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App No : 16/08327/FUL App Type: Full Application

Application for : Erection of new sports pavilion with fire escape to east elevation, access ramps to south elevation, creation of terracing to west side; erection of detached storage building; and creation of 28 additional parking spaces

At Marlow Sports Club, Lower Pound Lane, Marlow, Buckinghamshire, SL7 2AE.

Date Received : 05/01/17 Applicant : Trustees of Marlow Sports Club

Target date for Decision 02/03/17

1. **Summary**

- 1.1. This application involves the demolition of the existing pavilions, together with ancillary structures currently on site, removal of containers and the erection of a new sports pavilion. The proposed building has a fire escape to east elevation, access ramps to its south elevation, and includes the creation of terracing to west side, the erection of a detached storage building and the creation of 28 additional parking spaces.
- 1.2. The improved facility will encourage access to and participation in sports and recreation and as such will make an important contribution to the health and well-being of the local community. This is given considerable positive weight.
- 1.3. In ecological terms no protected or priority species will be harmed and the green roof proposed will make a small positive contribution through the provision of a wildlife habitat.
- 1.4. It is acknowledged that the development would result in an increase in the built-up appearance of the site, but the scale of buildings is considered to be appropriate and proportionate to the use and size of the site and would not erode the overall openness of the Green Belt.
- 1.5. The design and materials are not reflective of those which predominate in the adjoining Conservation Area, but they are considered acceptable for the context of this site and the proposal provides the added benefit of removing existing unsightly buildings/structures.
- 1.6. It is possible that the first floor accommodation could be hired out for external events, or used frequently for "in-house" evening functions, which could lead to increased general noise and disturbance being experienced by neighbours when attendees leave the building and cars manoeuvre out of spaces and leave at the end of the night. As this can be mitigated by an hours of use condition it is considered that this potential harm should be afforded limited negative weight.
- 1.7. Having regard to the NPPF planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. That would not be the case here and so it is recommended that conditional planning permission ought to be granted.

2. **The Application**

- 2.1. This application is for the replacement of the existing two storey clubhouse, cricket pavilion and other assorted outbuildings and containers on site with a new pavilion, and a

detached storage building for grounds maintenance equipment.

- 2.2. Marlow Sports Club is a thriving community facility close to the heart of the town and accessed from, and to the south of, Pound Lane. There is residential development to the north and west. To the east are the Court Garden Leisure Complex and cricket ground and to the south open land with significant areas of trees, with the River Thames beyond.
- 2.3. The site is generally flat and extends to some 3.8ha, the vast majority of which comprises open sports areas. There are hard surfaced parking areas just inside the main entrance and to the west of the clubhouse which provide 49 spaces.
- 2.4. There is another area to the south of the clubhouse which is shown on the submitted plans to provide an additional 46 spaces, however these are sign-posted overflow parking and are just grassed areas with a meshed central access. A secondary access exists off Lower Pound Lane to the east but this merely allows access to the site and there is no internal route leading to any other part of it.
- 2.5. The proposed parking will be supplemented through the addition of 28 additional spaces to be provided along the edge of the access drive with the cricket pitch, and by extending the provision to the south of the pavilion after the removal of existing sheds/containers.
- 2.6. The buildings to be demolished are sited towards the centre of the site and comprise a mainly two storey building constructed of brickwork and tiling to which is attached an earlier, single storey more traditional style pavilion. Adjacent to the east are a good number of sheds and prefabricated buildings apparently used for storage and lavatory facilities. To the south of the main building are two large metal storage containers.
- 2.7. The main building is some 8.3m high to its ridge with the subsidiary part of the building being about 5m high. Its footprint is about 316sqm. If one includes that of the containers, etc. the total footprint is some 457sqm, with the overall floor space provided by all structures to be demolished totalling about 633sqm.
- 2.8. The single storey building is used by a playschool during weekdays whilst a physiotherapy business operates within part of the two storey building. To the north of the latter are a large cricket/football field with floodlit tennis courts beyond. To the southwest is a floodlit and fenced multi-use games area with an all-weather surface. The site is generally flat and whilst there are quite a number of mature trees along the eastern and northern site boundaries, the site and main buildings are visible from the adjacent roads with mature trees along much of its boundaries.
- 2.9. It is proposed to demolish all the buildings in the central complex, remove all the sheds, and containers and erect a part two, part three storey clubhouse building with a footprint of 447sqm. This provides a floor space over two floors of 894sqm and it would be some 9.1m high. The proposal also includes an inset second floor reaching a maximum height of about 10.3m and providing further storage space of about 140 sqm.
- 2.10. The majority of the ground floor comprises changing rooms, showers, lavatories, circulation space, etc. with the remainder containing a reception/office, physio room, cellar/storage and a café with a terrace outside. At first floor the majority of the area is shown to be a large flexible space which would be suitable for club meetings/functions etc. The remainder would be devoted to a kitchen, bar and bar service area. The top floor is shown to be for storage and plant. There is a green roof proposed where it does not extend out over the full area of the floors below.
- 2.11. The building would have the appearance of a lightweight, box-like structure with its external facades comprising PVC panelling of varying degrees of transparency and glazing. Also proposed are an external terrace and access ramps along the south elevation of the building.

- 2.12. The application is accompanied by:
- a) Design and Access Statement,
 - b) Planning Statement,
 - c) Flood Risk Assessment (together with subsequent amendments),
 - d) Statement of Community Involvement.
- 2.13. The plans under consideration are;
- a) 1:50 Section; 1482/07 (Nov 2016),
 - b) Outline elevations (existing); 2810 (July 2016),
 - c) Proposed and existing footprint; 1482/09 Rev. B (Aug 2017),
 - d) Proposed Storage Elevations & Plan; 1482/10 (April 2017),
 - e) Proposed Block Plan: 1482/08 Rev A (Nov 2016),
 - f) Proposed Elevations: 1482/04 Rev A (Jan 2017),
 - g) 1:500 Existing topography and parking; 1482/01 (Nov 2016),
 - h) Proposed Plans; 1482/03 Rev A (Jan 2017), and,
 - i) Proposed parking; 1482/ 02 Rev B (Jan 2017).
- 2.14. The Design and Access statement advises that the scheme was presented to the Chamber of Commerce in July and that many district and town councillors have also been consulted, as well as members of the club itself. The Council has also widely consulted on the planning application and the responses are summarised in Appendix A of this report and are available in full on our web site.
- 2.15. During the course of the application, following discussion with the nearest neighbour, unsolicited amended plans were received which show the upper fixed glazed element of the southern elevation to comprise opaque glass. Following the initial comments of the Environment Agency an addendum to the Flood Risk Assessment was also received.
- 2.16. A report to the Planning Committee was first prepared in March 2017, but this was withdrawn by Officers prior to the meeting. This was because not all the issues, and particularly flooding, had been satisfactorily addressed. Leading up to the meeting the Environment Agency had advised that they had no objections to the proposal, but following further representations they raised an objection, based on the details available at that time. Furthermore it was apparent that no provision had been made within the redevelopment plans for the storage of grounds maintenance equipment.
- 2.17. In the time that has followed the applicant has been in discussions with the Environment Agency and the Strategic Flood Management Team at Bucks County Council. Following extensive additional research and the submission of amendments to their Flood Risk Assessment (FRA) the objections were finally withdrawn by the latter in March 2018 and accordingly the application is now again ready to proceed to determination.
- 2.18. In the meantime the applicant also submitted amended plans showing the addition of a low level storage building to be located towards the eastern corner of the site, for the storage of grounds maintenance equipment. This would be a low profile translucent building of about 50sqm in area with a green roof.
- 2.19. The Wycombe District Local Plan (Regulation 19) Publication Version has been submitted unamend to the Planning Inspectorate for consideration and it is therefore likely to be the subject to formal examination later in the year. The weight to be given to individual policies will be assessed in accordance with paragraph 216 of the NPPF.
- 2.20. Weight is of course a matter for the decision maker, but paragraph 26 of the NPPF says:
From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation,

- the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

3. Working with the applicant/agent

- 3.1. In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:
- offering a pre-application advice service,
 - as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
 - by adhering to the requirements of the Planning & Sustainability Customer Charter.
- 3.2. In this instance the applicant/agent was updated of any issues after the initial site visit, and then of the further issues that arose as a result of representations received in the lead up to the first scheduled Planning Committee where the application was due to be considered in April 2017. The applicant was provided the opportunity to submit amendments to the scheme/ address issues.

4. Relevant Planning History

- 4.1. There have been many planning applications for various developments over the years: such as tennis courts, cricket scoreboard, fencing, floodlights, practice wall, an artificial multi use hockey/football pitch and additional car parking provision.
- 4.2. The traditional cricket pavilion dates back to the 1950's (M/32/50) and this was "linked" to the two storey modern building in the late 1970's (W7297/78).

5. Issues and Policy considerations

Principle and Location of Development

ALP: GB2 (Development in the Green Belt), RT5 (Recreational Uses in the Countryside)
 CSDPD: CS1 (Overarching principles - sustainable development), CS9 (Green Belt), CS15 (Community facilities and built sports facilities)
 DSA: DM1 (Presumption in favour of sustainable development)
 New Local Plan: CP1 (Sustainable Development), CP8 (Protecting the Green Belt) CP9 (Sense of Place), CP11 (Historic Environment) DM20 (Matters to be determined in accordance with the NPPF), DM29 (Community Facilities), DM31 (Development Affecting the Historic Environment), DM35 (Placemaking and Design Quality)

- 5.1 Both national and local policies strongly encourage access to and participation in sports and recreation, as these can make an important contribution to the health and well-being of communities. The site is in a sustainable location and the provision and retention of community facilities and built sport facilities receives general support in policy CS15.
- 5.2 The application site is located in the Green Belt. The application proposal is for a sports pavilion in association with outdoor recreation and as such this can be acceptable in principle.
- 5.3 The second issue of principle relates to the site's location in the countryside. It sits just outside the boundary of Marlow Town Centre on the Local Plan Proposals Map. Policy RT5(1) of the Adopted Local Plan states that recreational development in the countryside will be acceptable in principle provided that the rural character, quality and amenity of the

particular area is respected and that the recreational activities, by their nature, extent, intensity, frequency or timing have regard to a number of considerations.

- 5.4 These are: noise, traffic impact, lighting, impact of any land-forming activities, ease of access by all forms of movement and the extent and visual impact of the siting and layout of parking. These issues are examined in detail in subsequent sections of this report but a limited assessment is included below.
- 5.5 The site does not really have a rural appearance but rather that of an extensive area of sports pitches and floodlit courts, with supporting infrastructure, on the edge of the urban area. It is considered that the replacement building and the additional parking spaces respect the existing character of the area.
- 5.6 The nature, extent, intensity, frequency or timing of the activities comprising the recreational use of the sports facilities at the site would not change as a result of this proposal. The new building could be used more intensively/extensively but a condition could be attached setting out the permissible hours of its use. In the context of the scale of the existing membership and car parking it is not considered the additional car parking spaces would have any significant implications.
- 5.7 There is no additional external lighting proposed and the installation of such could be controlled by condition. Due to its design the proposed building would be unlikely to cause any greater light spillage than the existing when it is occupied. Considering its function, and the fact that there are floodlit sports areas at the front and rear of the site, this is considered acceptable.
- 5.8 No land-forming works are proposed and nor are any changes to the access to the site, whilst access to the new building itself would be significantly improved. The location of the additional car parking spaces along the access road or at either end of an existing car parking area would have minimal additional visual impact.
- 5.9 Policy RT5(2) requires that any new building is locally unobtrusive and serves to maintain the open character of the rural surroundings as regards overall extent, appearance and use of facing and roofing materials.
- 5.10 The character of the existing surroundings has been examined above. The location of the existing and proposed buildings is set well back from Pound Lane but the new building would be more prominent in long views from this road by reason of its greater height and bulk and the materials proposed. Nonetheless it is considered that its position means it can set its own context without causing any undue harm to the character and appearance of the area in general.
- 5.11 The additional bulk of the proposed building over the existing is considered to have a slight additional impact on the open character of the rural surroundings. Therefore while not strictly “unobtrusive” this is considered to have neutral weight in the planning balance.
- 5.12 It is concluded that the proposed development is acceptable in principle.

Green Belt

ALP: GB2 (Development in the Green Belt)

CSDPD: CS9 (Green Belt)

New Local Plan: CP8 (Protecting the Green Belt), DM42 (Managing Development in the Green Belt)

- 5.13 The first issue is whether the proposed development represents inappropriate development in the Green Belt, and, if so, whether there are any very special circumstances that clearly outweigh the harm caused by inappropriateness, and any other harm.

- 5.14 Paragraph 89 of the NPPF sets out development that is not inappropriate in the Green Belt, and this includes appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The NPPF test of the facilities being “appropriate” for the sporting/recreational use takes precedence over the Local Plan requirement in policy GB2 that they be “essential”.
- 5.15 Marlow Sports Club is a well-established and flourishing community organisation that provides sporting and recreational facilities for over 2000 members in a sustainable location. The proposal involves the replacement of an existing building on much the same footprint and for the same use.
- 5.16 The facilities shown are considered appropriate in terms of their uses and ancillary to the recreation and sporting activities taking place on the site. In assessing “openness”, floor space, volume and height all play a part.
- 5.17 It is acknowledged that the footprint of the main building would increase from 316sqm to 447sqm, but this is mitigated by the removal of the other structures on the site. However, the storage building proposed adds a further 50sqm.
- 5.18 The overall floor space on site increases from 633sqm to 944sqm; by some 49%. The increase in floor area is larger (over 1000sqm) however if the second floor “storage space” is included. The storage space is located within an inset second floor akin to a loft space on a pitched roof building.
- 5.19 The maximum height is also increased from some 8.3m to 9.1m, increasing to 10.3m for the inset upper storage floor, and the scale and bulk of the building would be materially greater above ground floor level. However it is not considered that the new building would materially harm the openness of the part of the Green Belt in which it sits.
- 5.20 The development would result in the removal of all the sheds, containers, etc, which are sited to the east and south of the existing buildings. The former in particular present a visually unattractive and scruffy vista when viewed in the foreground from Lower Pound Lane.
- 5.21 Furthermore the proposal would consolidate built development more on the site of the main buildings which is also desirable in Green Belt terms. The additional size of buildings created is considered proportionate to the existing development on site and is also considered appropriate in serving a recreational site of nearly 4 hectares in extent.
- 5.22 The development is therefore considered to be acceptable in relation to Green Belt policy.

Raising the quality of place making and design, and Conservation Area Impact

ALP: G3 (General design policy), G7 (Development in relation to topography), G8 (Detailed Design Guidance and Local Amenity), G10 (Landscaping), G11 (Trees), G26 (Designing for safer communities), HE6 (Conservation Areas)

CSDPD: CS17 (Environmental assets) CS19 (Raising the quality of place shaping and design)

DSA: DM11 (Green networks and infrastructure),

New Local Plan: CP9 (Sense of place), CP11 (Historic Environment), DM31 (Development Affecting the Historic Environment), DM35 (Placemaking and Design Quality)

- 5.23 The existing building is sited fairly centrally on the site with the cricket pitch and tennis courts to the north and the floodlit all-weather pitch to the southwest. The siting of the replacement building in the same location, remote from the residential development to the west is considered logical and acceptable.
- 5.24 The provision of a limited number of additional parking spaces on an area to the south of

the building partly occupied by containers would have little additional visual impact. The additional parking spaces off the access road would similarly have little additional visual impact.

- 5.25 The application site is outside, but abuts the Marlow Conservation Area along its Lower Pound Lane boundary. The existing buildings are not prominent in views from the Conservation Area, apart from on Lower Pound Lane and near its junction with Pound Lane, due to their location within the site and the existence of intervening boundary screening.
- 5.26 At present the complex comprises the attractive single storey traditional pavilion tacked onto, and visually dominated by, the more recent two storey building which has little architectural merit. From further down Lower Pound Lane the view is of a rag-tag collection of sheds and prefabricated buildings that obscure the view of the pavilion, the only building of any merit.
- 5.27 The Conservation Officer has noted that the design seems out of scale, the proposal makes no attempt to evoke cricket pavilion architecture, and it proposes a highly unsympathetic palette of materials wholly alien to the character of the adjacent Conservation Area. It is therefore considered a missed opportunity for a significant location adjoining the Conservation Area.
- 5.28 That said it is the impact of the proposal on the heritage asset (the Conservation Area) that must be considered, as discussed in in Historic England's Good Practice Advice in Planning Note No. 3 (2nd Edition) *The setting of Heritage Assets*, dated Dec 2017. This notes that the contribution of setting to the significance of a heritage asset is generally expressed by reference to views.
- 5.29 The views from the Conservation Area would be enhanced through the removal of the unattractive buildings at the site. Moreover, given the size of the site and the position of the new modern building well into the site, even given its scale, it would only be visible in limited views from Lower Pound Lane due to the existing mature vegetation.
- 5.30 In terms of its impact on its surroundings, and the setting of the Conservation Area, the scale, design and appearance of the building is considered to have a "neutral weight" in the planning balance.

Landscape Issues

ALP: L2 (Areas of Attractive Landscape and Local Landscape Areas)

CSDPD: CS17 (Environmental assets)

DSA: DM11 (Green networks and infrastructure)

New Local Plan: CP9 (Sense of place), CP10 (Green Infrastructure and the Natural Environment), DM32 Landscape Character and Settlement Patterns)

- 5.31 The site forms the north-eastern extremity of an extensive area of land extending to the southwest along the Thames which is identified as an Area of Attractive Landscape in the Local Plan. Within such areas development should preserve their individual landscape qualities and not have an adverse impact on their recognised character and appearance.
- 5.32 The proposal would have minimal impact on the landscape qualities of the site and, as assessed above, would not adversely affect the character of the area.
- 5.33 It is also part of a much smaller area that is identified as part of the district's Green Infrastructure Network in the DSA. In such areas all development must conserve and enhance the network and, where appropriate, contribute to improvements of the network, delivery of Corridor Opportunity Areas and improvement of Biodiversity Opportunity Areas. The latter two requirements are not relevant in this case.

- 5.34 It is considered that the proposal would conserve the network as its encroachment on unbuilt upon areas is minimal and the vast majority of the site would remain open. As one of the identified benefits of these networks and infrastructure is to the health and well-being of communities it is considered that the overall improvements to the ability of the club to attract people to take part in outdoor recreation satisfies the “improvement” element of this policy to a sufficient degree.
- 5.35 The landscape and green infrastructure impact is therefore considered to have a “neutral weight” in the planning balance.

Amenity of existing residents

ALP: G8 (Detailed design guidance and local amenity),
CSDPD: CS19 (Raising the quality of place shaping and design)
New Local Plan: DM35 (Placemaking and Design Quality)

- 5.36 The new building is in the same location as the existing pavilion and would be at least 75m from the nearest house in Pound Crescent to the west, and at least 140m from housing on the other side of Pound Lane to the north.
- 5.37 The only house in close proximity to the site is Lower Lodge to the southeast. The western boundary of this property runs along the area of car parking to the south of the pavilion and then turns sharp right very close to the existing pavilion. The house itself is sited about 27m from the proposed building at closest and there is a substantial hedge between.
- 5.38 The south elevation facing Lower Lodge has some fixed glazing and a door serving a circulation corridor towards its western end but is otherwise comprised of translucent PVC panels without any windows. At the request of this neighbour the plans have been amended to make this glazing obscure. On this basis the neighbour has written in to support the application.
- 5.39 The eastern elevation contains two doors at ground level providing access to the changing rooms and one door at first floor which serves a fire escape which is concealed behind a PVC screen. There is an element of glazing at the far end but this again is fixed. The building is oriented to face the main sports ground to the north and openable windows are only to be found on this and the western elevation.
- 5.40 It is noted that concerns have been expressed that the larger building will be used for more events/functions and that this will lead to more noise from these activities in the building, and from vehicles arriving and leaving. Given that the location of the replacement building is little different from that existing it is not considered that the impact on neighbours will be significant. A condition is however recommended restricting the hours of use of the building to 0700 to 2300 hours on any given day.
- 5.41 The building would be a little higher than existing but there is some hedge and tree screening on the southern boundary and it is not considered that it would be visually intrusive or over-dominant when viewed from Lower Lodge, or indeed any other neighbouring property. Being to the north it would cause no overshadowing issues and would be far enough away not to affect daylight to the neighbour.
- 5.42 There is a net addition of car parking spaces with 13 new spaces being located in parallel on the inside of the main access drive from Pound Lane. A further 11 are provided immediately to the south of the new building, with 6 of these being perpendicular to the boundary hedge with Lower Lodge. As the former are off the main access and next to an existing parking area it is not considered their use would cause any significant harm to residents in Pound Crescent. The latter are in an area already used for overflow parking and as such would not cause any significant harm.

- 5.43 There are no details provided of any external lighting but this can be controlled through an appropriately worded condition.

Transport matters and parking

ALP: T2 (On-site parking and servicing), T4 (Pedestrian movement and provision), T5 and T6 (Cycling), T7 (Public transport),

CSDPD: CS16 (Transport), CS20 (Transport and Infrastructure)

DSA: DM2 (Transport requirements of development sites)

- 5.44 The site is only a few minutes' walk from the centre of Marlow and is in a sustainable location.
- 5.45 There are no changes proposed to the existing access arrangements and the Highway Authority raises no objection with respect to the impacts on highway capacity or safety. The car parking provision would be increased by a level commensurate with the additional floor space proposed.
- 5.46 The Highway Authority has no objections to the proposal but suggests that a condition be attached to require the grassed parking area at the rear to be surfaced with geotextile, grasscrete or similar to allow it to be more practical for use when the weather has been adverse.

Environmental issues

ALP: G15 (Noise), G16 (Light pollution)

CSDPD: CS18 (Waste, natural resources and pollution)

- 5.47 The potential impact on neighbours through noise and light pollution has been covered above.
- 5.48 There are no waste storage/collection facilities shown but there would be adequate space around the building for these to be provided. A condition requiring the submission and approval of these could be attached if planning permission was forthcoming.

Flooding and drainage

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan: DM39 (Managing flood risk and sustainable drainage systems)

- 5.49 As originally submitted the application was accompanied by a Flood Risk Assessment (FRA). The Environment Agency however originally objected to the proposal for reasons relating to the loss of flood plain. Following the submission of further information the Environment Agency withdrew this objection subject to a condition that the development would be carried out in accordance with the details supplied.
- 5.50 However, prior to the application being considered by the Planning Committee in April 2017 and in view of representations received the Environment Agency re-instated their objection; and it also became apparent that there may be further issues in respect of surface water and groundwater flood risk that had not been addressed.
- 5.51 Accordingly the SuDs Officer at Bucks County Council was consulted and it emerged that there were indeed several unresolved issues, in addition to that raised by the Environment Agency. These required the applicant to undertake further work to establish how drainage issues would best be dealt with and providing clarity around the construction details of the development to maintain a floodable area under terracing, etc and to ensure the development would not adversely impact upon the issues of fluvial flooding.
- 5.52 After further revisions to the FRA both the Environment Agency and the Bucks County Council SuDS Officer have now withdrawn their objections and subject to conditions the

development is considered acceptable in respect of all flooding issues.

Ecology

CSDPD: CS17 (Environmental assets)

DSA: DM14 (Biodiversity in development)

New Local Plan: CP10 (Green Infrastructure and the Natural Environment)

- 5.53 In the application form the applicant has indicated that there are no protected or priority species and no designated sites, important habitats or other biodiversity features either on the site or on land adjacent to or near the proposed development.
- 5.54 Whilst the managed nature of the site means that it does not have a great deal of intrinsic biodiversity value the land to the south, although not designated, is considered to have the potential to be used by protected species, particularly bats. Furthermore bats and birds would cross the application site in transit between environments that are more attractive to them. In the circumstances it is considered appropriate to attach an informative setting out the relevant legal duties.

Building sustainability

CSDPD: CS18 (Waste, natural resources and pollution)

New Local Plan: DM41 (Optional technical standards for Building Regulation approval)

- 5.55 Following the Adoption of the Delivery and Site Allocations Plan (July 2013) and in particular policy DM18 (Carbon Reduction and Water Efficiency) it would have previously been necessary to impose a condition to secure the required 15% reduction in carbon emissions as well as reducing future demand for water associated with the proposed dwelling. However, this was effectively superseded in October 2016 by ministerial policy to transfer the issue to Building Regulations. It is however still necessary to condition water efficiency.
- 5.56 The green roof proposed will help with water storage; as well as providing a wildlife habitat.

Other Matters

- 5.57 The matters raised in representations have mainly been covered in the body of this report. The exact number of members of the club is not considered to be particularly relevant. It is noted that Marlow Town Council refer to membership increasing and whatever the actual number it is a popular facility with outdated facilities.
- 5.58 Whilst the applicant may have other future aspirations the application is for a replacement pavilion alone and that is what the Planning Authority has to consider.
- 5.59 The address given for the property is not considered to raise any issues. Although there is an existing access off Lower Pound Lane traffic will continue to use the main access off Pound Lane as at present. The site is where it is whatever address is given to it.
- 5.60 Finally property values are not a planning matter.

6 Weighing and balancing of issues – overall assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with

planning applications, the authority shall have regard to:

- a) Provision of the development plan insofar as they are material,
- b) Any local finance considerations, so far as they are material to the application (in this case, CIL), and,
- c) Any other material considerations.

Positive Factors

- 6.3 The improved facility will encourage access to and participation in sports and recreation and as such will make an important contribution to the health and well-being of the local community. This is given considerable positive weight in the planning balance.
- 6.4 As far as ecology is concerned no protected or priority species have been identified, but the "green roof" proposed is however afforded limited positive weight in the planning balance as it will make a small positive contribution to the provision of a wildlife habitat.

Neutral Factors

- 6.5 It is acknowledged that the development would result in an increase in the built-up appearance of the site, but the scale of buildings is appropriate to both the use and the size of the site and would not erode the openness of the Green Belt.
- 6.6 It is also acknowledged that the design and materials are not reflective of those which predominate in the adjoining Conservation Area, but the proposal also provides the added benefit of removing existing unsightly buildings/structures. Overall this is considered acceptable for the context of this site.

Negative Factors

- 6.7 It is possible that the first floor accommodation could be hired out for external events, or used more frequently for "in-house" evening functions, which could lead to increased general noise and disturbance being experienced by neighbours when attendees leave the building and cars manoeuvre out of spaces and leave at the end of the night. As this has been mitigated by an hours of use condition. It is considered that this harm should be afforded only limited negative weight in the planning balance.

Conclusion and Recommendation

- 6.8 The development is not CIL liable and there are no other local finance considerations. Having regard to the NPPF planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. That would not be the case here and so it is concluded that conditional planning permission ought to be granted.

Recommendation: Application Permitted

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 1482/01 (1:500 Existing topography and parking), 1482/02B (Proposed parking), 1482/03A (Proposed Plans), 1482/04A (Proposed Elevations), 1482/07 (1:50 Section), 1482/08A (Proposed Block Plan), 1482/09B (Proposed and existing footprint) 1482/10 (Proposed Storage Elevations & Plan) and 2810 (Outline elevations - existing); unless the Local Planning Authority otherwise first agrees in writing.

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

3 Notwithstanding any indication of materials which may have been given in the application, a schedule and/or samples of the materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any work to the external finish of the development takes place. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: To secure a satisfactory external appearance.

4 Protective fencing and/or other protective measures shall be erected around each tree and hedge to be retained in accordance with a scheme which must first be submitted to and approved in writing by the Local Planning Authority (i.e. an Arboricultural Method Statement and Tree Protection Plan to British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations) before any site clearance works or development commence, and before any machinery or equipment has been allowed on site.

The scheme shall show the type, height and position of protective fencing to be erected around each tree(s) or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall be in accordance with clause 6.2 “Barriers and ground protection” of the British Standard 5837:2012.

The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in these areas:

1. there shall be no changes in ground levels,
2. no materials or plant shall be stored,
3. no buildings or temporary buildings shall be erected or stationed,
4. no materials or waste shall be burnt; and,
5. no drain runs, trenches or other excavation shall be dug or otherwise created,

without the prior written approval of the Local Planning Authority.

Reason: To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity.

5 A scheme for the enhancing the quality of the development for ecology including a timetable for implementing the measures contained in the scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on the site. The approved measures shall be implemented in accordance with the approved timetable and shall thereafter be retained.

Reason: In the interests of the future ecological potential of the site.

6 The parking spaces indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and shall not thereafter be used for any other purpose.

Reason: To ensure adequate facilities are available and to reduce the likelihood of on street parking in the surrounding area in order to minimise danger, obstruction and inconvenience to users of the adjoining highway and the amenity of local residents.

- 7 Notwithstanding any indication which may have been given in the application, the car park area to the rear of the proposed pavilion and the new parking spaces on the east side of the access road shall be surfaced in an appropriate and porous weather resistant materials, details of which have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Local; Planning Authority.
Reason: To ensure that the parking spaces are useable in all weather conditions and to reduce the likelihood of on street parking in the surrounding area in order to minimise danger, obstruction and inconvenience to users of the adjoining highway and the amenity of local residents.
- 8 The use of the pavilion building shall be restricted to the hours of 0700 to 2300 hours on any day.
Reason: In the interests of the amenities of adjoining residents.
- 9 The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) ref:161070-05 compiled by Ardent Consulting Engineers dated September 2017 including the following mitigation measures:
- The finished floor level of the building shall be set no lower than 28.91 metres Above Ordnance Datum (mAOD) as highlighted on drawing number 1482/09B
 - The proposed storage shed will be designed to include floodable mesh with 100mm spacing's around the lower section of the structure up to the 1% Annual Exceedance Probability (AEP) plus 35% allowance for climate change flood level of 28.91m AOD as shown on drawing number 1482/10.
- Reason: To reduce the risk of flooding to the proposed development and future occupants; and to ensure that there is no net loss of floodplain storage up to the 1% AEP plus 35% allowance for climate flood change level.
- 10 The development hereby permitted shall not be commenced until such time as further detailed elevation plans/drawings to ensure that the terrace area and any steps/stairs and ramps will be designed to be "open", permeable and floodable up to the 1% Annual Exceedance Probability (AEP) plus 35% allowance for climate change flood level have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodies within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority
Reason: To ensure that there is no net loss of floodplain storage up to the 1% AEP plus 35% allowance for climate flood change level.
- 11 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Consideration of rainwater harvesting
 - Full construction details of all SuDS and drainage components
 - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
 - Calculations which show how the system functions with a submerged outfall
 - Critical storm durations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

Reason: the reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 103 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

- 12 Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: the reason for this pre-occupation condition is to ensure the Sustainable Drainage System is designed to the technical standards

- 13 No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

Reason: In the interest of visual amenity and/or highway safety.

- 14 The sports pavilion building hereby permitted shall not be occupied until facilities for the storage and collection of waste have been provided in accordance with details which shall have previously been agreed in writing by the Local Planning Authority.

Reason: In the interests of the maintenance of the local environment.

- 15 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard equivalent to 'excellent' under the BREEAM rating with a maximum number of water credits

Reason: In the interests of water efficiency as required by Policy CS18 of the Adopted Core Strategy and Policy DM 18 of the Adopted Delivery and Site Allocations Plan (July 2013).

- 16 In accordance with the details shown on drawing number 1482/04A, the first floor windows in the south elevation of the building hereby approved shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The window(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring property.

- 17 No buildings or temporary buildings or storage containers shall be erected or stationed on the site without the express permission of the Local Planning Authority.

Reason: to protect the openness of the Green Belt and to ensure that there is no net loss of floodplain storage or increased flood risk.

INFORMATIVE(S)

- 1 In accordance with paragraphs 186 and 187 of the NPPF Wycombe District Council (WDC) take a positive and proactive approach to development proposals focused on solutions. WDC work with the applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions, and,
- by adhering to the requirements of the Planning & Sustainability Customer Charter

In this instance the applicant/agent was updated of any issues after the initial site visit and further issues that arose as a result of representations received in the lead up to the first scheduled Planning Committee where the application was due to be considered in April 2017. The applicant was provided the opportunity to submit amendments to the scheme/ address issues. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2 The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Services Division of the Council.

3 The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally:

- take, damage or destroy the nest of any wild birds while the nest is in use or being built,
- take kill or injure any wild bird,
- take or destroy the egg of any wild bird.

Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the Act.

The applicant is also advised that protected species (including all bats) use trees. The Conservation of Habitats and Species Regulations 2010 provides very strong protection for these species and so you must be certain that they are not present before works begin. If the presence of bats or other protected species is suspected, a licence may be required from Natural England before works can commence. If protected species are found in a tree whilst carrying out work, all work must stop and Natural England must be informed. Trees should be inspected prior to works commencing and if the presence of bats is suspected advice will need to be sought from Natural England via the Bat Line on 0845 1300228. Further advice on bats is available from The Bat Conservation Trust (020 7627 2629).

The consent given by this notice does not override the protection afforded to these species and their habitat.

4 Under the terms of the Land Drainage Act 1991 and the Floods and Water Management Act 2010, the prior consent of the Lead Local Flood Authority (LLFA) is required for any proposed works or structures in the watercourse. After planning permission has been granted by the Local Planning Authority (LPA), the applicant must apply for Land Drainage Consent from the LLFA, and this process can take up to two months. Information and the application form can be found on their website;

<https://www.buckscc.gov.uk/services/environment/flooding/land-drainage-consent/>