

---

<b>APPLICATION NO.</b>	18/02807/VARN
<b>APPLICATION TYPE</b>	VARIATION OF CONDITIONS - NORTH
<b>REGISTERED</b>	25.10.2018
<b>APPLICANT</b>	Mr Anderson, Places For People Leisure Management
<b>SITE</b>	Andover Leisure Centre, West Street, Andover, SP10 1QP, <b>ANDOVER TOWN (ST MARYS)</b>
<b>PROPOSAL</b>	Vary conditions 2, 4, 7, 12, 16, 21, 22, 23, 24, 26, 27, 28, 30, 31, 32, 33 and 34 of 17/01435/VARN (To vary condition 33 of 16/03191/FULLN (Phased demolition of the existing wet and dry Leisure Centre and the construction of a replacement Leisure Centre including associated external works and car parking)) to retain minor changes to the building footprint and design to co-ordinate with existing below ground services, safe construction zones to enable the retention of part of the existing dry centre, a reduction in the building height and increasing the public realm along West Street
<b>AMENDMENTS</b>	Additional information received 29/10/18, 05/11/18, 30/11/18, 04/12/18, 05/12/18
<b>CASE OFFICER</b>	Mrs Laura McKay

Background paper (Local Government Act 1972 Section 100D)

---

## 1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee because it has been submitted by a company by or on behalf of the Council for its own development which is not minor.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site area is 0.99ha, comprising the site of the former leisure centre and staff car park, part of a public space between the leisure centre and The Lights theatre, which includes a pond, the roads and paths either side of the leisure centre and part of West Street to the south. The site is generally flat. The site is in Flood Zone 2 (medium risk) on the Environment Agency's maps.

2.2 The site is within the Town Centre as designated on the Test Valley Borough Revised Local Plan ("the RLP") Inset maps. It has office buildings to the east and west and The Lights theatre and Andover College to the north. To the south, across West Street, are the Lidl supermarket and two storey residential properties on Portland Grove. A development of retirement apartments is located to the south-east on the corner of West Street and Chantry Street. This has recently been completed and is partly occupied. The Andover Conservation Area is located 110m to the east of the application site, as are various listed buildings on West Street.

2.3 The former leisure centre has been partly demolished, with only the fitness and studio building retained at this time. A replacement leisure centre is under construction with the main building largely externally complete. The existing permission requires the retention of the fitness and studio building until the replacement centre is open for use.

### 3.0 **PROPOSAL**

3.1 The application seeks to vary condition 2 of the existing permission to change the approved drawings. Changes to the siting, scale and design of the leisure centre building and associated changes to the external works have been made during construction and these elements are sought retrospectively. The changes include:

- South elevation moved north by up to 1.2m; distance to the back of residential properties increased from minimum 25m to over 26m;
- Ramp to pool extended to access first aid room and plant areas which have been raised above the extreme flood level;
- Pool area pulled back 0.5m on east elevation with pavement width increased from 4m to 5m;
- First floor extended by 0.75m on east elevation to increase area of covered cycle parking and retain facility areas;
- First Aid room moved, increasing learner pool façade and removing external steps;
- North elevation pushed back by 1m to increase the space between the new building and the retained section of the existing building;
- Width of curved front section (clip and climb and adventure play) increased by 1.5m;
- Studios at ground floor and sports hall at first floor moved north by 1.75m to reflect change in footprint;
- External steps to escape stair omitted with internal stair redesigned to provide access at ground level;
- Changes to plant and store arrangements;
- Roof height reduced by 0.6 – 0.885m as a result of detailed structural design and minor internal layout changes to improve structural spans;
- Changes to glazing and openings to reflect internal and external changes;
- Roof vents added and changes to louvres and opening sections of windows as part of natural ventilation strategy;
- Material palette remains the same but the type of cladding has changed on some parts of the elevations;
- Overall plant area at roof level reduced;
- Roof lights added over main circulation space;
- Changes to flood mitigation/compensation works to reflect changes to building siting;
- Amendments to the phased construction and parking arrangements to avoid construction traffic and pedestrians sharing access routes;
- Additional studio in place of treatment rooms following public feedback to original proposal;
- Internal rearrangements: Alterations to reception and café layouts, redesign of main stair and lift; detailed changing and plant layouts; location of squash court and members changing at first floor; addition of separate access stair to rooftop plant; staff facilities moved to north elevation; first aid room relocated off main pool;

3.2 The applicant sets out the following reasons for the changes:  
*During demolition and ground works, below ground services were identified along West Street that were not shown on records and which impacted on the line of the building along West Street and on the corner of the building to the south west. Investigation works during the demolition of the sports hall identified further below ground services that needed to be retained for the ongoing operation of the dry sports facilities along with additional information on the existing building structures that necessitated additional width for the safe construction of the new leisure centre and safe demolition of the retained building during phase 3 of the works.*  
*As a result of these additional restrictions, minor amendments to the design of the building were carried out to avoid the existing services and provide additional space for the safe construction and demolition. The original design identified and responded to a number of sensitive constraints...the current proposals further improve the relationship to the residential properties by reducing the building mass and increase the width of the pavement on the corner of West Street and the access road.*

- 3.3 It is also proposed to vary or remove a number of other conditions as follows:
- Conditions 4, 7, 21, 22, 23, 24: to update the drawing numbers referenced in the conditions to reflect the amended plans;
  - Conditions 11 and 12: to refer to “doors” instead of “door”, due to a change in the layout of the plant room;
  - Condition 16 required details of external lighting. These have been submitted for approval as part of this application and the applicants seek to have the wording varied to require compliance with the submitted details;
  - Conditions 28 and 30: to amend the wording to reference the updated Flood Risk Assessment submitted with this application;
  - Conditions 31 and 32 required details of landscaping and landscape maintenance. These have been submitted for approval as part of this application and the applicants seek to have the wording varied to require compliance with the submitted details;
  - Condition 33 is sought to be removed as no longer being necessary. The condition required retention of specific trees on site. It was subsequently varied under application 17/01435/VARN where removal of all trees within the application site was approved.

3.4 The table below shows the changes in height of the main sections of the building for comparison purposes:

	<b>Original centre</b>	<b>Approved centre</b>	<b>Proposed centre</b>
Total floor area	6,673 sqm	6,466 sqm	6,251 sqm
Maximum height of three storey section of building	12.5m	15.2m	14.6m
Maximum height of two storey section of building	9.78m	11.2m	10m
Maximum height of single storey section of building	n/a	9.2m	9.2m

3.5 The table below sets out the sports and leisure facilities now proposed, compared to the approved scheme:

<b>Facility</b>	<b>Approved centre</b>	<b>Proposed centre</b>
Main pool	6 lane pool: 25m x 12.5m	No change
Learner pool	15m x 10m Height adjustable floor	No change
Poolside facilities	Splash area adjacent to learner pool	Sauna and steam area increased by 1 sqm
Sports Hall	40m x 34.5m (1380sqm) 8 badminton courts with Sport England compliant run off areas	Area increased by 2 sqm
Fitness Suite	Gym and fitness facility with an increased number of work stations; range of CV, resistant, core and free weights equipment	No change
Squash courts	2	Location revised but no change to number of courts
Studios	2 large studios with removable wall between; 1 studio for group cycling	3rd studio provided in place of treatment rooms; overall studio area increased by 75 sqm
Clip and climb	Two storey atrium at front of building	Internal rearrangements; seating area created between Clip and Climb and adventure play areas; Including viewing and briefing room, area increased by 50 sqm

3.6 During the application additional and amended lighting and landscaping information have been submitted, along with details of proposed works to the access road and West Street and information on the noise performance of fixed plant and machinery.

#### 4.0 **HISTORY**

4.1 18/03030/ADV - Two non-illuminated fascia signs – UNDER CONSIDERATION.

- 4.2 17/01435/VARN – To vary condition 33 (No trees shall be removed from site other than those shown on dwg. 8229 PL006) of 16/03191/FULLN (Phased demolition of the existing wet and dry Leisure Centre and the construction of a replacement Leisure Centre including associated external works and car parking) to allow the removal of six additional trees as shown on dwg. 8229 PL006 Rev C and to specify that the protection of the retained trees is for the construction period – PERMISSION 07.09.2017.
- 4.3 17/00097/FPN - Permanent extinguishment of established right of way between West Street and the entrance to the existing sports centre – ORDER CONFIRMED 12.05.2017.
- 4.4 16/03191/FULLN - Phased demolition of the existing wet and dry Leisure Centre and the construction of a replacement Leisure Centre including associated external works and car parking – PERMISSION 31.03.2017.

## 5.0 **CONSULTATIONS**

- 5.1 **TVBC Environmental Protection – No objection subject to conditions** (summarised):

### Noise

There are additional doors to the plant room, and there is therefore a concern that there may be breakout noise which could affect the amenity value of neighbouring residents, particularly as it is unclear from the submitted information whether these areas also contain louvres for ventilation. As regards fixed plant and machinery the applicant will need to be able to demonstrate that the items will meet the core requirements of condition 10 of the original planning permission (16/03191/FULLN). The aim of this condition was to ensure that as part of the scheme, the developer shall demonstrate to the satisfaction of the Local Planning Authority that the combined BS4142: 2014 'rating level' of noise from all fixed plant and machinery associated with the permitted leisure development shall not, at any time of operation, exceed a level equivalent to 5 dB below the prevailing background noise level, as determined at each of the receptor locations 1 and 2 as indicated in the Buro Happold Engineering noise impact assessment report dated 16 December 2016.

### *Comments on Noise Impact Assessment*

Following the submission of the Noise Impact Assessment the details regarding fixed plant have been satisfied with regard to the plant items specified, but must be implemented as approved and thereafter retained. The report has addressed the principal items of plant but there will be other plant/machinery items associated with the development and these should be subject to the same overall cumulative limit to ensure no erosion of the overall sound levels in the area, with regard to the noise sensitive receptors already identified.

### Lighting

We wish to be reassured as to the potential impact of the lighting on the adjacent residential properties of Portland Grove.

Without more details of the luminaires which have been chosen it is also unclear how light will spill and whether the angle of installation will play a factor in how intrusive or otherwise the new lights may be. We would be grateful for additional details of the fixture types, including angle of installation as appropriate.

Could the applicant also confirm whether the hours of use of the lighting are intended to match the opening hours of the leisure centre and if not whether any of the fixtures will be dimmable.

*Comments on additional lighting information*

The lux diagram submitted has addressed my concern in that regard and the luminaire details provided are reassuring.

**5.2 TVBC Landscape – Comments (summarised):**

Further details required of hard landscaping detailing:

- Edging
- Hazard paving for steps
- Details of handrail
- Steps being built on a radius – consider jointing of paving and cutting to get a good quality finish
- What will be used between changes in paving?
- Encourage more extensive use of the tegula burnt ochre around north perimeter of new building to improve appearance

The cycle parking area also would be improved with a paved and higher quality finish. Consideration of the materials/junctions of materials must be given/shown to achieve a high quality finish.

Suggest more curved corners in fact to allow the natural desire lines to be reflected.

Soft landscaping – would prefer removal of tiered lawn area as over formal for this location.

Details can be secured by condition.

**5.3 TVBC Community and Leisure – No objection.**

We note that the changes to the internal layout allow for additional studio space to be accommodated. We welcome this change as it will see an increase in capacity for the building and allow an increased programme to be delivered.

**5.4 TVBC Design and Conservation – No objection.**

I have reviewed the amendments to the approved scheme and consider they would not alter the impact of the replacement leisure centre on the setting of the conservation area, or any listed buildings over what was granted permission.

In design terms, the minor amendments to the elevations improve its appearance, though Design and Conservation have no concerns regarding the consented design.

- 5.5 **HCC Highways – No objection** (summarised):  
Having assessed the agreed phasing plan 8229 PL007A, against that now proposed – 8229 PL007B, there would be no objection to the Variation of Conditions 7, 21, 22, 23 and 24 from HCC as Highway Authority. Drawing ZPFPLANDOVER.2/10 Rev. B dated September 2018 has been submitted which outlines the proposed layby to the front of the development site on West Street, which shall be utilised for the purpose of deliveries, servicing, customer pick-up and drop-off, along with an additional pedestrian crossing point (tactile paving) and an additional length of footway. Having assessed the proposal, there would be no objection to the Variation of Condition from HCC as Highway Authority, providing Traffic Regulation Orders (TRO's) are put in place as proposed on plans. These TRO's would restrict stoppage times within the marked bay, and should also include 'No Loading' restrictions outside of the marked bay to ensure pedestrian visibility is maintained at the proposed crossing point. It should also be noted by the applicant, that the S278 process will still need to be entered into for works undertaken on the highway. In regard to Condition 27, it is noted that updated 'Proposed Site Plan' (8229/PL.010 D) has been received, showing alterations to the layout of the works to the east of the building to facilitate access to the disabled parking spaces. Principally alterations to the footway links, and changes to landscaping locations, there is no objection to the Variation of Condition from HCC as Highway Authority.
- 5.6 **HCC Lead Local Flood Authority – No objection.**  
The proposals for surface water drainage meet the current standards/best practice in relation to surface water drainage.
- 5.7 **Environment Agency – No objection.**  
The Environment Agency has no objection to the variation of conditions (condition 30) in this application as proposed following the submission of the amended Flood Risk Assessment 5th Issue dated 26 September 2018 and submitted on 25 October 2018.
- 5.8 **Historic England – No comment.**  
On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- 6.0 **REPRESENTATIONS** Expired 05.12.2018
- 6.1 **Andover Town Council – No objection.**
- 6.2 **1 x letter of objection from** 4 Suffolk Road, Andover raising the following issues (summarised):
- Design, layout and flow of the building already occupied a smaller footprint than the previous centre;
  - Movement of the elevation further alters visual scale of built form, with loss of potential landscaping further harms aesthetic quality of area and public's understanding of flow of the building;
  - Changes harm how roof over swimming pool appears in surrounding context and relationship to adjacent housing;

- Not possible to fully assess the height difference due to the lack of detailed cross sections;
- Lack of drawn sectional details and dimensional information mean it is impossible to accurately demonstrate the impact of the as built changes to the structure;
- Request a measured survey is carried out to establish the true differences from the approved building;
- Only put forward generic elevations with approved structure shown as a dotted line, how can this be accurately determined on site?
- Has reduced level of finished ground floor been checked against the approved drawings? Any differences in floor and storey heights could affect the overall height of the building and the finished level of the roof line;
- Puts additional weight on Design Panel concerns that scheme lacks a clear concept and design has become rather compromised creating a bitty solution. Contrary to policies E1 and E2 of the RLP.
- Height of the building has an adverse impact on the outlook of neighbours compared to the previous leisure centre buildings.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### 7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2 – Settlement hierarchy

COM15 – Infrastructure

LE11 – Main town centre uses

E1 – High quality development in the Borough

E2 – Protect, conserve and enhance the landscape character of the Borough

E5 – Biodiversity

E7 – Water management

E8 – Pollution

E9 – Heritage

LHW1 – Public open space

LHW4 – Amenity

T1 – Managing movement

T2 – Parking standards

CS1 – Community safety

ST1 – Skills and training

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Environmental Impact Assessment
- Procedural matter
- Principle of development
- Design and impact on the character of the area
- Highways, access and parking
- Flood risk and water management



- Amenity
- Ecology and pollution
- Heritage assets
- Contaminated Land
- Community Safety
- Skills and training
- Other matters

### **Environmental Impact Assessment**

- 8.2 The original proposal for the leisure centre was screened under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the Council provided a screening opinion that it was not EIA development. The 2011 Regulations have since been replaced by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 Regulations”) and applications for variation of conditions are covered by these regulations. The Council must consider whether significant environmental effects would result from the changes to the development, taking into account the effects on the development as a whole.
- 8.3 The development proposed falls within Schedule 2, category 10(b) of the 2017 Regulations but does not exceed the threshold in column 2 of the table in that Schedule. In accordance with the 2017 Regulations the proposal has been considered against the criteria in Schedules 2 and 3 of the Regulations and the Council has issued a screening opinion. The Council has considered the information submitted with the application and is of the opinion that, with the features of the proposed development and measures envisaged to avoid or prevent noise impacts, the development would be unlikely to have significant effects on the environment and is therefore not EIA development.

### **Procedural matter**

- 8.4 The application is for variation of conditions on the previous permission to make minor material amendments to the approved scheme. The amendments proposed are set out in section 3 above. In relation to the approved scheme, the changes proposed are not considered to be fundamental or substantial. As such, having regard to the guidance in the NPPG, it is considered that a minor material amendment is an appropriate means by which to consider them. If an application to vary conditions is granted it has the effect of issuing a new planning permission, sitting alongside the original permission which remains intact and un-amended. Any new permission granted should include the relevant conditions from the original planning permission unless they have originally been discharged.

### **Principle of development**

- 8.5 The principle of a replacement leisure centre was considered in the original application and there remains an extant permission for the approved scheme. The main considerations in this application are the impacts of the changes proposed from the approved scheme, having regard to local and national policy and relevant material considerations. The NPPF has been updated since the previous permission and is a significant material consideration. The relevant parts are considered in the assessment below.

- 8.6 The proposed changes include amendments to the facilities within the building. The overall footprint of the building has reduced slightly compared to the approved scheme as a result of internal changes and reductions in circulation space creating a more efficient layout. No sports or recreation facilities would be lost compared to the approved scheme, and the size of some of the facilities is proposed to increase as a result of the layout changes. As such, the revised scheme would still achieve equivalent or better facilities to the approved scheme and would continue to comply with policy LHW1 of the RLP.
- 8.7 The 2018 NPPF contains a number of policies which support healthy lifestyles, the provision of community facilities such as sports venues, and guard against the unnecessary loss of valued facilities and services. Policy LHW1 of the RLP is consistent with the 2018 NPPF in these requirements and can be given full weight. The proposal would comply with the requirements of the NPPF as there would be no loss of facilities and greater provision in some areas.

### **Design and impact on the character of the area**

- 8.8 Leisure centre building  
The building would be slightly lower and moved further away from West Street than the approved scheme. Some parts of the building would be wider at first floor, reflecting internal changes and making use of areas of overhang. The scale of the changes in height, width and depth are considered to be minor in relation to the scale of the building as a whole.
- 8.9 Concerns have been raised that the movement of the building alters its visual scale and results in the loss of potential landscaping, impacting on the quality of the area and public understanding of the building. The changes to the siting of the building create a slightly wider separation from West Street, providing more opportunity for landscaping in this area. The area to the north of the building is slightly smaller however this has no significant impacts on the public space available between the leisure centre and The Lights, which remains a good sized area, significantly larger than what was available with the previous leisure centre in place. The entrance would remain in the same position on the building as approved, and the layout of the site would create routes to the entrance from all directions.
- 8.10 The amended design retains the same design principles as the original scheme but is improved in areas such as the windows/openings and use of materials, which are now more streamlined and integrate well with the changes in materials and the proportions of the building. Changes to ground levels have resulted in differences in ramp and step arrangements in various places around the building. These remain relatively minor elements in the context of the whole building and are not prominent features.
- 8.11 The roof over the swimming pool was originally proposed as a curved roof but this was amended in the original application following comments from the Council's Design Review Panel. The approved scheme had a mono-pitched roof. The design has been refined slightly in this application but the overall appearance remains very similar. The windows on the south elevation of the pool area have increased in size but this is considered to improve the proportions of this elevation.

8.12 Local and national policies promote high quality design and a well-designed environment. It is considered that the amendments to the design, scale and siting of the building are minor and refine the building. It would remain a landmark building that reflects its function and responds to its context, creating a strong sense of place. It is considered that the building would integrate, respect and complement the character of the area as required by policy E1 of the RLP and be of the high quality supported by the NPPF.

8.13 Drainage

The building is within Flood Zone 2 and the approved scheme includes compensatory flood measures. The change in siting of the building results in amendments to these flood measures, which has resulted in some alterations to ground and floor levels across the site. It is considered that these changes would not significantly alter the appearance of the site or the building and would not have an adverse impact on the character of the area.

8.14 Landscaping

Permission was previously granted subject to a condition requiring a landscaping scheme to be submitted, including replacements for the trees lost from within the application site. The amendments proposed would not result in any loss of important local features such as trees, as there are no changes in this respect compared to the approved scheme. A landscaping scheme has been submitted with this application, the concept of which is generally acceptable. Some refinement of details of hard landscaping are needed to ensure an appropriately high quality finish. Tree planting proposals are shown which would create an interesting and diverse tree cover for the public space and around the edges of the site, contributing to the amenity of the area. Further details are required to ensure that the trees will be able to establish and thrive and to avoid potential conflicts with lighting in the public area. Some parts of the landscaping proposed are just outside of the application site, but would directly compensate for planting lost within the site. These areas are within the same ownership and therefore the LPA can be confident that this planting can be delivered, and this can be secured by condition.

8.15 The recommendation below includes conditions to secure a landscaping scheme and landscape maintenance, as the current scheme is not yet of sufficient quality to enable the development to integrate into the character of the area. There are solutions to resolve the remaining matters of detail and discussions are ongoing with the applicant to refine these. Progress on this matter will be reported in an Update Paper. Arrangements are in place for the long term maintenance and management of the landscaping as it is Council owned land. Subject to conditions, the existing and proposed landscaping would enable the development to positively integrate into the landscape character of the area and would comply with policy E2 of the RLP.

8.16 Lighting

The previous permission required details of external lighting within the site to be submitted. A lighting scheme has been submitted with this application which includes street lighting, security lights and down lights are proposed on the building and under the walkways.

8.17 The street lights would be on 6m columns and would be sited with three on an east-west alignment through the open space to the north of the building, with two further lights sited adjacent to the disabled parking bays. Three are already streetlights in the area of similar scale, including within the open space to the north-west of the site. It is considered that the proposed lighting columns would integrate with the character of the area. Some refinement is needed to the siting of the columns to avoid conflict with proposed tree planting and amended plans are awaited to resolve this. Progress on this matter will be reported in an Update Paper.

8.18 The street lighting and building lighting proposed will have an impact on the character of the area by introducing a higher degree of artificial lighting. The site is on the edge of the town centre and West Street is well lit by street lights, so this would not be out of character with the area. The amount of lighting proposed would however be quite obvious at night, and would contribute to a degree of light pollution. The building lighting is only necessary when the leisure centre is in operation or staff and customers are arriving and leaving, and the applicant advises that it would be switched off at other times. This could be secured by condition to safeguard the area from unnecessary light pollution having regard to policy E8 of the RLP.

#### 8.19 Summary

Overall, the design and impact of the proposal on the character of the area would not be significantly different to the approved scheme. The addition of lighting and landscaping details show that a suitable scheme can be achieved to provide a high quality setting to the building, which although smaller, would be refined and have improvements to the elevations compared to the previous scheme. Subject to conditions regarding lighting and landscaping, it is considered that the revised proposal would comply with policies E1, E2 and E8 of the RLP.

#### **Highways, access and parking**

8.20 The proposed access and parking arrangements are not proposed to be amended in this revised scheme. The Committee report for the original application concluded that the proposal was contrary to policy T2 of the RLP due to the under provision of car parking when considered against parking standards. The policy allows for variation from parking standards and at the time of the 2016 application it was misinterpreted that this allowance only applied to residential developments. It has since been confirmed by the Policy team that a variation from standards can be accepted for all types of development where it is justified, and this interpretation has been applied on all subsequent applications. As such, it is appropriate to consider whether a variation from standards is justified in this case.

8.21 The number and location of car parking spaces remain the same as the approved scheme. It was previously accepted that the parking provision proposed was acceptable as it would provide equivalent staff parking and additional disabled parking compared to the previous leisure centre. The floorspace of the approved scheme was less than the previous leisure centre,

so the overall parking requirement would have been less in any case. The amended scheme proposes a further reduction in overall floor space but the amount of studio space has increased as a result of the internal rearrangements proposed. As such a further 2.5 car parking spaces and 2.5 cycle spaces would be required to meet the standards in the RLP. The applicant has confirmed that additional cycle spaces can be provided to meet this requirement and will provide updated plans to show this.

- 8.22 A Travel Plan is proposed which would promote sustainable transport measures and the site is in an area well served by other means of transport and public car parks. In these circumstances it is considered that the parking provision, although below the parking standards in the RLP for a sports centre, is justified given the location and in comparison to the previous provision. As such it is considered that the proposal complies with policy T2 in respect of car parking.
- 8.23 The original permission includes a layby for coach drop-off and servicing on West Street. Details of these works have been submitted for approval as part of this application and have been reviewed by HCC Highways, who raise no objection. The design takes into account the crossing on West Street and leaves room for this to be improved as part of wider links to the Town Centre through the Town Mills enhancement project. The layby works will now be subject of an application to HCC. The works remain necessary to ensure that the leisure centre can be serviced without affecting the flow of traffic on West Street and can be secured by condition.
- 8.24 Some changes are proposed to the construction arrangements for access and car and cycle parking. The applicant advises that this is as a result of a better understanding of the routes pedestrians and other users take around the site including routes between the town centre and surrounding buildings, with significant numbers of pedestrians using the access road to the east of the site. A revised phasing plan has been submitted showing how construction access, the construction compound and cycle and car parking will be provided at different phases of the construction process, including the demolition of the remaining part of the previous leisure centre. The revised plan allows for construction traffic to avoid the access road to the east of the leisure centre to avoid conflict with pedestrians. All conditions that previously referred to the phasing plan remain relevant but need to be updated to reflect the amended plan.
- 8.25 Cycle parking arrangements during construction would need to change as a result of the alterations to the construction access. The applicant advises that this will mean that the final cycle parking provision on the western side of the building will not be able to be delivered until the scheme is finished and the fitness studio building has been demolished. A temporary cycle stand is proposed outside the main entrance to provide the same amount of parking in the meantime. It is considered that the improvement to pedestrian safety justifies a longer timescale for delivery of the final parking solution, and that users of the leisure centre would not be disadvantaged by the temporary solution proposed. As such this revised arrangement can be secured by condition, with a requirement for the final parking provision to be in place within a specified period.

- 8.26 Subject to conditions, the proposal would not have an adverse impact on the local highway network and would make suitable provision for car and cycle parking in accordance with policies T1 and T2 of the RLP.

### **Flood risk and water management**

- 8.27 The site is in Flood Zone 2, at medium risk of flooding. Policy E7 of the RLP requires development to comply with national policy and guidance in relation to flood risk. The NPPF sets out in paragraph 103 that when determining planning applications LPA's should ensure flood risk is not increased elsewhere and only consider development appropriate at risk of flooding in certain circumstances. It requires the LPA to apply a Sequential Test to steer new development to areas with the lowest probability of flooding. If the Sequential Test is passed, the LPA must then apply the Exception Test, which requires consideration of whether there are wider sustainability benefits to the community that outweigh flood risk, and that a site specific FRA be submitted which demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.
- 8.28 The Sequential Test was considered in the original application 16/03191/FULLN and it was concluded that it had been demonstrated that the application site is the lowest risk site available for the development proposed. The amendments to this scheme do not put the building into an area of higher flood risk and as such the Sequential Test is still considered to be met. An updated Flood Risk Assessment has been submitted as part of the application, which reflect the changes to the building and includes amended flood compensation works. The floor levels of the building have changed but remain above the flood level. The Environment Agency and HCC as Lead Local Flood Authority have raised no objection to the changes. The measures proposed would safeguard the proposed development and surrounding area from flood risk and the development would provide wider sustainability benefits to the community that outweigh the flood risk. As such the Exception Test is met and the proposal complies with paragraphs 155 to 161 of the NPPF and therefore the provisions of policy E7 of the RLP.

### **Amenity**

- 8.29 Leisure centre building  
The nearest residential properties to the site are the dwellings at Portland Grove and Chantry Lodge, to the south and south-east respectively. The tallest part of the building remains behind Lidl with the lowest part behind Portland Grove. The building as proposed would be lower than the approved scheme by approximately 0.6m on this side and sited further north by up to 1.2m. Therefore the impact of the size and scale of the building as viewed from the neighbouring dwellings would be less than previously approved. It is considered that the amended building would not have an adverse impact on the outlook of neighbours compared to the approved scheme.
- 8.30 Privacy and shading  
No shading of neighbouring dwellings would occur due to the siting of the building to the north of them. The amended scheme would raise the level of the pool area slightly and increase the height of the glazing, however there are

solid boundary treatments across the rear gardens of properties in Portland Grove. 55 Chantry Street has no residential windows at ground floor facing towards the site. It is not considered that there would be overlooking of neighbouring properties from the glazed areas in the ground floor of the proposed building. As such the privacy of the occupants would be provided for in accordance with policy LHW4 of the RLP.

8.31 Noise

The proposal includes a plant room at ground floor and another on the roof. The configuration of these areas has changed from the approved scheme with the bin store, chemical stores, electrical equipment and substation now proposed in the southern part of the building with doors opening out towards West Street. This creates the potential for changes to the noise impacts on nearby residents.

8.32 The original planning permission included a condition requiring details of noise control measures to be submitted and approved by the LPA, and set an overall noise limit for all plant and machinery to be 5dB below background noise level at the nearest residential dwellings. Details of some items of plant and machinery have been submitted, consisting of air handling units and condensing units, and a Noise Impact Assessment has been provided. The Noise Impact Assessment shows that the items proposed, with the design of the building, would comply with this noise limit. A condition is recommended to ensure that these items are installed as specified in the Assessment to ensure that they would not adversely impact the amenity of neighbours.

8.33 Any other plant and equipment would need to be installed with any necessary noise control measures to ensure that they did not exceed that noise level, either individually or taken cumulatively with other plant and machinery. This can be secured by condition. Subject to such conditions the noise from plant and machinery would not have an adverse impact on amenity.

8.34 The existing permission allows the leisure centre to be open from 5.30am to 11pm Monday to Friday and 7am to 11pm Saturdays, Sundays and Public Holidays. No changes to these opening hours are proposed for leisure uses, however the Council has advised that the leisure centre would need to be available for use outside these hours on occasions, such as for elections and as a rest centre in emergency situations. The previous leisure centre was used for these purposes and it is considered that there would be public benefits from having the facility be available for these occasional uses. It is therefore recommended that the condition limiting hours of operation is varied to allow for the leisure centre to be open outside the specified hours in certain circumstances. Subject to such a condition it is considered that the amenity of the local residents would be provided for.

8.35 The previous permission includes conditions to limit use of the doors of the plant room and pool room to emergency and service/delivery access only. It is considered that these remain necessary to provide for the amenity of neighbouring residents. The service layby proposed on West Street remains in the same location as previously approved and the previous condition limiting delivery and waste collection hours remains necessary for the amenity of neighbouring residents.

### Lighting

- 8.36 The previous permission included a condition requiring details of external lighting to be submitted and these are included in this application. A lighting diagram has been provided which demonstrates that the type, location, number and angle of lighting proposed would not result in any light spill affecting neighbouring residents. Occupiers of the dwellings would however look out towards the lights, which could affect their amenity. Some minor changes are needed to avoid conflict with trees and an amended plan is awaited, however this would move lights further from residential properties so would not increase the impact.
- 8.37 The building lights would be visible from Portland Grove and Chantry Lodge, at a proximity where they could harm the amenity of the residents of those properties. The applicants propose that they would not be illuminated when the leisure centre is not in use, and it is considered that this could be secured by condition. This would provide a reasonable compromise between the safety of those using the leisure centre and routes through to the College and The Lights, and the amenity of local residents.
- 8.38 The height of the glazing on the southern elevation of the swimming pool has been increased, which could result in light escaping from the pool area visible to the properties in Portland Grove. The design of the roof has been amended however so that there is a more horizontal overhang, which would offset this impact somewhat, as would the increased separation distance between the properties. It is considered that the revised design would not have a greater impact on the amenity of residents than the approved scheme in this regard.
- 8.39 The existing street lights to the north and west of the leisure centre are operated by HCC and would not be altered under this proposal. Additional street lights are proposed in this application in the open space to the north of the building and adjacent to the disabled parking area. The proposed street lights would be quite bright and those adjacent the disabled parking area would be visible from parts of Chantry Court, but not from Portland Grove. They would be set well back from West Street, which is lit by street lights, but would appear as a bright area from some of the flats in Chantry Court. The applicant has confirmed that these lights would also be turned off when the Leisure Centre is not in use. This could be secured by condition and would protect the amenity of the area and that of neighbouring residents.
- 8.40 Odour/smoke/gases/air pollution  
The proposal includes a Combined Heat and Power (CHP) plant which could generate air pollution. No changes to the approved scheme are proposed in this respect, and the condition recommended previously remains necessary to provide for the amenity of neighbouring residents.
- 8.41 Summary on amenity  
Subject to the conditions set out above, it is considered that the proposed building and lighting would provide for the privacy and amenity of the residents of Chantry Lodge and Portland Grove and would not result in an adverse impact on general amenity. The proposal would comply with policies E8 and LHW4 of the RLP.



### **Ecology and pollution**

- 8.42 Policy E5 of the RLP permits development that conserves, and where possible restores and/or enhances biodiversity. Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity will not be permitted unless three tests are met, which echo the tests in the Habitats Regulations.
- 8.43 The original application was accompanied by an ecological assessment, which found no protected species using the existing buildings or the trees to be removed. Ecological features and habitats of importance exist to the west along the river corridor, but would not be directly affected by the redevelopment of the leisure centre building itself. The proposed amendments to the design and siting of the building would have no impact on ecology. The amendments to the flood compensation works would not affect any areas of ecological interest.
- 8.44 The building would be sufficiently far from the river that the external lighting proposed on the exterior would not directly affect habitats or species of ecological importance as it has been designed to minimise light spill. The lighting information provided demonstrates that there would be no light spill close to the river. The existing pond to the north of the site would experience some light but only up to 8 lux, which would have no significant impacts.
- 8.45 A Construction Management Plan has been previously approved and put in place, which includes measures to safeguard species and habitats from pollution. This was secured by condition and the condition remains necessary during the construction process to prevent harm to ecology or pollution of the local environment.
- 8.46 The current application contains landscaping details which include replacement tree planting with several specimen trees which will grow to substantial size, along with shrub and bulb planting. This will provide some biodiversity interest to offset that lost through the removal of the trees previously on site.
- 8.47 It is considered that the proposed amendments would not have any direct impacts on ecology and that, subject to conditions, the construction of the building would not harm species or habitats of ecological interest. Opportunities for biodiversity enhancement through new planting can be achieved, and it is considered that the proposal complies with policy E5 of the RLP.

### **Heritage assets**

- 8.48 The application site lies to the west of the Andover Conservation Area. There are a number of Grade II listed buildings along West Street and St Mary's Church lies further west. The church tower is seen in views from Western Avenue and West Street and is partially obscured by the existing buildings. It was previously considered that the approved scheme would not have any significant impact on views of the tower or towards the other heritage assets. The amended scheme now proposed would not have any greater impact than

the approved scheme given the relatively minor changes proposed, and would positively sustain the significance of those assets, as required by policy E9 of the RLP.

### **Contaminated Land**

- 8.49 The original application demonstrated that no remediation was required however a condition was recommended to secure appropriate remediation should any unexpected contamination be found during construction works. This remains necessary as there is still some demolition and construction to undertake. Subject to such a condition the proposal would not result in unacceptable risks to human health and would comply with policy E8 of the RLP in this regard.

### **Community Safety**

- 8.50 Policy CS1 of the RLP permits development that delivers safe, accessible and liveable environments and where the design takes account of the need to reduce the opportunities for crime and anti-social behaviour. The amended scheme provides safe and attractive routes to the leisure centre and through to the College and The Lights. The lighting scheme proposed would provide well-lit areas for pedestrians, cyclists and parking. The site layout and building have been designed to achieve safe and accessible environments and to improve the public realm. As such the proposal would comply with policy CS1.

### **Skills and training**

- 8.51 Policy ST1 of the RLP requires development that would have a significant impact on the labour market to make contributions towards the enhancement of skills training and the provision of apprenticeships within the local community. An Employment and Skills Plan has been submitted and approved previously, and can be secured by condition, such that the proposal would comply with policy ST1.

### **Other matters**

- 8.52 A request has been made by a member of the public to the Secretary of State for Housing, Communities and Local Government to call in the application for his determination. A response is awaited as to whether the Secretary of State will call the application in and the recommendation below reflects this. An update will be provided on this matter in the Update Paper.
- 8.53 Concerns have been raised that the drawings provided may not be an accurate reflection of the building as constructed and that the application lacks dimensions and sectional drawings. Sections have been provided as part of the application and all drawings are to scale, so dimensions can be taken from them. The applicant has confirmed that the planning drawings are taken directly from the construction drawings and that the building has been checked on site and accords with the submitted drawings.
- 8.54 Conditions on previous permissions that have now been discharged are no longer required. The previous permission 17/01435/VARN allowed for removal of all trees within the application site and as such condition 33, which required certain trees within the application site to be retained, is no longer required.

9.0 **CONCLUSION**

9.1 The proposed amendments are partly retrospective and are considered to be minor in the context of the approved scheme. In respect of the building they provide refinements and minor improvements to the design and integrate, respect and complement the character of the area. The revised proposals provide for flood risk compensation, parking and community safety and would not result in any greater impacts on amenity than the approved scheme, subject to conditions. Further work is needed on the lighting and landscaping schemes to co-ordinate and refine these aspects and this can be secured by condition if not resolved before a decision is issued.

9.2 The recommendation below reflects the request to the Secretary of State to call the application in for his consideration, and allows for the final wording of conditions to be agreed once the remaining details are resolved.

10.0 **RECOMMENDATION**

**Delegate to the Head of Planning and Building to grant PERMISSION subject to conditions and notes, subject to the decision of the Secretary of State for Housing, Communities and Local Government in respect of the call in request, and with delegated authority to agree the final wording of conditions.**

1. **The development hereby permitted shall be begun within three years from 31 March 2017.**  
**Reason: To comply with the provision of 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 permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:**  
8229 PL007 C  
8229 PL010 D  
8229 PL011 D  
8229 PL012 B  
8229 PL013 B  
8229 PL014 B  
8229 PL015 C  
8229 PL016 C  
8229 PL020 B  
8229\_L\_9\_020  
L2095/D01 Rev. C7  
4895-C-03 Rev. C1  
BB\_41\_PEL37\_EE1 B1  
BB\_41\_PEL37\_EE2 B1  
L\_24\_010 Rev. C  
L\_24\_011 Rev. C  
**Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **The demolition of the existing buildings on site shall be carried out in strict accordance with the "Safe Method of Work for the Demolition of Swimming Pool and Sports Hall" by John Stacey & Sons Document Reference Number 01/MS/01 Revision 2.**

**Reason: To safeguard the amenity of neighbouring residents and to control pollution from the site in the interests of human health and the natural environment having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 4. The demolition of the existing buildings on site and the construction of the replacement leisure centre hereby permitted shall be carried out in phases in accordance with drawing number 8229 PL007 C "Phasing Plan". The existing fitness and studio facilities shall be retained in accordance with the Phasing Plan until the replacement leisure centre is open for public use. The retained facilities shall be made available for use by the public for the duration of the demolition and construction phases other than during the period of works necessary to construct the temporary façade and install temporary plant.**

**Reason: To ensure provision of some leisure facilities on site to mitigate the impact of the loss of facilities during construction having regard to policy LHW1 of the Test Valley Borough Revised Local Plan 2016.**

- 5. Access for cyclists and pedestrians shall be provided to the retained fitness and studio facilities at all times when those facilities are available for use by the public.**

**Reason: To provide safe access to the retained facilities having regard to policy T1 of the Test Valley Borough Revised Local Plan 2016.**

- 6. The development shall be carried out in accordance with the Environmental Management Plan by Pellikaan received 10th November 2017 and approved under 16/03191/COND6.**

**Reason: To safeguard the amenities of neighbouring residents and sensitive ecological features of the River Anton and adjacent pond during construction having regard to policies E5 and E8 of the Test Valley Borough Revised Local Plan 2016.**

- 7. The construction compound, parking and manoeuvring areas shall be provided in accordance with the details for Phases 2 and 3 as shown on the approved plan 8229 PL007 C.**

**Reason: In the interests of highway safety having regard to policy T1 of the Test Valley Borough Revised Local Plan 2016.**

- 8. During the demolition and construction phases of the development, the following activities shall not take place outside the hours of 0730 - 1800 hrs Monday - Friday (excluding public holidays) and 0800 and 1300 hrs on Saturdays only (excluding public holidays):**

- a) The external operation of any plant, machinery and/or power tool;**
- b) The movement of any Heavy Goods Vehicles (i.e. any vehicle exceeding 3.5 tonnes maximum permissible gross vehicle weight), including all deliveries to and from the site of building materials and waste;**
- c) The movement of plant and machinery to and from site.**

**Reason: To safeguard the amenities of neighbouring residents during demolition and construction having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

9. **No external plant or machinery shall be installed on the retained fitness/studio building during the construction period unless in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the noise performance of the plant or machinery and any noise mitigation measures proposed. The scheme shall be carried out in accordance with the approved details.**  
**Reason: To safeguard the amenities of neighbouring residents from noise from operation of plant and machinery having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**
10. **No fixed plant or machinery shall be operated or brought into operation on the site, other than the 4 no. Combined Supply and Exhaust Air Handling Units and 14 no. Inverter Condensing Units specified in the Noise Impact Assessment 036075 dated 3 December 2018 Revision 00 by Buro Happold, unless a scheme of noise control for that plant or machinery has been installed and is operational as necessary to ensure that the combined BS4142: 2014 'rating level' of noise from all fixed plant and machinery associated with the permitted leisure development (including any other plant or machinery already installed or in operation) shall not, at any time of operation, exceed a level equivalent to 5 dB below the prevailing background noise level, as determined at each of the receptor locations 1 and 2 as indicated in the 3 December 2018 Noise Impact Assessment. The measurements and assessment shall be made according to BS4142: 2014. All noise control and mitigation measures shall thereafter be retained and maintained to be effective in controlling noise during the life of the development, unless otherwise agreed with the Local Planning Authority.**  
**Reason: To safeguard the amenities of neighbouring residents from noise from operation of plant and machinery having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**
11. **No Air Handling Units or Inverter Condensing Units shall be installed other than those specified in the Noise Impact Assessment 036075 dated 3 December 2018 Revision 00 by Buro Happold, unless in accordance with details (including noise control measures) that have first been submitted to and approved in writing by the Local Planning Authority. Those Units specified in the report shall be installed in accordance with the details in that report, including the make, model, specification and location of each Unit. None of the Units shall be operated, or brought into operation, unless the noise mitigation measures specified in that report are in place and are operational. All noise control and mitigation measures shall thereafter be retained and maintained to be effective in controlling noise during the life of the development, unless otherwise agreed with the Local Planning Authority.**  
**Reason: To safeguard the amenities of neighbouring residents from noise from operation of plant and machinery having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 12. All doors on the southern elevation of the building hereby approved shall be fitted with a self-closing mechanism before the leisure centre is first brought into use. All doors on the southern elevation of the building hereby approved (other than the doors to the plant room, HV switch, substation, chemical store and bin store) shall be used as emergency exits only and shall not be left open at any time. Reason: To maintain the acoustic integrity of the building to safeguard the amenities of nearby residents having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**
- 13. The doors to the plant room, HV switch, substation, chemical store and bin store shall only be used as an emergency exit or for servicing and deliveries and shall not be left or kept open at any other time. Reason: To maintain the acoustic integrity of the building to safeguard the amenities of nearby residents having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**
- 14. The leisure centre hereby approved hereby permitted shall not be open for business other than between the hours of 05:30 to 23:00 Monday to Friday and 07:00 to 23:00 Saturdays, Sundays and Public Holidays except for when in use for elections, as a rest centre or for other emergency purposes, unless otherwise agreed in writing by the Local Planning Authority. Reason: To safeguard the amenities of neighbouring residents from noise and disturbance having regard to policies E8 and LHW4 of the Test Valley Borough Revised Local Plan 2016.**
- 15. Other than the lighting hereby approved, as shown on drawings BB\_40\_PEL37 ELL.F. BB\_40\_PEL37 EE Rev. B1 and BB\_40\_PEL37 EE2 Rev. B1 no external lighting shall be installed on the building hereby approved (including within or under the covered walkway and entrance canopy), or within the application site, unless in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the location, number, specification and angle of installation of all lights, and details of light spill. The design of the external lighting shall have regard to the Institution for Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light (GN01: 2011). Reason: To safeguard the amenities of neighbouring residents and the character of the local area from light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**
- 16. No new external lighting hereby approved within the application site (including on the exterior of the building) shall be illuminated later than one hour after the leisure centre is closed to the public or earlier than half an hour before the leisure centre is open to the public on any day, and in any case shall not be illuminated before 05:30 or after 23:00 Monday to Friday or before 07:00 or after 23:00 Saturdays, Sundays and Public Holidays except for when in use for elections, as a rest centre or for other emergency purposes, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To safeguard the amenities of neighbouring residents and the character of the local area from light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 17. No deliveries to the leisure centre hereby approved by heavy goods vehicles or any commercial waste collections from the leisure centre shall take place outside the hours of 07:30 to 18:00 hrs weekdays (excluding public holidays) and 08:00 to 18:00 hrs Saturdays. No deliveries by heavy goods vehicles or any commercial waste collections shall take place on Sundays or public holidays.**

**Reason: To safeguard the amenities of neighbouring residents from noise and disturbance having regard to policies E8 and LHW4 of the Test Valley Borough Revised Local Plan 2016.**

- 18. Other than those shown on the approved plans, no extract or ventilation equipment (including flues) shall be installed on the exterior or roof of the building unless in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specifications of the equipment, drawings and/or plans of its location, the colour and finish of all exterior surfaces.**

**Reason: To safeguard the amenities of neighbouring residents and the character of the local area from pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 19. Other than the details approved under approval 17/01435/COND17 on 20 July 2018, no external lighting shall be installed or erected within or around the construction compound unless in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the location, number, specification and angle of installation of all lights, details of light spill and an assessment of the impact of the lighting on bats.**

**Reason: To safeguard protected species from disturbance resulting from artificial light having regard to policy E5 of the Test Valley Borough Revised Local Plan 2016.**

- 20. No combustion plant where the single or combined emission rate of nitrogen oxides will be greater than 5mg/second (see Table 6.2, Row 7 of the Institute of Air Quality Management publication dated January 2017 'Land-use Planning & Development Control: Planning for Air Quality') shall be installed until verification has been submitted to the Local Planning Authority that the proposed stack height is appropriate for the setting. The combustion plant shall thereafter be installed in accordance with the submitted details.**

**Reason: In the interests of safeguarding air quality having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 21. In the event that contamination that was not previously identified is found at any time during demolition or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been submitted to**

and approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the leisure centre hereby permitted being brought in to use.

**Reason:** To protect human health from risk of contamination having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.

22. The development shall be carried out in accordance with the Employment and Skills Plan approved under approval 17/01435/COND20 on 20 July 2018.

**Reason:** To mitigate the impact of the development on the labour market and to contribute to the enhancement of skills training and the provision of apprenticeships within the local community in accordance with policy ST1 of the Test Valley Borough Revised Local Plan 2016.

23. No construction above slab level of the leisure centre hereby permitted shall take place until a minimum of 5 standard car parking spaces, 2 accessible car parking spaces and 4 cycle parking spaces have first been provided in accordance with the details shown for Phase 1 on the approved phasing plan 8229 PL07C. Those spaces shall be made available for parking for staff and visitors to the retained fitness and studio facilities until the replacement leisure centre is open to the public for business.

**Reason:** In the interests of highway safety having regard to policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016.

24. The leisure centre hereby permitted shall not be open to the public for business unless a minimum of 14 standard car parking spaces, 6 accessible parking spaces and 47 cycle parking spaces have first been provided in accordance with the details shown for Phase 3 on the approved phasing plan 8229 PL07C. Those spaces shall be made available for parking of cars at all times until alternative parking provision has been completed pursuant to condition 24 of this permission.

**Reason:** In the interests of highway safety having regard to policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016.

25. Unless within 6 months of the date that the leisure centre is open to the public for business 14 standard car parking spaces, 6 accessible car parking spaces and 47 cycle parking spaces have been provided in accordance with the approved site plan 8229 PL010 D, the use of the leisure centre by the public shall cease until such time as the spaces have been implemented and made available for use. Those spaces shall thereafter be permanently retained and made available for parking of cars.

**Reason:** In the interests of highway safety having regard to policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016.

26. The leisure centre hereby permitted shall not be open to the public for business until a Travel Plan has first been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include an action plan setting out details of:



- a) survey methodology;
- b) measures and targets;
- c) timescales, including timescales for implementation of each measure;
- d) the funding available to support and promote the measures in the travel plan;
- e) a Travel Plan co-ordinator responsible for promotion and monitoring the measures and targets;
- f) the frequency of review of the measures and targets
- g) procedures for monitoring;
- h) the process for amending or altering the Travel Plan periodically to ensure that it is relevant and up to date.

The Travel Plan shall be implemented in accordance with the approved details within 6 months of the leisure centre hereby permitted first opening to the public.

Reason: To ensure that measures are in place to minimise the impact of the development on the highway network having regard to policy T1 of the Test Valley Borough Revised Local Plan 2016.

27. The leisure centre hereby permitted shall not be occupied or brought into use until a layby has first been provided on West Street for deliveries, servicing, customer pick-up and drop-off, and informal crossing arrangements have been provided on the north side of West Street, in accordance with the approved plans or subject to such amendments as are required by the Highway Authority under any agreement or licence with that authority.

Reason: In the interests of highway safety having regard to policy T1 of the Test Valley Borough Revised Local Plan 2016.

28. The surface water drainage scheme hereby approved shall be implemented in full in accordance with the Flood Risk Assessment by GTA Civils Ltd, 3rd Issue dated 26 September 2018 and shall thereafter be maintained and managed in perpetuity in accordance with the details set out in the Surface Water Drainage Maintenance Schedule Rev. B by Furness Partnership hereby approved.

Reason: To safeguard the development from surface water flooding and to ensure that the development does not contribute to flood risk elsewhere having regard to policy E7 of the Test Valley Borough Revised Local Plan 2016.

29. The development shall be carried out in accordance with the schedule of materials and finishes approved under approval 17/01435/COND29 on 2 January 2018.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Policy E1 of the Test Valley Borough Revised Local Plan 2016.

30. The development shall be carried out in strict accordance with the provisions of the Flood Risk Assessment by GTA Civils Ltd, 3rd Issue dated 26 September 2018.

Reason: To safeguard the development from flood risk and to ensure that the development does not contribute to flood risk elsewhere having regard to policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 31. Notwithstanding the indicative landscaping scheme shown on the approved plans, the leisure centre hereby approved shall not be occupied or brought into use until a detailed hard and soft landscaping scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:**
- a) proposed finished levels or contours;**
  - b) means of enclosure;**
  - c) hard surfacing materials;**
  - d) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);**
  - e) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.);**
  - f) planting plans;**
  - g) written specifications (including cultivation and other operations associated with plant and grass establishment);**
  - h) schedules of plants and trees, noting species, plant sizes and proposed numbers/densities, the number of trees to include at least one replacement tree for each tree that has been removed from the application site**
  - i) a method statement for the construction of the tree mound;**
  - j) a programme of implementation.**

**The landscape works shall be carried out in accordance with the approved details and the implementation programme.**

**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.**

- 32. The leisure centre hereby approved shall not be occupied or brought into use until a schedule of landscape maintenance for a minimum period of 10 years following completion of the landscaping has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise. Development shall be carried out in accordance with the approved schedule.**

**Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016.**

- 33. The tree protective measures shown on drawing 26720-R1 approved under 16/03191/COND34 on 26th May 2017 shall be maintained and retained in accordance with the approved details for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier(s).**

**Note:** The protective barriers shall be as specified at Chapter 6.2 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with policy E2 of the Test Valley Borough Revised Local Plan 2016.

34. The development shall be designed and built so that it achieves a standard equivalent to Building Research Establishment's Environmental Assessment Method (BREEAM) 'excellent' credit required for water consumption (reference Wat 1). The development shall not be occupied until written evidence demonstrating that this level of water consumption is achieved for the development has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

**Note:** Evidence of a suitable BREEAM certificate or written evidence by a BREEAM accredited professional would both be potentially appropriate forms of submission.

**Notes to applicant:**

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
  2. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All demolition work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
  3. Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact [highways.development.control@hants.gov.uk](mailto:highways.development.control@hants.gov.uk)
-