

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee

25/07/2012

WARDS: Newnham

WEST CAMBRIDGE SPORTS CENTRE - VARIATION OF THE SECTION 106 WORDING TO SECURE WIDER PUBLIC ACCESS

BACKGROUND

- 0.1 In September 2011 the University of Cambridge submitted planning applications to both Cambridge City Council and South Cambridgeshire District Council for a mixed use development, known as North West Cambridge (NW Cambridge), which includes 3000 dwellings, 2000 student units, and 100,000 sqm of employment space, along with associated primary school, community facilities, retail space, open space and infrastructure. The applications have been submitted in response to the North West Cambridge Area Action Plan (NWCAAP), adopted in October 2009. The locations of both the NW Cambridge site, and the West Cambridge site are attached as Appendix A.
- 0.2 Policy NW23 of the NWCAAP, relating to open space and recreation, requires the provision of indoor sports to mitigate the impact of that development. The indoor sports provision covers both sports hall-based activities and swimming pools. The proposed NW Cambridge development would, under the open space standards, require 0.5 of a sports hall and 0.1 of a swimming pool.
- 0.3 In order to meet these standards, and mitigate the impact of the NW Cambridge development, the applicants have proposed to widen the scope of public access to the new sports centre on the West Cambridge site, recently approved at the detailed stage by this committee. Consideration of this issue in the context of the wider community infrastructure aspects will form part of the Head of Planning Services report on the outline application to the Joint Development Control Committee in due course. However, the extended public access to the West Cambridge facilities has to be considered first by City Planning Committee, given the original decision on the West Cambridge outline permission lies with the remit of this Committee.
- 0.4 Public access would be available for phase 1 of the sports centre, which includes a main sports hall, multi-purpose sports rooms, weights rooms, fitness suite with entrance hall and café. The development commenced on

site in April 2012 and is expected to open in September 2013. Public access would also be available for subsequent phases, such as the swimming pool, which forms the second phase of the development. (A commuted sum secured by S106 for a swimming pool contribution from the NW Cambridge development be secured through the S106 for the NW Cambridge development and, in the first instance, be directed to the West Cambridge facility. The applicant is currently undertaking business planning for the second phase of the development, with the expectation that it will be delivered as soon as it is financially viable following the opening of phase 1.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The West Cambridge Site is a major academic development, undertaken by the University of Cambridge, allocated as Site 7.06 (Policy 7/6) in the Cambridge Local Plan (2006). The 66.5 hectare site, allocated for higher education use, provides B1(b) uses, sui generis research institutes, staff and student housing, sports and other shared facilities. The site gained outline planning approval, including an approved Masterplan in 1999, which identifies the uses and floorspace within each of the individual plots on the site. In 2004 the local planning authority approved a revised Masterplan.
- 1.2 The West Cambridge Site is situated between Madingley Road to the north; the M11 to the west; Clark Maxwell Road to the east, and greenbelt land, beyond the Coton footpath, to the south. The proposed sports centre falls within plot B of the approved Masterplan, situated to the south of the campus, the boundary of which has thick tree cover. The boundary of Plot B also follows the route of the Coton footpath/cycleway, which goes through two 90 degree bends.
- 1.3 The sports centre site is within the main academic core of the West Cambridge site, with its west boundary fronting onto the newly constructed lake. To the north is the main east-west cycle route through the campus and the new building for Materials Science and Metallurgy.
- 1.4 To the north of the site, the land between Madingley Road, Huntingdon Road and the M11 is currently subject to the planning application highlighted in paragraph 0.1 above, which will be determined at the Joint Development Control Committee imminently.
- 1.5 The site does not fall within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 The proposal is to vary the original Section 106 (S106) agreement (C/97/0961/OP), between the applicant and the local authority, in respect of public access to the sports centre on the site.
- 2.2 Currently the wording within the fourth schedule of the S106 states, in relation to Public Access to Sports Facilities that:

“Prior to use of any sports facilities to agree with the Council times at which recognised sports or community groups operating within Cambridge may have access to sports facilities”.

- 2.3 It is proposed through a variation to the S106 for this wording to be replaced by:

*“Prior to use of any sports facilities to agree with the Council times at which **the public** may have access to sports facilities”.*

- 2.4 The application is brought before members as this Committee granted the original permission, and therefore that same Committee should endorse any variation to the original agreement.

3.0 SITE HISTORY

Reference	Description	Outcome
97/0961/OP	Outline application for the development of 66.45ha of land for University academic departments, research institutes, commercial research, landscaping, sports centre, shared amenities, university residential accommodation, park and cycle and new access.	Approved
01/1229/FUL	Erection of part two and part three storey building for sports (14,042 sqm) and academic (618 sqm) use.	Approved
07/0252/FUL	Erection of part two storey and part three storey building for sports (renewal of planning consent ref: C/01/1299/FP).	Approved
10/0409/EXP	Erection of part two storey and part three storey building for sports (renewal of planning consent ref: C/01/1299/FP). Reserved matters application (access, appearance, landscaping, layout and scale) for phase 1 of the West Cambridge Sports Centre pursuant to outline approval C/97/0961/OP.	Approved

- 3.1 The decision notice for the sports centre 11/0979/REM is attached to this report as Appendix B.

4.0 PUBLICITY

- 4.1 The proposal is for a variation to the S106 only and is not a new application, therefore no new publicity or public consultation has taken place.

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV7
Cambridge Local Plan 2006	3/8, 5/13, 5/14, 6/2, 7/6
Area Action Plan	North West Cambridge Area Action Plan (2009)

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Open Space and Recreation Strategy Cambridgeshire Quality Charter for Growth
	<u>Area Guidelines:</u> West Cambridge Masterplan Design Guidelines

6.0 CONSULTATIONS

Head of Arts and Recreation

6.1 Informal consultation has taken place with the Head of Arts and Recreation who is supportive of the proposal.

7.0 REPRESENTATIONS

7.1 No representations have been received

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

- Extant outline permission and reserved matters approval
- Policy Compliance
- Management Arrangements
- Access to facilities

Extant Outline Permission and Reserved Matters Approval

8.2 The proposal to vary the S106 in association with the outline permission has no impact upon the Masterplan itself, or any design implications for the sports centre scheme as approved. There is no requirement to vary any associated conditions.

Policy Compliance

8.3 Policy 6/2 of the Cambridge Local Plan states that development for the provision or improvement of a leisure facility will be permitted if (Criterion a) it improves the range, quality, and accessibility of facilities. The proposed variation is entirely consistent with this policy, and therefore should be supported.

Management Arrangements

8.4 The recently approved reserved matters application for phase 1 of the sports centre contains a condition, which states:

“Prior to first use of the sports centre, a management strategy for the use of the building hereby permitted, which will include the level of access for members of the public, sports and community groups, shall be submitted to, and approved in writing by the local planning

authority. The development shall then be run in accordance with the management strategy with such further variations as the City Council may agree in writing.”

- 8.5 The University have committed to develop a management strategy in consultation with sports and recreation officers from Cambridge City Council and South Cambridgeshire District Council, as well as building on the University’s existing links with organised sports and recreation groups across the City. This condition allows for a wider scope of use of the sports centre, complementing the changes proposed through this variation. The sports centre will then be managed in accordance with the approved strategy as secured through the above condition.
- 8.6 The business planning has identified sufficient capacity to allow for managed public access to the sports centre. Access to the facility will require an affordable annual registration fee, to be paid by all users (University and public users). For 2013-2014 the fee for non-University members is likely to be set between £30- £40 per annum.
- 8.7 Members will have access to fitness classes, the fitness suite and sports hall on a paid basis. Non-members will have access to scheduled fitness classes, where booked in advance. The cost of these facilities will be in line with pricing policies for similar standard local authority facilities.

Access to Facilities

- 8.8 The sports centre is situated within land owned by the University. The roads and footpaths within the site are not adopted, and are not designated Public Rights of Way. Physical access to the sports centre is secured through the existing S106 legal agreement that makes provision ‘to allow public access through the land in accordance with the spirit and intention of Figure 34 of the Masterplan’. Figure 34 is attached as appendix C.
- 8.9 Improvements to the existing junction with JJ Thompson Avenue and a proposed new junction opposite High Cross, which will serve as access points into the NW Cambridge development are proposed through that application. These improvements, along with cycle and pedestrian upgrades secured through both the West Cambridge S106 and the NW Cambridge S106 (subject to permission), will ensure that the facility is accessible from the neighbouring development and areas beyond.

9.0 CONCLUSION

- 9.1 The proposed variation results in a facility that is more accessible to the wider public. There are no other implications for the design of the sports centre, or the wider Masterplan/outline consent and therefore this proposal is supported by officers, and conforms with planning policy.
- 9.2 Execution of this variation depends on whether or not the Joint Development Control Committee approves the outline application, both in terms of indoor

sport, and the development as a whole. The recommendation is therefore worded as such.

10.0 RECOMMENDATION

APPROVE variation of the section 106 wording to secure wider public access

- (i) As set out in paragraph 2.3,**
- (ii) Any associated variations required to definitions etc. within the agreement to be consistent, and**
- (iii) Subject to the granting of approval by the Joint Development Control Committee of planning applications C/11/1114/OUT and S/1886/11**

Reasons for Approval

This variation has been approved because, subject to the requirements set out above, it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/8, 5/13, 5/14, 6/2, 7/6

The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than granting the variation.

IMPLICATIONS

- (a) Financial Implications - None**
- (b) Staffing Implications - None**
- (c) Equal Opportunities Implications –** The proposal will create equal opportunity for all residents to use the facilities.
- (d) Environmental Implications – None**
- (e) Community Safety - None**

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Sports Centre Committee report for 11 January 2012 Planning Committee

To inspect these documents contact Mark Parsons on extension 2789

The author and contact officer for queries on the report is Mark Parsons on extension 7289.

