

## Committee Report – 22<sup>nd</sup> July 2021

<b>Application Number:</b>	1/0228/2021/FUL
<b>Registration date:</b>	31 March 2021
<b>Expiry date:</b>	26 May 2021
<b>Applicant:</b>	Mr Adrian Avery
<b>Agent:</b>	
<b>Case Officer:</b>	Tracey Blackmore
<b>Site Address:</b>	Torrington RUFC, Torrington RUFC Clubhouse, Donnacroft Fields, Hatchmoor Road, Torrington, Devon
<b>Proposal:</b>	Proposed extension & alterations to existing clubhouse and changing rooms (Affecting a public right of way)
<b>Recommendation:</b>	Grant



### Reason for referral:

This application has to be determined by Planning Committee as the applicant is a member of staff at Torrington District Council.

### Relevant History:

Application No.	Description	Status	Closed
1/1833/2001	EXTENSION TO CLUBHOUSE TO FORM NEW CHANGING ROOMS, KITCHEN & BOTTLE STORE	PER	14.12.2001
1/1469/1993	ERECTION OF A RUGBY CLUBHOUSE	PER	29.11.1993

### Site Description & Proposal

#### Site Description:

Torrington Rugby and Football Clubhouse (RUFC) is located to the eastern edge of Great Torrington, directly south of the B3227.

The site comprises of a block-built clubhouse/function room and detached changing rooms. To the east of the club house is a large carparking area and a vehicle access onto the B3227.

The site is level and screened by mature trees to the northern and southern boundaries.

#### Proposed Development:

This application is seeking planning permission for an extension to the rear elevation of the clubhouse and changing rooms. The proposed extension is to provide additional changing room facilities and to extend the existing function house and kitchen.

The proposed single storey extension is to extend the full length of the existing clubhouse and changing rooms (41.14 metres) with a width of approximately 3.9 metres and a roof height of 2.92 metres. The extension is to be constructed from rendered blockwork, a single ply membrane flat roof and UPVC windows and doors to match the existing buildings.

A supporting statement accompanying the application advises the RUFC clubhouse has outgrown the two existing changing rooms, with a growing youth team. Additionally, the extension of the clubhouse is to improve the usage of the clubhouse to attract larger functions and community groups. The proposal is to also provide a larger, improved kitchen facility, which is currently too small to provide catering for larger events/functions.

### Consultee representations:

#### **Great Torrington Parish/Town Council:**

No objections.

#### **Devon County Council (Highways):**

Apply Standing Advice.

#### **DCC Rights of Way:**

Devon County Council have asked that I comment on the above planning application, please be aware that the application could affect Great Torrington footpath 11.

After a review of the route and the proposed works, we can conclude that the proposed development will not directly affect the footpath, however, there could be implications during construction as the line of the path crosses and then exits from the main access route to the Clubhouse.

Therefore, we would remind the applicant that Planning Permission does not grant the right to close, alter or build over a Public Right of Way in anyway, even temporarily. Therefore, should the application be successful, the applicant must ensure that the way remains open and available to the public at all times, including during the period of construction activity such as with buildings materials, or spoil and contractors' vehicles and plant etc. Should it be necessary to permanently divert the path to enable development to take place, this can be achieved by the Local Planning Authority through section 257 of the Town and Country Planning Act 1990. If a temporary diversion or closure is required during construction works then the applicant may apply to DCC for a temporary closure order.

### Representations:

Number of neighbours consulted:	5	Number of letters of support:	0
Number of representations received:	0	Number of neutral representations:	0
Number of objection letters:	0		

No representations received.

### Policy Context:

#### North Devon and Torridge Local Plan 2011-2031:

ST04 (Improving the Quality of Development); ST06 (Spatial Development Strategy for Northern Devon's Strategic and Main Centres); ST14 (Enhancing Environmental Assets); ST22 (Community Services and Facilities); DM01 (Amenity Considerations); DM02 (Environmental Protection); DM04 (Design Principles); DM05 (Highways); DM06 (Parking Provision); DM08 (Biodiversity and Geodiversity); DM08A (Landscape and Seascape Character); GTT (Great Torrington Spatial Vision and Development Strategy);

#### Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981);

### Planning Considerations

The main considerations for this application are:

1. Principle of Development
2. Impact on Character and Appearance
3. Impact on Amenity
4. Highways
5. Drainage
6. Ecology
7. Other Matters

## **1. Principle of Development**

Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

The application site is located within the Town of Great Torrington, which is designated as a Main Centre in the NDTLP. As a result, the provision of Policy ST06 is relevant which states that Main Centres will support appropriate levels of growth that will increase the towns' capacities to increase self – containment to meet their own needs and those of the surrounding communities where such is sought through local vision. In line with this policy Great Torrington (GTT) as an identified Main Centre has a vision to support small and medium scale development within the town centre and urban fringe.

### **Policy ST22: Community Services and Facilities**

- (1) *Development of new, or extensions or improvements to existing community facilities that meet the need of local communities will be supported within or adjoining defined settlement and Rural Settlements where:*
- (a) *It does not harm the character of the area and amenities of the surrounding uses:*
  - (b) *It is well related to public transport infrastructure, where possible, and is accessible by walking or cycling; and*
  - (c) *It can be accessed without generating unacceptable levels of traffic on the local road network and/or reducing highway safety.*

The proposed development will provide an extension to Great Torrington RUFC Clubhouse which is a valuable and well used community facility. The principle of this development is therefore considered acceptable under Policies ST06 and ST22, if it complies with the other material considerations.

## **2. Impact on Character and Appearance**

The Local Plan policies on design are relevant - Policy ST04 (Improving the Quality of Development) and Policy DM04 (Design Principles), which both aim to achieve high quality, inclusive and sustainable design.

Policy ST04 supports development proposal that achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in Policy DM04.

Policy DM04 supports developments with good design and the policy seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new developments. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change. The policy lists 13 design principles that proposals must meet in order to be supported by the policy.

The proposed single storey extension, to the rear, consists of a modest flat roof extension. Although, your Officers, would not normally encourage flat roof extensions, the proposed extension would be adequately screened from the street scene and public realm. By virtue, of its positioning the proposed extension to the clubhouse would not be readily visible from public views.

The proposed extension consists of a subservient element to the existing clubhouse building.

In light of the above, it is considered that the addition is of a form, scale and design that fits in the context of the existing building and does not harm the character and appearance of the surrounding locality.

Taking account of the above, it is considered that the proposal accords with Policies ST04 and DM04 of the NDTLP.

### **3 . Impact on Amenity**

Policy DM01 of the North Devon and Torridge Local Plan relates to amenity considerations and notes, development will be supported where:

- a) It would not significantly harm the amenities of any neighbouring occupiers or uses; and
- b) The intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

The site is located a sufficient distance from any third-party properties to ensure that it would not cause harm in relation to amenity, including overlooking and loss of natural light

Taking account of the above, it is considered that the proposal accords with Policy DM01 of the NDTLP.

### **4. Highways**

NDTLP Policies DM05 and DM06 states that development must ensure safe and well designed vehicular access and egress, with appropriate levels of parking provision within a well designed layout. Policy DM14 (e) requires that 'the scale of employment is appropriate to the accessibility of the site and the standard of the local highway network'.

The proposal site is served by an existing access. On the basis there are no proposed changes to the existing access arrangements, the proposed extension of the clubhouse will not significantly change the nature and volume of traffic accessing the site.

In light of the above, the proposal is considered to be in accordance with Policies DM05 and DM06 of the NDTLP.

### **5. Drainage**

Policy DM02 of the NDTLP requires that development must not result in unacceptable impacts in relation to pollution of surface or ground water, whilst Policy DM04 of the NDTLP established that water management must be addressed by development.

The foul drainage is proposed to be dealt with via a connection to the mains sewer system. The Surface water drainage will be dealt with via a soakaway, given the extent of land ownership this will be achievable.

Taking account of the above, it is considered that the proposal accords with Policy DM02 and DM04 of the NDTLP.

### **6. Ecology**

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further

reinforced within NDTLP through Policies DM08 and ST14, which state that development proposals should conserve and, where possible, enhance biodiversity interests.

An Ecological Impact Assessment has been submitted in support of this application. This concludes there is no evidence of any bat, birds, or other protected species. Therefore, no further survey work is required.

The Ecological Impact Assessment does recommend a few mitigation measures, to include a bird box to be incorporated as part of the proposal. This has been conditioned as part of this recommendation.

Taking account of the above, it is considered that the proposal would represent a net gain in biodiversity in accordance with Policies DM08 and ST14 of the NDTLP.

## **7. Other Matters**

A Public Right of Way (PROW) Great Torrington Footpath number 11 runs through this site

DCC Rights of Way Officer has been consulted and advise the following:

*“After a review of the route and the proposed works, we can conclude that the proposed development will not directly affect the footpath, however, there could be implications during construction as the line of the path crosses and then exits from the main access route to the Clubhouse”.*

An informative has been attached to this permission to ensure that the Public Right of Way remains open and available to the public at all times, including during the period of any construction activity such as with building materials and contractors' vehicles and plant. Should it be necessary to temporarily divert or close the path during construction works the applicant may apply to DCC for a temporary traffic order.

The Great Torrington Neighbourhood Plan (GTNP) has passed through its formal examination and the referendum with a positive outcome. Therefore, significant weight can be given to the GTNP in decision making. This proposal is deemed to comply with the principles of the GTNP.

### **Conclusion:**

The principle of development is acceptable. The proposal is not considered to have any significant detrimental design, residential amenity or highway impacts. The proposal is deemed to comply with the relevant policies with the adopted North Devon & Torridge Local Plan, GTNP and the National Planning Policy Framework.

## **Human rights**

Consideration has been given to the Human Rights Act 1998.

## **Conclusion**

It is therefore considered that subject to the compliance with the attached conditions and taking into account all other material planning considerations, including the development plan the proposal would be acceptable.

## **Recommendation**

GRANT subject to the following conditions

- 1 The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the time requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the development is carried out in accordance with the approved plans.

- 3 The development shall be carried out in accordance with the recommendations set out within the submitted Ecological Impact Assessment prepared by J.L Ecology Ltd dated December 2020. For the avoidance of doubt, bird boxes to be integrated into the external elevations

Reason: To ensure the ecological impact of the scheme is acceptable in accordance with DM08 and ST14 of the NDTLP.

### Plans Schedule

Reference	Received
BLOCK PLAN	25.02.2021
LOCATION PLAN	25.02.2021
PROPOSED ELEVATIONS	25.02.2021
PROPOSED FLOOR PLAN 1	25.02.2021
PROPOSED FLOOR PLAN 2	25.02.2021
PROPOSED FLOOR PLAN 3	25.02.2021
PROPOSED SECTION AA	25.02.2021
PROPOSED ELEVATIONS	23.03.2021

### Informatives

01. The applicant is informed that they must ensure that the Public Right of Way remains open and available to the public at all times, including during the period of any construction activity such as with building materials and contractors' vehicles and plant. Should it be necessary to temporarily divert or close the path during construction works the applicant may apply to DCC for a temporary traffic order.

### Statement of Engagement

In accordance with paragraphs 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner. In this instance there was no need for further engagement as the development as submitted is considered to accord with the development plan. In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.