



Application Report

Planning, Housing and Health
North Devon Council
Lynton House, Commercial Road,
Barnstaple, EX31 1DG

Application No: 76307
Application Type: Full Application
Application Expiry: 8 March 2023
Extension of Time Expiry:
Publicity Expiry: 17 February 2023
Parish/Ward: BARNSTAPLE/BARNSTAPLE WITH PILTON
Location: United Services Bowling Club
Pottington Road
Barnstaple
Devon
EX31 1JH
Proposal: Erection of a storage building
Agent: Mr Chris Rainey
Applicant: Mr Chris Rainey
Planning Case Officer: Mrs B. Coles
Departure: N
EIA Development:
EIA Conclusion: Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable): Committee - The site is on North Devon Council owned land

Site Description

The site is a small area to the west of an existing pavilion which forms part of the United Services Bowling Club. The small area currently houses a storage building and smaller timber shed. The Site is accessed via a gateway from a tarmac access and parking area situated to the west of the bowling club site which is shared with the neighbouring football club and accessed from Pottington Road. The pavilion is set back from to the road the rear of the bowling green which is concealed by a dense hedge boundary.

Recommendation

APPROVE

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
24233	Proposed refurbishment of and extensions to existing clubhouse and stand with extensions to existing cricket	Full Planning Approval	12 August 1999

Reference Number	Proposal	Decision	Decision Date
	pavilion, changing rooms and clubhouse, creation of car park, surfacing of netball courts together with external lighting and landscaping (amended plans, description & application site) at Barnstaple Rugby Football Club, Pottington Road, Barnstaple, EX31 1JH		
54525	Demolition of existing & erection of new metal storage shed at United Services Bowling Club, Pottington Road, Barnstaple, Devon, EX31 1JH	Full Planning Approval	28 September 2012
62828	Renovate, modernise and extend existing club house at United Services Bowling Club, Pottington Road, Barnstaple, Devon, EX31 1JH	Full Planning Approval	20 June 2017
70540	Variation of Conditions 2 (Approved Plans) & 3 (Materials) attached to Planning Permission 62828 (renovate, modernise and extend existing club house) to allow a change from flat roof to pitched roof at United Services Bowling Club, Pottington Road, Barnstaple Devon EX31 1JH	Approved	13 November 2019
71774	Application for a non-material amendment to planning permission 62828 (renovate, modernise & extend existing club house) in respect of the addition of integrated energy system to include storage battery, solar panels & air source heat pump and reduction in footprint of the extension at United Services Bowling Club Pottington Road, Barnstaple Devon EX31 1JH	Approved	11 September 2020

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Advert Control Area of Special Advert Control	Within constraint
Advert Control Area Barnstaple	Within constraint
Burrington Radar Safeguard Area consultation required for: All buildings, structures, erections & works exceeding 45 metres in height.	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 45.7m	Within constraint
Land is potentially contaminated with: Electrical Sub Station Facilities	Within constraint
Landscape Character is: 7 Main Cities and Towns	Within constraint
USRN: 27503990 Road Class: Q Ownership: Private	1.50
Within adopted Development Boundary: Barnstaple North Development Boundary ST06	Within constraint
Within Adopted Sports Hub: Barnstaple Rugby Club	Within constraint

Constraint / Local Plan Policy	Distance (Metres)
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
Within Braunton Burrows Zone of Influence	Within constraint
Within:, SSSI 500M Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within:, SSSI 5KM Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within: Braunton Burrows, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
BAR - Barnstaple Spatial Vision and Development Strategy DM01 - Amenity Considerations DM02 - Environmental Protection DM04 - Design Principles DM05 - Highways DM06 - Parking Provision DM08 - Biodiversity and Geodiversity ST03 - Adapting to Climate Change and Strengthening Resilience ST06 - Spatial Development Strategy for Northern Devon's Strategic and Main Centres ST14 - Enhancing Environmental Assets	

Consultees

Name	Comment
Barnstaple Town Council Reply Received 17 February 2023	17/02/2023 10:24 - RECOMMENDATION: Approval (NC)
Councillor I Roome	No comments received.
Councillor J Orange	No comments received.
Councillor M Lovering	No comments received.
Environmental Health Manager Reply Received 24 January 2023	I have reviewed this application in relation to Environmental Protection matters. I have no objection.
Sustainability Officer Reply Received 12 January 2023	12/01/2023 17:27 - No comment

Neighbours / Interested Parties

Comments	No Objection	Object	Petition	No. Signatures
0	0	0	0	0

No nearby neighbours and no response to site notice following display at the site.

Considerations

Proposal Description

This application seeks detailed planning permission for the erection of a replacement storage building to the side of a Bowling Club pavilion in order to store equipment and fertilizer etc. to enable the maintenance of the bowling green.

The proposed building will replace the existing storage building and timber shed and provide secure storage at the site.

The proposed shed will have pre-cast concrete walls and a green coated steel roof with a footprint measuring approximately 37.8 square metres with a concrete base and a roof height of 2.57 metres to pitch and 1.98 metres to eaves height with a pedestrian door and machinery door on the south facing elevation.



Location Plan

Elevations & Roof Plan Proposed



Site Photograph



Existing buildings to be replaced

Principle of Development

The proposal seeks to develop a new storage building at an established Bowling Club. The bowling club is situated within the adopted Barnstaple development boundary where Policy ST06 of the North Devon and Torridge Local Plan (the Local Plan) supports development consistent with its scale and strategic significance. Barnstaple's Spatial Vision and Development Strategy (BAR) also seeks to support growth to include sport, recreation and community facilities and as such the principle of the proposed development is therefore acceptable.

Consideration of the proposal will also be given to meeting Design and Amenity criteria of the Local Plan, together with its impact upon ecology, flood risk and drainage and highways and parking.

Planning Considerations Summary

- Design Principles
- Amenity Consideration
- Ecology
- Flood Risk and Drainage
- Highways and Parking

Planning Considerations

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area includes the Devon Waste Plan and North Devon and Torridge Local Plan. The relevant Policies are detailed above.

The National Planning Policy Framework (NPPF) is a material consideration.

Design

Policy ST04 of the Local Plan states that development will 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 of the Local Plan encourages good design and ensures that development proposals should be appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood; reinforce the key characteristics and special qualities of the area in which the development is proposed; and contributes positively to local distinctiveness, historic environment and sense of place.

The design reflects the existing storage building by utilising a pitched roof and materials which are similar to existing. The development whilst larger than existing will be concealed by the pavilion building and will not be a prominent addition at the site. The existing buildings will be replaced by the proposed building and the site will appear less cluttered.

The proposed development will not be harmful to the overall character and appearance of the site and its setting. The development thereby accords with the design considerations of the Local Plan. The materials as detailed in the application form are acceptable and therefore it is reasonable that any grant of planning permission should be subject to a condition that ensures such.

Amenity

Policy DM01 of the Local Plan (Amenity Considerations) states that 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.

Amenity and privacy impacts will not be unacceptable given the distances from neighbouring properties and screening of the development being situated between two existing properties. The building will be utilised to store machinery together with bowling green treatments, fungicides and petrol. The Environmental Health Officer has been consulted regarding the proposal and no concerns were raised and it is not considered that the proposal will cause any significant harm to neighbouring occupiers and meets to the requirements of NDTLP Policy DM01.

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 2017 (Habitats Regulations 2017).

Given the information received, it is unlikely that the development would result in harm to protected species as it will be over an existing storage area and no trees or hedges will be removed to facilitate the development. However, it is reasonable that any grant of planning permission be subject to a condition that ensures a net gain in biodiversity in accordance with local plan policies DM08 and ST14 and to meet this requirement a bird box shall be installed and retained on the building for which a condition is applied.

Flood Risk and Drainage

Whilst the site is not situated within a Flood Zone or critical drainage area it is completely surrounded by an area within flood zones II and III and as such the impact of the development with regard to flood risk should be considered.

The use of the building will be for storage purposes and will replace existing buildings at the site, and therefore will not increase the flood risk and is minor development. Flood resilient construction materials are proposed which can minimise impacts should a flood event occur. As such no flood risk concern is raised.

Highways and Parking

The access and parking arrangement will be retained with no impact as a result of the proposed development.

Conclusion

The application is considered to accord with the adopted development plan. Approval of the application is therefore recommended subject to the imposition of planning conditions.

Human Rights Act 1998

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

- Article 8 – Right to Respect for Private and Family Life
- THE FIRST PROTOCOL – Article 1: Protection of Property

Section 149(1) of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or 'PSED'). There are no equality implications anticipated as a result of this decision.

Recommendation

APPROVE

Legal Agreement Required: No

Conditions

1. The development to which this permission relates must be begun not 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 requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:

NDC005 Elevations Proposed received on the 03/01/23

NDC001A Location Plan received on the 11/01/23

NDC004 Block plan received on the 03/01/23

('The approved plans').

Reason

To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

3. The development hereby approved shall be constructed in accordance with the following schedule of external finishing materials:

Walls - Pre-cast Concrete
Roof - Green coated steel sheet

Reason

In the interests of the appearance of the development and locality in accordance with Policy DM04 of the North Devon and Torridge Local Plan.

4. Prior to the development hereby approved being brought into first use, a bird box shall be sited on north elevation of the building hereby approved and shall be maintained and retained thereafter.

Reason

To achieve net gains in biodiversity in compliance with Policies DM08 and ST14 of the North Devon and Torridge Local Plan and paragraph 174 of the National Planning Policy Framework.

Informatives

1. The submitted drawings have been numbered as set out in condition 2. Please refer to the planning application tracker on the District Council's website to view the drawings and their allocated numbers, <http://planning.northdevon.gov.uk/search.asp>
2. Statement of Engagement
In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission. This has included a schedule of Approved Materials, the use of flood resilient materials and the installation of a bird box.