

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th November 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1371/92/O - CAMBOURNE CAMBOURNE SPORTS CENTRE: PROPOSED VARIATION TO SECTION 106 AGREEMENT

Recommendation: Approval

Date for Determination: N/A

Notes:

This Application has been reported to the Planning Committee for determination because there are no delegated powers to amend the Section 106 Agreement.

Site and Proposal

1. Members may recall agreeing at their August meeting in 2006 that the original Section 106 Agreement for Cambourne be amended to take account of the likely alternative proposal for the provision of the sports centre in Cambourne. Previous to that, Members may also recall changing the trigger point for this provision from 2000 dwellings to 31st December 2007, at their meeting of 5th April 2006.
2. Subsequent to the August 2006 decision, the likely provider of the sports centre pulled out of the deal with the Cambourne Consortium of developers, and they were left to find an alternative provider. The Variation to the Section 106 Agreement had been amended but was still being refined at that stage. The new provider, found early this year will now be Leisure Connection Ltd which is in partnership with Relkin Construction, and together they design and build new sports centres as well as running several existing sports centres under contract for local authorities. Planning permission for the new design of the sports centre, to include a swimming pool, and available fully on a pay and play basis, was granted in September this year. The Variation to the Section 106 Agreement was further refined to reflect the actual provision and is now in a position for all parties to sign.
3. However, because of this change in provider and the new application, it is clearly not possible to build the sports centre by the end of this year. The Consortium's Project Director has therefore submitted a letter requesting a further change to the trigger point, to 31st March 2009. The letter states:
4. "The deadline to build the Centre by 31 December 2007 cannot be achieved. At the time we promoted this date we had entered into discussions with Xpect Leisure who were keen to build the Centre by this date. In March of this year Xpect Leisure withdrew their interest for reasons which have been clearly publicised and documented.

5. Fortunately we managed to attract another company in May 2007, Leisure Connection who wish to build a larger Pay and Play Centre which everyone has supported following extensive consultations. Leisure Connection subsequently submitted a planning application July and this was approved on 27 September 2007.
6. It will be difficult for Leisure Connection to commence on site before February 2008, in that there are ten conditions to clear, working drawings to prepare, building regulation approval to be obtained and a period of time to mobilise materials and labour. Once started the project will take 52-54 weeks to complete ie end of March 2009.
7. In view of the above we regrettably seek your Council's approval to the new trigger point of 31 March 2009 to complete the Centre. I have to say and I think you will agree that whilst this extended delay is unwelcome the community will inherit a much larger and useable centre with a greater variety of indoor sports to play."
8. The developer for the sports centre has also been contacted by email about the timescale for the sports centre's provision. He states: " ***

Planning History

9. S/1371/92/O – Outline permission for new settlement, with S106 Agreement including specification for sports centre with 2000 occupations trigger point.
10. S/6290/05/RM – Sports centre to comply with original S106 Agreement submitted by Cambourne Consortium in 2005, developers unwilling to make amendments until company to build and run the centre was found. Significant interest from Xpect leisure in 2006, and negotiation towards S106 changes (which would have led to new application), but fell through in early 2007. This application remains the Cambourne Consortium's back-up until the new centre begins construction, whereupon this will be withdrawn.
11. S/6427/07/RM – Sports centre to design by Relkin and Leisure Connection approved September 2007.

Planning Policy

12. **Cambridgeshire and Peterborough Structure Plan 2003: P1/3 – Sustainable Design in Built Development, P3/4 – Rural Services and Facilities.**
13. **South Cambridgeshire Local Plan 2004** saved policies
Cambourne 2 – Development in accordance with Cambourne Design Guide
SE7 – Development in accordance with Cambourne Masterplan and Design Guide.
15. **Local Development Framework Core Strategy 2007**
STa-k Objectives – arising from the Strategic Vision for South Cambridgeshire.
ST/4 Rural Centres including Cambourne – Development and redevelopment without any limit on individual scheme size will be permitted within the village frameworks of Rural Centres, as defined in the Proposals Map, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.

16. **Local Development Framework Development Control Policies 2007**
DP/1 requires development to demonstrate that it is consistent with the principles of **sustainable development**.
DP/2 requires the **design of new development** to be of high quality, with criteria listed, and content for design and access statements.
DP/3 sets **development criteria**, a checklist to ensure all requirements are met.
DP/6 sets criteria for the sustainable **construction methods** to protect resources and amenities.
HG/1 sets criteria for **housing density**
HG/2 sets targets for **housing mix**
NE/1 requires development to demonstrate measures to increase **energy efficiency** and reduce carbon emissions
NE/3 requires **renewable energy technologies in new development** of more than 10 dwellings to provide for at least 10% of predicted energy requirements.
NE/6 requires positive **biodiversity** gain
NE/12 requires development to incorporate **water conservation** measures, including a Water Conservation Strategy for 10 or more dwellings
NE/14 sets standards for **lighting proposals**
TR/1 encourages **planning for more sustainable travel** through accessibility, alternative modes, and parking levels. This is supported by TR/2 which sets parking standards, TR/3 which requires mitigation of travel impacts, and TR/4 which encourages use of non-motorised modes.

Consultation

17. **Cambourne Parish Council** to be reported verbally (the Parish Council will be considering the proposal at its meeting on 6th November).

Planning Comments – Key Issues

18. The sports centre has been part of the makeup of Cambourne since it was first approved, being noted in the S106 Agreement and the Masterplan. Its construction is therefore acceptable in principle and complies with policy. The Deed of Variation has been negotiated in order to ensure a viable centre is built. The original sports centre proved to be unworkable in today's sporting climate, but as amended the eventual developer, a company that runs sports centres for local authorities, will run the centre on a fully pay and play basis including a pool. It is now simply a matter of timing, and whilst it is unfortunate that the current developers were not found sooner, the ultimate sports centre will be the best that that can be achieved.
19. There is nothing to be gained by not agreeing a change to the trigger point, but it is necessary to ensure that a new trigger point is both realistic and ensures delivery as quickly as possible. The Cambourne Consortium and the sports centre developer both confirm the likely timescale and it is therefore considered that this should be applied to the S106 Deed of Variation.

Recommendation

20. **APPROVE** the change to the trigger point for provision of the cambourne Sports Centre to 31st March 2009.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004 (Delete as appropriate)
- Cambridgeshire and Peterborough Structure Plan 2003 (Delete as appropriate)
- Planning files S/1371/92/O, S/6290/05/RM, S/6427/07/RM
- Reports to Committee on 5th April 2006, 2nd August 2006
- Letter from D Chare, Cambourne Consortium Project Director, 16th October 2007

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