

Brighton & Hove City Council

For general release

- Meeting:** Culture, Recreation & Tourism
- Date:** 14 November 2007
- Report of:** Acting Director of Cultural Services
- Subject:** Indoor Bowls Facility
- Ward(s) affected:** Stanford Ward directly and all others indirectly

The special circumstances for non-compliance with Council Procedure Rule 19, Access to Information Rule 5 and Section 100B(4) of the 1972 Local Government Act as amended (items not to be considered unless the agenda is open to inspection at least five days in advance of the meeting) are that discussions with other interested parties had not been completed at the time of the despatch of the agenda. The original intention had been to report on the outcome of those discussions and to attach any formal proposals. The parties concerned have now notified the Council that they have decided not to pursue their proposal.

1. Purpose of the report

- 1.1 This report considers the reasons for refusal of the Council's Planning Application for a new public indoor bowls centre on Hove Park Yard, looks at what modifications would need to be made to the design to make the Application acceptable and seeks the necessary authority for officers to amend and re-submit the Planning Application.

2. Recommendations

- 2.1 That the Culture, Recreation & Tourism Committee authorises officers to make the necessary amendments to, and to resubmit the Planning Application for the provision of an indoor bowls facility on Hove Park Yard.

3. Information/background

- 3.1 The Policy & Resources Committee on 6 June 2005 agreed to develop a stand alone indoor bowls facility at an alternative site and to formally remove indoor bowls from the Sports Centre Brief for the King Alfred Redevelopment. The Developer had experienced difficulty in including an indoor bowls facility on the existing King Alfred site. This was primarily due to the space requirements of a 6-rink column-free green with ancillary requirements, including changing

rooms, restaurant area, bar lounge and committee room. However, these space requirements (approx. 2,400sqm) also severely limit possible alternative sites for the facility.

- 3.2 The King Alfred Project Board on 14 December 2005 considered a report on a number of potential sites in Hove for the indoor bowls facility. The Project Board agreed that Hove Park Yard was the most likely suitable location in Hove for the facility. The Yard is located off The Drove way between the Engineerium and the miniature railway in Hove Park. The Hove Park Yard offers sufficient space to accommodate the indoor bowls facility with some limited car parking provision. The Project Board also approved further work to be undertaken by Property & Design's Architectural Team using their partnership arrangement with contractor ROK and associated specialists to enable a detailed planning application to be completed. A detailed specification was developed for the indoor bowls facility in line with the approved Sports Centre Brief for the King Alfred Sports Centre and in consultation with representatives from King Alfred Men's and Ladies' Indoor Bowls Clubs.
- 3.3 The Environment Committee of 23 March 2006 authorised officers to submit the necessary planning application and gain the necessary consents for Hove Park Yard. A Planning Application for a new public indoor bowls centre on Hove Park Yard bordering Hove Park was submitted in November 2006. Although Planning officers recommended 'minded to grant', the application was refused by the Planning Applications Sub-Committee on 21 February 2007.

4. Reasons for refusal

- 4.1 Members of the Planning Applications Sub-Committee resolved to refuse planning permission on two grounds:
- 4.1.1 The first ground for refusal was that the proposed development, by virtue of its form, design and materials, failed to preserve or enhance the character or appearance of the Engineerium Conservation Area and the setting of the nearby listed buildings. The development was, therefore, deemed to be contrary to Policies HE6 and QD1 of the Brighton & Hove Local Plan.

Policy HE6 Development within or affecting the setting of conservation areas

Proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:

- a) consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms¹;
- b) the use of building materials and finishes which are sympathetic to the area;
- c) no harmful impact on the townscape and roofscape of the conservation area²;

- d) the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
- e) where appropriate, the removal of unsightly and inappropriate features or details; and,
- f) the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area³.

Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted.

Policy QD1 Design – quality of development and design statements

All new buildings will be expected to demonstrate a high standard of design and to make a positive contribution to the visual quality of the environment. In areas of drab and uninteresting character, the planning authority will expect the opportunity to be taken to create new buildings and areas of distinction on suitable sites.

Unless a development proposal is within an area featuring a distinctive historic style of architecture, replication of existing styles and pastiche designs will be discouraged. The following design aspects will be taken into account in all developments:

- a) scale and height of development;
- b) architectural detailing;
- c) quality of materials;
- d) visual interest particularly at street level; and,
- e) appropriate levels and type of landscaping.

- 4.1.2 The second ground for refusal was that the proposed development failed to make efficient and effective use of the site contrary to the objectives of Policy QD3 of the Brighton & Hove Local Plan.

Policy QD3 Design – efficient and effective use of sites

New development will be required to make full efficient and effective use of a site, including sites comprising derelict or vacant land and buildings.

To secure the efficient and effective use of a site, proposals will be expected to incorporate an intensity of development appropriate to: the locality and / or prevailing townscape; the needs of the community; the nature of the development; and proposed uses. Higher development densities will be particularly appropriate where the site has good public transport accessibility, pedestrian and cycle networks and is close to a range of services and facilities.

When applying this policy, in order to avoid town cramming, the planning authority will seek to secure the retention of existing and the provision of new open space, trees, grassed areas, nature conservation features and recreational facilities within the urban area. Proposals for 'backland development' will be rigorously examined in respect of these features and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings.

5. Modifications to the design

- 5.1 Further discussions will be held between Property & Design and Development Control to amend the design. These discussions are likely to focus on materials, the form/shape of the roof and possible landscape enhancements.

6. Consultation

- 6.1 A detailed specification was developed for the indoor bowls facility in line with the approved Sports Centre Brief for the King Alfred Sports Centre and in consultation with representatives from King Alfred Men's and Ladies' Indoor Bowls Clubs.

COMMITTEE REPORT APPENDIX

Meeting/Date	Culture, Recreation & Tourism Committee
Report of	Acting Director - Cultural Services
Subject	Indoor Bowls Facility
Wards affected	Stanford Ward directly and all others indirectly

Financial implications

The costs of making the necessary amendments to the scheme and resubmitting a detailed planning application will be met from the allocation from the Strategic Investment Fund to support the King Alfred Project. This process will identify the deliverability of the proposed site and provide detailed cost estimates for the scheme. Further work will need to be undertaken to demonstrate the ongoing financial viability of the proposed scheme. Karis/ING have previously agreed to make a contribution of £2.5m for the provision of a new indoor bowls facility subject to certain conditions being satisfied.

Finance Officer consulted: James Hengeveld *Date:*15/10/07

Legal implications

Under the terms of the Development Agreement with Karis/ING for the King Alfred Redevelopment, once what is called the Unconditional Date is reached, the Developer has one year to serve a Vacant Possession Notice ("VPN") on the Council and the Council must then give vacant possession of the King Alfred/RNR site within three months of service of the VPN. At the time of writing the Unconditional Date is likely to be 11 November 2007. The Developer will only serve the VPN if and when the required Stopping Up Order is made and when it concludes that the scheme is viable. When Policy & Resources Committee agreed the design details for the development one of the terms of the conditional approval related to the off site bowls provision. The King Alfred/RNR site can remain operational until the expiration of the VPN period.

Lawyer consulted: Bob Bruce *Date:* 23/10/07

<p>Corporate/Citywide implications The proposals will enable the provision of indoor bowls currently located at the King Alfred Leisure Centre to be continued.</p>	<p>Risk assessment A risk management profile will need to be developed and will be reviewed on a regular basis by the Major Projects Sub-Committee throughout the lifetime of the project's development.</p>
<p>Sustainability implications Sport England recognise the importance of ensuring that sport and active recreation is fully involved in the building of sustainable communities for the future and that every opportunity is taken to maximise improved sports provision through investment and</p>	<p>Equalities implications Widening access to sport and active recreation is a core principle of trying to achieve the government's targets of people taking regular exercise and participating in sport. This facility will further build on the sports equity and inclusion work that is in place across</p>

developer contributions.	Brighton & Hove to challenge the barriers to participation to encourage greater active involvement.
<p>Implications for the prevention of crime and disorder Any subsequent planning application will be required to address crime and disorder through environmental design.</p>	

<p>Background papers <i>[Part 1 reports only]</i></p> <ol style="list-style-type: none"> 1. Policy & Resources Committee report 6 June 2005 2. Environment Committee report 23 March 2006 3. Planning Applications Sub-Committee 21 February 2007
<p>Contact Officer David Fleming - Asst Director, Major Projects & Venues - ext 2700</p>