

Project Number: P-09-335
Originator: michael.fearn@shire-uk.com



Shireconsulting
8 Spicer Street, St Albans,
Hertfordshire AL3 4PQ
t: 01727 838455

WESTMINSTER LODGE LEISURE CENTRE

PLANNING STATEMENT



Culture & Community Development

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1. INTRODUCTION

- 1.1. This Planning Statement accompanies the applications for planning permission and conservation area consent submitted by St. Albans City and District Council (referred to in this Statement as 'the Council' or 'the Applicant') for the demolition of the existing Westminster Lodge Leisure Centre and erection of a replacement community leisure facility.
- 1.2. It has been a long term aim of the Council to regenerate this facility and the proposal (described in the Design & Access Statement) is the culmination of many years work and follows extensive study and detailed analysis of various Options. The eventual project design has been formulated to achieve the implementation of this key planning objective.
- 1.3. Detailed discussions have been undertaken with officers from Planning and Building Control, English Heritage, the Environment Agency, as well as with the local Crime Prevention Design officer, over the course of 2009. The following statement covers the policy areas identified during this consultation process at National, Regional and Local levels. The implications of these policies for the development are then discussed beneath the following headings:
 - Social Inclusion & Improving Community Facilities
 - Location, Sustainability & Transportation
 - Conservation & Design (including archaeology and crime prevention)
 - Landscape & Green Belt (including ecology)
 - Development & Flood Risk

2. CENTRAL GOVERNMENT POLICY

- 2.1. In this case relevant national planning policy includes PPS 1 (*“Delivering Sustainable Development”*), PPG 2 (*“Green Belts”*); PPS 4 (*“Planning for Sustainable Economic Growth”*) and its accompanying Good Practice Guide (*“Planning for Town Centres”*); PPS 9 (*“Biodiversity and Geological Conservation”*), PPG13 (*“Transport”*); PPG 15 (*“Planning and the Historic Environment”*); PPG16 (*“Archaeology and Planning”*); PPG 17 (*“Planning for Open Space, Sport and Recreation”*); PPG 24 (*“Planning and Noise”*) and PPS 25 (*“Development and Flood Risk”*).
- 2.2. Planning Policy Statement 1 (PPS1) sets out the Government’s commitment to a plan-led system of development control. It notes that where the development plan contains relevant policies, applications for planning permission should be determined in line with the Development Plan unless material considerations indicate otherwise (paragraph 8). Paragraph 10 of the accompanying policy document *“The Planning System : General Principles”* states that if there are no material considerations the application shall be determined in accordance with the Development Plan and where there are material considerations the Development Plan should be the starting point, and any material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date. Paragraph 13 reconfirms that the Government’s statements of planning policy are also material considerations which must be taken into account, where relevant, in decisions on planning applications.
- 2.3. The Development Plan (see next section) in this instance is the Revision to the Regional Spatial Strategy for the East of England May 2008, the ‘saved’ elements of the Hertfordshire Structure Plan of 1998, together with the St Albans District Local Plan Review that was adopted in November 1994. Where relevant and up-to-date, policies in these documents that comprise the Development Plan will be the first consideration in determining applications for planning permission but more up-to-date Government Policy will be a material consideration that may overtake or supplement Development Plan Policies.

PPS1 – “Delivering Sustainable Development”

- 2.4. At paragraph 1 the PPS states *“Planning shapes the places where people live and work and the country we live in. Good planning ensures that we get the right development, in the right place and at the right time. It makes a positive difference to people’s lives and helps to deliver homes, jobs, and better opportunities for all, whilst protecting and enhancing the natural and historic environment, and conserving the countryside and open spaces that are vital resources for everyone...”*. Good planning is noted as being *“a positive and proactive process, operating in the public interest through a system of plan preparation and control over the development and use of land”*. As a result *“Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations”*(paragraph 3).
- 2.5. At paragraph 4 the Government sets out four aims for sustainable development. These are:
- *social progress which recognises the needs of everyone;*
 - *effective protection of the environment;*
 - *the prudent use of natural resources; and,*
 - *the maintenance of high and stable levels of economic growth and employment.*
- 2.6. Paragraph 4 continues that *“these aims should be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well being, in ways that protect and enhance the physical environment and optimise resource and energy use”*.
- 2.7. According to paragraph 5 *“Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:*
- *making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;*

- *contributing to sustainable economic development;*
- *protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;*
- *ensuring high quality development through good and inclusive design, and the efficient use of resources; and,*
- *ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.*

2.8. *“Planning is a tool for local authorities to use in establishing and taking forward the vision for their areas as set out in their community strategies. The planning process already offers local communities real opportunities to influence how they want their areas to develop. More effective community involvement is a key element of the Government’s planning reforms. This is best achieved where there is early engagement of all the stakeholders in the process of plan making and bringing forward development proposals”*(paragraph 11).

2.9. In this context paragraph 12 asserts that *“pre-application discussions are critically important and benefit both developers and local planning authorities in ensuring a better mutual understanding of objectives and the constraints that exist. In the course of such discussions proposals can be adapted to ensure that they better reflect community aspirations and that applications are complete and address all the relevant issues. Local planning authorities and applicants should take a positive attitude towards early engagement in pre-application discussions so that formal applications can be dealt with in a more certain and speedy manner and the quality of decisions can be better assured”*.

- 2.10. The Government is *“committed to developing strong, vibrant and sustainable communities and to promoting community cohesion in both urban and rural areas. This means meeting the diverse needs of all people in existing and future communities, promoting personal well-being, social cohesion and inclusion and creating equal opportunity for all citizens”* (paragraph 14). It is essential that the wider community is involved in the planning process in order to help to develop the vision for the area and shape the places where people work and live. Community involvement is considered *“critical to achieving sustainable development objectives”* and an approach should be adopted that is inclusive of different groups, particularly those *“who find it difficult to engage with the planning system”* (paragraphs 40 - 44).
- 2.11. Paragraph 15 acknowledges that *“regeneration of the built environment alone cannot deal with poverty, inequality and social exclusion. These issues can only be addressed through the better integration of all strategies and programmes, partnership working and effective community involvement”* and development should be promoted *“that creates socially inclusive communities”* Amongst other things, according to paragraph 16, policies should:
- *address accessibility (both in terms of location and physical access) for all members of the community to jobs, health, housing, education, shops, leisure and community facilities; and*
 - *support the promotion of health and well being by making provision for physical activity”.*
- 2.12. Promoting social cohesion should not be at the expense of protecting the historic and natural environment as the *“conservation and improvement of the natural and built environment brings social and economic benefit for local communities. Planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design, conservation and the provision of public space”*. Planning authorities are exhorted to *“seek to enhance the environment as part of development proposals...through positive policies”*(paragraphs 17 - 20).

- 2.13. As a means of *“Delivering Sustainable Development”* paragraph 27 advocates promoting *“(ii) urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places; (iii) Promote communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community; (iv) Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs forleisure and recreation, [and] (v) Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport...”*
- 2.14. Wherever possible development should avoid consuming new resources and make efficient use of existing resources, which includes land (paragraphs 22 & 27(viii)).
- 2.15. Planning should not be pursued in isolation from other local authority objectives and *“planning authorities should demonstrate how their plans are integrating various elements of sustainable development and should seek to achieve outcomes which enable social, environmental and economic objectives to be achieved together. Considering sustainable development in an integrated manner when preparing development plans, and ensuring that policies in plans reflect this integrated approach, are the key factors in delivering sustainable development through the planning system”*(paragraph 28).

2.16. *“Good design is indivisible from good planning”* (paragraph 33) and *“High quality and inclusive design should be the aim of all those involved in the development process. High quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well-planned public spaces that bring people together and provide opportunities for physical activity and recreation. It means ensuring a place will function well and add to the overall character and quality of the area, not just for the short term but over the lifetime of the development. This requires carefully planned, high quality buildings and spaces that support the efficient use of resources. Although visual appearance and the architecture of individual buildings are clearly factors in achieving these objectives, securing high quality and inclusive design goes far beyond aesthetic considerations”*. (paragraph 35). Paragraph 35 continues that, amongst other matters, *“Good design should:*

- address the connections between people and places by considering the needs of people to access jobs and key services; [and] create an environment where everyone can access and benefit from the full range of opportunities available to members of society”*.

2.17. Similar comment is made at Paragraph 42 of the Supplement to PPS 1 regarding *“Planning and Climate Change”* that design must:

“take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, including maximising cooling and avoiding solar gain in the summer; and, overall, be planned so as to minimise carbon dioxide emissions through giving careful consideration to how all aspects of development form, together with the proposed density and mix of development, support opportunities for decentralised and renewable or low-carbon energy supply;

- deliver a high quality local environment;*
- provide public and private open space as appropriate so that it offers accessible choice of shade and shelter, recognising the opportunities for flood storage, wildlife and people provided by multifunctional greenspaces; and*

- *create and secure opportunities for sustainable transport in line with PPG13 including through:*
 - *the preparation and submission of travel plans;*
 - *providing for safe and attractive walking and cycling opportunities including, where appropriate, secure cycle parking and changing facilities; and*
 - *an appropriate approach to the provision and management of car parking.*

PPG2 - “Green Belts”

2.18. PPG2 sets out the Government’s policies for Green Belts, including the five purposes of including land within them (paragraph 1.5) and six objectives for the positive role that land so included can play (paragraph 1.6). PPG2 also advises Local Planning Authorities that in considering the boundaries of Green Belts they should take account of the need to promote sustainable patterns of development and that boundaries that are tightly drawn around built-up areas may reduce the ability to make provision for necessary sustainably-located development.

2.19. PPG2 policy on control of development of land designated as Green Belt states that *“inappropriate”* development is, by definition, harmful to the Green Belt and it is for an applicant to show why permission for any proposed inappropriate development should be granted. *“Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”*(paragraph 3.2). The circumstances where the construction of new buildings within a Green Belt are not inappropriate, including essential facilities for outdoor sport and recreation and the infilling or redevelopment of existing major developed sites, are set out in Paragraph 3.4. Annex C contains advice on Major Developed Sites in the Green Belt, noting that development which enables their continuing use may help to secure jobs and prosperity without further prejudicing the Green Belt.

2.20. The PPG also advises that the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact upon the openness of the Green Belt or the purposes of including land within it. This will involve examining the character and disposition of the development as Annex C suggests that it may be more appropriate to site new development closer to existing buildings. Proposals should be considered in the light of all material considerations including visual amenity and any traffic and travel implications. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by development proposals and applicants are referred to PPG13 in respect of traffic and travel implications.

**PPS4 – “Planning for Sustainable Economic Growth” & Good Practice Guide
“Planning for Town Centres”**

2.21. PPS4 (which replaced a number of other PPGs/PPSs in December 2009) is now the up-to-date Government policy statement for all “*economic development*”, defined at paragraph 4 as including “*development within the B Use Classes, public and community uses and main town centre uses*”. The policy also applies to any development (other than housing), which achieves at least one of the three specified objectives at paragraph 4. These objectives are the provision of employment opportunities, the generation of wealth, or the production of an economic output.

2.22. Overall, it can be seen from PPS4 that there should be a positive attitude towards all development which generates wealth and creates employment and the “*over-arching objective is sustainable economic growth*” (paragraph 9). This is further evidenced by Policy EC10.1 which states:-

“Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.”

- 2.23. According to Policy EC1.4 both the quantitative and qualitative factors should be taken into account when assessing the need for leisure development and other benefits such as regeneration can be material considerations in the site selection process (see also Policy EC5.1e).
- 2.24. Sites that are *“suitable, available and viable”* to meet the identified need should be identified using a *“sequential approach to site selection”* (also covered at Policy EC15) with preference being given to locations in existing centres. If there is no potential site in a central area one considers edge-of-centre or out-of-centre locations *“with preference given to sites that are or will be well-connected to the centre”* (Policy EC5.2).
- 2.25. Policy EC16 outlines the areas which applications for *“main town centre uses”* must assess. Amongst other things these include: the impact of the proposal upon any committed public investment in the centre; impact upon central area vitality and viability; and whether the proposal is of an *“appropriate scale”*.
- 2.26. Although PPS4 has replaced PPS6, the strong emphasis upon the promotion of town centre vitality and viability remains in the new policy (see for instance paragraph 10). The Government wants town centres to offer *“a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities”*. There should be *“enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres”* (paragraph 10).
- 2.27. The Good Practice Guide (GPG) which accompanied the release of PPS4 supports the implementation of national policy, although it makes clear that it does not constitute a statement of government policy or seek to prescribe a single methodology or data sources. It notes the Government’s strong commitment to promoting consumer choice and that national policy recognises the contribution that leisure uses can make to the vitality and viability of towns.

2.28. Local Planning Authorities are urged to consider the quality of facilities currently available and to look at opportunities to provide for more choice, quality and accessibility. The GPG stresses the message in PPS4 about the need to support and actively promote new development, particularly where it does not give rise to unacceptable impacts. The GPG advises that any new development will naturally have some impacts but any assessment should concentrate on whether these are significant. Applications should not be rejected on the basis that the development should be on a sequentially preferable site unless a site that is capable of meeting the same requirements is likely to be readily available and the GPG also recognises that certain types of development can only realistically be accommodated in specific locations.

PPS 9 - “Biodiversity and Geological Conservation”

2.29. The Government’s vision is to conserve and enhance England’s biological diversity and there is a *“broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible”*. *“Policies and decisions about the development and use of land”* must consider biodiversity and geological diversity with other considerations *“as an integral part of social, environmental and economic development”* (Statement of Government Objectives).

2.30. Some “key principles” are set out at paragraph 1 *“to ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered”*. The list of principles below includes such elements as:

- planning decisions being based upon up-to-date information about the environmental characteristics of the area;
- planning decisions maintaining and enhancing, restoring or adding to biodiversity and geological conservation interests;
- planning decisions aiming to prevent harm to biodiversity.

2.31. Development proposals are noted as providing *“many opportunities for building-in beneficial biodiversity or geological features as part of good design”*(paragraph 14) and generally the conservation of ‘aged’ or ‘veteran’ trees should be encouraged (paragraph 10).

- 2.32. *“Networks of natural habitats”* are noted as providing a *“valuable resource”* in that *“they can link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment”* (paragraph 12).
- 2.33. Paragraphs 15 & 16 note that certain species have statutory protection whilst *“other species have been identified as requiring conservation action as species of principal importance for the conservation of biodiversity in England”*. Where possible such species should be protected, say by means of planning conditions.

PPG13 - “Transport”

- 2.34. As *“our quality of life depends on transport and easy access to jobs, shopping, leisure facilities and services; we need a safe, efficient and integrated transport system to support a strong and prosperous economy”* (paragraph 1). *“Land use planning has a key role in delivering the Government’s integrated transport strategy. By shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, planning can help to reduce the need to travel, reduce the length of journeys and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking, and cycling. Consistent application of these planning policies will help to reduce some of the need for car journeys (by reducing the physical separation of key land uses) and enable people to make sustainable transport choices. These policies are therefore part of the Government’s overall approach to addressing the needs of motorists, other road and public transport users, and business by reducing congestion and pollution and achieving better access to development and facilities. They will also help to promote sustainable distribution”* (paragraph 3).

- 2.35. It is stated as being an objective of the guidance *“to integrate planning and transport”* and *“promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling”*. Land uses which are major generators of travel demand (particularly leisure and recreation facilities serving a local catchment) should be sited in, or close to, town centres and other locations which are accessible to public transport (paragraph 20). There is further guidance upon the locational issues associated with leisure uses at paragraphs 35-37, which is essentially the same as that already set out in the consideration of PPS4.
- 2.36. Generally, *“people should come before traffic”* and walking should be promoted and encouraged. Designs and layouts should be promoted (particularly in partnership with the Police) that can *“be used safely and securely by all in the community, frequently for a wide range of purposes and throughout the day and evening”* (paragraphs 28, & 75 - 77). Similarly, paragraph 30 notes that *“mixed use development can provide very significant benefits, in terms of promoting vitality and diversity and in promoting walking as a primary mode of travel”*.
- 2.37. It is noted that the availability of car parking has a major influence on the means of transport chosen and the PPG generally seeks its reduction *“as part of a package of planning and transport measures, to promote sustainable travel choices. At the same time, the amount of good quality cycle parking in developments should be increased to promote more cycle use”* (paragraphs 49, as well as 78 - 80). Nevertheless the car *“will continue to have an important part to play”* and this is particularly the case for disabled people whose needs must be taken into account (paragraphs 4 - 6, 19 & 31). Maximum levels for car parking provision are set out at Annex D for use by planning authorities that have not yet adopted more stringent controls for their locality (see latest advice in Annex A to PPS4). In relation to Class D2 developments of this type in excess of 1,000m² the national standard is 1 space per 22m². Parking to meet the needs of disabled people is additional to these levels of provision.

2.38. Transport assessments should be prepared where a development will have significant implications and the opportunity should be taken to introduce measures via travel plans to improve access by non-car modes and reduce the need for need for car parking (paragraphs 23 - 27, 55 & 87 - 90).

PPG15 - “Planning and the Historic Environment”

2.39. Paragraph 2.11 states that particular importance is given to early consultation with the Local Planning Authority (and the principle of early consultation should also extend to English Heritage), on development proposals which are likely to affect historic sites and areas. There is considered to be *“much more scope for refinement and revision of proposals if consultation takes place before intentions become firm”*.

2.40. New buildings must be *“carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials”* (paragraph 2.14). However, this paragraph continues *“this does not mean that new buildings have to copy their older neighbours in detail”* and it is acknowledged that a variety of building styles can be equally successful. The Local Planning Authority should consider the effect of a new development upon the setting of historic buildings, *“even if the redevelopment would only replace a building which is neither itself listed nor immediately adjacent to a listed building”* (paragraphs 2.16 & 2.17).

2.41. When exercising their planning function in conservation areas Local Planning Authorities should consider development on the basis of whether it preserves or enhances the area’s character or appearance. Whilst *“the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area”*, it is accepted at paragraphs 4.16 - 4.17 & 4.27 that not all buildings in conservation areas make such a contribution. The emphasis should be upon the *“positive management of change”* and the opportunity to replace such structures *“should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area”*.

PPG16 - "Archaeology and Planning"

- 2.42. The development site is close to, but not in, the Scheduled Ancient Monument (SAM) of Verulamium and is also identified in the SADLPR as having archaeological potential. The PPG notes that *"archaeological remains are a finite and non-renewable resource [which] are valuable both for their own sake and for their role in education, leisure and tourism"* (paragraph 6).
- 2.43. Taking decisions involving possible archaeological implications is *"much easier if any archaeological aspects of a development site can be considered early on in the planning and development control process"* (paragraph 8, as well as paragraphs 12 & 18). For this reason the PPG places an emphasis upon consultation and discussion of intentions with the Planning Authority before an application is submitted (paragraphs 19 - 23).
- 2.44. The Local Planning Authority can impose conditions designed to protect remains and *"to ensure that reasonable access is given to a nominated archaeologist - either to hold a "watching brief" during the construction period or specifically to carry out archaeological investigation and recording in the course of the permitted operations on site"*. Planning conditions can also be attached which prevent development commencing until a programme of archaeological investigation has been approved (paragraphs 29 & 30).

PPG 17 - "Planning for Open Space, Sport and Recreation"

- 2.45. In its opening section PPG17 states that sport and recreation provision is *"fundamental to delivering broader Government objectives"* including *"supporting an urban renaissance"*; and *"the promotion of social inclusion and community cohesion"*. Good quality sports and recreational facilities are noted as playing *"a major part in improving people's sense of well being in the place they live. As a focal point for community activities, they can bring together members of deprived communities and provide opportunities for people for social interaction"*. Sports facilities are acknowledged as having a *"vital role to play in promoting healthy living and preventing illness, and in the social development of children of all ages through play, sporting activities and interaction with others"*. They are an intrinsic part of *"promoting more sustainable development"*.

2.46. Local authorities should undertake audits of their existing sports and recreational facilities and these *“audits should consider both the quantitative and the qualitative elements....audits of quality will be particularly important as they will allow local authorities to identify potential for increased use through better design, management and maintenance”*. These audits will form the basis of effective strategies for sport and recreation provision for a local authority’s Community Strategy and *“for effective planning through the development of appropriate policies in plans”*(paragraphs 3 & 4).

2.47. *“Development of open space, sports or recreational facilities may provide an opportunity for local authorities to remedy deficiencies in provision. (paragraph 12). In cases where the development involves the exchange of one site for another, the new facility “should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. Wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities”*(paragraph 13).

2.48. Paragraph 18 continues *“where recreational land and facilities are of poor qualityLocal authorities should seek opportunities to improve the value of existing facilities. Usage might be improved by better management or by capital investment to secure improvements...”*.

2.49. According to paragraph 20 local authorities should apply a number of *“General Principles”* when considering where to locate new sports and recreational facilities. These include:

- Promoting accessibility by a variety of transport mode (ensuring that the facilities are accessible for people with disabilities);
- Adding to and enhancing the range and quality of existing facilities;
- Consider security and personal safety;
- Where possible meet the regeneration needs of areas and
- Considering the impact of new facilities on social inclusion.

PPG 24 - "Planning and Noise"

- 2.50. Noise is noted as having effects upon 'quality of life' and the aim of the guidance is to advise upon how the Planning System can be used to minimise noise impact *"without placing unreasonable restrictions on development or adding unduly to the costs"*(paragraph 1). It is clearly set out, at paragraph 10, that *"much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise"*. That paragraph continues the *"planning system should not place unjustifiable obstacles in the way of such development"*.
- 2.51. When determining applications the nature of existing activities needs to be considered and whether they would be compatible with the new development (paragraph 12). Where it is not possible to separate activities from noise sensitive development measures can be put in place (such as design solutions or planning conditions) to mitigate any impact (paragraphs 2, 13-19).

PPS 25 - "Development and Flood Risk"

- 2.52. Most of the development site is Zone 1 (a *"Low Probability"*) for flood risk, but part has been defined as being Zone 2 (*"Medium Probability"*) and a small area to the north is categorised as Zone 3a (*"High Probability"*). *"All forms of flooding and their impact on the natural and built environment are material planning considerations"* and generally development should be directed away from the areas of highest risk (paragraphs 3 & 5).
- 2.53. At paragraphs 34 & 35 the PPS strongly recommends *"working in constructive partnership"* and *"proposers of development which may be affected by, or may add to flood risk should arrange pre-application discussions with the LPA and the Environment Agency"*. The emphasis is upon the early consideration of flood risk in the development process and identifying and addressing any problems.

- 2.54. Planning authorities should *“ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required”* (paragraph 8). All development should be assessed using the *“sequential test”* at paragraphs 16 & 17 and Tables D1 & D.2 at Annex D. In areas known to be at risk of river or sea flooding *“preference should be given to locating new development in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, the flood vulnerability of the proposed development (see Table D.2, Annex D) can be taken into account in locating development in Flood Zone 2 and then Flood Zone 3. Within each Flood Zone new development should be directed to sites at the lowest probability of flooding from all sources”*(paragraph 17).
- 2.55. Certain uses are classified as being more compatible in locations which are vulnerable to flooding and the classifications are set out in Table D.2. Assembly and Leisure, as well as cafés are considered to be amongst the *“less vulnerable”* activities and are therefore *“appropriate”* in both Zones 2 & 3a.

3. DEVELOPMENT PLAN POLICY

- 3.1. As stated the Development Plan comprises the St Albans District Local Plan Review (SADLPR) of 1994, the Hertfordshire Structure Plan of 1998 (although none of its remaining policies are relevant to this proposal) and the East of England Plan May 2008.
- 3.2. In relation to the Proposals Map the majority of the site is subject of a site specific allocation SL.6 which promotes redevelopment of the existing leisure centre. The site is within the Green Belt, within the St Albans City Conservation Area and defined as being within *"Archaeological Site Reference AS.R.25 - St Albans"*. The land is outside the Verulamium SAM and also outside the boundary of **Policy 114**, which relates to building height control. The map at Figure 16 shows *"Public Viewpoints"* to *"skyline features"* in the City Centre and one of these viewpoints is of the Abbey from the Westminster Lodge access road.

Review of the Regional Spatial Strategy for the East of England May 2008

- 3.3. The Regional Spatial Strategy (RSS) replaces most of the policies in the Hertfordshire Structure Plan. It is also known as *"The East of England Plan"* and the driving force behind it is the achievement of sustainable development, taking the Government's planning policies as its starting point. The Plan seeks to make the best use of previously developed land (PDL) but the policies aim to concentrate new development in sustainable locations by setting out a hierarchy for development. The Strategy directs development firstly to *"Key Centres"* (the main towns in the region, of which St Albans is one), then market towns and larger villages (Key Service Centres). Policies **SS1** and **SS2** require Local Development Documents to foster a *"healthy and just society"*, with amongst other things *"social inclusion and leisure opportunities"*. The Strategy also expresses support for new and improved facilities for *"Culture"* at Section 6 and the definition at paragraph 6.1 is wide ranging and *"cross cutting"*, but specifically includes *"sport and recreation"*. The region's *"cultural assets"* should be supported and the contribution that this sector *"can make to regeneration and urban and rural renaissance"* should be recognised (**Policy C1**). The historic and natural environment will be protected and should contribute to community regeneration (Policies **ENV3**, **ENV5 - 7**)

The St Albans District Local Plan Review November 1994

- 3.4. We set out below the relevant policy relating to this site using the SADLPR's chapter headings.
- 3.5. **Key Structuring Policies** - The SADLPR sets out in **Policy 1** the extent of the Green Belt within the City and District of St. Albans, drawing upon national policy that was set out in the 1988 original version of PPG2. Policy 1 continues by stating that any new development within the Green Belt shall integrate with the existing landscape and that additional landscaping will normally be required. Significant harm to the ecological value of the countryside must be avoided.
- 3.6. **Transportation - Policy 34** relates to highway considerations (such as access, capacity and safety) and seeks to ensure that these are taken into account in development control decisions and seeks to restrain any development likely to increase traffic problems, particularly in the City Centre. **Policy 39** sets out the Council's car parking standards for most uses but does not include them for leisure use. In 2002 Revised Parking Policies and Standards were adopted for the District and St Albans was divided into two zones (the subject site is within Zone 1). In this zone maximum parking standards for indoor leisure uses such as swimming pools are 1 car space per 22m² of gross floor area (the same standard as for PPG13). Cycle standards require 1 short term space per 25m² of gross floor area plus 1 cycle space per 10 full time staff. In relation to leisure uses of greater than 1,000m² the revised standards also require a green travel plan.
- 3.7. **Design & Environment** - Policy 69 (General design and layout) requires all development to have an adequately high standard of design taking account of matters such as context and materials. **Policy 74** (Landscaping and tree preservation) seeks the retention of existing landscaping wherever appropriate but recognises that this can be incompatible with overall design quality and / or economic use of the site. In such cases new landscaping and tree planting will be required and detailed landscaping schemes will normally be required as part of full planning applications.

- 3.8. **Policy 75** (Green space within settlements) states that the Council will consider whether land should be retained in open use and what effect a proposed development would have upon the character of the remaining green space. **Policy 84** (Flooding and river catchment management) sets out the principles that are intended to apply in areas at risk of flooding but this matter is now covered by more up-to-date national policy in PPS25.
- 3.9. **Conservation & Historic Buildings - Policy 85** (Development in conservation areas) reflects the national requirement that development should preserve or enhance the character and appearance of the conservation area. The policy requires a high standard of design, sympathetic to its surroundings and to the conservation area as a whole, and sets out criteria and guidance intended to assist in achieving that standard. Policy 85 also deals with the demolition of buildings within a conservation area, allowing demolition of unlisted buildings that make little or no contribution the conservation area provided that there are acceptable and detailed plans for redevelopment.
- 3.10. **Leisure - Policy 91** (Location of leisure facilities) sets out parameters for leisure proposals. These are required to be acceptable in terms of location, access, car parking, environmental impact and safety and they must not add to traffic congestion for shopping and commercial users. **Policy 92** deals with new indoor sports facilities, allocating the Westminster Lodge site for a replacement leisure centre as site reference SL6.
- 3.11. **Archaeology – Policy 111** (Archaeological sites where planning permissions may be subject to a recording condition) requires an archaeological investigation and the recording of finds in relation to a list of sites thought to have archaeological potential.

Council Strategies & The Evidence Base

3.12. The Council's **Sustainable Community Strategy for 2009** (*"Shaping our District together for 2021"*) sets out its vision *"that the District is a place where everyone, regardless of age, race, gender, disability, religion, belief or sexual orientation, has access to the same high quality services and facilities. We also want to create a sustainable community by improving the quality of life for everyone who lives here now in a way which will safeguard the prospects of our future generations. These principles underpin our vision and all of our actions in the community strategy"*. Amongst the "challenges" to achieving the vision is to address health and social inequalities by encouraging participation of certain groups in sports activity. *"Key Priorities"* are set out for the immediate and longer term and amongst these are *"supporting arts, leisure and sports activity"* [and] *"providing accessible facilities and activities for young people"* to help build healthier lifestyles. It is acknowledged that meeting the numerous objectives will involve a number of agencies, including various arms of the Council itself.

3.13. **Cabinet Consideration** - The Council had first promoted a formal proposal for a redeveloped Westminster Lodge in 2007 and over subsequent years the make-up of the scheme was subject to considerable refinement and revision *"to take account of new developments and market trends in the leisure industry"*, to offer *"a facility that meets the needs and expectations of the local community"* and to provide *"a facility that, due to its income generating potential, becomes "cost neutral" to the local authority, in revenue terms, with the potential to attract a "surplus payment" back to the Council to assist the funding of additional prudential borrowing if required"*. (paragraph 5.14 Department of Culture and Community Development report to Cabinet of the 7th July 2009).

3.14. The Cabinet granted approval for consultation with the public upon two options for Westminster Lodge, Option 1 was an improved form of the original 2007 proposal for the swimming pool and health and fitness centre, but Option 2 recognised the potential of the site to achieve additional Council corporate aims, namely:

- *“To cherish and promote our heritage, arts and culture” and*
- *To ensure the district is a desirable place to visit and in which to live, learn and work.”*

3.15. Furthermore there was potential to deliver one of Council’s supporting priorities for 2009-2012 *“i.e. tackling the impact of the current economic downturn on the District and enabling economic sustainability”* (paragraph 5.17 of Department of Culture and Community Development report to Cabinet of the 7th July 2009).

3.16. It had been highlighted by other consultants, particularly in the work undertaken for the ‘City Vision’ project, that St Albans fails to capitalise on its cultural and heritage offer and the Westminster Lodge redevelopment was viewed as giving the potential to create *“a fully functioning Roman bath experience, a visitor destination with national appeal”* that would:

- *“enhance the leisure facility mix and experience for local residents ;*
- *deliver a distinctive building, that looks to the future whilst reflecting the past, and delivers a unique local experience;*
- *attract day visitors into the City, by extending the leisure and tourism offer; encourage increased leisure / visitor spend to contribute towards the economic recovery of the District”.*

(Paragraphs 5.21, 5.22 & 5.23 of the Department of Culture and Community Development report to Cabinet of the 7th July 2009).

3.17. The July Cabinet report concluded at paragraph 5.24 that *“the second option for the redevelopment of Westminster Lodge therefore reflects the opportunity to improve leisure facilities for local residents whilst contributing towards the economic regeneration and sustainability of the City’s tourism market. This option in part delivers one of the recommendations of the City Vision project, through the inclusion of a publicly accessible Spa which would incorporate additional facilities over and above a normal health suite”.*

3.18. In addition to the inclusion of a Spa, Option 2 also included a “*café / bistro*” (to replace Westminster Lodge’s existing type of “*café servery and kitchen*” envisaged in Option 1) which “*would be located in a prime position at the front of the building, to take advantage of the parkland setting and views across the Meadow towards the Abbey*”. This A3 facility would extend the City’s “*leisure offer by linking with the Abbey Theatre in providing “pre-theatre” meals*”, and afforded the opportunity “*to contribute towards economic regeneration and sustainability of the City’s tourism market*”(paragraphs 5.26 & 5.27 of the Department of Culture and Community Development report to Cabinet of the 7th July 2009).

3.19. The Council then consulted the public and user groups upon the two Options and the outcome of this stakeholder consultation was reported back to Cabinet on the 6th October 2009. The results of the public consultation confirmed *a clear preference for option 2 for the redevelopment of Westminster Lodge, with the inclusion of a publicly accessible Spa and a Café / Bistro, and therefore the design for this option has been further developed*” (paragraph 7.1.20 of the Department of Culture and Community Development report to Cabinet of the 6th October 2009). The make up of Option 2 was further refined in the light of the stakeholder feedback and also following the lessons learned from other leisure centres “*particularly in respect of finishes that have not worn well or design issues that have caused operational difficulties*” (paragraph 7.2.3 of the Department of Culture and Community Development report to Cabinet of the 6th October 2009).

- 3.20. The Council has also commenced its review of planning policy as part of the **Local Development Framework** (LDF). Following consultation on Issues and Options, the LPA consulted on the Emerging Core Strategy document in the second half of 2009 and intends to produce a final version in early 2010 that will be submitted to the Secretary of State. The 'Vision' set out in the Core Strategy includes the provision of services and facilities that meet the needs and lifestyles of residents and visitors. The Core Strategic Objectives include a priority of keeping the District healthy by, amongst other measures, providing equal opportunity and access to recreation facilities. Reference is made to the Council's Sport and Recreation Facilities Strategy (see below) identifying significant deficiencies in existing provision. As a result and in line with Government policy that encourages participation in sporting activity, the Core Strategy proposes the encouragement of new and enhanced sport and recreational facilities *"in appropriate sustainable locations"*.
- 3.21. Following a detailed site search, the Core Strategy confirms the SADLPR intention to replace and improve two existing sports and leisure centres and these are shown on the Key Diagram. One of these sites is Westminster Lodge where the Core Strategy proposes a replacement building containing a swimming pool, health suite/spa and a fitness suite. The Core Strategy acknowledges that both existing sites are within the Green Belt but notes that the Westminster lodge site is already used for indoor leisure and that the Core Strategy rolls forward the SADLPR allocation for a new leisure centre on the site. The allocation reflects the LPA's commitment to making provision for improved sport and recreational facilities in easily accessible locations, and the Core Strategy regards the Westminster Lodge site as being a sustainable location, accessible by public transport.
- 3.22. **'City Vision'** - As a part of the evidence base for the LDF Core Strategy, the Council commissioned consultants to prepare two documents setting out the 'Vision' for the District's urban and rural areas and to give *"strategic direction for the City over the next twenty years"* (Introduction, page 1). The final draft of the document covering the urban area of St Albans was produced in December 2009.

- 3.23. The potential *“great benefits”*(page 21) that the plans for Westminster Lodge would bring to the City were recognised and supported in the ‘City Vision’, although as the redevelopment of the site was *“already programmed”*, the site itself was not considered in detail as one of the City’s *“opportunity areas”* (as these tended to be areas of land identified as having longer-term potential). However, it is clear from the discussion at some of the stakeholder workshops that the general view is that Westminster Lodge can, and should, play a greater role both in terms of the facilities offered, as well as in relation to its wider linkages to the rest of the City.
- 3.24. A public survey in August 2008 had already identified the poor quality of the City’s leisure facilities as St Albans’ *“greatest weakness”* (St Albans ‘City Vision’ City-wide Survey, published February 2009), but ‘City Vision’ goes beyond considering merely improving leisure provision, into the development of wider attractions for the City. Section 3 sets out its *“Objectives”*, two of which are *“Establishing St Albans as a cultural centre and visitor destination”* & *“Exploring opportunities for creating a cultural hub and/or circuit”*. At page 12 ‘City Vision’ comments that St Albans’ is viewed as having *“unique potential”* within the wider region to develop its role as a *“cultural centre”*. In particular it is recognised that whilst the City currently *“has a number of heritage and cultural attractors...these are located in disparate locations within the city and visual and physical links between them are not strong”* (page 13). Furthermore, ‘City Vision’ looks to bring St Albans’ *“heritage to life”* and considers the possibility of creating new visitor attractions which draw upon its heritage assets.
- 3.25. In recent years the Council has also commissioned a number of other studies, which have relevance to the subject case, which include a Sports & Recreation Facilities Strategy by PMP, a Leisure Feasibility Study by Capita Symonds and a Retail & Leisure Needs Study carried out by GL Hearn to assist in the LDF process.

3.26. **PMP Sports & Recreation Facilities Strategy December 2005** - Amongst other matters the PMP Study carried out an assessment of the provision of swimming pools and health & fitness facilities in the District. In relation to all of the existing Council run leisure facilities (of which Westminster Lodge is the largest) the report commented that these facilities are *“dated and unattractive”*. It is also noted that energy costs are high due to the facilities being inefficient and poorly designed. However the report found that there was potential for increased participation if the condition of the facilities could be addressed. The report set out a number of standards and demand models for recreational provision in the District which revealed a need for the certain key facilities including *“replacement provision at Westminster Lodge Leisure Centre, to include a sports hall and competitive swimming venue, either on the same or a nearby site”*, as well as additional swimming pool facilities for activities such as canoeing and canoe polo.

3.27. PMP went on to make recommendations, including R.7, which read: *“provide a flagship centre in St Albans, on the existing Westminster Lodge site or at a nearby alternative location easily accessible on foot or by public transport from St Albans”*. R7 also outlined what the ‘flagship’ centre should comprise, which as well as swimming pools to suit a variety of user needs, also included a *“six/eight court sports hall.....with temporary seating for events, multi-use room for aerobics, dance, martial arts and other activities, changing, crèche, bar, function room, and catering”*.

3.28. **Capita Symonds Leisure Feasibility Study August 2006** - This Study builds upon the work already done by PMP and others and amongst other things would:

- *“Develop a detailed statement of need,*
- *Identify the site areas and components that any proposed facilities should comprise*
- *Identify the optimum sites for the developments*
- *Develop outline design concepts and options for assessment*
- *Develop preferred options which include a detailed assessment of financial implications of closing the existing centres and developing the new facilities, and*
- *Develop a strategic brief for the project”*.

- 3.29. Capita Symonds made reference, at paragraphs 3.13 and 3.14 and elsewhere, to the household surveys carried out by PMP which indicated that existing sports facilities did not meet their needs and as a result a considerable number of the respondents had stated that they use leisure facilities outside of the District. In relation to those surveys the Capita Symonds' report states at paragraph 11.5 that *"the findings clearly indicate frustration with the limitations of the current facilities and demonstrated a very strong desire amongst key project stakeholders and members of the local community to have new leisure facilities in the district to cater for the ongoing sport and leisure needs of the residents and visitors to the district"*.
- 3.30. Beneath the heading *"Leisure Market Analysis"* paragraph 2.9 states *"there is recognition that, despite an expressed demand for the creation of modern, family friendly facilities, local authority expenditure on sporting facilities has barely kept up with inflation. Lottery income has fallen and there is an ageing facility stock resulting in a need for innovative and partnership approaches to any new development. This will be the challenge for St Albans to meet, if it is to successfully deliver its vision for leisure in the District"*.
- 3.31. Condition Survey Reports of the Council's existing leisure facilities had found that Westminster Lodge had *"major defects"* requiring remedial action and raised *"concerns about the roof of the building and suggested the replacement of plant and boiler room"*. In summary the condition surveys identified that a number of the District's leisure centres, including Westminster Lodge, were *"reaching the end of their useful lives"* which resulted in them being: *"unable to meet the expectations of the community"* and *"inefficient to run"*. It was concluded that significant investment in the next 10 years was essential (paragraphs 2.25 & 2.28).

- 3.32. In carrying out the assessment of need there was considerable further consultation with stakeholders involving surveys, meetings, and workshops. In addition two 'community panels' were established made up of a general population sample (but including representation from Black and Minority Ethnic Communities) to gather views on the potential facility mix and to investigate some of the *"potential barriers to participation"* (paragraph 3.30). The outcome of these discussions showed that *"new facilities are seen as an essential requirement for the District. This view has been expressed consistently throughout the consultation process"* paragraphs 3.69 & 3.70). Paragraph 3.71 continued *"there was also general agreement.....that maintaining the existing leisure facilities was not an option. The current facilities do not meet present needs and cannot satisfy future requirements"*.
- 3.33. Having identified such overriding need, the selection of suitable sites to make this improved provision was then the subject of a workshop involving key Council officers *"selected for their knowledge of the District and expertise in specific areas that the evaluation covered"* (paragraph 4.3). The workshop reduced the list of 30 possible sites down to 22 for further evaluation. Evaluation criteria were then drawn up and the various remaining locations were scored against them. The criteria included the site's catchment, ownership, and capacity, as well as its planning and access suitability (paragraph 4.5). Westminster Lodge was ranked joint first in the resulting matrix together with Cotlandswick Open Space in London Colney.
- 3.34. As Capita Symonds explain at paragraph 4.9 in order *"to enable an informed decision to be made and the preferred option developed"* further work was then undertaken upon these sites, together with an additional site (Morris Way Playing Fields also in London Colney), in relation to such matters as their environmental credentials, highways and transportation attributes and planning history. In respect of site suitability the report concluded that *"the eastern edge of Verulamium Park, the area of the existing Westminster Lodge Leisure Centre is an ideal location and should continue to be the site for St Albans flagship facility"* (paragraph 4.58). At paragraph 4.59 the report continued that it was *"the consulting team's view that the Westminster Lodge Site in Verulamium Park and Cotlandswick Open Space are the two sites that will best meet the future needs of the District"*.

3.35. At Section 5 the report also advised the Council upon seven further options, involving such choices as:

- *continuing with existing arrangements at existing levels of investment and expenditure; or*
- *increasing expenditure upon existing facilities; or*
- *redeveloping all or some of these facilities to improve their quality.*

3.36. Each option was costed, the likely income projected and a judgement made as to whether it assisted in meeting the needs already identified. The highest scoring options (all of which involved the redevelopment of Westminster Lodge as a 'flagship' facility) were taken forward for further discussion at the 'Project Board' (comprised of senior officers and elected members) and were then subsequently considered by the Council's Cabinet.

3.37. Capita Symonds also outlined the mix of activities likely to found in a 'flagship' development which, in addition to a new pool and health & fitness suite, would include such facilities as those specifically serving the youth and childrens' sector, a climbing wall and a crèche. There would need to be an improved catering facility and in relation to a proposed "*café terrace*" the report commented that this was considered to be "*more than just providing a replacement for the existing Westminster Lodge Leisure Centre. The intention is to form a building that becomes the hub of Verulamium Park, whether one is using the leisure facilities or taking the dog for a walk. With this in mind there is a terrace at the front of the building with vistas over the park and up to the cathedral*"(paragraph 6.14).

3.38. To ensure that there was "*continuity of facilities it is essential that the existing centre is able to operate up until such a time that a new facility comes on-line. Therefore, any new facility has to be constructed on a neighbouring part of the site*"(paragraph 6.5). As a result the development would have to be phased and the report also addressed the issue of staging the redevelopment.

3.39. The report's final recommendations to the Council related to the *"Next Steps"*, which were, once it had been determined with which option to proceed:

- *"To refine the design solution*
- *To refine the revenue planning position*
- *To develop a funding package and*
- *To prepare the planning application (s)".*

3.40. **GL Hearn Retail & Leisure Study January 2006** – The GL Hearn assessment was mainly concerned with trends in retail and commercial leisure (such as cinemas and bowling) and sought to estimate likely levels of additional retail floorspace up until 2016 to feed into the Local Development Framework. It did not cover the provision of sports and recreational facilities of the type being promoted at Westminster Lodge, but it is referred to here because it does contain an assessment of central area sites.

3.41. The 'health check' of St Albans revealed that the City Centre was *"healthy and vibrant...functioning at a level appropriate to its major sub-regional centre status."* It also found evidence of strong demand from retailers for representation in the City and high investor confidence (paragraph 8.49). In qualitative terms the main element lacking in the City Centre currently was a large foodstore capable of meeting main food shopping needs (paragraph 13.9) and in leisure terms quantitative capacity was identified for a 5 screen cinema (paragraph 14.3).

3.42. Section 15 considered the need to allocate City Centre Sites for retail and leisure development to meet these identified needs. Four main sites were considered; Land East of Drovers Way; Bricket Road Car Park; Drovers Way car park site and adjoining Aboyne Lodge school; and Civic Centre South. Of the various sites considered the strongest contender was Civic Centre South although the site boundaries were fluid and the land uses were yet to be identified. The consultants recommended that more detailed scoping be undertaken; discussions be held with potential operators/developers; and a development brief be prepared to give *"guidance and certainty as to the Council's expectations for the site"*(paragraph 15.32).

- 3.43. The land east of Drovers Way consists of a number of small plots to the rear of the shops on St Peter's Street, but in view of the lack of evidence of interest from retailers in extending their stores it was not considered worthwhile in pursuing development of these sites (paragraph 15.8).
- 3.44. The Drovers Way Car Park Site and adjoining Aboyne Lodge Primary School had previously been identified as a potential area to meet further retail development needs in St Albans, but the idea has since been abandoned on grounds of site suitability (including conflict with residential amenity), viability and due to the significant loss of parking that is likely to be involved (paragraphs 15.12 & 15.13).
- 3.45. At the time of the GL Hearn report the Bricket Road Car Park Site was to be redeveloped for a comprehensive redevelopment scheme comprising cinema, restaurant and residential uses (paragraph 15.9). That scheme has now been shelved, but the Council is now considering its development together with the adjoining 'Civic Centre South' land as allocation SH2 in the LDF Core Strategy. The comment is made that *"the Council's main priority is to secure a retail led mixed use development scheme"* which *"should include space for larger chain stores, smaller specialist retailers and possibly a department store"*. Firmer decisions as to location and land uses will be included in later stages of the Core Strategy.

4. CONSIDERATION OF THE SCHEME IN THE LIGHT OF PLANNING POLICY

4.1. Having identified the relevant policy in the previous two sections we consider below the proposal in the context of that policy under five generic themes. PPS1 contains advice about the balance between the provisions of the Development Plan and other material considerations. Policies in the Development Plan have relevance but because of the age of the SADLPR, other material considerations such as more recent government policy may have greater relevance.

- Social Inclusion & Improving Community Facilities
- Sustainability, Location & Transportation
- Conservation & Design
- Landscape & Green Belt
- Development & Flood Risk

i. Social Inclusion & Improving Community Facilities

4.2. An essential element of much of the Government policy identified above is the promotion of social inclusion and the qualitative improvement of recreational facilities. There are many references within PPS1, PPS4 and particularly in PPG17 to the social benefits associated with increased participation in sports and recreation (there is also support in the RSS at Policy C1). An emphasis is placed upon 'good planning' with local authorities promoting 'positive' and co-ordinated cross-cutting policies throughout their various Strategies to take forward their overall 'vision'. The public consultation associated with the emerging 'City Vision' identified existing leisure provision as one of St Albans' "*greatest weaknesses*". The Council recognises that Westminster Lodge's facilities need improvement and that it should make a greater contribution to pedestrian linkages. Addressing these deficiencies in the quality of recreational and leisure services provision can only be achieved by the various functions of the Council working together. The SADLPR predates the concept of social inclusion, but recognises the need for enhanced facilities in this location with a site specific allocation. This allocation is carried forward within the emerging LDF, as it assists in achieving the wider objectives relating to improving healthy lifestyles set out within the Council's Community Strategy. Furthermore the proposed piazza will provide a new civic focus and the links to other community facilities in the vicinity, such as the theatre, will be strengthened.

- 4.3. The existing facility provides one of the District's main leisure destinations and serves a wide range of user groups. As PPS1 advises the applicant has consulted widely with the existing and potential users of Westminster Lodge to establish what changes to provision are required. Details of the consultations to date are contained in the Statement of Community Involvement (included in the application bundle) and have also been referred to above in the discussion of the PMP and Capita Symonds reports. The general view expressed regarding the existing Westminster Lodge facility is that it no longer meets user needs and new and better provision is viewed as essential. Whilst Westminster Lodge has served the locality for nearly 40 years, it is not energy efficient and its maintenance costs are rising as it ages. Surveys of its condition have determined that the building is at the *"end of its useful life"*. There are also access limitations (the bus stop is at some distance from the building) and the building does not conform to the best practice upon disability access. None of these limitations can be addressed in any long-term manner through refurbishment and the building is in need of replacement.
- 4.4. Being the only public leisure centre within the City of St Albans itself, it is essential that the community continues to be served whilst the development is carried out. Capita Symonds recommended a phased scheme of replacement in its 2006 report, where the existing centre continues to operate whilst the new facility was constructed upon a neighbouring site. With the scheme now being proposed the public can still use Westminster Lodge whilst the new facility is being constructed.
- 4.5. A key part of the brief to the architect was the creation of an 'inclusive design' with a user friendly environment. The new scheme will enable a wider range of facilities to be offered to the community. For instance the pool is to have a movable floor which enables greater flexibility in use, particularly for schools, beginners and the less-able (in the latter regard there is also to be a disabled pool access lift). There is to be a room at first floor designed for a variety uses in connection with the pool below (such as a judges' room for swimming galas), but which can also serve a wider community function as a meeting room.

4.6. It will be recalled that the Council had formulated 'community panels' of key stakeholders in order to progress and refine the design, and these panels comprised elements from diverse ethnic groups. Issues of ethnicity and culture have been taken into account in the internal layout of changing rooms so that the facility can be used by those needing to access a swimming pool in a female only environment. Similarly there has been much consultation with disabled user groups. Currently there is limited opportunity to provide much car parking to serve disabled users and their needs are to be met through increasing the provision of disabled parking spaces from 13 to 24 (the Council's minimum provision would only require a total of 17 spaces).

ii. Sustainability, Location & Transportation

4.7. According to both PPS1 and PPG17, improving the quality of recreational provision is "*intrinsic*" to achieving more sustainable development. The current location is already accessible by a variety of transport mode, including rail and bus (Holywell Hill is very well-served by bus routes, linking St Albans City Centre to other centres such as Watford or Luton). It is also possible for cyclists and pedestrians to access the facility from the City Centre or from adjoining residential areas (there is a wide pavement on both sides of Holywell Hill from the Centre as well as a pelican crossing over it towards the residential areas off Griffiths Way). PPG13 accepts that the car is to continue to have a role to play in transportation policy, particularly to assist disabled users to access the facilities and services they require. Some 328 car parking spaces are being provided (equating to less than the maximum of 1 space per 22m² of gross floor area required by PPG13/Council's 2002 standards). Currently there is no cycle parking provision at the Westminster Lodge facility, whereas the proposal will have 94 cycle spaces (of which about 50% will be covered). This is a considerable quantitative and qualitative improvement in cycle parking provision. The Council has produced a Transportation Assessment (including a Green Travel Plan) with the bundle of supporting information which covers these areas in more detail.

- 4.8. The design of the existing scheme being some 40 years old does not meet latest standards relating to energy use. The PMP Sports & Recreation Facilities Strategy noted the very high energy costs associated with the existing Westminster Lodge and recommended that the building be replaced. The replacement scheme will be very energy efficient, with materials being selected that have a proven track record in relation to durability and energy conservation (see next section, Section iii, Conservation & Design).
- 4.9. There has been a leisure and recreational facility at this location for many years and so it is an established destination for its users. When determining a course of action for addressing the identified deficiencies in leisure provision it was rational to consider improvements to existing locations first, before looking at new sites further afield. The long-standing allocation in the SADLPR (Policy 92 ref SL6) reflects the Council's commitment to making provision for improved sport and recreational facilities in easily accessible locations and this has now been carried forward as a commitment in the emerging LDF Core Strategy which regards the Westminster Lodge site as being a sustainable location. Nevertheless, the final selection of Westminster Lodge for the site of this 'flagship' was only made after intensive assessment of numerous other sites by Capita Symonds (together with key Council officers) had shown that this is the "*ideal location*". The proposed development of this site is also recognised in 'City Vision' as being one, which will bring "*great benefits*" to the City.
- 4.10. Because of the existing linkages to the main shopping area of St Albans the site can be treated as being 'edge-of-centre' for the purposes of PPS4. In fact as the proposal moves the building closer to Holywell Hill, nearer to the urban area, it will facilitate better access to public transport. As an 'edge-of-centre' location it is necessary to consider the matter of the 'Sequential Approach' in PPS4/PPG13. The SADLPR predates the advent of the 'Sequential Approach', but a number of sites within the City Centre are identified for development upon its Proposals Map.

- 4.11. In addition the LDF is seeking to promote additional development for central area uses around the Civic Centre and to the rear of St Peter's Street. It is the Council's stated intention that the development of these sites is to be mainly retail led and according to the Council's retail consultants (GL Hearn) to make these sites viable a use that yields a high value (such as *"upmarket retailing"*) will be required. Other central area sites being considered for redevelopment as part of the LDF process (such as the car parks on Drivers Way and the Aboyne Lodge school) are not sufficiently advanced in terms of site assembly, or involve loss of large tranches of the City's car parking and therefore cannot be considered as being 'available' or 'suitable' for development of the type contemplated at Westminster Lodge.
- 4.12. In respect of SADLPR Policy 91, the various consultants' reports attached to this application demonstrate the acceptability of the redevelopment proposal in terms of its location, access, car parking, environmental impact and safety. Furthermore, keeping this facility in its existing location will avoid any traffic congestion, particularly from coaches, that would directly affect shopping and commercial activity in St. Albans (see SADLPR Policies 34 & 91).
- 4.13. PPS4 requires developers of major recreational or leisure uses to have regard to the impact of the development upon public sector strategies for the central areas. There has also long been a Council objective to develop and improve the facilities at Westminster Lodge and there is an allocation within the SADLPR to this effect (Site SL6). Following the production of PMP Sports and Recreation Facilities Strategy and the Capita Symonds Leisure Feasibility Study which assessed 'need', this allocation has been continued forward into the emerging LDF and the proposal appears upon the Key Diagram. Taking this scheme forward at the current location is clearly an essential part of the Council's development plan strategy and developing this site for a 'flagship' leisure scheme will not compromise any other development plan objectives upon central area sites. In any event, of the various central area sites in the SADLPR many now have been taken up, such as the former car showrooms off London Road or the former Head Post Office on Holywell Hill.

- 4.14. The largest allocation remaining unimplemented from the SADLPR is that known as 2E (Policy 116) covering the Magistrates' court, the 'locally listed' office building 'Hertfordshire House' and the Police Station on Victoria Road. This land is allocated for a mixed use development including shopping, civic, leisure, cultural or entertainment uses and car parking. With the exception of 'Hertfordshire House' it is still occupied and therefore to achieve the plan allocation the existing occupiers will need to be rehoused. In August 2009 an application to redevelop the office building (together with some open land fronting Victoria Road) for a hotel, B1/A3 uses, housing and a Police Station was refused on 11 grounds by the City Council. From those reasons it seems there is no objection in principle to the proposed uses but as one of those grounds was that the scheme sought to overdevelop the site, it is clear that there is no scope to accommodate the uses being promoted at Westminster Lodge as well.
- 4.15. The 'Hertfordshire House/Victoria Road' scheme is now at appeal, but it is clear that neither the Hertfordshire House site, nor the wider 2E allocation, is 'available' for development. The suitability of the site for accommodating the swimming pool is also in doubt, as accessibility is more constrained than at Westminster Lodge and siting the facility in this location is likely to increase congestion contrary to SADLPR Policies such as 34 & 91.
- 4.16. As a final point under this heading we consider the matter of environmental assessment. The Council's consultant team has already had discussions with the Local Planning Authority on the need for such analysis and the officers have concluded that neither the characteristics of the site, nor the nature of the proposal are such as to make a formal assessment necessary. Nevertheless the applicant has undertaken a full range of supporting specialist studies of the type usually carried out as part of a formal assessment and these are all appended to the application. These studies show that there are no undue adverse environmental impacts arising from this development.

iii. Conservation & Design

- 4.17. In line with SADLPR Policy 69, the Council's brief to the architects S&P required that the proposed development be of high quality design and construction, given the sensitive site location within the Conservation Area and the Green Belt. There has also been extensive discussion about this project with both the Council's Conservation & Design Team, as well as with English Heritage (EH) and these pre-application consultations have helped to determine the development in terms of site location, scale, design and external materials. The scope of these discussions is covered in the architect's Design & Access Statement and Conservation Area Appraisal both of which are included within the application bundle.
- 4.18. Amongst other things S&P's Conservation Area Appraisal discusses the contribution that the building currently makes locally and also in the wider context of the area as a whole. The Appraisal references adjoining buildings where appropriate and includes 3D visuals and proposed massing images so as to put the building into the wider context. These latter elements were included at the express request of EH, so that the effect of the new building upon the City's townscape could be fully appreciated.
- 4.19. The building has been designed to reflect its location and respect the context of buildings in the immediate vicinity (particularly the Grade I listed Abbey). Although the development site is well outside of the Building Height Control Area for the purposes of SADLPR Policy 114, the access road forms the outermost edge of one of the public viewpoints towards the City's 'skyline features' indicated on the map at SADLPR Figure 16. The position of the road is unchanged and so it will still be possible to view the Abbey from the Westminster Lodge area. Conversely, the new building will not be visible from the Abbey.

- 4.20. The scale of, and choice of materials for, the new building will complement the existing built development in the vicinity. The curved roof form and rounded hub of the building are reflective of the wider sloping and undulating parkland setting and the materials for the external elevations reflect those found in the vicinity. The limestone of St. Stephens's church and the flint found within Verulamium Park were, through consultation, the materials deemed to represent the local character and to be sympathetic to the area. Likewise, the hard landscaping also reflects those materials found locally and includes traditional flint and terracotta, together with a palette of complementary modern materials.
- 4.21. Demolition within conservation areas is subject to control and policy such as PPG15 and SADLPR Policy 85 make it clear that there is a general presumption against the demolition of buildings that make a positive contribution to a conservation area. It is a statutory requirement that all new development in a conservation area must, at least, 'preserve' (and preferably 'enhance') the character or appearance. As the architect's appraisal demonstrates, the existing Westminster Lodge building is of undistinguished 1960s design that tends to dominate the site. It does not make any positive contribution to the Conservation Area either in the immediate locality, or in the wider context. The same can be said of the other structures on the site which are also to be demolished.
- 4.22. Various reports commissioned by the Council (such as that of PMP, as well as that of structural engineers) have noted the very poor condition of the existing Westminster Lodge structure and the fact that it is only likely to become an increasing maintenance liability over time. Capita Symonds went further and stated that the building is now at "*the end of its useful life*". PPG15 emphasises the role that Councils can play in the "*positive management of change*" and states that the opportunity to replace buildings that make no contribution to the conservation area should provide a "*stimulus to imaginative high quality design*". Thus the demolition of the existing Westminster Lodge, and the other structures on the site and their replacement by a modern 'flagship' facility will both preserve and enhance the character and appearance of the conservation area.

- 4.23. Whilst the application site is outside the scope of the SAM of Verulamium it is noted in the SADLPR (at site reference AS.R.25) as having the possibility of some archaeological remains (in fact one of the reasons for selecting the current site was the reduced likelihood of archaeological implications). Wessex Archaeology (WA) has been retained to advise the Council and it has already undertaken some field analysis. WA has been liaising with the Council's archaeologist Mr West in relation to evaluating the potential of the site. Subject to a planning condition being attached relating to securing recording of any finds (as required in PPG16 and SADLPR Policy 111), there is no issue on this ground. The Applicant confirms that such a condition is acceptable and any that finds made during the course of the construction period will be donated to the Museum Service in accordance with policy.
- 4.24. Helpful input from meetings with the Crime Prevention Officer has been incorporated into the evolution of the design and layout for the proposed replacement facility. The layout of the site has been designed so that the areas of car parking are overlooked from the building thus assisting in maintaining a good level of security through surveillance. As an extension of this process the landscaping has also been designed with crime prevention in mind, so as to avoid creating confined spaces whilst still providing an element of screening. This balance will create a sense of ownership and community in accordance with the ODPM / Home Office guidance on creating safe, sustainable places in *"Safer Places - The Planning System and Crime Prevention"* and reflect the intention of Paragraph 8.49 of the SADLPR.
- 4.25. The issue of noise generation has also been taken into account at an early stage in the project's evolution. There is a considerable distance between the proposed structure and the nearest dwelling to the South at Westminster Court. PPG24 makes it clear that the nature of the existing noise environment should be taken into account when considering applications for crucial development and it should also be remembered that there is an existing structure at Westminster Lodge which already accommodates the type of land use activities being promoted in this application. The new scheme also moves the source of activity away from the residential boundary with Westminster Court.

4.26. Applied Acoustic Design (AAD) has reported to the Council on noise related matters and its report is included with the application bundle. AAD conclude that the primary existing source of noise is the existing road traffic upon Holywell Hill and that there will not be noise impacts arising to either nearby housing or to the adjacent theatre due to the distances involved, natural screening and the design of the structure.

iv. Landscape & Green Belt

4.27. Current Government Policy in PPG2 was published in January 1995. The part of the Development Plan that comprises the SADLPR was adopted prior to that in November 1994 and its evolution of policy was therefore unable to take account of the more up-to-date Government policy on Green Belts. In particular the SADLPR did not take on board the PPG2 concern that boundaries should not be drawn too tightly around built-up areas as this would compromise the ability to locate necessary development in a sustainable location and lead to the need for a sooner than otherwise necessary review of the Green Belt boundary. In the 1994 SADLPR the boundary of the Green Belt on this edge of St. Albans was drawn very close to the City Centre and although the site of this proposed redevelopment is therefore within a 'pocket' of Green Belt, it is surrounded on 3 sides by built development, separating it from the wider area of Green Belt to the South and West. In terms of the later advice in PPG2 and subsequent further Government policy about sustainable locations for facilities, such a tightly defined Green Belt boundary is unsustainable.

4.28. Whilst the proposed development might be considered as *"inappropriate"* in the context of Green Belt policy, the Council considers that *"very special circumstances"* exist to justify the development. The *"other considerations"* in terms of PPG2 comprise the existence of a major indoor sports facility on the site already, a longstanding Development Plan allocation for improvements to the facility and the location and physical characteristics of the site, which mean that the openness of the Green Belt will not be detrimentally affected.

4.29. Furthermore, whilst the site is not formally identified as a *“Major Developed Site in the Green Belt”* it exhibits many of the characteristics of such sites, it is bordered on three sides by other existing built development forming the southern edge of St. Albans and the SADLPR envisaged substantial development taking place upon it when it proposed the SL6 designation. Its continuing leisure use will secure jobs without prejudicing the Green Belt and its redevelopment offers an opportunity for environmental improvement without impact upon the openness of the Green Belt, or upon the purposes of including land within it. These are material considerations that add weight to its Development Plan allocation when making a decision on the application.

4.30. SADLPR Policy 75 underlines the Council’s commitment to giving careful consideration to any development that might affect the City’s key open spaces, and in particular what effect the proposal will have upon the environment of the remaining green space. The current buildings are situated at approximately the centre of the Westminster Lodge complex and are visually substantial. By removing these and relocating the built facility towards the front of the site, the building will then relate to the existing substantial built development on the opposite side of Holywell Hill, thereby greatly improving the openness of the remainder of the site. The new facility will then sit within the context of a structured landscaping scheme and thus the proposed redevelopment offers the opportunity for considerable environmental improvement which will be of direct benefit to the site’s Green Belt and open space status. These enhancements also contribute to the very special circumstances that justify the proposal.

4.31. Wherever possible existing healthy hedges and trees should be preserved (see for instance PPS9 or SADLPR Policy 74). To fulfil the requirements of planning policy a site survey of all the trees on the site has been carried out and they have been quantified in accordance with their age, species and condition. The site currently contains some trees that are worthy of retention, but many are poor examples of self-seeded trees that have had little maintenance over the years. Some of these will have to be removed to achieve the Council's core objective of improving the quality of the City's recreational provision, but a structured landscaping scheme is included with the application. The landscape scheme is integral to the overall project and as part of this design healthy trees (which are worthy of retention) are to remain where possible. Where feasible a number of the better tree specimens are to be relocated in the immediate vicinity.

v. Development & Flood Risk

4.32. In accordance with PPS25 and SADLPR Policy 84, a Flood Risk Assessment (FRA) has been undertaken by specialist consultants Cundall as part of the information in support of this application and as also recommended in PPS25 there has been early liaison between the applicants and the Environment Agency (EA).

4.33. As explained earlier when assessing the suitability of a site for development the applicant should apply the 'sequential test' in PPS25. Wherever possible the preference is to site buildings upon land assessed as falling within Zone 1 ('low risk'). If such sites are not available the next preference is for those sites falling in Zone 2 and only then 3a, but not all land uses are equally suited to those sites with a higher category of flood risk.

4.34. The findings of the applicant's FRA suggest that although there is a lack of available level data for the River Ver, there is evidence of past localised overland flooding upon a small element of the site (in the main in the position of the car park access road), but the overwhelming majority of the site is classified as Zone 1.

4.35. Whilst a small part of the new building may happen to be located upon an area more liable to flooding, the consultants advise that the amount of storage volume being lost is 'negligible' and they see no need for any compensatory measures. Furthermore the proposed land uses are defined by Table D.2 of PPS25 as being '*less vulnerable*' and therefore suitable for location in Zones 1 to 3a.

5. SUMMARY AND CONCLUSIONS

5.1. The site is a complex one and achieving built development requires consideration of a wide range of policy at 3 levels – National, Regional and Local. This report has analysed the scheme against the terms of these policies and we **summarise** as follows:

- An essential element of achieving Central Government’s objectives of more sustainable development, and its agenda in relation to promoting social inclusion, is addressing the deficiencies in sport and recreation provision.
- The various assessments the Council has commissioned demonstrate that there is a substantial quantitative and qualitative need for improved leisure and sports provision in the District, which arises from the existing facilities coming to the end of their useful lives. The need for additional attractors to the City has also been identified in the Council’s ‘City Vision’.
- Improving the quality of the facilities at Westminster Lodge and regenerating this part of the City has long been a Council aspiration, but before making the final selection of this site the Council has undertaken extensive research and detailed analysis of numerous possible options. Thus, the choice of the Westminster Lodge site as the location for a ‘flagship’ facility has only been arrived at after exhaustive assessment of competing possibilities.
- Once the site had been identified and the broad form of the scheme agreed, various elements of the Council, as well as external agencies such as English Heritage and the Environment Agency have worked together in promoting and bringing this project forward. There has also been a cohesive team of specialists assembled to assess the specific topic areas raised during pre-application discussions.
- It is essential that the community continues to have access to sports facilities during the construction period and the scheme is to be phased, with the new building being created on a neighbouring site allowing the existing facility to continue to operate in the interim.

- The mix of uses and the overall scheme design has been further refined in consultation with key stakeholder groups to ensure that the resulting scheme meets user needs and also takes account of removing obstacles to participation in sports and leisure.

5.2. In the light of the above analysis we **conclude** as follows:

- The eventual project design has been formulated to achieve the implementation of the Council's key strategic objectives. This planning application (and application for conservation area consent) seeks permission for the creation of a landmark building that not only satisfies the identified need for improved leisure facilities in the District and strengthens local linkages, but also adds to the City's wider offer.
- There has been an extensive assessment of the Westminster Lodge site, as against many others, which has shown that this is the only 'suitable', 'viable' and 'available' location to accommodate this form of development.
- Although the site is in the Green Belt, on this occasion, "*very special circumstances*" exist to justify the development. These circumstances include the existence of a major sports facility in this broad location already, a long standing Development Plan allocation for a new leisure facility at Westminster Lodge and the physical characteristics of the surrounding area in that the site is bordered on three sides by existing built development. There will be benefits to the openness of the Green Belt by moving the main structure away from its current position, closer to the built up area of Holywell Hill. There will also be improvement to the visual amenities of the Green Belt, as the new building will sit within a structured landscaping scheme.
- Demolition in a conservation area is justified if the existing buildings make no contribution to townscape quality. None of the existing buildings on the site make any contribution to the Conservation Area and the existing Westminster Lodge Leisure Centre has high maintenance costs and has come to the end of its useful life.

- The various consultants' reports attached to this application also demonstrate the acceptability of the redevelopment proposal in terms of its location, access, car parking, environmental impact and safety. Furthermore, keeping this facility in its existing location will avoid any traffic congestion that would directly affect shopping and commercial activity in St. Albans.
- 5.3. In final submission the proposal promotes a sustainable, energy efficient, new leisure and community development that will:
- Meet the identified leisure needs of the area;
 - Continue to serve a wide variety of user groups at an established sports and leisure destination;
 - Create an enhanced public realm, that will both preserve and enhance the character and appearance of the Conservation Area, as well as enhance the Green Belt;
 - Provide an enjoyable destination for residents and visitors; and
 - Help fulfil many of the Council's long-term Strategic Objectives.
- 5.4. The proposals will transform the site and its surroundings and are supported by planning policy. Accordingly we trust that the Local Planning Authority will support the applications.