

**RECTORY PAVILION, CHINNOR RUGBY CLUB, KINGSEY ROAD**

Installation of semi-permanent food service container.

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**1. Officer Recommendation:**

OBJECTS and has a RESPONSE:

- If deemed a Class E(b) use no evidence has been submitted to identify how the proposal complies with the sequential test for main town centre uses, contrary to the NPPF and Local Plan Policy TC2.
  - If deemed Sui Generis (hot food takeaway) no evidence has been submitted to identify how the proposal complies with the sequential test for main town centre uses, contrary to the NPPF and Local Plan Policy TC2.
  - The development would also be in a location that would not encourage walking and cycling, contrary to Local Plan Policy TRANS2.
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**2. Key Issues:**

This report has been prepared as the application is a 'FUL' application.

- Impact on Neighbouring Amenity

The built element of the site is away from residential properties and it is not thought any nuisance will be caused through noise or smells from the unit itself. Vehicles accessing the site would have to enter and leave the Rugby Club's access at the junction of Tythrop Way and Kingsey Road. The opening hours are weekday evenings and weekend afternoons/evenings, to some extent reflective of the operational hours of the Chinnor Rugby Club. There could, however, be some additional noise impact on neighbouring properties within the Kingsey and Glenham Roads through increased arrivals and departures.

- Parking and Access

Access will be off the main entrance to Chinnor Rugby Club. The Club does experience busy peak arrival and departure times, but there is sufficient parking at the Rugby Club away from the small, paved area.

- Retail Policy

The applicant has described the use as Class E(b), which would supply food and drink that is mostly served on the premises. The applicant has argued within their Design & Access Statement that the food outlet would encourage use of the Rugby Club for both Members and other users of the Club's facilities.

The Rugby Club has multiple catering facilities for visitors. The small shed marked as a "shop" serves hot and cold snacks. The main clubhouse has full canteen facilities. In addition, there is one existing bar / servery at pitch level and permission for a second, temporary servery granted through planning application P23/S3454/FUL. There is also an existing servery within a temporary building located at the north-east end of the main pitch.

If considered a E(b) use, then both national (National Planning Policy Framework Paragraph 91) and local policy (2035 Local Plan Policy TC2) would require the application of the sequential test for this main town centre use. The test directs such uses to town centres, then edge of centre locations and only permits such uses away from town centres if no alternative sites are available. No such test has been submitted alongside the application. In such cases national policy directs the decision maker to refuse the application.

It is not suggested that sales would be restricted to users and visitors of the adjacent facilities. Despite the fact the Club's facilities attract many users (potentially hundreds of visits per week) it is likely that the market for this food on site would quickly become saturated. The site's hours of operation (5pm – 10pm, Monday to Friday and 12pm – 10pm Saturday/Sunday) cover the common opening hours of most takeaway establishments. It is notable that the business is not proposing to open early on Saturday and Sunday mornings, a peak time for most rugby clubs in terms of young players, parents / carers and visitors arriving for training and matches. It must, therefore, be assumed that takeaway sales will be significant and could easily exceed sales of food for consumption on the premises.

It would be reasonable to also consider the implications of this application as a Sui Generis, hot food takeaway. Consideration of the sequential test would likely still apply.

In addition, the site's location on the edge of the Town is less than ideal. The location is not comfortably accessible by active travel means and is inaccessible by public transport in the evenings. It is highly likely that most journeys to the unit would be for takeaways (there are no on-site seating arrangements proposed) and would be undertaken using private vehicles, contrary to Local Plan Policy TRANS2.

Finally, whether classed as E(b) or Sui Generis, the proposal could be sufficient for it to be argued in the future that the lawful use of the Rugby Club land has changed from Class F2 (outdoor sport or recreation) to mixed use. This would not be desirable.

- Impact on the Character and Appearance of the Area

Given the scale and positioning of the proposed timber-clad container, and that it is semi-permanent, it is considered that it would not harm the character or appearance of the area.

- Food Safety

The District Council's Food Safety Officer has not raised any objections.

- Employment

It is claimed that the unit would provide 6 full-time equivalent employment positions.

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### 3. Planning History:

SODC Ref	Description	TTC Decision	SODC Decision
	Erection of two storey front extension, two storey side extension, first floor viewing terrace extension to existing clubhouse building and internal alterations. Erection of spectator grandstand.	Approved	Granted

<a href="#">P17/S1250/A</a>	Display of new signage	Approved	Granted
<a href="#">P18/S2084/FUL</a>	Erection of a new covered tiered sports stand including all enabling works.	Approved	Granted
<a href="#">P18/S3376/FUL</a>	Erection of two storey gym within existing open concrete frame shelter.	No objections	Granted
<a href="#">P18/S4253/FUL</a>	Provision of 6 additional floodlight luminaires onto 3 existing stanchions.	No objections	Granted
<a href="#">P21/S2150/FUL</a>	Provision of floodlight luminaires on to three existing stanchions and three new stanchions	Supports + response	Granted 01/07/2021
<a href="#">P22/S0026/FUL</a>	Erection of a new covered tiered seating stand.	Supports	Granted 01/03/2022
<a href="#">P23/S3454/FUL</a>	Single storey side extension, to provide two team changing rooms.	Supports	Granted 24/11/2023
<a href="#">P24/S0873/T28</a>	Proposed upgrade to the existing 15.00m High Lattice Tower.	<i>Application under consideration</i>	

#### 4. Risk Appraisal

Dependent on the Town Council's recommendation to SODC is it likely that there would be a contrary decision by SODC? If so then a councillor should be nominated at the meeting to represent the views of the Town Council at the planning committee.

#### 5. Policies Relevant to the Application

The following policies are of particular relevance when considering this application.

##### Thame Neighbourhood Plan

- H6 Design new development to be of high quality
- ESDQ15 Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character
- ESDQ16 Development must relate well to its site and its surroundings
- ESDQ19 The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
- ESDQ21 Development proposals, particularly where sited on the edge of Thame or adjoining Cuttle Brook, must maintain visual connections with the countryside
- ESDQ22 The visual impact of new development on views from the countryside must be minimised
- ESDQ29 Design car parking so that it fits in with the character of the proposed development

##### SODC Local Plan 2035 Policies

- CF4 Existing open space, sport, and recreation facilities
- DES1 Delivering high quality development
- DES3 Design and access statements
- DES6 Residential amenity
- DES7 Efficient use of resources
- DES8 Promoting sustainable design
- EMP6 New employment land at Thame
- ENV1 Landscape and countryside
- ENV12 Pollution – impact of development on human health, the non-strategic natural environment and/or local amenity (potential sources of pollution)
- EP3 Waste collection and recycling
- INF1 Infrastructure provision
- TRANS5 Consideration of development proposals