

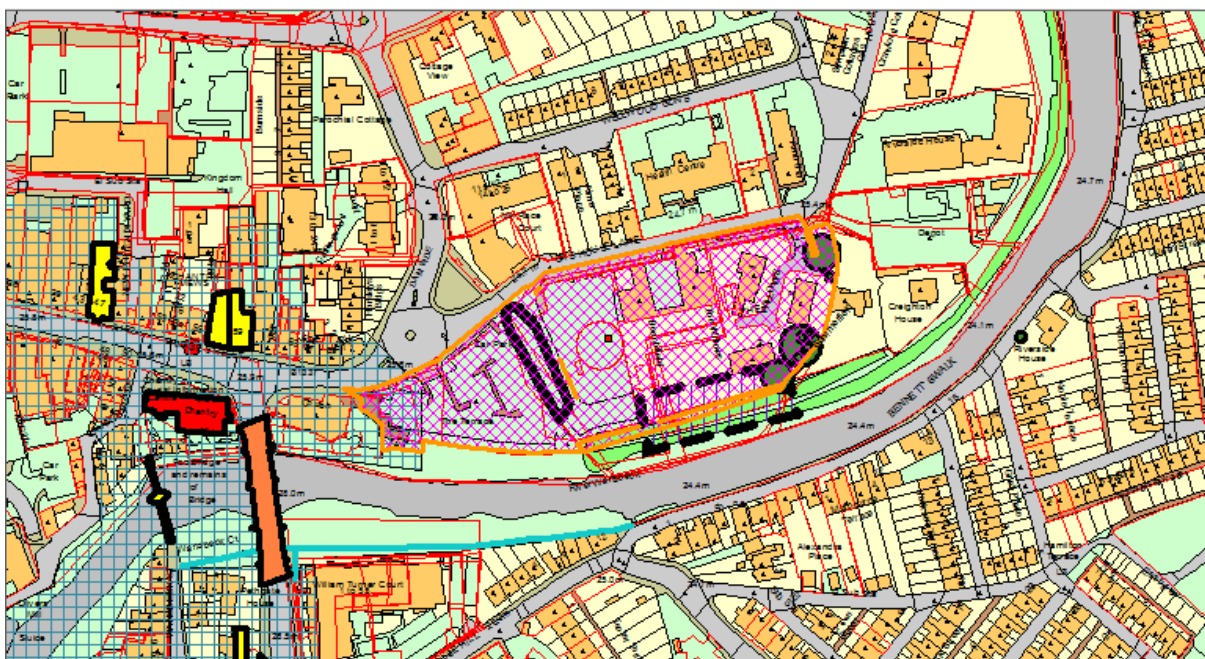


# Northumberland County Council

## STRATEGIC PLANNING COMMITTEE 7 APRIL 2020

<b>Application No:</b>	19/04235/CCD		
<b>Proposal:</b>	Construction of new leisure and community centre with associated parking, pedestrian access, landscaping and public realm.		
<b>Site Address</b>	Car Park On Former Library Site, Gas House Lane, Low Stanners, Morpeth Northumberland		
<b>Applicant:</b>	Northumberland County Council C/o Agent (Mrs Jo Robison), DPP, Milburn House, Dean Street Newcastle Upon Tyne NE1 1LF	<b>Agent:</b>	Mrs Jo Robison Milburn House, Dean Street, Newcastle Upon Tyne, NE1 1LF
<b>Ward</b>	Morpeth North	<b>Parish</b>	Morpeth
<b>Valid Date:</b>	29 October 2019	<b>Expiry Date:</b>	28 January 2020
<b>Case Officer Details:</b>	Name: Judith Murphy Job Title: Principal Planning Officer Tel No: 01670 622640 Email: <a href="mailto:judith.murphy@northumberland.gov.uk">judith.murphy@northumberland.gov.uk</a>		

**Recommendation:** That members are minded to APPROVE this application subject to conditions.



## 1.Introduction

1.1 This application is brought to the Planning Committee given the strategic nature of the proposals and as Advance Northumberland is the applicant.

## 2. Description of Proposals

- 2.1 Full planning permission is sought for the construction of a new leisure and community centre with associated parking, pedestrian access, landscaping and public realm. The facility will incorporate a 6 lane pool, learner pool, spectator gallery, spa facilities, a 4-court sports hall, a gym/fitness suite and studios, a café area, soft play as well as key public services including a library, customer services and adult learning services.
- 2.2 The facility would replace the current Riverside Centre, which is in need of extensive investment to provide suitable and sufficient sport and leisure facilities for the town's current and projected population. The building requires substantial subsidy from Northumberland County Council to operate and the centre's footprint is one of the smallest in the County. The size limitations coupled with its poor layout and ageing installations means that the Morpeth Riverside Leisure Centre is no longer considered fit for purpose as a modern sports and leisure facility.
- 2.3 The application site extends to 1.1ha and is located within the Morpeth settlement boundary and town centre boundary. It is bound by the River Wansbeck to the south and to the north by Gas House Lane. It currently comprises an informal surface car park (on the site of the former library building). Two Victorian red brick buildings and three bungalows have recently been demolished on site. There are mature trees along the western and southern site boundary as well as 3 trees to the eastern boundary which are protected by TPO's.
- 2.4 The site sits to the north of the River Wansbeck and is within Flood Zone 3. Flood defences are in place along this part of the river in the form of a flood wall and bund.
- 2.5 The site is highly accessible via public transport, car, foot and bicycle. Morpeth train station lies to the south with the nearest bus stop located on Damside 100m from away. The main bus station also lies in close proximity.
- 2.6 The Proposed Development would consist of the following components:
- Café with external seating
  - Soft play area
  - Customer Services
  - Library with group room
  - Sports Hall
  - 6-lane 25m swimming pool
  - Leaner pool with moveable floor
  - Wet and dry change facilities
  - Spin studio
  - 2 multi-purpose studios

- Fitness suite
- Spa
- Poolside spectator seating
- Library
- Library garden
- Adult learning services comprising 3 classrooms and a cookery room

- 2.7 Overall, the building would have a GIA of 5990sqm arranged over three-storeys, occupying a building footprint of 3630sqm. The building would be arranged around an open plan 'street space' from which the various functions would be accessed. This space runs along a curving south elevation, which would allow views over a landscaped library garden.
- 2.8 The ground floor would comprise of the swimming pools, sports hall, wet/dry change areas, café and soft play, customer service facilities, library and ancillary office/store rooms. The building would be accessed from the south western corner which leads visitors into the street space.
- 2.9 The first floor would comprise level 2 of the library, the fitness suite, spin studio and 2 studio rooms, spa, change facilities and spectator seating for the pool area below as well as ancillary store rooms.
- 2.10 The third floor would comprise the adult learning facilities. Locating these on the third floor keeps them separate from the noisier leisure and sport facilities but they are still easily accessible from the main entrance area via the lifts and stairs.
- 2.11 Externally, visitor car parking would be located to the west of the building and a pedestrian boulevard would be incorporated to provide enhanced pedestrian connectivity from Bridge Street into the Site. A separate staff parking area would be located to the east of the building. A landscaped garden area is also proposed to the south of the building.
- 2.12 In terms of materials, brick has been selected for the north facing elevation. This would be broken down into a rhythm of full height projecting brick panels to the sports hall which decrease in width over the length of the elevation to a series of slender piers. The solidity of the brick would be interspersed with a softer palette of vertical slots of green wall with timber fins at high level.
- 2.13 Glazing would be provided at a low level along the length of the pool hall. The height of the glazing would then increase to double height to the west elevation with timber fins proposed in front of the glass.
- 2.14 The street space would be wrapped in full height silicone jointed curtain walling with the south facing glazing offered solar protection via an external 'veil' of perforate metal supported off an external colonnade. The intent is to brand this feature with a CNC cut artwork to add interest and to create an irregular play of dappled light internally to mimic the effect of sunlight filtering through a tree canopy.
- 2.15 The top floor accommodation would be contained in a perforate metal clad box sitting next to the perforate screening which is proposed to surround and screen the rooftop plant compounds. To the south an irregular shaped

classroom would be wrapped in the same curved timber cladding as the back wall to the internal street below.

2.16 The following documents have been submitted in support of the application:

- Archaeological Desk Based Assessment
- Archaeological Evaluation
- Daylight, Sunlight and Overshadowing Assessment
- Drainage Strategy
- External Lighting Statement
- Flood Risk Assessment
- Flood Risk Sequential Assessment
- Ground Engineering Desk Report
- Heritage Statement
- Interim Travel Plan
- Noise Impact Assessment
- Odour Control Statement
- Outline Construction Management Plan
- Planning Statement
- Ecological Impact Assessment
- Transport Assessment
- Ventilation Statement
- Landscaping Study
- Design and Access Statement

### 3. Planning History

**Reference Number:** C/99/CC/83

**Description:** Construction of two storey lift shaft and installation of automatic doors

**Status:** Approved

**Reference Number:** C/79/D/739

**Description:** Temporary book store

**Status:** Approved

**Reference Number:** C/79/D/739A

**Description:** Renewal of temporary permission 79/D/739 for siting of book store

**Status:** Approved

**Reference Number:** C/79/D/739B

**Description:** Renewal of temporary permission 79/D/739A for temporary accommodation for library purposes

**Status:** Approved

**Reference Number:** C/79/D/739C

**Description:** Relocation of mobile unit and construction of link to bookstore

**Status:** Approved

**Reference Number:** C/81/D/040

**Description:** Temporary covered way to mobile book store

**Status:** Approved

**Reference Number:** C/E/D/077

**Description:** Possible alternatives uses (transfer of library to County Hall site)

**Status:** Reply sent

**Reference Number:** C/05/00036/CCD

**Description:** Provision of an access ramp

**Status:** Approved

**Reference Number:** 13/00182/CCD

**Description:** The installation of a radio repeater and antenna on the grounds of Morpeth Library. The antenna will be mounted on the roof of the building. The antenna will be securely fastened to a 12ft aluminium pole using a double clamp bracket which will be secured with a set of t&k fixing brackets. The cable from the aerial will be fed through to the Base Station repeater located inside of the building.

**Status:** Approved

**Reference Number:** 16/01983/ADE

**Description:** Advertisement Consent: Installation of 2no. 3m x 3m flat for sale boards

**Status:** Approved

**Reference Number:** 17/01549/CCD

**Description:** Demolition of 6no. buildings known as:- Former Morpeth Library; Beechfield; The Willows; 3no. single storey bungalows

**Status:** Withdrawn

**Reference Number:** 17/02982/DEMGDO

**Description:** Prior notification of demolition of former Library building.

**Status:** Granted

**Reference Number:** 17/03240/CCD

**Description:** Proposed demolition of former Morpeth Library and preparation of the surface to use as a temporary car park.

**Status:** Application returned

**Reference Number:** 17/03259/DEMGDO

**Description:** Former Library

**Status:** Application returned

**Reference Number:** 19/02023/DEMGDO

**Description:** Application for Prior Notification of Proposed Demolition of five buildings

**Status:** Granted

**Reference Number:** 19/02247/SCREEN

**Description:** Proposed screening opinion for construction of leisure and community centre with associated parking and landscaping

**Status:** EIA not required

**Reference Number:** CM/00/D/190

**Description:** Conservatory

**Status:** Withdrawn

**Reference Number:** CM/88/D/428

**Description:** Sheltered housing accommodation

**Status:** Approved

**Reference Number:** 19/03438/DISCON

**Description:** Discharge of condition 1 (demolition method statement) on approved planning application 19/02023/DEMGDO.

**Status:** Approved

**Reference Number:** CM/03/D/939

**Description:** Small extension including a bedroom and bathroom to be used by the resident nurse.

**Status:** Approved

**Reference Number:** CM/00/D/190

**Description:** Conservatory

**Status:** Withdrawn

**Reference Number:** CM/88/D/428

**Description:** Sheltered housing accommodation

**Status:** Approved

**Reference Number:** CM/93/D/559/A

**Description:** Details - 3x detached bungalows as amended plans received 22/08/94

**Status:** Approved

#### 4. Consultee Responses

Morpeth Town Council	<p>Morpeth Town Council welcome this new facility and would like the following to be considered:</p> <p>Adequate signage and facilities are in place to accommodate all disabilities including those who suffer with Dementia. The inclusion of features to remember the buildings that were demolished to make way for this development. The potential inclusion of energy efficient supply.</p>
Highways	<p>The proposed development has been assessed against local and national transport policies and it is considered that the development is in accordance with these policies.</p> <p>As such, it is considered that the development will result in a redistribution of existing trips rather than generating new trips to the surrounding road network. Furthermore, the Town Centre locations of the existing and proposed developments means the proposed development site has good and similar access by sustainable transport options and therefore modal shift to single occupancy private cars is unlikely as a result of the relocations.</p> <p>As such, there are no highway objections to the proposed development subject to the imposition of conditions as set out in this</p>

	response.
Public Protection	No objection subject to conditions.
North Trees And Woodland Officer	No response received.
Building Conservation	Comments received.
The Coal Authority	<p>The part of the site where the development is proposed lies outside of the defined High Risk Area. Therefore we do not consider that a Coal Mining Risk Assessment is necessary to support this proposal and we do not object to this planning application.</p> <p>Although the development proposed is outside of the defined Development High Risk Area as the site lies within an area where coal mining activity has taken place it is requested that an Informative note, to this end, is attached to any planning permission granted.</p>
Environment Agency	(Initial objection withdrawn). No objections, subject to conditions.
Lead Local Flood Authority (LLFA)	<p>We have no objection to the proposed development as long as the following document is added to the list of approved documents and drawings:</p> <p>- Morpeth Leisure and Community Centre Drainage Strategy 19003-BHE-XX-XX-RP-C-001 Rev 1 dated 15th October 2019 produced by Burohappold Engineering.</p>
Waste Management - South East	No response received.
Tourism, Leisure & Culture	<p>We believe this proposal will contribute positively to our primary strategic ambitions of:</p> <ul style="list-style-type: none"> <li>● Encouraging more visits and especially longer ones</li> <li>● Extending the season with visits taking place across the whole year and not just in the summer</li> <li>● Encouraging visitors to spend more locally through encouraging them to see, experience and take part in more of the opportunities Northumberland has to offer</li> <li>● Continually driving up the quality of the county's tourism offer through demonstrating and promoting excellence and innovation</li> <li>● Raising the profile of the county as a great place to work, live, visit and invest</li> <li>● Helping to create attractive places and experiences for local people to enjoy</li> <li>● Helping to sustain and develop services and opportunities for local people</li> <li>● Creating employment and skills development for local people.</li> </ul>

	<p>The new leisure and community complex will not only provide a valuable and updated asset for local residents and those from surrounding areas, it will provide another reason for visitors to make their way to Morpeth for services and entertainment.</p> <p>In addition, in the absence of wet weather attractions across the county, leisure centres which meet modern demands and expectations, exist as a means for filling such a gap in our product offer and are therefore valued as places which facilitate favourable visitor experiences leading to longer stays in the locality and increased visitor spending.</p>
Adult Services NCC	No response received.
Strategic Estates	No response received.
Fire & Rescue Service	No objection in principle
Northumbrian Water Ltd	<p>We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled Drainage Strategy. In this document it states that foul flows, including a restricted 5l/sec backwash from the proposed swimming pool will discharge to the combined sewer to the north east of the site, whilst surface water will discharge directly to the watercourse.</p> <p>A trade effluent agreement must be agreed with Northumbrian Water for flows from the swimming pool.</p> <p>It was indicated in the submitted documents that the surface water from the proposed development would discharge to the watercourse using a private outfall, however it appears that the outfall referenced in the strategy is a public sewer. We remain satisfied with the proposed strategy however include these additional comments to highlight that approval to connect to a public sewer is required through Section 106 of the Water Industry Act following receipt of planning permission.</p>
Northumbria Ambulance Service	No response received.
Architectural Liaison Officer - Police	After considering the documents attached from a crime prevention point of view I can find no grounds on which to object to it progressing.
Sport England	Sport England offers its support for this this application, as it is considered to meet NPPF para 97 and Sport England's planning 'protect' and 'provide' planning objectives.
Planning Strategy	No response received.
County Ecologist	No objection subject to conditions.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	146
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Number of Objections	2
Number of Support	1
Number of General Comments	1

## Notices

Site notice Conservation & affect LB, 6th November 2019

Morpeth Herald 7th November 2019

### Summary of Responses:

4 letters of representation were received of which 2 were objections, 1 was in support and 1 was raising a number of questions, which will be addressed separately within the body of the report

The material points of objection are:

- Scale of proposed building;
- Impact on Conservation Area;
- Loss of trees;
- Increase in traffic;
- Car parking;
- Odour; and
- Light emissions

The material points of support are:

- Good quality, contemporary design

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PZKA0OQS0K500>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Morpeth Neighbourhood Plan (2016)

Policy Emp1 Morpeth Town Centre

Policy Emp2 Development within Morpeth Town Centre

Policy Sus1 Sustainable Development Principles

Policy Lac1 Location of a Sports & Leisure and an Arts, Performance & Heritage Centre

Policy Inf1 Flooding and Sustainable Drainage

Policy Her1 Locally Important Heritage Assets

Policy Des1 Design Principles

Castle Morpeth District Local Plan (2003)

Policy C1	Settlement Boundaries
Policy RE5	Surface Water Run-off and Flood Defences
Policy RE6	Service Infrastructure
Policy C15	Trees in the Countryside and Urban Areas
Policy R3	Village Halls, Community and Indoor Facilities
Policy MT4	Car Parking
Policy MC1	Settlement Boundaries

## 6.2 National Planning Policy

NPPF (2019)

NPPG (2019)

## 6.3 Other documents/Strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19)

STP 1 – Spatial strategy (Strategic Policy)  
 STP 2 – Presumption in favour of sustainable development (Strategic Policy)  
 STP 3 – Principles of sustainable development (Strategic Policy)  
 HOU 2 – Provision of new residential development (Strategic Policy)  
 HOU 9 – Residential development management  
 QOP 1 – Design principles (Strategic Policy)  
 QOP 2 – Good design and amenity  
 QOP 4 – Landscaping and trees  
 QOP 5 – Sustainable design and construction  
 QOP 6 – Delivering well-designed places  
 TRA 1 – Promoting sustainable connections (Strategic Policy)  
 TRA 2 – The effects of development on the transport network  
 TRA 4 – Parking provision in new development  
 ENV 1 – Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)  
 ENV 2 – Biodiversity and geodiversity  
 ENV 3 – Landscape  
 WAT 3 – Flooding  
 WAT 4 – Sustainable Drainage Systems  
 POL 1 – Unstable and contaminated land  
 POL 2 – Pollution and air, soil and water quality  
 INF 6 – Planning obligations

Northumberland County Council – Sports Facility Strategy (November 2018)

National Design Guide 2019

## **7. Appraisal**

7.1 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues raised relate to:

Principle of development

Design  
Heritage Impact  
Residential Amenity  
Ecology  
Highways and Movement  
Flooding and Drainage  
Public Protection

### **Principle of Development**

- 7.2 In assessing the acceptability of any proposal regard must be given to policies contained within the development plan, unless material considerations indicate otherwise.
- 7.3 The site is within the existing settlement boundary (MNP - Set1), (Castle Morpeth District Local Plan Policies C1 and MC1) and the emerging Local Plan settlement boundary (Policy STP1) where new development is supported in principle, subject to being in accordance with other relevant policies in the Development Plan.
- 7.4 Policy Emp1 provides support for the application as it seeks the provision of enhanced sport, leisure and community facilities within the town centre while the NPPF at paragraph 97 that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. While the proposal is for an alternative site, it does comply with the provisions of the NPPF by offering new and improved sporting and recreational facilities in Morpeth, replacing the existing Riverside site.
- 7.5 The site is also allocated as a key opportunity site in the Neighbourhood Plan. Policy Lac1 – Location of a Sports & Leisure and an Arts, Performance & Heritage Centre, states that ‘it is considered that the current Willows and Library riverside area would be a good site for a ‘Community Arts, Performance and Heritage Centre’.
- 7.6 The objectives of Policy Sus1 to support ‘leisure, recreational pursuits and social, community, business and educational activities’ are met by the proposal. Further, this policy exercises a presumption in favour of sustainable development so long as the criteria contained in the policy are met.
- 7.7 Further support is given through Policy Emp2 of the MNP which states that within the Morpeth town centre, assembly and leisure uses will be permitted as long as it can be demonstrated that the development would a) not have an unacceptable impact on residential amenity, b) have appropriate access and car parking provision, and c) not harm the character of the historic environment. This policy therefore supports the principle of the proposal subject to other considerations.
- 7.8 The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development and, to do this, it sets out three main objectives which are economic, social and environmental.

## *Economic*

- 7.9 The proposed development would create new enhanced sport and leisure facilities designed to help encourage participation in sport. This in turn would generate expenditure for the local economy. The centre also includes a café to generate further revenue and, given the centres proximity to the high street, it is envisaged the centre would encourage more linked trips which has the potential to increase footfall and spending within Morpeth town centre.
- 7.10 In terms of job creation, during the construction period it is estimated that the Proposed Development will create 111 direct construction jobs. This has the potential to create a one-off benefit of £4.6 million in wage value during the construction period. The construction phase is also estimated to create 168 indirect jobs through local supply chains.
- 7.11 The application is supported by Tourism & Leisure who state that *'the proposal will contribute positively to our primary strategic ambitions of:*
- *Encouraging more visits and especially longer ones;*
  - *Extending the season with visits taking place across the whole year and not just in the summer;*
  - *Encouraging visitors to spend more locally through encouraging them to see, experience and take part in more of the opportunities Northumberland has to offer;*
  - *Continually driving up the quality of the county's tourism offer through demonstrating and promoting excellence and innovation;*
  - *Raising the profile of the county as a great place to work, live, visit and invest;*
  - *Helping to create attractive places and experiences for local people to enjoy;*
  - *Helping to sustain and develop services and opportunities for local people; and*
  - *Creating employment and skills development for local people. The new leisure and community complex will not only provide a valuable and updated asset for local residents and those from surrounding areas, it will provide another reason for visitors to make their way to Morpeth for services and entertainment.'*

Overall, the proposal would clearly generate significant economic benefits to the local economy.

## *Social*

- 7.12 The social benefits of the proposed development are significant including education, social cohesion and health. Sport and leisure activities also have the potential to strengthen networks and enhance community identity.
- 7.13 Participation in physical activity has been proven to be effective in improving both physical health but also in helping reduce mental health issues including depression, anxiety, psychological distress and emotional disturbance.
- 7.14 The applicants have, as part of the overall concept focused their design on the users' overall health and wellbeing. Within the Design and Access Statement

it is stated that 'simple solutions and ideas based on principles from Environmental Psychology to enhance the users' interaction with the spaces within the building' have been included within the overall design concept.

- 7.15 The Northumberland Sports Facility Strategy 2018 identifies that *'Northumberland's population will grow over the next 15 years, particularly in and around the South East of the County and market towns, so there is a particular need in these areas to ensure sufficient provision of accessible, quality and affordable facilities – formal and informal, to meet local need.'* It recommends the replacement of the ageing of the Riverside facility and the proposals would address this need and demand for improved and modern sport and leisure provision.
- 7.16 On this basis, the provision of new, enhanced facilities on the site can assist in attracting people to participate in physical activity enhancing health, happiness and well-being.
- 7.17 The inclusion of the library on site would also play an important role in promoting well-being and community cohesion by producing a range of cultural and creative activities with the community and providing a range of services to the public in an easily accessible location. With the library being located in the new centre users will benefit from longer opening hours and enhanced resources and IT support.
- 7.18 The application is supported by Sports England who state that they *'consider that the proposed leisure centre is an appropriate and suitable replacement for Morpeth Riverside Leisure Centre and meets the requirements of paragraph 97 of the NPPF'* affording improved sports and recreation facilities for Morpeth to the benefit of health, well-being and happiness.

#### *Environmental*

- 7.19 The site is sustainably located within the town centre and measures have been taken to further improve pedestrian connectivity with Bridge Street through the proposed riverside walk. Provision has been made for cycle parking as well as improvements to the existing bus stop on Damside, providing additional encouragement to access the site via sustainable modes of transport.
- 7.20 The building has been designed to ensure that as many trees are retained as possible. Whilst there will be the removal of 4 trees, additional planting will take place as mitigation and overall landscape enhancements, within the grounds of the site, would provide public realm and green space of a high quality for the benefit and enjoyment of users.
- 7.21 Whilst the Site is in Flood Zone 3, the building has been designed with a raised finished floor level to avoid risk of flooding to the site. Furthermore, the proposed development includes SuDS features to assist with surface water, which will have positive benefits for the site and environment.
- 7.22 The site is now a prominent gap site within the town centre of Morpeth and the benefit of bringing this back into a long term, viable use should not be underestimated.

### *Conclusion on principle of the development*

- 7.23 Taking account of the policies surrounding this proposal, it is considered that the proposal aligns with the development plan and NPPF and can be supported in principle, subject to being in accordance with other relevant considerations.
- 7.24 The applicant has submitted a number of supplementary documents which clearly set out how the proposed development can accord with a range of policies set out above from the Morpeth Neighbourhood Plan (2016); saved policies in the Castle Morpeth District Local Plan (2003) and the Emerging Local Plan (2019) whilst also being NPPF-compliant and delivering on the objectives of sustainable development.

### **Design**

7.25 The Government attaches great importance to the design of the built environment with part 12 of the NPPF recognising that good design is a key aspect of sustainable development which is indivisible from good planning.

7.26 High quality design supports the creation of good places and has a positive impact on health, wellbeing and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe and pleasant, easy to move around, welcoming, adaptable and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located;
- demonstrate an understanding of the historical development of the site;
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape;
- provide appropriate densities depending on their existing characteristics; and
- incorporate and use features worthy of retention, including natural features, buildings and views.

- 7.27 The recently published National Design Guide focuses on 10 characteristics that set out detailed and measurable criteria for good design.
- 7.28 The applicants have, through their Design and Access Statement, demonstrated that a significant amount of work has been undertaken in analysing the site and attempting to understand the context, identity and urban conditions within which the proposed building would sit.
- 7.29 Well designed new development responds positively not only to a site itself but to the surrounding context, including any designated heritage assets that exist. Development should enhance positive qualities and, importantly, improve negative ones and the applicants have shown a desire to respond and create a building that attempts to acknowledge and reflect the settlement within which it would sit.

- 7.30 Despite the scale, the proposed building would be a contemporary and well designed addition to Morpeth. The site is small and constrained and the proposed building could arguably be more reflective of a city scale development than one appropriate to a market town. However, the architectural language and material palette proposed responds well to the context and identity of the town with the design of the building seeking to address the river and reflect the Villas that previously occupied the site.
- 7.31 The materials selected are intended to complement the natural setting in which the building would be situated utilising a soft, complementary palette, taking a cue from the local area, to allow the building to sit comfortably with its landscape surroundings.
- 7.32 It is accepted that the nature of the use requires a building of a scale that would be unlikely to ever sit comfortably within a townscape context. As such, the key to the success of the building lies in the architectural treatment, detail, materials and the wider benefits the proposal offers to Morpeth.
- 7.33 The proposed new riverside approach to the building is a welcome feature allowing easy movement past the existing car park to the front entrance of the building. This new route would help to draw people from the town centre of Morpeth towards the building in a safe and controlled manner.
- 7.34 The area of public space proposed within the scheme would add to the user experience, providing private garden space next to the proposed library as well as a small area of outdoor space for a public facing cafe. Additional planting is proposed on site and this, along with the landscape proposals, would create a secluded and pleasant environment for users of the building.
- 7.35 The south elevation of the building and proposed landscape creates a positive riverside frontage and a welcoming environment for users of the building.
- 7.36 The building would alter the existing character of this street and result in a large building extending the entire length of the site, creating a long frontage. However, the architectural treatment is such that it breaks up the mass of the building, helping to soften the overall impact.
- 7.37 The uses within the building are located where they maximise the benefits for users of the building and the wider public. The proposal would deliver significant and improved community facilities in a town centre location and in a contemporary building that affords Morpeth with state of the art facilities appropriate to the size of the town and for the future benefit of its residents.
- 7.38 The building would be located in a sustainable location, is easily accessible by foot, on bike or by public transport helping to reduce the demand for energy and supporting health and well-being.
- 7.39 The building has been designed in response to its riverside location and despite initial concerns (now alleviated) raised by the Environment Agency with regards flooding, the building seeks to minimise flood risk and the potential impact of flooding while sustaining and supporting natural ecosystems.

- 7.40 A rain garden, and other SUDs features are proposed. This garden would run along the southern edge of the building, picking up flow from the adjacent hard standing areas. This can reduce runoff rates and volumes and treat pollution through the use of engineered soils and vegetation whilst also providing landscaping features that are self-irrigated, cooling of the local microclimate due to evapotranspiration and providing habitats.
- 7.41 In addition, the building utilises a number of sustainable and environmentally friendly design features including a number of green walls along Gas House Lane and the use of aluminium screening on the southern elevation for the management of solar gain.

#### *General comments*

7.42 At this point, it is necessary to address the letter of general comments, as mentioned in section 5 of this report, 'Public Responses'.

7.43 The letter challenged the pre-conceptions of what a sports and leisure centre should include and why, suggesting that whilst merging sports and leisure can be convenient and useful, it has resulted in a loss of focus where traditional sports are concerned.

7.44 In response to this, and as the details of the proposal set out, the co-location of sport, leisure and community services (including library services, customer services and adult learning) creates a range of benefits and offers opportunities for new and more efficient ways of working. This concept was welcomed at public events during the design process.

7.45 The comments within the letter outline the importance of sports hall provision within the centre, highlighting that sports hall provision and subsequently the space available for badminton, football, basketball and netball has been halved with a decrease from 6 badminton courts to 4. The comments go on to note that under the current provision, the hall can accommodate badminton to be played in half the hall whilst the other half can be utilised for another sport (e.g. football, basketball, netball) or similarly for two groups of footballers etc. to be accommodated at the same time.

7.46 At a strategic level, the Council must consider the overall picture of sport provision across the County as well as the individual needs within towns and communities. With this in mind, an independent review of indoor sports provision across Northumberland was carried out to assist and inform the Sports Facility Strategy for Northumberland. This review identified an overprovision of badminton courts in Northumberland of 31.8 courts in 2017. Forward projections based on expected demand and supply changes have estimated a forecast oversupply of 30.4 courts by 2031.

7.47 Active Northumberland have identified across the County, and in Morpeth specifically, that courts overall are underutilised during periods when they are available for use for badminton. It is acknowledged that there might be certain peak points, specifically at Morpeth Leisure Centre when full usage is observed, but to hold space redundant for significant portions of the week to meet a very small peak capacity point is a very difficult commercial balancing



act for providers who could better utilise that space for sports provision overall across a wider spectrum of users.

7.48 In terms of the additional studio space provision, it is acknowledged that this space won't accommodate sports such as netball, basketball and football however, it can accommodate other sports and activities which currently use the sports hall, including fitness classes and martial arts, therefore freeing these slots up for badminton, football, netball and basketball use. It should also be noted that Sport England were consulted as part of the planning application and did not raise any objections to the proposals. Whilst Sport England did comment on the reduction of court space, it was noted that the additional capacity afforded as a result of the studio space will off-set its reduced size to allow a balanced programme of activities with sufficient slots for badminton. It should also be noted that whilst the leisure facilities within Active Northumberland's Leisure Centres do not exist to generate significant profit within the current model of provision, they do need to be commercially viable.

7.49 As part of putting together the design of the new leisure centre in Morpeth, Active Northumberland have reviewed their current usage of facilities on the existing site and had significant input to the size and scale of what will be on offer in the new centre. As part of the wider strategic development for the Morpeth area, a collective approach to sporting facilities is under review. Consideration to further facilities in other key locations in Morpeth will aim to address the current lack of quality school/community use facilities as well as outdoor football facilities which are both much needed priorities for the area. Indeed, Active Northumberland continues to develop an operational business plans based on the new site requirements, taking a holistic approach to all the new services and facilities.

### *Conclusion on Design*

7.50 It is accepted that the building will become one of the largest within Morpeth Town and its design and layout has fundamentally been dictated by the end use. However, it is considered that the architectural treatment of the building helps to mitigate and soften the overall impact. The proposals are considered acceptable in terms of design providing significantly improved sporting and leisure facilities for Morpeth and being in line with the policies contained within the Castle Morpeth District Local Plan, the Northumberland Local Plan - Publication Draft Plan (Regulation 19), the National Design Guidance and the NPPF.

### **Heritage Impacts**

- 7.51 Paragraph 184 of the NPPF directs local planning authorities to take account of *'the desirability of sustaining and enhancing the significance of heritage assets'* in the determination of planning applications. Paragraph 200 stresses that *'local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'*.

7.52 Building Conservation were consulted as it is considered that the proposal has the potential to impact the setting and significance of the Morpeth Conservation Area.

- 7.53 The *setting* of a heritage asset is defined within the NPPF as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
- 7.54 While offering no objection to the principle of redevelopment, Building Conservation have evaluated the scheme having regard to the proposed design (scale, height and massing) and its impact on the significance and setting of the identified heritage assets. They note that the Heritage Statement submitted with the application is limited in its assessment and in its consideration of the significance of the Conservation Area's wider setting. They note that the scheme is more akin in scale to a cityscape expression rather than that of a market town, as discussed earlier in the report.
- 7.55 On approach into the settlement and having regard to the identified setting and significance - the relationship with the River and castles, the interplay between urban and rural and the established building grain - it is considered that the proposed scheme could be more harmonious with its surroundings impacting the skyline. This is more perceptible when encountering the Conservation Area's setting and how it is experienced.
- 7.56 Paragraph 196 of the NPPF states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 7.57 As set out previously, the proposal would create significant benefits to sport, the economy, tourism, leisure, culture, health and happiness meeting the economic, social and environmental objectives of sustainable development and delivering a new facility to Morpeth that improves and enhances the current provision in the town and for the wider area. Notwithstanding the comments of the conservation officer and in accepting the scheme could have potentially offered more enhancement to the conservation areas in more ways than proposed, in this instance, the significant public benefits generated by the proposal would outweigh any harm created by the development and, as such, it is felt that the scheme adequately addresses the requirements of the NPPF.

### **Residential Amenity**

- 7.58 The assessment of amenity seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use. Issues raised over the consultation period in respect of this have been considered in this section. Paragraph 127 of the NPPF states that planning decisions should;

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### *Daylight/Sunlight*

- 7.59 Due to the scale of the proposed building and proximity to existing residential dwellings, a daylight and sunlight assessment was submitted with the application. This identifies the existing residential receptors and demonstrates that all but three of the assessed windows satisfy the BRE VSC criteria. Internal daylight analysis of the worst affected rooms indicates that all sensitive rooms would receive adequate daylight. The proposed development would therefore not have a significant impact on the access to daylight within the surrounding properties.
- 7.60 The results of the overshadowing analysis identified that existing gardens and amenity areas would receive more than 2 hours of sunlight with the development in place. This satisfies the BRE standards and therefore these spaces will be adequately sunlit throughout the year.

### *Noise*

- 7.61 A noise impact assessment was submitted with the application. Public Health Protection have considered the details of this assessment and raise no objections.

### *Odour*

- 7.62 Due to the existence of a cafe within the proposed development, a statement on odour was submitted as part of the application. Public Health Protection have considered the details of this assessment and raise no objections.
- 7.63 Overall, it considered that the proposal would not have any adverse impacts on amenity subject to mitigation measures set out in the technical reports submitted which can be controlled via planning condition. As such, the proposals are in accordance with the NPPF, MNP policy Emp2, Lac1 and emerging policies QOP2 and STP5.

### **Highways**

- 7.64 Paragraph 109 of the NPPF states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Further criteria is set out at paragraph 110 in terms of achieving safe and sustainable development, whilst paragraph 111 requires travel plans and transport statements/assessments to be submitted for developments that will generate significant amounts of movement.
- 7.65 National and local policy seeks to ensure that developments provide effective and safe access and promote permeability, connectivity and sustainable transport choice.

7.66 A Transport Assessment has been prepared by SAJ which accompanies this application. Based on the assessment carried out, it is considered that the Proposed Development can be safely accessed by pedestrians, cyclists, public transport users and motorists and there are no highways or transport reasons to justify the refusal of the planning application.

7.67 The Council's Highway Authority has assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. Following assessment of the application documents the Highway Authority have raised no objection to the proposal subject to conditions and informatives stating that "the Transport Assessment adequately addresses the impacts of the proposed development. As the development replaces existing facilities within the Town, the level of additional trips to the wider highway network is considered to be minimal, with any changes to trips related to a redistribution on the network."

7.68 On this basis, the proposal is considered to be acceptable from a highway perspective subject to conditions with the proposals raising no significant issues of increase in traffic or road safety.

### **Ecological Impacts**

7.69 An ecological impact assessment has been carried out for the Site to assess the ecological impacts of the proposal.

7.70 The Site is adjacent to the River Wansbeck, which is allocated in the MNP as a wildlife corridor and is home to a nationally significant population of native white clawed crayfish. Otters are also regularly recorded in this stretch of river. Whilst the proposals will not directly impact the river, there is potential for impacts from construction relating to pollution and from lighting once the building is operational and care will be taken to ensure there are no adverse impacts.

7.71 An arboricultural report has also been carried out and whilst the majority of trees on Site will be retained and sufficiently protected during the construction period, a few trees removals are proposed.

7.72 The County Ecologist has been consulted on the proposals and has no objections subject to the condition listed within this report. .

7.73 Based on the above, it is considered that subject to the recommended mitigation measures, there will be no adverse impacts on ecology in accordance with the NPPF, CMDLP saved policy C15 and emerging policy ENV2 and QOP4.

### **Flooding and Drainage**

#### *Flooding*

7.74 The Environment Agency (EA) originally objected to this proposal on the basis that 'the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not

therefore adequately assess the development's flood risks.' Further information was submitted and referred to the EA who have now withdrawn their objection, subject to condition no.26, listed later in this report.

### *Drainage*

7.75 The Lead Local Flood Authority was consulted as part of the application and has no objection to the proposals subject to the conditions attached.

7.76 Overall, it is considered that that proposed drainage strategy is sufficient for the Proposed Development and complies with the NPPF, CMDLP saved policy RE5, MNP policy Inf1 and emerging policy WAT4.

### **Public Protection**

7.77 Paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

7.78 Public Health Protection have been consulted and confirm that the information submitted by the applicant relating to noise, contaminated land, odour and light is sufficient subject to conditions to control the potential impacts.

### *Equality Duty*

7.79 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

### *Crime and Disorder Act Implications*

7.80 These proposals have no implications in relation to crime and disorder.

### *Human Rights Act Implications*

7.81 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

- 7.82 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 7.83 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

- 8.1 The proposed leisure centre would make a valuable contribution to Morpeth's cultural and leisure infrastructure and provide opportunities for its use by the wider community delivering improved facilities to the town and replacing the outdated Riverside venue. The location of a cultural and leisure venue at this accessible town centre site accords with the objectives of the development plan and the NPPF. The proposal would result in significant benefits to sport, the economy, tourism, leisure, culture, health and happiness meeting the economic, social and environmental objectives of sustainable development and delivering a new sports and leisure facility to Morpeth that improves and enhances the current provision.
- 8.2 Despite concerns about the overall scale and mass of the building and the impact of the proposals in terms of design, heritage and the impact on the surrounding built environment, the proposal draws upon the positive characteristics of the surrounding area and employs architectural language effectively, which would help to overcome some of the concerns raised.
- 8.3 The opportunity to provide new and improved sport and leisure facilities that are sustainable, high quality, well-located and offer easy access to sport and leisure is to be encouraged. The Council's strategy on sports facilities identifies the increased participation in sport and physical activity, and the requirement for the modernisation of the existing offer in locations across the County for the benefit of community health and wellbeing. On balance the benefits that would be delivered from the proposal outweigh the concerns identified in paragraph 8.2 and as such it is recommended that the application be approved.

## **9. Recommendation**

That members are minded to APPROVE this application subject to the following conditions.

## Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. These plans are:

- LOCATION PLAN - (90)0001 P03
- SITE PLAN - 19003- OOB- ZZ- 00- DR- L- 0001 Rev P05
- PROPOSED SITE PLAN - 19003 - GT3 - 00 - 00 - DR - A - (90)0010 Rev P03
- GROUND FLOOR PLAN - 19003 - GT3 - 00 - 00 - DR - A - (20)0000 Rev P06
- LEVEL 01 PLAN - 19003 - GT3 - 00 - 01 - DR - A - (20)1000 Rev P07
- LEVEL 02 PLAN - 19003 - GT3 - 00 - 02 - DR - A - (20)2000 Rev P07
- ROOF PLAN - 19003 - GT3 - 00 - R1 - DR - A - (37)3000 Rev P03
- WEST AND SOUTH ELEVATIONS - 19003 - GT3 - 00 - ZZ - DR - A - (21)0002 Rev P03
- EAST AND NORTH ELEVATIONS - 19003 - GT3 - 00 - 22 - DR - A - (21)0001 Rev P03
- BUILDING SECTIONS A-A AND B-B - 19003 - GT3 - 00 - ZZ - DR - A - (22)0001 Rev P03
- BUILDING SECTIONS C-C, D-D AND E-E - 19003 - GT3 - 00 - ZZ - DR - A - (22)0002 Rev P03

Reason: To ensure that the approved development is carried out in complete accordance with the approved documents and plans.

03. Prior to the commencement of works above damp course level, samples of all external materials to be used in the construction of the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy Des1 MNP.

04. The development shall not be brought into use until the eastern car parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

05. Notwithstanding details submitted, no development above ground floor level shall commence until details of the following proposed highway works have been submitted to and approved in writing by the Local Planning Authority:

- Provision of new site access junction to Gas House Lane for the eastern car park and a dropped kerb access for cyclists and emergency vehicles to the west of the hereby approved building;
- Reinstatement of former site accesses on Gas House Lane to full height kerbs and footway;
- Provision of new, resurfaced and upgraded footway to the south side of Gas House Lane;
- Provision of new adopted highway carriageway on Gas House Lane at the location of the former building protrusion;
- Traffic and Parking Management Scheme for Gas House Lane;
- New pedestrian crossing to Gas House Lane to the west of the hereby approved building;
- Improvements to the splitter island on the B1337 Damside arm of the B133y / Gas House Lane to provide improved pedestrian crossing facilities;
- Upgrades of the northbound and southbound bus stop infrastructure on the B1337 Damside to the north of the B1337 / Gas House Lane roundabout;
- Connection of the proposed boulevard to the adopted highway on B1337 Bridge Street to the west of the development site;
- Amended advanced vehicle directional signage in respect to the relocation of the facilities to the development;
- Amended pedestrian route finding fingerpost signage in respect to the relocation of the facilities to the development; and
- Any other associated infrastructure associated with the above. The building shall not be brought into use until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

06. Notwithstanding details submitted, the development shall not be brought into use until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

07. Prior to the development being brought into use, details of surface water drainage to manage run off shall be submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated



for the development and implemented, in accordance with the National Planning Policy Framework.

08. Twelve months after first occupation of the development details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i details of and results from an initial travel survey;
- ii clearly specified ongoing targets for travel mode shares;
- iii a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development,

09. Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

10. The development shall not be brought into use until a Servicing, Delivery and Refuse Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Servicing, Delivery and Refuse Management Plan shall be implemented at all times the development is operational. The details to be submitted shall include:

- i) operational hours;
- ii) days, times, duration and frequency of deliveries/collections/refuse servicing;
- iii) the vehicle types permitted to service the site, including and maximum dimensions of delivery/collection/refuse vehicles used;
- iv) delivery requirements including any closures of site, parking areas or impact upon internal operations of site to facilitate these operations, including plans as necessary;
- v) submission of vehicle swept path drawings as necessary to illustrate manoeuvres to/from the site and the loading areas;
- vi) location of refuse storage areas and the means by which refuse will be collected; and

vi) measures to be employed to ensure the compliance of delivery suppliers and collection of refuse.

Reason: To ensure the successful servicing and parking operational use of the site, in the interests of highway safety and in accordance with National Planning Policy Framework.

11. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development lifetime.

12. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

13. Prior to the first use of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- \* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);

- \* Construction details (component drawings, materials, vegetation);

- \* Health and Safety file;

- \* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-statutory technical standards.

14. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Drainage Strategy dated 15th October 2019. The drainage scheme shall ensure that foul flows, including a restricted swimming pool backwash of 5l/sec, discharge to the combined sewer and ensure that surface water discharges to the existing watercourse.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

15. Prior to development commencing a Construction Environmental Management Plan shall be submitted to the LPA. The CEMP shall address all of the issues identified in section 7.2 of the report entitled Ecological Impact Assessment, New Leisure Centre Site, Morpeth (NCC, June 2019) and shall be fully implemented as approved.

Reason: To protect features of ecological importance including species protected by law. (This needs to be a pre-commencement condition because it applies to all stages of work.)

16. Prior to development exceeding damp-proof course level a Biodiversity Enhancement Plan shall be submitted to the LPA. This will include:

- Details of in-built provision in the new building for bats and at least twelve swift bricks.
- Retention and improvement of an ecological buffer zone along the River Wansbeck
- A lighting strategy demonstrating that there will be no light spill into the River Wansbeck Buffer Zone

The Biodiversity Enhancement Plan will be fully implemented as approved thereafter.

Reason: In the interests of protecting the natural habitat.

17. The noise rating level from the development shall not exceed the following values at the boundary of the nearest noise sensitive premises as identified in the Apex Noise Impact Assessment ref: 7376.2, when measured using BS4142:2014.

NSRs - North 07:00 - 23:00 hours LAeqT 46 dB / 23:00 - 07:00 hours LAeqT 33 dB

NSRs - East 07:00 - 23:00 hours LAeqT 41 dB / 23:00 - 07:00 hours LAeqT 31 dB

NSRs - South 07:00 - 23:00 hours LAeqT 47 dB / 23:00 - 07:00 hours LAeqT 44 dB

\* T shall be assessed as one hour during daytime (0700 – 2300) and five minutes at night time (2300 – 0700).

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

18. Prior to any works above ground floor level the applicant shall submit a facade sound insulation mitigation strategy to the LPA for its written approval. This strategy shall be capable of mitigating the music noise levels (LEN) to those levels specified at the identified noise sensitive receptors detailed in the Apex Noise Impact Assessment ref: 7376.2

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

19. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

20. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

21. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

c) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

22. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

23. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to a minimum CS2 standard as specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties.

24. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 22, which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

25. Before the scheme is brought into use, or continues in use, the applicant shall submit a report to the local planning authority for its written approval. This report shall detail the lighting scheme to be used on site and demonstrating compliance with the pre and post curfew Lux levels contained for Environmental Zone E3, as defined in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against light.

26. Prior to any works above ground level the applicant shall provide full details of construction and temporary lighting to the LPA for its written approval. This information shall detail the lighting scheme to be used on site and demonstrating compliance with the pre and post curfew Lux levels contained for Environmental Zone E3, as defined in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against light.

27. The development shall be carried out in accordance with the submitted flood

risk assessment (ref 'Morpeth Leisure Centre, Flood Risk Assessment, 19003-BHE-XX-XX-RP-C-0002, 3 February 2020, Revision 02) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 25.98 metres above Ordnance Datum (AOD); and

Access to existing flood defences shall be maintained, as per drawing reference '19003- OOB- ZZ- 00- DR- L- 0150, revision P01'

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure the structural integrity of the existing flood defences thereby reducing the risk of flooding.

### Informatives

1. We can inform you that public sewers cross the site boundary and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. Further information is available at <https://www.nwl.co.uk/services/developers/>

2. You are advised to contact the Council's Highway Development Management team at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

3. You are advised of the necessity to formally stop up or divert the highway(s) under the Town and Country Planning Act 1990 before the commencement of any works. You should contact the National Transport Casework Team on 0207 944 4310 or [nationalcasework@dft.gsi.gov.uk](mailto:nationalcasework@dft.gsi.gov.uk) at your earliest convenience. Further information on the process can be found at <https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

4. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

5. You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk)

6. You are advised to contact the Council's Traffic Management Section at [highwaysprogramme@northumberland.gov.uk](mailto:highwaysprogramme@northumberland.gov.uk) before and during the construction period in respect of the need for Traffic Regulation Orders in respect to the S278 works.

7. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

8. You are advised to contact the Council's Lighting Section on [HighwaysStreetLighting@northumberland.gov.uk](mailto:HighwaysStreetLighting@northumberland.gov.uk) before and during the construction period with respect to street lighting to ensure sufficient illumination levels of the public highway.

9. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

10. You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offer this service. You should contact [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) or 01670 622979.

11. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority).

12. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

13. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

A permit will be required for any permanent or temporary works, including the construction phase, that fall into the above bylaw distances. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

14. A pre-construction check should be undertaken for otter at least 2 weeks prior to works commencing. Otter are transient in nature and may well utilise the woodland on site, which is adjacent to the River Wansbeck, for laying up. Records indicate that otter are present in the area and utilise the riparian corridor.

The otter is a protected species under the Sections 9 and 11 of the Wildlife and Countryside Act 1981 and is listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

This legislation means it is illegal to:

- Capture, kill, disturb or injure otters (on purpose or by not taking enough care)
- Damage or destroy a breeding or resting place (deliberately or by not taking enough care)
- Obstruct access to their resting or sheltering places (deliberately or by not taking enough care).

15. A Construction Environment Management Plan (CEMP) should be produced and agreed to by the Local authority prior to works commencing. The CEMP should detail pollution prevention, biosecurity measures and measures to protect wildlife, including legally protected species, before, during and after the works.

16. All works on site will follow the guidance contained in the Pollution Prevention Guidelines: Works and maintenance in or near water. Further information can be found at this link: <https://www.gov.uk/guidance/pollution-prevention-for-businesses> All fuel and chemicals used on site should be kept on an impervious base within a secondary containment system such as a bund, not within 10m of any watercourse, and above flood water level.

17. The site is immediately adjacent to the River Wansbeck, which supports a population of the endangered white-clawed crayfish. White-clawed crayfish are at threat from poor biosecurity and the transmission of disease. Biosecurity is therefore of paramount importance on this site. All site equipment and vehicles must be cleaned and dried thoroughly prior to arrival on site and when leaving site, with the use of a disinfectant suitable for use on aquatic sites to limit the spread of harmful pathogens, live organisms, seeds or other plant material.

Additionally, the Check Clean and Dry campaign should be followed; check your equipment and clothing for live organisms, particularly in areas that are damp or hard to inspect; clean and wash all equipment, footwear and clothing thoroughly. If you do come across any organisms, leave them at the water body where you found them; dry all equipment and clothing as some species can live for many days in moist conditions. It is also important to make sure water is not transferred elsewhere. Further information on biosecurity can be found at the following link <https://secure.fera.defra.gov.uk/nonnativespecies/checkcleandry/index.cfm>

18. The Environment Agency would recommend that any reports to be submitted for approval to the relevant Local Planning Authority are prepared under the National Quality Mark Scheme for Land Contamination Management (NQMS). The NQMS is a system designed by the industry led Land Forum to ensure that land contamination



management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information.

Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

- The work has been planned, undertaken and written up by competent people who have relevant experience and / or qualifications in their respective disciplines.
- The underlying data has been collected in line with established good practice procedures and its collection has been subject to control via established quality management systems.
- The data has been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies.
- The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations.
- Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations.

Reports prepared under the National Quality Mark Scheme aims to provide greater confidence to the regulator that land contamination issues have been appropriately identified and suitably investigated. It also demonstrates that all necessary information has been included and reported to a sufficiently high standard for regulatory decisions to be made.

If you need further support understanding the report, please seek advice from your Environmental Health/Environmental Protection Department who will be able to advise on the generic aspects of land contamination management.

Where planning controls are considered necessary, the Environment Agency recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by paragraph 170 of the National Planning Policy Framework.

The Environment Agency also recommend that you consider the merits of continuing to handle any further land contamination management work that may be required under the NQMS.

**Date of Report: 18th February 2020**

**Background Papers:** Planning application file(s) 19/04235/CCD