

**Planning Committee**

24 May 2012

**Reference:**  
**APP/12/00221**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mr K Spilsbury**

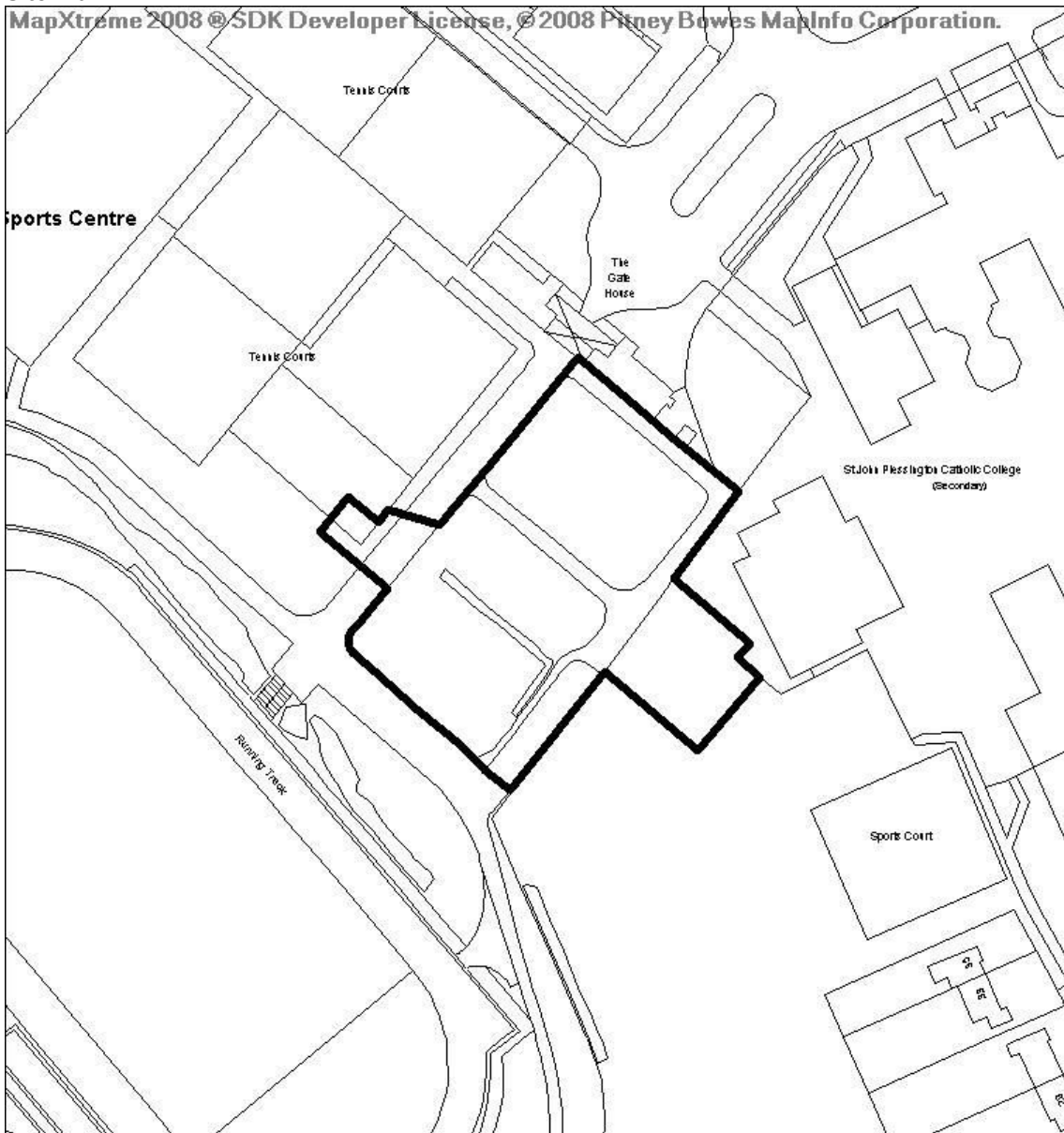
**Ward:**  
**Bebington**

**Location:** The Oval Sports Centre, OLD CHESTER ROAD, HIGHER BEBINGTON

**Proposal:** The erection of a single storey further education sports college (1158 sq.ms) together with a brick built secure compound to the rear for parked college vehicles.

**Applicant:** Wirral Metropolitan College  
**Agent :** Bond Bryan Architects

**Site Plan:**



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**Development Plan allocation and policies:**

Recreation Development Site  
Primarily Residential Area  
School Playing Field

**Planning History:**

APP/07/06638 - Extension of car park at the Oval to increase parking to provide additional 51 spaces, landscaping and floodlighting - Approved 03/10/07

**Summary Of Representations and Consultations Received:****REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, neighbour notification letters were issued to 47 adjoining properties, and a site notice erected at the site. At the time of writing this report two representations have been received from:

The occupier of 7 Gorseville Road. The objection can be summarised as follows:

1. The occupier questions the lease of the land by Asset Management, without proper consideration and openness without public consultation or elected member debate.
2. The occupier highlights what he considers Council officer failings with regard to the transparency of the deal between the land owner and the college.
3. The occupier questions why public area forums were not used as a platform over the land deal prior to submission of the application and again raises the issue of why the deal was dealt with under delegated powers
4. The occupier highlights difficulty in obtaining a time line of the consultation process prior to the deal for the land?
5. The occupier highlights a serious breach of trust by the council and its duty of care to protect this valuable asset with historic links.
6. The occupier highlights concerns over the development being the start of a wider development on further land within the area.
7. The occupier states that a development under these circumstances will result in the loss of an historic landmark in that it will encircle the gate lodge and separate it from the athletics track
8. The occupier highlights his concern over the use of a statement within the lease of the land agreement.
9. The occupier wishes to make the Planning Committee aware that it has a very important judgment to make on what he considers a very important asset with historic value & lifetime of service in the field of sport & pleasure and its importance for future generations allowing freedom of space in a built up area. The occupier goes on to say that he is currently taking steps to request a spot listing of the site with English Heritage.
10. The occupier highlights his further concern over potential saturation of students due to further development and the increased of vehicular traffic.

St John Plessington Catholic College also express concern about the impact of an increase in student numbers on public transport and a potential health and safety issue due to an increase in student numbers and the pressure on public transport. Facilities need to be improved.

**CONSULTATIONS**

Director of Technical Services (Traffic and Transportation Division) – no objection subject conditions

Police Architectural Liaison - No Objection Subject to conditions

Fire and Rescue Service - Standard comments with regards to Building regulations and water supply.

**Directors Comments:**

**REASON FOR REFERRAL TO PLANNING COMMITTEE:**

The application is defined as Major Development and as such is required to be considered by the Planning Committee under the provisions of the Council's approved Scheme of Delegation for Determining Planning Applications.

**INTRODUCTION**

The proposed development is for the erection for the erection of a single storey further education sports college (1158square metres) together with a brick built secure compound to the rear for parked college vehicles.

**PRINCIPLE OF DEVELOPMENT**

The development is a departure from Wirrals' unitary Development Plan policy RE2 - Land for New Recreational Facilities as the Oval Sports Centre is a indoor and outdoor sports facility.

**SITE AND SURROUNDINGS**

The site is currently an open grassed area located between the existing gate house and the athletics track.

There are a number of trees running along the pathway to the north west of the site as well as along the southern boundary which currently acts as a buffer between the athletics track and the site of the development.

St John Plessington Catholic College lies to the east of the site and there is an existing car park to the west.

There are currently two portakabins located to the north east of the site which are currently used by the college.

**POLICY CONTEXT**

The proposal to erect a single storey further education sports college falls within the curtilage of the Oval Sports Centre. This is allocated on the Unitary Development Plan Proposals Map as 'Land for new Recreational Facilities' in the Council's adopted Unitary Development Plan (February 2000) and as such is subject to Proposal RE2.

Proposal RE2 states that the Oval Sports Centre is an established major sports facility that provides for a wide range of sporting activities and for top level competition.

While the proposed development is a departure from Proposal RE2 of the UDP, the proposed use for education relating to sport and leisure can be considered compatible with the existing use of the site, which can accepted as a favourable material consideration when determining the application.

The National Planning Policy Framework (NPPF) is also relevant and states within paragraph 74 that; existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

In this instance the Oval Sports Centre as a whole is allocated as a major sports facility within the Unitary Development Plan, however the land in question has not been used specifically for sport for a

number of years.

Within the reasoned justification of proposal RE2 it states " In order to retain its importance, there is a continual need to replace, upgrade and enhance elements of the complex, in terms of the number of sports provided for and the quality of that provision.

No assessment has been submitted by the applicant and no alternative provision of open space has been proposed. Wirral Borough Council had identified a programme of enhancement to support the UDP allocation under Proposal RE2. However, the site is currently underused by the Oval Sport Centre and whilst the proposal is not fully in accordance with the local policy objectives, the education facility proposed strongly supports the sites aims of providing sports and leisure activity. The new college building will enable Wirral Metropolitan College's students to study occupational studies and sport. The current portakabins already offer facilities for sports science and the new facility will create a larger facility to improve offer at the site, strengthening the existing education of sports on the Oval Site creating general teaching and staff spaces as well as gym facilities, canoe and kayak storage and sports changing and shower facilities.

In accordance with the NPPF the development is considered to comply with point three of paragraph 74, creating an alternative sports (Education) provision and therefore whilst the proposal to develop the site is a departure from the development plan allocation, the harm is clearly outweighed by other considerations and is therefore deemed acceptable in this instance.

#### **APPEARANCE AND AMENITY ISSUES**

The proposals being considered are part of a wider programme of works that involve the refurbishment and remodelling of the colleges existing buildings at Conway Park, and Twelve Quays and the redevelopment at the Oval Sports Centre, Bebbington. The site is currently used and allocated for sports and leisure purposes and is essentially a large open grassed area. The proposals would seek to introduce an educational use. However the educational facility proposed is connected with the intended use being 'occupational studies and sport'. The applicant states that the provision is currently being met within temporary accommodation within 2 portakabins on the adjacent area of hard standing. The proposals would seek to bring them together in a larger purpose built facility on what appears to be an under utilised albeit open and green site.

The proposed building is largely single storey. The scale of buildings within the vicinity is generally comparable to that proposed with a mix of single storey and two storey buildings characterizing the immediate area. A two storey gatehouse sits within close proximity to the proposed building with a number of other single storey buildings sitting beyond. I would consider the scale appropriate in this context.

The development proposals sit well within the context of the wider area in terms of both use and physical form. The building occupies a large area of the existing grassed area yet retains sufficient land within and around to ensure a green landscaped feel and a clear network of green pedestrian circulation routes. The incorporation of a large entrance square forms part of the circulation space but its functionality could be enhanced if there was a clear link with the car park area. Generally the layout prevents pedestrian and vehicular conflicts by clearly defined landscaped lined routes directing users to the main entrance and the focus of activity.

The car parking remains unchanged in terms of overall provision, size and location but the application does include the formation of allocated disabled space and motorcycle parking. Given the use of the car park is also likely to increase as a result of the development, as mentioned above, a pedestrian link between this and the building entrance would ensure a clearly identified crossing which could be easily achieved through a change in surfacing. The cycle parking has been designed as an integral component of the overall hard/soft landscaping scheme and has been incorporated within the retaining wall on the North West elevation.

The overall design of the building is simple and has been largely determined by the functional requirements of the spaces within. The entrance extends above the roofline and projects forward of the main building line in creating a more visual focal point. The palette of materials for the exterior of

the building is contemporary. A dark blue facing brick is proposed for the main building with the entrance feature being largely glazed and framed with curtain walling cladding being used for features such as the entrance and coloured panels providing a contrast.

The occupier of 7 Gorseville Road has objected to the scheme. The objection can be summarised as follows with the local planning authority's response to each:

1. The occupier questions the lease of the land by Asset Management, without proper consideration and openness without public consultation or elected member debate.

This is a matter for the Director of Law, HR & Asset Management & not material to the determination of the planning application since it is not a planning issue.

2. The occupier highlights what he considers Council officer failings with regard to the transparency of the deal between the land owner and the college.

This is a matter for the Director of Law, HR & Asset Management & not material to the determination of the planning application since it is not a planning issue.

3. The occupier questions why public area forums were not used as a platform over the land deal prior to submission of the application and again raises the issue of why the deal was dealt with under delegated powers?

This is a matter for the Director of Law, HR & Asset Management & not material to the determination of the planning application since it is not a planning issue.

4. The occupier highlights difficulty in obtaining a time line of the consultation process prior to the deal for the land?

This is a matter for the Director of Law, HR & Asset Management & not material to the determination of the planning application since it is not a planning issue.

5. The occupier highlights a serious breach of trust by the council and its duty of care to protect this valuable asset with historic links.

No harm undue harm is envisaged from the proposed development on a small part of the site

6. The occupier highlights concerns over the development being the start of a wider development on further land within the area.

The Local Planning Authority has to deal with the application as submitted, which does not indicate that there would be any further development associated with this particular proposal.

7. The occupier states that a development under these circumstances will result in the loss of an historic landmark in that it will encircle the gate lodge and separate it from the athletics track

The site does not affect the setting of a listed building and is not within a conservation area. Whilst the development will result in a new development located between the existing gatehouse and the athletics track, it has been sensitively designed so as not to alienate the surrounding buildings and is therefore not considered to result in an adverse impact upon the character of the area or have an adverse impact upon the Gatehouse. The scheme will enable the continued use of the site for sports education and will act as a draw to the existing facilities offered at the sports centre.

8. The occupier highlights his concern over the use of a statement within the lease of the land agreement.

This is a matter for the Director of Law, HR & Asset Management & not material to the determination of the planning application since it is not a planning issue.

9. The occupier wishes to make the Planning Committee aware that it has a very important judgement to make on what he considers a very important asset with historic value & lifetime of

service in the field of sport & pleasure and its importance for future generations allowing freedom of space in a built up area. The occupier goes on to say that he is currently taking steps to request a spot listing of the site with English Heritage.

10. The occupier highlights his further concern over potential saturation of students due to further development and the increased of vehicular traffic.

The highway concerns will be addressed below and the potential for future development is not a planning matter.

St John Plessington Catholic College also express concern about the impact of an increase in student numbers on public transport and a potential health and safety issue due to an increase in student numbers and the pressure on public transport. Facilities need to be improved.

Concern over health and safety with regards to existing transport facilities in addition to how Merseytravel will deal with an influx of new students is not a material planning consideration.

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Director of Technical Services - Traffic Management Division has been consulted and has no objection to the scheme. Vehicular access to the development will be gained through the existing vehicular access and car park for the sports centre. A facility of this size and use class is not estimated to generate a significant amount of additional traffic movements. It is estimated that an additional 18 vehicle movements in the busiest morning peak hour and 10 additional vehicle movements in the busiest evening peak hour would be generated.

No specific car parking provision is provided for the facility, however there is significant spare capacity within the sports centre car park that will be utilised during the daytime in partnership with the Oval Sports Centre. Evening activity at the college is expected to be low. The recommended maximum parking provision for a facility of this size and nature would be 7 spaces in accordance with the council's Supplementary Planning Document SPD4.

Subject to conditions, there are no traffic or highway safety reasons why the application should not proceed.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no adverse Environmental/Sustainability issues relating to these proposals.

### **HEALTH ISSUES**

There are no adverse health implications relating to this application.

### **CONCLUSION**

While the proposed development is a departure from Proposal RE2 of the UDP, the proposed use for education relating to sport and leisure can be considered directly compatible with the existing use of the site. Having taken all other material factor into consideration it is considered that the loss of this relatively small area of grass is clearly outweighed by other factors that will benefit the site. The proposal is therefore deemed acceptable in this instance and is recommended for approval.

### **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

While the proposed development is a departure from Proposal RE2 of the UDP, the proposed use for education relating, in part, to sport and leisure can be considered as directly compatible with the

existing use of the site as an alternative sports (Education) provision. There is no evidence to suggest the site will be required for any other future sporting purpose. Having taken all other material factors into consideration it is considered that the loss of this relatively small area of grass is clearly outweighed by other factors that will provide alternative benefits for the community. The proposal is therefore deemed acceptable in this instance and is recommended for approval.

**Recommended Decision:**            **Approve**

**Recommended Conditions and Reasons:**

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

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

2. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity.

3. A Travel Plan should be submitted to and approved in writing by the local planning authority within 6 months of occupation. The provisions of the Travel Plan shall be implemented and operated in accordance with the programme contained therein for as long as any part of the development is occupied and shall not be varied other than through agreement with the local planning authority. For the avoidance of doubt, such a plan shall include:

- Access to the site by staff, visitors and deliveries
- Information on existing transport services to the site and staff travel patterns;
- Travel Plan principles including measures to promote and facilitate more sustainable transport;
- Realistic targets for modal shift or split;
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- Measures and resource allocation to promote the Travel Plan; and
- Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.

**Reason:** To promote the use of more sustainable forms of transport.

4. Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.

**Reason:** To promote the use of more sustainable forms of transport. This condition is imposed having regard to policy TR12 (Requirements for Cycle Parking) of the Wirral Unitary Development Plan.

5. Prior to the commencement of development details of all security measures including

boundary treatments shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full and retained as such thereafter.

**Reason:** In the interest of Secure by Design.

6. The development authorised by this permission shall not begin until the local planning authority has approved in writing details of; -
  - i) servicing arrangements including a suitable access route for refuse collection vehicles and including details of how this will be controlled and managed.

The occupation of the development shall not begin until those works have been completed in accordance with the local planning authorities approval and have been certified in writing as complete by or on behalf of the local planning authority and retained as such thereafter.

**Reason:** In the interest of highway and pedestrian safety.

7. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22 February 2012 and listed as follows:

11-033 G01-206 PL0 (15 FEB 12)  
11-033 G01-205 PL0 (15 FEB 12)  
11-033 G01-203 PL0 (15 FEB 12)  
11-033 G06-202 PL0 (15 FEB 12)  
11-033 G09-201 PL0 (06 FEB 12)  
11-033 G00-201 PL0 (20 FEB 12)  
11-033 G07-205 PL0 (15 FEB 12)  
11-033 G07-206 PL0 (20 FEB 12)  
11-033 G08-201 PL0 (25 JAN 12)

**Reason:** For the avoidance of doubt and to define the permission.

8. The development hereby approved shall be used as a further education sports college and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** Due to the restricted application site and its relationship with adjoining uses, it is considered important to ensure no other uses otherwise permitted by Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 is allowed without first having had the permission of the local planning authority.

**Further Notes for Committee:**

**Last Comments By:** 25/04/2012 10:43:49  
**Expiry Date:** 23/05/2012