m) Details of the amount and location of construction worker parking. (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.

The development shall thereafter be carried out strictly in accordance with the approved CMP.

Reason: In the interests of highways safety and public amenity.

4. Prior to installation details of any external lighting of the development hereby approved shall be submitted to and agreed in writing with the Local Planning Authority. the development shall thereafter be carried out strictly in accordance with the approved details and thereafter so retained and maintained.

Reason: To safeguard the welfare of a protected species of wildlife, in the interests of the amenity of the area and the Conservation (Natural Habitats) Regulations 1994 and the 1981 Wildlife and Country Act (as amended).

5. Notwithstanding the details set out on the submitted drawings, the development hereby permitted shall be carried out in accordance with the comments and recommendation set out in the Ecological Appraisal Report dated October 2017 from Cornwall Environmental Consultants Ltd and received by the Local Planning Authority on 11th October 2017, including the provision of new access points, precautions during building works and timing of operations. The approved accesses shall remain in place and the openings kept unobstructed thereafter.

Reason: To safeguard the welfare of a protected species of wildlife, in the interests of the amenity of the area and the Conservation (Natural Habitats) Regulations 1994 and the 1981 Wildlife and Country Act (as amended).