



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
14 SEPTEMBER 2022**

Application Number	22/00706/FUL
Location	Dengie Hundred Sports Centre, Station Road, Burnham-on-Crouch, CM0 7HS
Proposal	Single storey extension to clubhouse.
Applicant	Burnham-on-Crouch RUFC
Agent	Greg Wiffen – Planman
Target Decision Date	03.08.2022
Case Officer	Hannah Dungate
Parish	BURNHAM SOUTH
Reason for Referral to the Committee / Council	Council-owned building Member Call-in by Councillor V J Bell citing Policy E3 – Community Services and Facilities

1. RECOMMENDATION

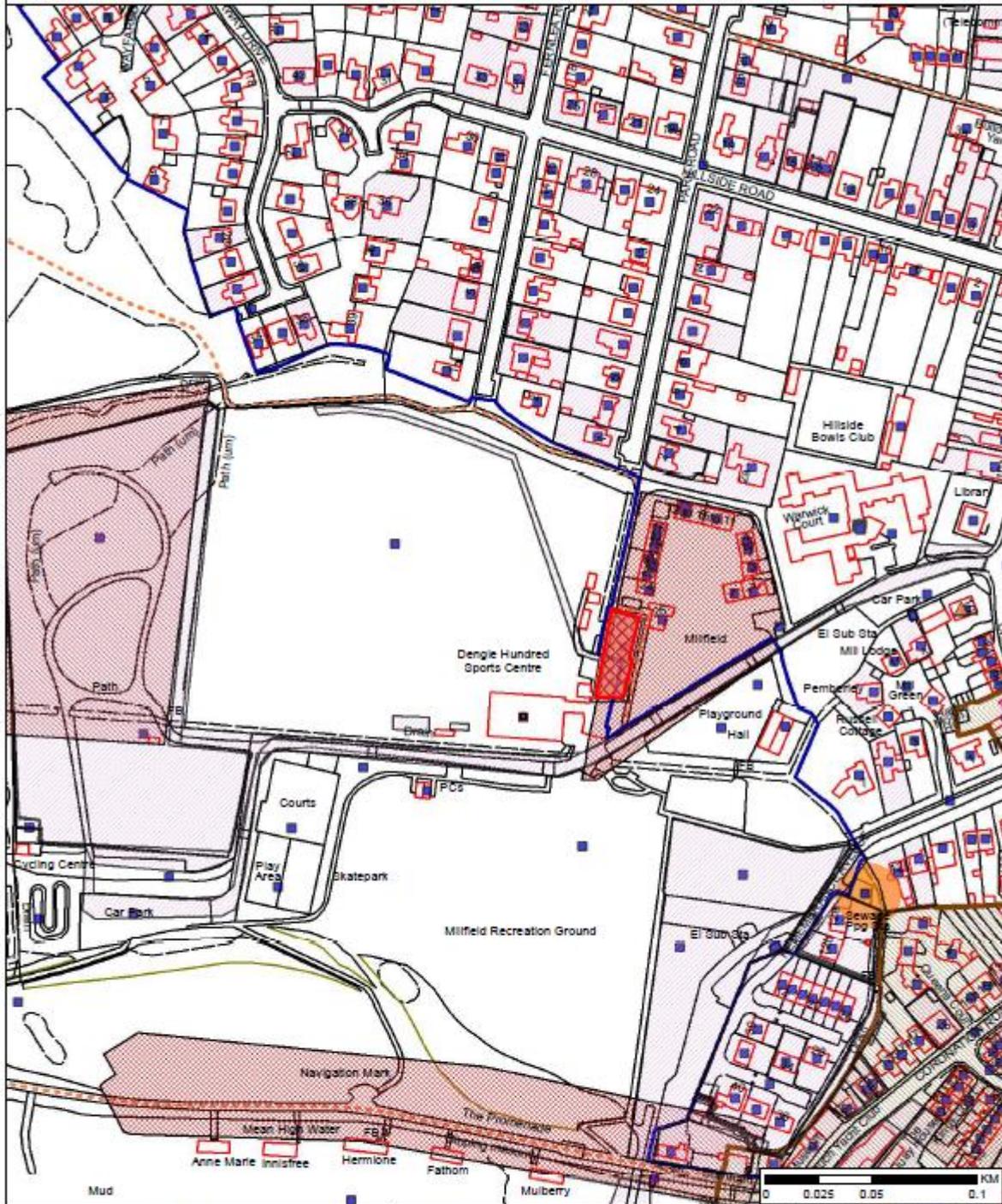
REFUSE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see below.

Dengie Hundred Sports Centre, Station Road, BOC

22/00706/FUL



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Not Set
	Date:	31/08/2022
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the northern side of Millfields within the defined settlement boundary of Burnham-on-Crouch and is surrounded by residential properties to the north and east and public open space to the south. To the west of the site is the playing fields associated with the sports club which is located outside of the settlement boundary of Burnham-on-Crouch. The existing Sports Centre comprises a dome shaped building as well a single storey flat roof building. Within the surrounding area is a mixture of single and two storey pitched roof residential buildings.
- 3.1.2 Planning permission is sought for a single storey extension to the Burnham-on-Crouch Rugby Union Football Club's clubhouse at the Dengie Hundred Sports Centre site. The extension would accommodate four team changing rooms, two referees' rooms, a physio room, a storeroom, a hallway, as well as toilet and shower facilities.
- 3.1.3 The extension would measure approximately 23.2m wide, 9.6m deep, with a maximum height of 4.9m overall.
- 3.1.4 The application follows a previously refused application for a similar development (21/00911/FUL) which was refused for the following reasons:
- "1. *The design of the proposed extension, by reason of its flat roof design, unrelieved appearance exacerbated by a and lack of fenestration details would appear as an intrusive and incongruent feature which would be out of keeping with the existing building and the streetscene to the detriment of the character and appearance of the surrounding area. The proposal is therefore contrary to policies D1 and H4 of the approved Local Development Plan and the NPPF.*
2. *The proposed development will result in an inadequate level of on-site car parking provision for a building of this size, which is likely to result in additional on-street parking to the detriment of the amenity and convenience of residents and may also prejudice the safety of users of the highway or the passage of utility and emergency vehicles, contrary to the adopted Vehicle Parking Standards, policies D1 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework."*
- 3.1.5 As part of the current application, no changes have been made to the layout of the proposed building, however, the design has been amended so that the roof of the building would have a hipped roof instead of flat roof form. The revised design of the proposed extension will be discussed within the body of the report below, however, it is not considered to overcome the previous reason for refusal.

3.2 Conclusion

- 3.2.1 The proposed development, by reason of its location, scale, and poor design, would result in an incongruous form of development impacting upon the visual amenity of the street scene and the character and appearance of the existing building and surrounding area. Additionally, the development would detrimentally impact on the provision of car parking and it is therefore considered the development is contrary to policies D1, T2 and H4 of the Local Development Plan (LDP) as well as the Maldon District Vehicle Parking Standards SPD.

4. MAIN RELEVANT POLICIES

4.1 National Planning Policy Framework (NPPF) 2021, including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54-58 Planning Conditions and Obligations
- 81-83 Building a strong, competitive economy
- 104-113 Promoting sustainable transport
- 119-123 Making effective use of land
- 126-136 Achieving well-designed places
- 152 Meeting the challenge of climate change, flooding and coastal change
- 189-198 Conserving and enhancing the historic environment

4.2 Maldon District Local Development Plan (LDP) approved by the Secretary of State

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- E3 Community Services and Facilities
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD (MDDG) (2017)
- Maldon District Vehicle Parking Standards SPD
- Burnham on Crouch Neighbourhood Development Plan

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved LDP.

5.1.2 The proposed development would extend the existing Rugby Club at the Dengie Sports Club. Policy E3 supports community services and facilities, it states that '*The Council will seek to retain and enhance the provision of community services and facilities within the District, particularly where they are essential to the local community.*'

5.1.3 Although the proposal would seek to enlarge the existing community facility, this is neutral when considering the application, as the extension would be sited on existing community land. The benefits of enlarging the community facility would have to be

considered against the loss of parking at the site, which will be considered below, as this could make the use less viable. Notwithstanding this, given the existing use of the site would be retained, the principle of extending the existing building is considered to be acceptable in line with policies D1, E3 and H4 of the approved LDP. Other material planning considerations are set out below.

5.2 Design and Impact on the Character of the Area

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

5.2.3 This principle has been reflected to the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of: -

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG.

5.2.5 The surrounding area is comprised of public open space, as well as residential development which is predominately single and two storey pitched roof buildings. The existing sports club has its own character along Millfields and is comprised of a two-storey dome structure as well as an existing single storey flat roof element facing the main road, when approaching from the east. The existing flat roof building is of poor design and limited architectural merit within the street scene and is not considered to positively contribute to the site or surrounding area.

5.2.6 In an attempt to overcome the previous reasons for refusal for the application 21/00911/FUL, the design of the proposed extension has been amended so that it would now have a large, hipped roof form expanding over the entire width of the extension, which measures 23.2m in width and 9.6m in depth. The revised roof form

of the extension would increase the overall height of the extension from 3.2m in height to 4.9m, which would measure 1.7m higher than the existing building which it would extend from.

- 5.2.7 Although the revised design has sought to overcome the harm previously identified as a result of the large flat roof structure, the revised design would in some ways be worse than the original proposal as it would not relate in anyway to the existing building. Due to its height, width and depth, it would not be subservient in scale or form to the existing building and would still enlarge the existing structure by almost two thirds. Although the existing building is of extremely poor design, the proposed extension would exacerbate its visual harm within the street scene due to its poor design and incompatible relationship with the existing building.
- 5.2.8 The harm identified would be exacerbated by the siting and orientation of the building, which is very visually prominent within the street scene when viewed from the east along Millfields. The blank flank wall of the extension, facing Millfields would also be visually unattractive and would contribute to the poor design of the structure. There would be no continuity of fenestration design from the existing building to the proposed extension which would also exacerbate its poor design and would not be in keeping with the existing building. This has not been amended from the previous proposal and contributes to its unacceptable relationship with the existing building.
- 5.2.7 Overall, the poor design of the proposed extension, by reason of its excessive width, poor design that would not relate to the existing building and lack of fenestration details would appear as an incongruent and intrusive feature which would be out of keeping with the character and appearance of the existing building and the streetscene to the detriment of the character and appearance of the surrounding area. The proposal has not overcome the previous reason for refusal and is therefore contrary to policies D1 and H4 of the approved LDP and the NPPF.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG. Similarly, policy D2 of the approved LDP requires all development to minimize all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.
- 5.3.2 The application site is bordered by a neighbouring property to the north and open public space to the east and west. Although the proposed extension would bring the existing community use closer to the north boundary of the site, the proposed development would not result in a change of use of the existing site and therefore no concerns in respect of noise disturbance are raised.
- 5.3.3 In terms of the impact of the proposed extension on the occupiers of the neighbouring property, it is noted that the built form at the site would extend closer to the shared boundary with a maximum separation distance of 9.2m from the east of the site. However, it is not considered that the proposal would result in a dominating impact, given that the proposed building is single storey in nature. Therefore, it is not considered that the proposal would result in a significant overbearing impact, loss of light or overlooking to the detriment of the neighbouring occupiers due to the separation distance and single storey nature of the proposed development. The

proposal is not therefore considered to cause a significant impact that would result in demonstrable harm to the occupiers.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety, and take into account the availability of public transport and residents' reliance on the car for accessing, employment, everyday services and leisure. The key objectives of the standards is to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.
- 5.4.3 The proposal would utilise the existing access point, as such, Essex County Council (ECC) Highways have raised no objection to the proposal in terms of access or highway safety.
- 5.4.4 The Council's adopted Vehicle Parking Standards (VPS) set out that Sports and Recreational uses should provide a maximum of 1 space per 22m² of gross floor space or individual assessment/justification. The proposed extension would have a gross internal floor space of approximately 213 sqm which would result in a requirement of an additional 10 car parking spaces. There are currently 16 car parking spaces on site and the proposed extension would result in the loss of 6 of these parking spaces. Although the proposed block plan is showing that 10 parking spaces would remain, it is considered that 6 of these spaces would not be useable as there only be a distance of 4.5m between the car parking spaces and the proposed extension which would not be enough space for the manoeuvring of cars.
- 5.4.5 Given that the proposal would result in an increased car parking requirement, given the increase of floor space, as well as the loss of 10 parking spaces, the proposal would not comply with the standards as recommended above. However, an individual assessment can be made. The applicant has submitted a transport statement for consideration, which states that the proposed changing room facilities are not expected to increase the club membership or visitor capacity and the rugby club only utilises the car parking spaces on training and match days. However, no such information as to when training or match days occur has been submitted.

5.4.6 The applicant has also advised that there are two public car parks in the nearby facility, and that on-road restrictions have been suspended in an attempt to justify the loss of car parking at the site. Although it is understood that there is not a large amount of parking at the site at present, and visitors to the site may have to use public car parks in the nearby area, the proposal would result in the loss of a significant amount of parking at the site. It was evident from a site visit to the property that the car park serving the sports centre was well utilised, and the loss of 10 car parking spaces at the site would result in an increase of on-street parking in the nearby area. Although there are public car parks nearby, these are also used for the parking of cars of visitors to the parks and other public spaces nearby. Although this has not been confirmed, the suspension of road restrictions within the nearby area could mean that there would be an influx of on-street parking for visitors of the sports centre and rugby club.

5.4.7 Although the current occupiers of the rugby club may not predict to increase visitor capacity as a result of the proposed extension, the application has to be assessed on the lifetime of the development where the parking needs of the club/sports centre are likely to increase. Inadequate off-street parking provision can lead to indiscriminate parking, which not only can affect the amenity and convenience of residents but may also prejudice the safety of users of the highway or the passage of utility and emergency vehicles.

5.4.8 ECC Highways have been consulted on the application and have raised no objections, however, Maldon District Council has its own adopted vehicle parking standards which this application has to be considered against. As the proposal would result in the loss of 10 parking spaces at the site, and there would be an inadequate level of on-site car parking provision for a building of this size, which is likely to result in additional on-street parking to the detriment of the amenity and convenience of residents and may also prejudice the safety of users of the highway or the passage of utility and emergency vehicles which would be contrary to the Maldon District Vehicle Parking Standards SPD and policies D1 and T2 of the LDP. Although it is acknowledged that the site is within close proximity to the town centre of Burnham-on-Crouch, and that there are other means of public transport serving the town centre nearby, this is not considered to outweigh the harm identified as a result of the increase in on-street parking in the surrounding area, to the detriment of highway safety.

6. **ANY RELEVANT SITE HISTORY**

- **21/00911/FUL** – Single storey extension to clubhouse. Refused 1 April 2022.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	No response received at time of writing report	Noted

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Sports England	No objections and support for the principle of the proposal.	Noted.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Sports England	No objections and support for the principle of the proposal.	Noted.
Essex Highways	As far as can be determined from the details submitted, the proposal is located on a privately owned which connects to the adopted local highway network at its junction with the B1021. The proposal is not proposed to alter the existing access arrangements with the local highway network, therefore from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to a condition relating to a public footpath.	Noted

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to drainage.	Noted

7.4 Representations received from Interested Parties

7.4.1 No representations received for this application.

8. REASONS FOR REFUSAL

- 1 The proposed extension, by reason of its poor design and unrelieved appearance, exacerbated by its excessive width, lack of fenestration details and bulky roof form, would appear as an intrusive and incongruent feature which would be out of keeping with the existing building and the streetscene to the detriment of the character and appearance of the surrounding area. The proposal is therefore contrary to policies D1 and H4 of the approved Local Development Plan and the NPPF.
- 2 The proposed development would result in an inadequate level of on-site car parking provision for a building of this size, which is likely to result in additional on-street parking to the detriment of the amenity and convenience of residents and may also prejudice the safety of users of the highway or the passage of utility and emergency vehicles, contrary to the adopted Vehicle Parking Standards, policies D1 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.