

PLANNING COMMITTEE AGENDA - 28th August 2024

Applications of a non-delegated nature

<u>Item No.</u>	Description
01.	24/00533/FULL - Siting of containers to provide equipment storage, cooking, washing and changing facilities at Land at NGR 284406 100511, Lords Meadow Leisure Centre, Commercial Road. RECOMMENDATION Grant permission subject to conditions.

Application No. 24/00533/FULL

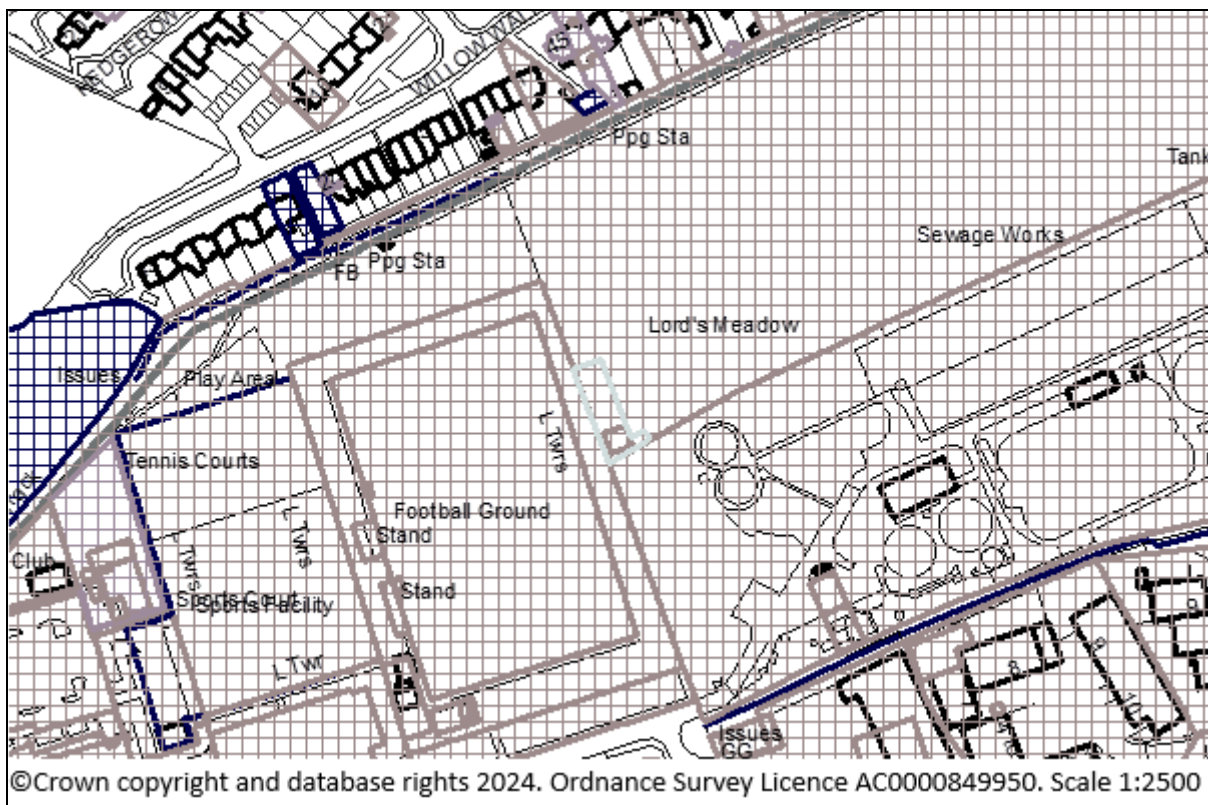
Grid Ref: 284562: 100598

Applicant: CREDITON YOUTH FC

Location: Land at NGR 284406 100511
Lords Meadow Leisure Centre
Commercial Road
Lords Meadow Industrial Estate

Proposal: Siting of containers to provide equipment storage, cooking, washing and changing facilities

Date Valid: 17th May 2024



APPLICATION NO: 24/00533/FULL

Site Visit: Yes **Date of Site Visit:** 2nd August 2024

REASON FOR REFERRAL TO COMMITTEE

The application is located on MDDC land.

RECOMMENDATION

Grant permission subject to conditions

PROPOSED DEVELOPMENT

This application seeks planning permission for the siting of containers to provide equipment storage, cooking, washing and changing facilities.

The site is located at Land at NGR 284406 100511, Lords Meadow Leisure Centre, Commercial Road, Lords Meadow Industrial Estate. The site is located towards the eastern edge of the defined settlement limit of Crediton, on land to the east of Lords Meadow Leisure Centre and the Crediton United AFC football ground. The site is level being located outside of any landscape designations and is within flood zone 1 which is the lowest probability of flooding.

The submitted information outlines that the site is used for the community youth football teams.

The ages are from under 7 to under 16 boys and Under 11 to under 15 girl's teams.

There are also training times for disabled teams too. The pitches are a vital part of the community for all these years and do not currently benefit from any facilities. The club has finally decided now is the time to make the club more up to date and try to install some simple facilities to the viewing public.

The proposed development which seeks to site containers on the land would have a maximum height of 3.465m which is a similar height to the building approved under 23/00326/FULL for the erection of a replacement clubhouse at Crediton United AFC on adjacent land. Two storage sheds with a central tractor shed will form the main cluster of containers on site, which will cover an area of approximately 53.77sqm with an overall height of 3.465m to the ridge of the central tractor shed. The kitchen block measures 9.76m x 4m and will be 2.74m in overall height. The proposed WC and changing room blocks measure approximately 2.4m x 6m individually, each covering an area of approximately 14.4sqm. The exterior of the storage and tractor sheds will be timber clad with timber clad fencing fixed to posts also proposed to aid in screening the development from certain vantages.

The exterior surfacing will be a TrueGrid porous gravel stabilisation system, with gravel laid over and raised edging for ease of mowing. Existing fencing and access gate to the west will be retained. 4 trees will be planted around the site to provide additional screening, and to achieve Biodiversity Net Gain requirements.

APPLICANT'S SUPPORTING INFORMATION

- Application form
- Site location and block plan
- Proposed plans

- Proposed elevations
- Wildlife trigger list
- Devon BNG statement for validation
- BNG metric
- Preliminary ecological appraisal
- Foul drainage assessment
- Air quality assessment checklist

RELEVANT PLANNING HISTORY

77/01196/FULL - PERMIT date 14th October 1977
Erection of a cafe

79/01645/FULL - PERMIT date 29th November 1979
Erection of a building for Girl Guides Headquarters

80/01965/FULL - DEMCON date 2nd February 1981
DEEMED CONSENT for the change of use of car park during summer months for the provision of sites for touring caravans

81/01752/FULL - PERMIT date 15th December 1981
Change of use from sports and car park use to temporary touring caravan and tent site

82/01198/FULL - PERMIT date 29th September 1982
Erection of wooden shed

83/00466/FULL - DEMCON date 12th May 1983
DEEMED CONSENT for the erection of sports hall with squash courts, social facilities and construction of car park

83/01910/ADVERT - PERMIT date 31st January 1984
Consent to display non-illuminated information board (40" x 30")

84/00137/FULL - REFUSE date 30th May 1984
Use of part of car park for lorry parking

88/02756/FULL - DEMCON date 28th February 1989
DEEMED CONSENT for the erection of sports centre

90/00342/OUT - PERMIT date 27th April 1990
Erection of changing accommodation

94/02143/OUT - PERMIT date 17th February 1995
Outline for the erection of a six lane swimming pool with ancillary facilities and parking

95/01275/ADVERT - PERMIT date 10th October 1995
Consent to display non illuminated advertisement board

96/00605/ARM - PERMIT date 11th June 1996
Reserved matters for the erection of a four lane swimming pool with ancillary facilities and parking

00/01439/FULL - PERMIT date 16th November 2000

Removal of tiles and rendering rear elevation adjacent to inline skating area

02/02074/ADVERT - PERMIT date 31st October 2002

Advertisement Consent to display non illuminated display board and non-illuminated direction sign

11/01720/FULL - PERMIT date 20th January 2012

Installation of 291 solar photovoltaic panels on part roof

13/00133/FULL - PERMIT date 22nd March 2013

Installation of a biomass boiler to include the erection of a plant room, flue and wood chip store

13/00527/FULL - PERMIT date 30th May 2013

Construction of car park and associated works following demolition of major part of existing redundant building, retained part of building to be altered to provide training facilities, and minor alterations to main and overflow car parks to provide additional parking spaces

22/01554/MFUL - PERCON date 10th November 2022

Erection of external heat pump systems and solar car port, installation of photovoltaic panels to existing roofs and erection of shelter over skate park

22/00326/FULL – PERCON date 15th June 2023

Erection of replacement clubhouse with additional changing and toilet facilities following demolition of existing buildings

DEVELOPMENT PLAN POLICIES

Mid Devon Local Plan Review 2013 – 2033

S1 Sustainable development priorities

S9 Environment

S12 Crediton

DM1 High quality design

DM3 Transport and air quality

DM5 Parking

DM22 Tourism and leisure development

DM23 Community facilities

DM24 Protection of Local Green Space and recreational land/buildings

National Planning Policy Framework

National Planning Practice Guidance

Crediton Neighbourhood Plan 2018 to 2033

D1 Development Principles

D5 Design

En1 Open Spaces

En2 Trees

CONSULTATIONS

Crediton Town Council

(06.06.2024)

Recommend no objection.

(22.07.2024)

Regarding the four trees to be planted; it is recommended for these to be species that flower during spring and would provide some shade during the summer. It was requested for the town council to be informed about what species is chosen and why in order to make suggestions for future applications.

Highway Authority

The County Highway Authority recommends that the Standing Advice issued to Mid Devon District Council is used to assess the highway impacts, on this application

Environment Agency

Operational development less than 1 ha within Flood zone 1 - No EA consultation required

South West Water

Asset Protection

Please find attached a plan showing the approximate location of a public 100mm sewer in the vicinity. South West Water will need to know about any building work over or within 3 metres of a public sewer or lateral drain.

We will discuss with you whether your proposals will be affected by the presence of our apparatus and the best way of dealing with any issues as you will need permission from South West Water to proceed.

Further information regarding South West Water's build over of sewers process can be found on our website via the following link:

<https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.southwestwater.co.uk%2Fbuildover&data=05%7C02%7Cdevcon%40middevon.gov.uk%7Cdae9335a83384d0af9bb08dc7a489a7c%7C8ddf22c7b00e442982f6108505d03118%7C0%7C0%7C638519699459936878%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=ivo52nXlCL7YgeftK%2FHtJ3nAptM3st1PF68m9hVAvoM%3D&reserved=0>

Should you require any further information, please contact our Asset Protection Team via email: DeveloperServicesAssetProtection@southwestwater.co.uk.

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,

4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into a surface water body is acceptable and meets with the Run-off Destination Hierarchy.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk.

Devon County Council - Ecology

(05.07.2024)

The principles set out in the BNG metric and accompanying report are suitable, however the tree planting shown in the BNG report appears to lie just outside of the redline boundary on the Site Location Plan submitted. As per national BNG legislation, habitat creation/enhancement outside of the redline boundary is classified as offsite, and LPAs must secure all offsite BNG delivery through a legal agreement as we must monitor this habitat creation and it must be included on the national BNG register.

This is likely to be very onerous and expensive for the landowner, as it would require the submission of monitoring reports to the LPA over a 30 year period and the payment of monitoring fees. This could be avoided by extending the red line boundary to include the area of proposed enhancements - I would recommend that the applicant is told of this and potentially considers incorporated the BNG provision land into their redline boundary.

Happy to discuss further if required.

(05.08.2024)

Thank you for the reconsult on this application - I am content with the BNG information and we can now secure this via the statutory pre-commencement condition.

The BNG information as provided by this application will be secured via the statutory pre-commencement BNG condition. An informative must be placed on the condition decision notice. The statutory condition requires the applicant to submit a Biodiversity Gain Plan to the LPA prior to commencement of development.

Happy to discuss further if required.

Public Health

We have considered the application and do not anticipate any environmental health concerns. There is no nearby mains sewer connection and the applicant proposes a package treatment plant which will be used sporadically. The applicant has submitted an air quality statement and we agree that this proposal would have a low potential impact on air quality and no action is required.

REPRESENTATIONS

This planning application has been advertised by means of a site notice, neighbour notification letters and by advertising in a local newspaper in accordance with the legal requirements for publicity on planning applications, and the Council's Adopted Statement of Community Involvement October 2016.

At the time of writing this report, no comments have been received.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

1.1 This application seeks planning permission for the siting of containers to provide equipment storage, cooking, washing and changing facilities at Land at NGR 284406 100511, Lords Meadow Leisure Centre, Commercial Road, Lords Meadow Industrial Estate.

1.2 The main issues in the determination of this application are:

- **Policy and principle of development**
- **Impact of the proposed development on the appearance of the site and the street scene**
- **Impact to the amenities of neighbouring occupiers**
- **Highway impacts and parking**
- **Impact to ecology and Biodiversity Net Gain**
- **Impact on open space**
- **Drainage and flood risk**
- **Other matters**

2. Policy and principle of development

2.1 S.38 [6] of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework [the Framework], is noted as one such material consideration. The National Planning Policy Framework outlines three dependant objectives of sustainable development; economic, social and environmental.

2.2 In 2020 the Council adopted the Mid Devon Local Plan 2013-2033 and this takes priority in decision making. As outlined earlier on in this report, the intent of the proposals is to provide improved clubhouse and changing room facilities for Crediton United AFC. The key relevant Local Plan Policies in respect to the proposed development are considered to be those of policies S1, S9, S12, DM1, DM22, DM23 and DM24.

2.3 Policy S1 (Sustainable development priorities) seeks to manage growth in a sustainable way to support the diverse needs of communities, including the provision of affordable housing and making the most efficient use of land. Policy S9 (Environment) identifies that development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change. Policy S12 (Crediton) outlines that Crediton will continue to develop in its role as a small and vibrant market town, serving a rural hinterland in the western part of the district. This policy states in criterion (e) that community and education facilities and other infrastructure will be supported. Policy DM1 considers high

quality design based on a number of principles which are set out in the policy and considered in this application.

2.4 In terms of the provision of additional facilities for Crediton Youth FC, Policy DM22 (Tourism and leisure development) identifies leisure facilities will be supported within defined settlements, subject to respecting the character and appearance of the location. Policy DM23 (Community facilities) identifies that the development of new community facilities providing a local community benefit or environmental enhancement will be permitted where they are easily accessible by the local community and well related to a settlement. Proposals for the redevelopment of existing community facilities that enables them to modernise, remain viable and continue to be retained for the benefit of the community will be supported.

2.5 The Crediton Neighbourhood Plan 2018-2033 went through a referendum in September 2022 with the result being that it has been adopted. Therefore there are a number of policies which would be relevant to the proposed developments. These are considered to be Policy D1 (Development Principles) which states that development that takes into account the effects of climate change will be supported and Policy D5 (Design) requires the use materials which reflect and complement the development. Policy En1 relates to Open Spaces and Policy En2 requires development in part to provide enhancements relating to trees, outlining that proposals should include additional amenity tree and hedgerow planting wherever possible.

2.6 It is considered that the proposals to provide facilities for the storage equipment, cooking, washing and changing facilities on site is acceptable in principle complying to the policies referred to above, subject to the development not resulting in a detrimental impact on the appearance of site setting and wider landscape. This assessment on impact on the appearance of the site and surrounding area is considered further below. The works will also provide facilities for the club and allow form part of the expansion of the club as it looks to try to install some simple facilities to the viewing public. It is noted that the club is an important community facility.

3. Impact of the proposed development on the appearance of the site and the street scene

3.1 In terms of the design, scale and appearance of the proposals, and the impact on the surrounding area, Policy DM1 (High quality design) is relevant. This policy focuses on the design of new development outlining it must be of a high quality, based upon and demonstrating a clear understanding of the characteristics of the site, its wider context and the surrounding area; and the efficient and effective use of the site.

3.2 Policies D1 (Development Principles) and D5 (Design) of the Crediton Neighbourhood Plan 2018-2033 are also relevant. Policy D1 supports sustainable development well connected to the town centre by sustainable transport means, contributes to protecting and enhancing the natural, built and historic environment and where the development makes effective use of land, delivers biodiversity net gain and wherever possible. In respect to the site of Crediton Youth FC, this is an established community facility located adjacent Lords Meadow Leisure Centre and Crediton United AFC being within walking distance to the Town Centre and public transport facilities.

3.3 Policy D5 (Design) states proposals for new development should have regard to the Crediton Design Guide and, subject to the scale and size of the proposal should use materials which reflect and complement existing development. With regard to the materials, the external walling of the containers and structures within the site will be timber clad to soften their visual appearance. The height of the structures will not exceed 3.4m ensuring a single storey and low level appearance to the development. The development will be located to the corner of

the open space, against established boundary screening to the south and west of the site which will screen the site from certain vantages and soften the development against the taller backdrop.

- 3.4 It is considered that the general design and layout of the new buildings will be acceptable, not resulting in a detrimental impact on the surrounding landscape, making best use of the land available. The development would be of a modest scale and provides what appears to be essential facilities to serve the associated football club which it currently does not benefit from. The proposal would result in a new purpose built equipment store, cooking, washing and changing facilities and the development would, in any case, be well screened from its surroundings by existing vegetation and being located lower down than the existing car park area.
- 3.5 Policy DM22 supports the provision of new or expanded leisure facilities; the proposed equipment storage, cooking, washing and changing facilities are required to ensure the proper functioning of this leisure facility, improving on the existing with no facilities currently available on site for the club. It is not considered that the works will have an unacceptable adverse impact on the appearance of the site, the adjacent leisure centre building or on the wider street scene. The development is therefore considered to be in accordance with policy DM1 of the Mid Devon Local Plan 2013-2033.

4. Impact to the amenities of neighbouring occupiers

- 4.1 Policy DM1 requires that development is of a high quality and does not have an unacceptable adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses. Having regard to the design, scale and siting of the development and the separation distance to the nearest residential properties, it is considered unlikely that it would result in any significant adverse impacts on amenities of a neighbouring occupier. The site is adjacent to Lords Meadow Leisure Centre and Crediton United AFC and surrounded to the west and south by commercial units with playing fields to the north and east. Therefore it is not considered that the development would result in an unacceptable overshadowing, overlooking impact or loss of privacy to neighbouring properties. No objections have been received in respect to the application.

5. Highway Impacts and Parking

- 5.1 Policy DM3 requires that development must ensure safe access to the transport network. The site would utilise the existing access from Commercial Road to the leisure centre. The access has good visibility and it is considered suitable to serve the proposed use having regard to the likely number of traffic movements associated with the proposed use. It is noted that the Highway Authority have raised no objections to the scheme.
- 5.2 Policy DM5 requires that development must provide an appropriate level of parking, taking into account the accessibility of the site, including the availability of public transport. With respect to the development proposed, noting that the development seeks to provide new facilities for Crediton Youth FC which is currently based on the site, the existing parking arrangements adjacent to the site at the Lords Meadow Leisure Centre and adjacent on street parking would be sufficient, with accessibility to public transport within walking distance. The site is located in a sustainable location within the defined settlement limit of Crediton. As such, it is considered that this level of parking is acceptable for the proposed development.

6. Impact to ecology and Biodiversity Net Gain

- 6.1 Policy S1 requires development to minimise impacts on biodiversity and provide a net gain in biodiversity. Policy S9 requires that development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change.
- 6.2 A 'Preliminary Ecological Appraisal' was produced by South West Ecology in May 2024 in support of this application. The Site consists of a rectangular area of modified grassland and the proposed development will consist of a gravelled area impacting on 280sqm of this grassland. The report outlines that the statutory Biodiversity Metric classifies the Site habitat as being in 'poor' condition, as it does not pass essential criterion A and passes less than 4 other criteria). The grassland is part of a playing field and as such is mown to a short even sward. Species diversity is poor. The Site has negligible potential for notable or protected species and the loss of a small area of such habitat would not be ecologically significant.
- 6.3 Given that the Site is a football field there are limited opportunities for realistic biodiversity enhancement. It is therefore proposed to plant trees to the periphery of the development area. The Statutory Biodiversity Metric headline results are shown in within the BNG Metric and figure 4 of the ecology report. The loss of 0.028 ha of poor condition modified grassland and the planting of native trees provides a net gain of 0.01 Habitat Units (11.37% biodiversity net gain).
- 6.4 Following amendments to the plans to include the proposed enhancements within the red edge of the development, the Devon County Council Ecologist has been re-consulted and has confirmed that they are content with this information subject to the standard Statutory BNG net gain pre commencement condition being added to the decision notice via an informative as per the legislation requires.
- 6.5 Policy En2 of the Crediton Neighbourhood Plan requires development in part to provide enhancements relating to trees, outlining that proposals should include additional amenity tree and hedgerow planting wherever possible, and the development seeks to provide the addition of new tree planting surrounding the development as outlined above.
- 6.6 Overall, the proposal is considered to comply with Policy S1 and S9 of the Local Plan and En2 of the Crediton Neighbourhood Plan.

7. Impact on open space

- 7.1 Policy DM24 of the local plan relates to the protection of local green space and recreational land/buildings and states that open space, sports and recreational buildings and land, including playing fields, will be protected from alternative development. Policy En1 is the corresponding plan within the Crediton Neighbourhood plan.
- 7.2 It is considered that the proposed development relates to the improvement and provision of sporting and recreational facilities for the existing youth football club which uses the open playing fields adjacent to the Lords Meadow Leisure Centre, and alternative development is not proposed which would require an assessment against criterion a) to c).
- 7.3 The works will also provide facilities for the club and allow form part of the expansion of the club as it looks to try to install some simple facilities to the viewing public. It is noted that the club is an important community facility. The development will result in a minor loss of green space to the south-west corner of the site and taking into account its modest scale it is not considered to significantly impact upon the open space or its continued function. In any event,

the provision of recreational facilities for the youth football club to provide facilities for the club and the viewing public in relation to the adjacent playing fields is considered to outweigh this minor loss of greenspace.

8. Drainage and flood risk

- 8.1 The site is located in flood zone 1 (lowest flood risk). Having regard to the nature and scale of the development it is considered that the proposal does not raise any flood risk or drainage concerns. No concerns have been raised by South West Water regarding the method of surface water disposal.

9. Other matters

- 9.1 The comments from the Town Council requesting for the town council to be informed about what species is chosen and why in order to make suggestions for future applications are noted. As will be noted within the informatives, a Biodiversity Gain Plan must be provided and approved by the Local Planning Authority prior to the commencement of the development during which the final species of the trees will be confirmed and agreed.
- 9.2 In conclusion the proposed development in its present format is considered to be an acceptable approach for the need to provide up to date facilities for the football club to allow it to continue to flourish and provide suitable facilities for the modern game and to promote the inclusivity of all to the game. There are no other material considerations that need to be taken into account in the determination of this application and it is recommended that planning permission is granted.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. Prior to the erection of external materials (namely timber cladding, roof covering, windows and doors), details of the colour and finish of the materials to be used shall be submitted to and approved by the Local Planning Authority. Such approved details shall be so retained.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To protect the character and appearance of the area in accordance with DM1 of the Mid Devon Local plan (2013-2033) and D5 of the Crediton Neighbourhood Plan 2018-2033.

INFORMATIVES

1. The applicant is advised that a Biodiversity Gain Plan must be provided and approved by the Local Planning Authority prior to the commencement of the development. The contents of the Biodiversity Gain Plan required to discharge the statutory BNG condition are set out in the Defra template Biodiversity gain plan - GOV.UK (www.gov.uk). Please see the Devon Planning Guidance on BNG for more advice. It should include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.
2. Please be aware of the consultee comments provided by South West Water. Attached to the planning file is a plan showing the approximate location of a public 100mm sewer in the vicinity. South West Water will need to know about any building work over or within 3 metres of a public sewer or lateral drain.

They will discuss with you whether your proposals will be affected by the presence of our apparatus and the best way of dealing with any issues as you will need permission from South West Water to proceed. Further information regarding South West Water's build over of sewers process can be found on their website.

Should you require any further information, please contact our Asset Protection Team via email: DeveloperServicesAssetProtection@southwestwater.co.uk.

3. The developer must ensure compliance with the requirements relating to protected species by virtue of the Wildlife and Countryside Act 1981 and the Habitats Regulations. Any operations that would disturb bird nesting habitat should be undertaken outside the breeding season (March to August inclusive).

BNG – Biodiversity Net Gain

Is BNG Required? Yes

Is BNG Offsite only No

Onsite only Yes

Offsite and Onsite No

Is a S106 agreement required? No

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Devon District Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

[the following is suggested text for inclusion in the decision notice where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990.]

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).]

REASON FOR/ APPROVAL OF PERMISSION/GRANT OF CONSENT/ REFUSAL

The siting of containers to provide equipment storage, cooking, washing and changing facilities at Land at NGR 284406 100511, Lords Meadow Leisure Centre, Commercial Road, Lords Meadow Industrial Estate. is considered acceptable in policy terms. It is not considered that the proposals would have any significant detrimental impacts on the appearance of the existing site or in the wider street scene. The development supports a community use and is not considered to have an unacceptable impact on highway safety, open space, the environment including flood risk and protected species and/or the amenities of local residents within the locality. The development is therefore in accordance with the requirements of Policies S1, S9, S12, DM1, DM22, DM23 and DM24 of the Mid Devon Local Plan 2013-2033 and Policies D1, D5, En1 and En2 of the Crediton Neighbourhood Plan 2018-2033, and Government advice in the National Planning Policy Framework (NPPF).

The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

Section 149 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 eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between different people when carrying out their activities. This is called the Public Sector Equality Duty or "PSED". No persons that could be affected by the development have been identified as sharing any protected characteristic.