

FAKENHAM – PF/24/2418 - Demolition of existing pavilion, extension of the existing leisure centre providing a new 4 lane 25m community swimming pool and a circa. 55 station fitness suite, refurbishment of the existing studio spaces and changing areas at Fakenham Sports & Fitness Centre, Trap Lane, Fakenham

Major Development

Target Date: 21st February 2025

Extension of time: 5th June 2025

Case Officer: Joseph Barrow

Full Planning Permission

RELEVANT SITE CONSTRAINTS:

Settlement Boundary – Fakenham

Adjacent to Fakenham RB11 Public Right of Way

Adjacent to Trap Lane unclassified road

Landscape Character Assessment – Rolling Open Farmland

RELEVANT PLANNING HISTORY:

App No. PO/01/0327

Description Erection of leisure facility building with car parking

Outcome Approved

App No. PF/02/1385

Description Erection of community sports and leisure facility

Outcome Approved

THE APPLICATION

Proposes the demolition of the existing pavilion within the current car park area serving the leisure centre. An extension to the leisure centre is proposed, comprising a new 4-lane swimming pool and a circa. 55 station fitness suite. Existing studio spaces and changing areas are to be refurbished as well.

REASONS FOR REFERRAL TO COMMITTEE:

The Council's Constitution requires that where applications submitted by or on behalf of the District Council receive representations through the consultation process then they shall be determined by Development Committee.

CONSULTATIONS:

Fakenham Town Council - No Objection - welcomed the application.

North Norfolk District Council Environmental Protection Officer - No objection subject to conditions.

Norfolk County Council Highways – No objection subject to conditions (Updated comments still awaited)

Sport England - No objection in their statutory capacity. Observations offered about the layout of the leisure centre.

North Norfolk District Council Landscape Officer - No objection subject to conditions.

North Norfolk District Council Economic Development Officer - Supports the application.

Norfolk County Council Lead Local Flood Authority - No comment.

Norfolk County Council Public Rights of Way Officer - No objection subject to the full legal extent of Fakenham Restricted Byway 11 remaining open and accessible for the duration of the development and subsequent occupation.

REPRESENTATIONS:

15 letters of OBJECTION received in total. All from members of Fakenham Town Band objecting to the loss of the pavilion.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material

RELEVANT POLICIES:

North Norfolk Core Strategy (September 2008):

Policy SS 1 – Spatial Strategy

Policy SS 6 – Access and Infrastructure

Policy SS 8 – Fakenham

Policy EN 2 – Protection and Enhancement of Landscape and Settlement Character

Policy EN 4 – Design

Policy EN 6 – Sustainable construction and energy efficiency

Policy EN 7 – Renewable Energy

Policy EN 9 – Biodiversity and Geology

Policy CT 3 – Provision and Retention of Local Facilities and Services

Policy CT 5 – The Transport Impact of New Development

Policy CT 6 – Parking Provision

North Norfolk Site Allocations:

Policy F01 – Land North of Rudham Stile Lane

Material Considerations:

National Planning Policy Framework (NPPF) (December 2024):

Chapter 2 – Achieving Sustainable Development

Chapter 4 – Decision-Making

Chapter 8 – Promoting Healthy and Safe Communities

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well-Designed Places

Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Documents and Guidance:

North Norfolk Design Guide

North Norfolk Landscape Character Assessment

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION

- 1. Principle of Development**
- 2. Design and Impact on the Character of the Area**
- 3. Impact on Amenity**
- 4. Highways**
- 5. Biodiversity**
- 6. Sustainability**
- 7. Planning Balance and Conclusion**

The Site and Application

The site currently accommodates Fakenham Leisure Centre, with parking and access to the south-east corner, and playing fields with cricket pitch to the north. Pedestrian access is also offered to the south, making use of Fakenham restricted Byway 11 and connecting to the neighbouring school.

The proposal includes the demolition of the existing pavilion structure sited in the middle of the car park. The car park is then to be remodelled, with an extension to the leisure centre proposed to the north and east of the current building.

The application was originally submitted, with a proposed floodlit artificial sports pitch on land to the north of the leisure centre, with the existing cricket pitch on the site relocated further to the north. Following consultation with Sport England and the applicant, this element of the application has been removed. The playing pitches are now intended to be submitted as a second phase of development under a separate planning application with due consideration of local comments and the views of Sport England taken in the later application.

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The development plan for the area currently includes the North Norfolk Local Development Framework Core Strategy (adopted September 2008), the Site Allocations Development Plan

Document (February 2011), and the Minerals and Waste Development Framework - Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026. The National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority (LPA) must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration.

This site is located to the north of Fakenham Academy, within the settlement boundary of Fakenham, which is classified as one of the district's principal settlements as per Policy SS 1 of the Core Strategy (CS). The site is also located within the allocation for Fakenham under the adopted Site Allocations Development Plan Document titled "*Land north of Rudham Stile Lane*". Policy SS 8 of the CS also refers to the allocation F01, requiring delivery of 'community facilities and open space'.

Policy CT 3 of the CS is also relevant, permitting proposals for '*new or improved community facilities or services... within the principal and secondary settlements...where they meet the identified needs of the community*'. This policy also seeks to control proposals that result in the loss of important local facilities. The local representations received draw attention to this aspect of the scheme, with the demolition of the pavilion requiring an alternative location for the town band. It is understood that alternative arrangements have now been made for the town band to continue elsewhere.

That said, regard must be had to the overall net gain in terms of community facilities with the improvement in sports facility capacity and quality that this development would bring about. The applicant has engaged with the town band in terms of arranging an alternative location to house the band's activities.

Overall, it is considered that this proposal is suitably located within a sustainable location in accordance with the district's spatial strategy. It is also considered that the loss of the pavilion is sufficiently offset by the delivery of the amount and quality of additional sport facilities benefitting the wider local community.

The application is therefore found to be acceptable in principle, having regard to Policies SS 1, SS 8, and CT 3 of the CS, Policy F01 of the North Norfolk Site Allocations, as well as Chapters 2 and 8 of the NPPF (2024).

2. Design and Impact on the Character of the Area

CS Policy EN 4 requires that all development should be designed to a high quality, reinforcing local distinctiveness, be expected to be suitably designed for the context within which they are set, and ensure that the scale and massing of buildings relate sympathetically to the surrounding area. Paragraph 135(c) of the NPPF sets out that developments should be sympathetic to local character and history, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change.

The design of the proposed extension is a contemporary flat roof structure sitting below the taller, asymmetric, curved form of the current building. The east elevation, containing the main entrance, is to be rendered white with substantial glazing facing the car park. Both the new south-facing walls are to be finished in timber effect rainscreen cladding, with the rear and side walls finished in contrasting black rainscreen cladding.

The design is contemporary and draws similarities to that used at The Reef Leisure Centre in Sheringham – a recent scheme similar in nature. Its form and scale are considered appropriate for the landscape, sitting at a height below that of the existing structure. The proposals will

assimilate well and will be softened by the retention of the wider site screening to the boundary of the playing field to the north.

Taking account of the above, the proposal is considered to be acceptable in terms of its design, having regard to Policies EN 2 and EN 4 of the CS, Chapter 12 of the NPPF (2024) and the North Norfolk Design Guide SPD.

3. Impact on Amenity

CS Policy EN 4 (Design) sets out that development proposals “should not have a significantly detrimental effect on the residential amenity of nearby occupiers”

Officers consider that the proposed building itself is of an appropriate scale and position so as to avoid any overbearing or overshadowing impacts upon neighbouring residential properties. Concerns about residential amenity with this proposal would be confined to potential disturbance from increases in vehicle traffic and / or the increased use of Air Source Heat Pumps (ASHP).

The proposal would increase the number of parking spaces from 46 to 58, 11 of which are gravel overflow spaces. All the proposed spaces are located to ensure a minimal impact in terms of car park noise. An opening hours condition is recommended to be attached, which will minimise use of the car park during quieter night time hours. In addition, a condition relating to gating of the site is included so as to remove the prospect of overnight use of the site. These factors are considered sufficient to control the impact of the additional spaces in terms of amenity impacts.

The proposed ASHP installation has been given due consideration by the Council’s Environmental Protection (EP) Team. Two enclosures are proposed, at ground floor level – one to the west of the existing building adjacent to the school access, and the other to the rear of the building. The siting of these enclosures is considered sufficiently far from neighbouring dwellings to avoid unacceptable negative impacts with the leisure centre providing acoustic screening between each of the enclosures and residential properties. The Council’s EP Team have also considered the potential for disturbance to the school, finding that relationship to be acceptable.

The EP Team request conditions in relation to the specification and design of the ASHPs and their enclosures. Subject to these conditions, this application is considered to be acceptable in terms of its impact upon residential amenity, having regard to Policy EN 4 of the CS, Chapter 12 of the NPPF (2024) and the North Norfolk Design Guide SPD.

4. Highways

As mentioned above the proposal includes an increase in the number of parking spaces on the site from 46 to 58, seven of which are to be accessible. All traffic flows are proposed to remain from the existing access i.e., leaving the site onto Trap Lane for a short distance before joining Rudham Stile Lane to the south. In addition, an opening through the hedgerow on the eastern boundary is proposed. This will be conditioned to be temporary to enable Town Council access, as well as playing field access for the duration of the building phase of this development.

Following consultation with the County Council Highway Authority it is considered that the parking and access arrangement is appropriate, subject to conditions. The proposal is

therefore found to be acceptable in terms of highways impacts, having regard to Policies CT 5 and CT 6 of the CS as well as Chapter 9 of the NPPF (2024).

5. Biodiversity

CS Policy EN 9 sets out that development proposals should protect the biodiversity value of land and buildings and minimise fragmentation of habitats, maximise opportunities for restoration, enhancement and connection of natural habitats and incorporate beneficial biodiversity conservation features where appropriate. Development proposals that would cause a direct or indirect adverse effect to nationally designated sites or other designated sites or protected species will not be permitted unless prevention, mitigation and compensation measures are provided.

Ecology:

The application is supported by an Ecology Report prepared by Wild Frontier Ecology. The proposal involves demolition of an existing building, building of a new extension over various surfaces, as well as the opening of a new gap in the hedgerow on the eastern boundary.

Following a Preliminary Roost Assessment (PRA) it has been highlighted that day roosts for three individual common pipistrelle bats are present within the building that is proposed to be demolished. Consequently, any works to that structure may only legally proceed under a European Protected Species mitigation licence, which will need to be supported by fresh surveys for licensing purposes. It is understood that these are being undertaken at the time of writing, and will be ready for the submission of any required license application.

Conditions are attached to this recommendation to ensure that such a licence is obtained and submitted to the Council, along with other mitigation measures such as sensitive lighting schemes and hedgerow removal only outside of bird nesting season.

Subject to conditions, it is considered that this proposal is acceptable in terms of impact upon protected species, having regard to Policy EN 9 of the CS and Chapter 15 of the NPPF (2024).

Biodiversity Net Gain (BNG):

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Developers must deliver a minimum BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.

A Biodiversity Statement has been submitted by the applicant. The Council's landscape team have reviewed the submitted information and find the baseline information to be acceptable in terms of BNG. It will be for the applicant to comply with the standard BNG conditions that would be attached to any grant of permission.

6. Sustainability

CS Policy EN 6 sets out that:

"All new development will be required to demonstrate how it minimises resource consumption, minimises energy consumption...and how it is located and designed to withstand the longer term impacts of climate change. All developments are encouraged to incorporate on site renewable and / or decentralised renewable or low carbon energy sources...'

'...Development proposals over 1,000 square metres will be required to include on-site renewable energy technology to provide for at least 10% of predicted total energy usage.'

The applicant's Design and Access Statement sets out that:

"Swimming pools require a significant amount of energy to heat pool water and maintain a safe and comfortable environment for users, but careful consideration has been put into the development of on-site energy production strategies to mitigate the necessary technical requirements of operating a swimming pool, and to set ambitious low-carbon targets."

The new building will therefore aspire to achieve net-zero carbon in operation, achieved through the development of a heat-pump based primary heating strategy complimented by photovoltaic solar panels suitably located on the available roof space to maximise efficiency".

The applicant has set out the following items that contribute to the sustainability strategy:

- Primary heating system for the new building is to be an Air Source Heat Pump system, providing energy for the domestic hot water and space heating systems.
- Photovoltaic solar panel arrays to offset the carbon factors associated to the gas/electricity usage of the existing building, as well as emissions from the new building. The array will be located upon the existing Sports Hall roof and the new Pool Hall roof, identified as the most suitable locations to gain maximum production efficiency.
- Air tight / thermally efficient new building fabric, retaining as much energy expended in the building as possible.
- Low energy internal & external LED lighting.
- Active travel: promoting active travel with upgrades to the pedestrian access to the site, as well as covered cycle storage located close to the entrance to the building.
- An EVC (Electric Vehicle Charging) point and future proofing for approximately 15 more.
- Sustainable urban drainage system (SUDs).
- Commitment to improve the biodiversity condition of existing habitats on site by 10%
- Embodied carbon reduction via the use of industry tested GGBS (blast-furnace waste product) within the concrete.

The applicant has also provided an Energy Statement. This sets out that in order to achieve compliance with CS Policy EN 6 energy amounting to **20.19kWhs/m²** would need to be generated from PV, which equates to a PV array of 120m² of panels. Officers note this figure is based on a higher 20% EN 6 requirement but only 10% would be required under this Policy.

Subject to the imposition of conditions securing the renewable energy technology to provide for at least 10% of predicted total energy usage, the proposal would accord with the aims of CS Policy EN 6.

7. Planning Balance and Conclusion

Overall, this development proposal is sustainably located, complying with the district's spatial strategy and contributing to stated requirements within Policy F01 of the Allocations Plan. It is also a scheme that is acceptable in terms of its impact upon the character and appearance of the area, residential amenity, highway safety, and biodiversity.

Subsequently, it is recommended that this application be approved, subject to conditions.

RECOMMENDATION:

APPROVAL subject to the following conditions:

1. Time limit
2. Plans
3. Materials
4. Opening hours
5. Laying out of parking area
6. Protection of breeding birds
7. Closure of the temporary access from Trap Lane and hedge reinstatement
8. Further bat emergence survey required prior to commencement
9. Development to otherwise proceed in accordance with the ecological assessment
10. Protected species licence
11. Submission of a sensitive lighting plan
12. Construction Environmental Management Plan: Biodiversity
13. Contaminated Land
14. Details of plant / machinery / ventilation / air conditioning / heating / extraction
15. Details of kitchen extraction
16. Details of external lighting
17. Provision of refuse areas
18. Biodiversity Net Gain
19. Policy EN 6 10% compliance

Final wording of conditions and informative notes to be delegated to the Assistant Director for Planning.