

<b>Application No:</b>	2017/2223	<b>Application Type:</b>	CCC
<b>Case Officer:</b>	Paul Falconer	<b>Ward:</b>	Walton North Ward
<b>Location:</b>	Elmbridge Sports Hub Waterside Drive Walton-On-Thames Surrey KT12 2JG		
<b>Proposal:</b>	Confirmation of Compliance with Condition: 35 (Hours of Use Statement) of planning permission 2016/3371		
<b>Applicant:</b>	Willmott Dixon		
<b>Agent:</b>	Turley Southampton Turley 6th Floor North 2 Charlotte Place Southampton SO14 0TB		
<b>Decision Level:</b>	If Confirm Compliance – Planning Committee If Refuse Compliance – Planning Committee		
<b>Recommendation:</b>	Confirm Compliance		

**Representations:** None

## R e p o r t

### Description

1. The site is 14.2 hectares and comprises the XCel Sports Hub which was formally the Walton Casuals FC football ground and open land.
2. To the north-west of the site is an embankment leading down to the northern section of Waterside Drive which serves The Weir Hotel, Rose Cottage and the Sunbury Lock Gas Works which is classified as a COMAH site. Beyond a narrow strip of land, which includes Rose Cottage, is the River Thames and tow path. The tow path forms part of the Thames Path National Trail and part of the Sustrans National Cycle network. The area on the opposite side of the River is within Lower Sunbury and mainly falls within the Borough of Spelthorne.
3. To the west of the site is the existing Xcel Leisure centre and associated car park, and artificial football pitch, which comprises a changing block, fencing and flood lights. Adjacent to this is Waterside Drive and further to the south-west are residential properties and the Queen Elizabeth II (BP) Oil Storage Terminal which is classified as a COMAH site. Apps Court Farm is to the east and Hawks End Farm to the south.
4. The site is located within the Metropolitan Green Belt, Thames Policy Area, potential contaminated land, partly within Flood Zone 2 and has a number of existing pipelines within close proximity. The site was identified as an area for the provision of an improved, accessible open space in Policy CS14 of the Core Strategy as shown on the proposals map. The River Thames is designated as a Site of Nature Conservation Importance. The Lower Sunbury Conservation Area lies on the northern side of the river within which there are a number of Listed Buildings, including the Church of St Mary the Virgin, which is Grade II\* listed.

### Constraints

5. The relevant planning constraints are:
  - Green Belt
  - Flood Zone 2
  - Biodiversity Opportunity Area
  - Contaminated Land

- Government Oil Pipeline
- Public Footpath
- Thames Policy Area
- Thames Landscape Strategy
- Thames Valley National Landscape Character Area
- Proximity to SNCI
- Proximity to SSSI
- Proximity to SPA and Ramsar site
- Proximity to Lower Sunbury Conservation Area and listed buildings including St Mary's Church

## **Policy**

6. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:

### Core Strategy 2011

- CS1 – Spatial Strategy
- CS3 – Walton on Thames
- CS12 – The River Thames Corridor and its tributaries
- CS14 – Green Infrastructure
- CS15 - Biodiversity
- CS16 – Social and Community Infrastructure
- CS17 – Local Character, Density and Design
- CS25 – Travel and Accessibility
- CS26 – Flooding
- CS27 – Sustainable Buildings

### Development Management Plan 2015

- DM1 – Presumption in favour of sustainable development
- DM2 - Design and Amenity
- DM4 – Comprehensive development
- DM5 - Pollution
- DM6 – Landscape and trees
- DM7 – Access and parking
- DM8 – Refuse, recycling and external plant
- DM9 – Social and community facilities
- DM12 - Heritage
- DM13 – Riverside development and uses
- DM17 – Green Belt (development of new buildings)
- DM20 – Open space and views
- DM21 – Nature conservation and biodiversity
- DM22 – Recreational use of waterways

### Surrey Waste Plan 2008

- WD7 - Disposal by Landfilling, landraising, engineering or other operations
- WD8 – Landfilling, landraising and engineering or other operations

7. The following SPDs are material considerations to be taken into account:

### Flood Risk SPD 2016

### Design & Character SPD 2012

### Developer Contributions SPD 2012

8. The National Planning Policy Framework and the Planning Practice Guidance are important material considerations.



16. The hours of use are linked to the Lighting Strategy (Condition 16) which proposes the hours of use for the floodlighting. Condition 16 is also under consideration by the Planning Committee on this agenda.
17. The applicant has indicated that the ground floor of the pavilion building (which accommodates the reception, office, changing rooms, w/c, stores and fitness room are needed from 6.30am to allow athletes participating in early morning training. The ground floor will close to public use 30 minutes after the use of the track and pitches ceases to allow participants to shower, change etc.
18. The hours for the whole pavilion represent the maximum hours of use and refer to use by the various sports clubs, visiting clubs, players, athletes and visiting members of the public. Access to the building will be required outside these times by staff (eg. cleaning staff, staff setting up for/clearing up after events in the pavilion).
19. The athletics track and pitches are intended to be in use 06.30 to 22.00 Monday to Friday and 06.30 to 21.00 Saturday and Sunday.
20. The sports lighting would be in use dusk to 22.00 Monday to Friday and dusk to 21.00 Saturday and Sunday.
21. The Council's Environmental Health section have been consulted on the proposals and consider that, in combination with the noise management plan, the hours of use of the pavilion would not be detrimental to the amenity of residents or surrounding uses.

#### **Matters raised in Representations**

22. None.

#### **Conclusion**

23. On the basis of the above it is considered that Condition 35 (Hours of Opening of the Pavilion) of planning permission 2016/3371 be discharged.

**Recommendation: Conditions - Confirm Compliance**