

## **PLANNING COMMITTEE: MINUTES**

Date: Thursday 10<sup>th</sup> September 2015

Time: 10.05am – 11.15am

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors, D Connor (Chairman), L Harford, R Henson, W Hunt, S Kindersley, A Lay, M Loynes, M Mason, P Sales and M Smith (Vice-Chairwoman)

### **138. APOLOGIES AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors P Ashcroft (Councillor Henson sub), B Ashwood and J Scutt (Councillor Sales sub).

There were no declarations of interest.

### **139. MINUTES – 23<sup>RD</sup> JULY 2015**

The minutes of the Planning Committee meetings held on 23<sup>rd</sup> July 2015 were agreed as a correct record and signed by the Chairman.

### **140. DEMOLITION OF SPORTS CENTRE AND CONSTRUCTION OF NEW EDUCATION CAMPUS COMPRISING SECONDARY, PRIMARY (INCLUDING PRE-SCHOOL) & SPECIAL EDUCATIONAL NEEDS SCHOOLS; SPORTS FACILITIES INCLUDING PLAYING FIELDS; SUPPORTING INFRASTRUCTURE INCLUDING VEHICULAR & PEDESTRIAN ACCESS, PARKING, LANDSCAPING; NEW LEISURE CENTRE; TEMPORARY CONSTRUCTION ACCESS.**

**AT: SPORTS AND LEISURE CENTRE, CAMEL ROAD, LITTLEPORT**

**LPA REF: E/3004/15/CC**

**FOR: CAMBRIDGESHIRE COUNTY COUNCIL**

The Committee considered an application for the demolition of a sports and leisure centre in Littleport to make way for the construction of a new education campus comprising of secondary, primary (including pre-school) and special educational needs schools.

Officers highlighted to Members that it would be a large development and significant for a community the size of Littleport. Construction traffic would not pass through the community of Littleport and that the Scout Hut would remain in situ. Attention was drawn to the vehicular access to the Special Educational Needs School that was currently an Anglian Water pumping station.

Officers informed the Committee that a small number of objections to the development had been received regarding traffic, highways and the ongoing provision for community use of the facilities. Traffic calming measures were planned for Wisbech Road and it was recommended that a robust travel plan be developed. It was highlighted that Sport England were satisfied with the proposed access to the sports facilities.

Members' attention was drawn to draft planning conditions 7, 9, 10, 11, 28 and 29 that had been revised since the report had been published.

On behalf of the applicant, Lisa Skinner from Alliance Planning and the architect of the development spoke in support of the application. They informed Members that the proposed development would bring significant regeneration to the Littleport area. They confirmed that the existing sports and leisure centre would remain open during the construction of the new facilities and that they would be run by the Littleport Leisure Trust and not the school with no indication that the pricing structure would change. The buildings were flexible and offered joint use possibilities. For the design and construction of the buildings, agricultural forms had been used in sympathy with the local area and external building materials had been selected for durability. A Building Research Establishment Environmental Assessment Methodology (BREEAM) rating of very good was being targeted for the construction of the buildings and waste during the construction was being minimised. The efficiency of the heating system and water efficient fixtures and fittings were highlighted to Members.

In response to Members questions the applicant:

- Confirmed that the bulk of facilities would be leased to the Parish Council and would be controlled by the Littleport Leisure Trust. The second sports hall, tennis courts and some of the playing fields would be run by the school. Facilities had to be viable, and work had been completed to ensure they were. The new facilities were better with competition level courts available for the community.
- Explained that the erection of close boarded fencing for noise mitigation purposes did not form part of the proposal.
- Provided reassurance that only children with Special Educational Needs would be dropped off via the Elmside access and there was no intention for children to be picked up or dropped off on Elmside itself.
- Confirmed that the Scout Hut would be retained in its present position and that a memorandum of understanding covered their use of facilities.
- Explained further that the Elmside access was required to serve the Special Educational Needs (SEN) School and that it was only to be used for SEN School access and deliveries. The SEN children generally arrived at school by minibus or taxi and Elmside was only to be used to access the car park. The Elmside access was also required in case of emergency. It was explained that a lot of work had been undertaken regarding access. The children who would be utilising the SEN School access via Elmside were often very disabled and the access was developed with these children in mind and to avoid the mixing of traffic at the Camel Road access. Officers highlighted condition 17 of the report that covered access to the site.

The Member for Ely North and East, Councillor Michael Rouse spoke in support of the application. He informed Members that the proposed Littleport School was a key development. The schools complex was essential for the economic development of the Littleport area. Littleport had good transport links being on the A10, and had rail links. Councillor Rouse highlighted to Members that the closure of the secondary school in Littleport in the 1980's had affected the town and the proposed development was essential to make youngsters proud of Littleport. The importance of giving certainty to Ely schools in terms of dates because they needed to make plans was emphasised by Councillor Rouse. Members were urged to support recommendation.

During discussion of the report:

- Members congratulated officers and the applicants on the application and thanked Councillor Rouse for his comments.
- A Member commented that Littleport lost its heart when it lost its secondary school and as a result children became Ely centric, this development would change that. There would be more space at schools in Ely which would allow Ely to provide a better A-level offering and pressure would be relieved on other Further Education establishments.
- Members questioned the cost of the pumping station being moved and whether the capacity of the pumping station was able to manage increase demand from new housing developments. Officers explained that Anglian Water had confirmed there was sufficient capacity to manage the increased demand from the proposed school development. Officers reminded Members that the wider development of Littleport was outside of the application placed before Members. Those developments would have to ensure that they met drainage requirements as part of their applications.
- Concern was raised over condition 7 of the application being relaxed. It was confirmed that the developer had been working with Anglian Water on a foul water strategy.
- Councillor Hunt proposed that a recommendation be added that was seconded by the Chair to ensure that the high level of co-operative work between the applicants East Cambridgeshire District Council, Littleport Parish Council and the Leisure Trust continued.
- A Member expressed the view that the school should not be accessed via Elmside and the proposed footprint of the school should be moved in order that the existing leisure centre could be refurbished and therefore reduce the overall cost of the project.

It was resolved to:

- a) Grant planning permission subject to the conditions set out in appendix 1 of these minutes.
- b) Ensure that the close co-operative work between the applicants, East Cambridgeshire District Council, Littleport Parish Council and the Leisure Trust continued.

## **141. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS**

The Committee received a report on decisions made under delegated powers between 13<sup>th</sup> July 2015 and 1<sup>st</sup> September 2015.

The Committee resolved to note the report.

## **142. BLOCK FEN DROVE UPDATE**

At the discretion of the Chairman, officers provided the Committee with an update regarding Block Fen Drove. Officers had commissioned the advice of Counsel who had requested

further information. A teleconference was scheduled to discuss the possibility of commencing litigation proceedings against the various companies who had breached the conditions associated with the planning permissions to obtain compliance. Officers advised that it may be necessary to call an extraordinary meeting of the Planning Committee.

**142. DATE OF NEXT MEETING: THURSDAY 15<sup>th</sup> OCTOBER 2015**

Chairman

**E/3004/15/CC**Time limit

1. The development hereby permitted shall be commenced not later than three years from the date of this permission.

*Reason: In accordance with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.*

Approved Plans

2. The development hereby permitted shall not proceed except in accordance with the details set out in the application documents as amended by the conditions of this decision notice and the following drawings:

- LSH0006 Rev B dated 20/04/15 Site Plan;
- 1325/LL/107 Rev P3 Site Masterplan dated 24/07/15;
- 1325/LL/105 Rev P5 Northern Layout Plan dated 24/07/15;
- 1325/LL/106 Rev P4 Southern Layout Plan dated 21/02/15 (as amended by drawing extract showing 5m wide shared footpath submitted with WYG letter dated 17/07/2015);
- 1325/LL/104 Rev P4 Camel Road Access Road Plan dated 23/03/15;
- 1325/LL/111 Rev P1 Cycle and Parking Layout dated 16/07/15;
- 1325/LL/117 Rev P0 Cycle Provision dated 15/07/2015;
- MMD-330763-C-DR-00-XX-5050 Rev P2 Byway Crossing Proposal dated 18.04.15 (as amended by drawing extract showing 5m wide shared footpath submitted with WYG letter dated 17/07/2015);
- MMD-330763-C-DR-00-XX-0550 Rev P5 Wisbech Road Traffic Calming General Arrangement dated 03.06.15;
- 1325/LL/112 Rev P0 Sports Pitch Layouts dated 25/06/2015;
- 1325/LP/301 Rev P3 Planting Master Plan dated 23/04/15;
- LCS-ATK-BW-00-DR-A-(20)-001 Rev 13 Proposed Ground Floor Plan MS3.1 Submission dated 27.04.15 (as amended by drawing extracts submitted with WYG letter showing amended layout of secondary and SEN schools entrance areas dated 17/07/2015);
- LCS-ATK-BW-01-DR-A-(20)-101 Rev 11 Proposed First Floor Plan MS3.1 Submission dated 27.04.15;
- LCS-ATK-BW-02-DR-A-(20)-201 Rev 10 Proposed Second Floor Plan MS3.1 Submission dated 27.04.15;
- LCS-ATK-BW-03-DR-A-(20)-301 Rev 8 Proposed Roof Plan MS3.1 Submission dated 27.04.15;
- LCS-ATK-BW-ZZ-DR-A-(23)-004 Rev 3 Proposed Elevations – Sheet 1 dated 27.04.15;
- LCS-ATK-BW-ZZ-DR-A-(23)-005 Rev 3 Proposed Elevations – Sheet 2 dated 27.04.15;
- LCS-ATK-BW-ZZ-DR-A-(23)-006 Rev 3 Proposed Sections through building dated 27.04.15;
- MMD-330763-E-DR-00-XX-2701 Rev P2 Electrical Services External Lighting Layout MS 4.0 Nov 2015 dated Apr 2015 except insofar as it is superseded by the requirements of condition 22; and
- 1325/AL/702 Rev P0 Tree Protection Plan dated 21/04/2015.

*Reason: To enable the planning authority to control the development that has been permitted.*

Construction Environmental Management Plan

3. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall propose mitigation measures for the control of pollution (including, but not limited to, noise, dust, vibration and lighting) during the construction and demolition phases. The approved CEMP shall be complied with at all times during the construction and demolition phases.

*Reason: To protect the amenities of the occupants of nearby residential properties in accordance with policy ENV9 of the East Cambridgeshire Local Plan (April 2015). The CEMP relates to the construction phase so must be in place before development starts.*

Prevention of water pollution

4. No development shall commence until a scheme for the provision and implementation of pollution control of the water environment has been submitted to and agreed in writing by the County Planning Authority. The approved scheme shall be carried out concurrently with the development and completed prior to its first occupation.

*Reason: To prevent the increased risk of pollution to the water environment in accordance with policy ENV9 of the East Cambridgeshire Local Plan (April 2015). The pollution control measures relate in part to the construction phase so must be in place before development starts.*

Construction noise, vibration and dust

5. No construction, or demolition work, or collections from, or deliveries to, the site shall take place other than between the hours of:-

0800 to 1800 on Mondays to Fridays; and  
0800 to 1300 hours on Saturdays.

Additionally, no construction, or demolition work, or collections from, or deliveries to the site shall take place on Sundays, Bank or Public Holidays.

*Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties in accordance with policies ENV2 and ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Surface water drainage

6. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) dated February 2015 revision C by Mott MacDonald and in particular the following mitigation measures detailed within the FRA:-
- i) Flood resistant and resilient measures other than finished floor levels to 1.40m above Ordnance Datum (AOD);
  - ii) Finished floor levels for critical infrastructure are set no lower than 1.40 m AOD; and
  - iii) Finished floor levels for non-critical infrastructure are set no lower than 0.40 m AOD.

*Reason: To reduce the risk of inundation by floodwaters in accordance with policies ENV2 and ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Foul water drainage

7. Within six months of the commencement of development a foul water drainage strategy shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be carried out concurrently with the development and completed prior to its first occupation.

*Reason: To prevent environmental and amenity problems arising from flooding in accordance with policy ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Contaminated land

8. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it shall be reported in writing to the County Planning Authority within 24 hours.

No further development shall be carried out until the developer has submitted in writing a remediation strategy to the County Planning Authority detailing how this contamination shall be dealt with; and written approval has been obtained to the remediation strategy required by this condition, from the County Planning Authority.

The development hereby permitted shall not be occupied until the approved remediation strategy has been implemented in full. Within one month of completion of the measures identified in the approved remediation strategy a verification report shall be submitted to the County Planning Authority.

*Reason: To protect and prevent the pollution of controlled waters from contaminated land in accordance with policy ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Sports centre

9. The existing sports centre shall remain available for use until the replacement facilities have been completed and made available for use.

*Reason: To ensure that the community have continued access to sports facilities in accordance with policy COM3 of the East Cambridgeshire Local Plan (April 2015).*

Playing field

10. The secondary school shall not be first occupied until a scheme for the improvement and maintenance of playing field drainage, based upon the assessment of the existing playing field quality, and including an improvement and maintenance implementation programme, has been submitted to and approved in writing by the County Planning Authority. The approved scheme shall be carried out in accordance with the implementation programme as agreed.

*Reason: To ensure the quality of pitches is satisfactory and that they are available for use before intensification of use in accordance with policy COM3 of the East Cambridgeshire Local Plan (April 2015).*

Sports facilities

11. Within 6 months of the first occupation of the secondary school a community use scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall cover community access to the schools and the indoor and outdoor facilities and shall include details of pricing policy, hours of use, access by non-school users and non-members, management responsibilities and a

mechanism for review. The development shall not be used other than in strict compliance with the approved agreement.

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport in accordance with policy COM3 of the East Cambridgeshire Local Plan (April 2015).*

Construction access

12. The temporary vehicular access road shown as item A on Morgan Sindall Site Layout Plan drawing no LPS\_01 dated 17/07/2014 shall be removed and the land restored in accordance with condition 13 within 3 months of first occupation of the development.

*Reason: To ensure that the playing fields are not permanently affected by the development in accordance with policy COM3 of the East Cambridgeshire Local Plan (April 2015).*

13. No development, including the temporary access road referred to in condition 12, shall commence until a plan showing how the existing playing fields will be protected during the construction phase has been submitted to and approved in writing by the County Planning Authority. The plan shall ensure that existing pitches are not adversely affected by the construction proposals, including the maintenance of adequate run-off areas and shall give details of restoration of any areas of playing field affected by the construction proposals. The approved plan shall be implemented in full until the construction access has been decommissioned.

*Reason: To ensure existing sports facilities, including playing fields are not adversely affected during the construction phase and to ensure any areas affected are restored in accordance with submitted details in accordance with policy ENV9 of the East Cambridgeshire Local Plan (April 2015). This plan relates to the construction phase so must be in place before development starts.*

Plant noise (operational phase)

14. The specific rated noise level of plant noise emitted from the site shall not exceed the existing background noise level or 35dBA, whichever is the higher, at the boundary of the nearest residential property. The noise levels shall be measured and/or calculated at the boundary of the nearest residential property. The measurements and assessment shall be made in accordance with BS4142:2014.

*Reason: To protect the amenity of local residents in accordance with policies ENV2 and ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Noise impact of external sports and play areas

15. The sports and play areas shown coloured yellow on drawing no C15 attached to this decision notice shall not be used other than within the following times:

08:00 – 20:00 each day Monday – Friday

08:00 – 18:00 on Saturdays

09:00 – 16:00 on Sundays and Bank Holidays

*Reason: To avoid unreasonable disturbance to nearby residential properties in accordance with policies ENV2 and ENV9 of the East Cambridgeshire Local Plan (April 2015).*

Highway improvements

16. The development shall not be first occupied until the improvements to Wisbech Road



shown on drawing no MMD-330763-C-DR-00-XX-0550 Rev P5 have been implemented in full.

*Reason: In the interests of highway safety in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan (April 2015).*

#### Travel Plan

17. Within 12 months of first occupation of the development a full Travel Plan shall be submitted to and approved in writing by the County Planning Authority. The Travel Plan shall include:-

- i) measures to restrict pupil drop off and pick up other than within the designated spaces within the school and particularly on Elmside and Wisbech Road;
- ii) measures to monitor its effectiveness;
- iii) measures to remediate failures to comply with its objectives; and
- iv) measures to assess the need for more cycle parking spaces before the 5<sup>th</sup> form of entry to the secondary school.

The approved travel plan shall be implemented in accordance with the timescales set out within the approved document.

*Reason: To ensure the safe and efficient operation of the highway and promote sustainable travel in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan (April 2015).*

#### Bats

18. No demolition of the pumping station building shall take place until a check for roosting bats has been made by a competent ecologist. A report of the ecologist's check shall be submitted to the County Planning Authority within 2 weeks of the check taking place. The mature willow trees located immediately north of the pumping station building shall not be removed unless they have first been checked for the presence of bats by a competent ecologist. A report of the ecologist's check shall be submitted to the County Planning Authority within 2 weeks of the check taking place.

*Reason: In the interests of a protected species in accordance with policy ENV7 of the East Cambridgeshire Local Plan (April 2015).*

#### Breeding birds

19. No removal of hedgerows or trees shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken
- a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared; and
  - provided written confirmation to the County Planning Authority prior to the removal of any vegetation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

*Reason: To protect breeding birds in accordance with policy ENV7 of the East Cambridgeshire Local Plan (April 2015).*

#### Bird and bat boxes

20. The development shall not be occupied until no fewer than 3 bird boxes and two bat boxes have been installed in locations and of designs that have been agreed in writing with the County Planning Authority.

*Reason: In the interests of enhancing biodiversity on the site in accordance with policy ENV7 of the East Cambridgeshire Local Plan (April 2015).*

Construction trenches

21. All construction trenches shall be covered overnight or a means of escape provided for any hedgehogs (or other mammals or reptiles) that may have become trapped. Areas of scrub shall be hand-searched prior to mechanical clearance to ensure no hedgehogs are present.

*Reason: To protect wildlife in accordance with policy ENV7 of the East Cambridgeshire Local Plan (April 2015).*

Foot and cycle path lights

22. No lights shall be erected on the shared foot and cyclepath parallel to Black Bank Drove until a scheme has been submitted to and approved in writing by the County Planning Authority, which demonstrates that lighting LUX levels have been reduced either via re-positioning of the proposed lighting units or through appropriate baffling/directional methods away from the boundary trees. The lighting shall only be installed and retained in full accordance with the details of the approved scheme.

*Reason: Black Bank Drove is an important bat commuting/foraging corridor route in accordance with policy ENV7 of the East Cambridgeshire Local Plan (April 2015).*

Replacement tree planting

23. If within a period of 5 years from the date of planting of any tree or shrub, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, becomes in the opinion of the County Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the same place, unless the County Planning Authority gives its written consent to any variation.

*Reason: In the interests of landscape character and nature conservation in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan (April 2015).*

Materials

24. No external walls or roofs shall be constructed until details of the colours and finishes of the materials has been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason: To enable the planning authority to control the development in the interests of the visual amenity of the neighbourhood in accordance with policy ENV2 of the East Cambridgeshire Local Plan (April 2015).*

Fire hydrant

25. No part of the development hereby permitted shall be occupied until a scheme for the provision of water supply and fire hydrant necessary for fire fighting purposes at the site has been submitted to and approved in writing by the County Planning Authority

*Reason: To ensure that there is a sufficient and accessible water supply for fire-fighting in accordance with policy ENV2 of the East Cambridgeshire Local Plan (April 2015).*

26. The development shall not be occupied until fire hydrants have been provided in accordance with the scheme approved in writing by the County Planning Authority under condition 25.

*Reason: To ensure that there is a sufficient and accessible water supply for fire-fighting in accordance with policy ENV2 of the East Cambridgeshire Local Plan (April 2015).*

External lighting

27. With the exception of security lighting shown on drawing no MMD-330763-E-DR-00-XX-2701 Rev P2 Electrical Services External Lighting Layout MS 4.0 Nov 2015 dated Apr 2015 no external lighting shall be used except between 0700 and 2300 hours.

*Reason: To protect the amenity of local residents in accordance with policy ENV2 of the East Cambridgeshire Local Plan (April 2015).*

BREEAM

28. within 6 months of the commencement of development:

i) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of no less than 7 credits in Ene01 Reduction of CO2 Emissions and no less than 2 credits in Wat01 Water Consumption of relevant BREEAM assessment within overall 'Very Good' shall be submitted to the County Planning Authority; and

ii) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating no less than 7 credits in Ene01 Reduction of CO2 Emissions and no less than 2 credits in Wat01 Water Consumption of relevant BREEAM assessment within overall 'Very Good' shall be submitted to, and approved in writing by, the County Planning Authority. A completed pre-assessment estimator will not be acceptable.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with policies ENV2 and ENV4 of the East Cambridgeshire Local Plan (April 2015).*

29. Within one year of first occupation of the development hereby approved a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the part of the development to which it relates has achieved a BREEAM rating no less than 7 credits in Ene01 Reduction of CO2 Emissions and no less than 2 credits in Wat01 Water Consumption of relevant BREEAM assessment within overall 'Very Good' shall be submitted to, and approved in writing by, the County Planning Authority.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with policies ENV2 and ENV4 of the East Cambridgeshire Local Plan (April 2015).*

Flood Plan

30. The development hereby permitted shall not be first occupied until a Flood Plan, which shall include an appropriate method of flood warning and evacuation, has been submitted to and approved in writing by the County Planning Authority. The approved scheme shall be undertaken concurrently with the development and implemented in full prior to its first occupation.

*Reason: To ensure the safe use of the development in extreme circumstances in accordance with policy ENV2 of the East Cambridgeshire Local Plan (April 2015).*