

SECTION '2' – Applications meriting special consideration

Application No : 11/01643/FULL1

Ward:
Kelsey And Eden Park

Address : Langley Park Sports And Social Club
Hawksbrook Lane Beckenham BR3 3SR

OS Grid Ref: E: 537874 N: 167135

Applicant : Langley Park Sports And Social Club **Objections :** YES

Description of Development:

2 all weather 5 a side football pitches with floodlights (8.3m high) and 3.1m high timber/ mesh fencing around perimeter

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Metropolitan Open Land

The application was deferred at the Plans Sub Committee meeting of 18 August 2011 in order to seek the removal or relocation of the changing room building. The applicant has accordingly removed the changing rooms from the proposal. The previous report, amended where appropriate, is repeated below.

Proposal

Langley Park Sports and Social Club lies within an area of designated Metropolitan Open Land (MOL) and the site includes 6 full size grass football pitches and floodlit concrete tennis courts / five-a-side football pitches which have historically been used for overspill car parking. It is proposed to install 2 astroturf five-a-side football pitches with 6 8.3m high floodlights and a 3.1m high timber/mesh perimeter fence on the site of the concrete courts/car park.

Planning permission was granted under application ref. 08/03343 for 90 permanent and 27 temporary car parking spaces to replace the overspill car parking that will be lost as a result of the current proposal.

The application is accompanied by floodlighting details and light spillage charts. The previous application (ref. 09/02970) was accompanied by a Transport Assessment.

Location

The site accommodates sports club facilities including a bowling green, race track and football pitches and a pavilion providing changing rooms, a bar and a function room. Langley Park School for Boys and Langley Park School for Girls lie to the north and there is predominantly 1930s detached and semi-detached housing fronting South Eden Park Road to the south and west of the site, whilst much of the area to the east of the site is characterised by open land. The south-west boundary of the site is with the Eden Park–West Wickham railway line.

Comments from Local Residents

Nearby residents were notified of the application and representations were received which can be summarised as follows:

- harm to openness and visual amenity of MOL
- precedent for further development on MOL
- light pollution
- inadequate screening in winter
- loss of privacy
- increased noise and disturbance, particularly from cars, five-a-side pitches and changing rooms
- increased anti-social behaviour
- increased litter
- increased traffic
- detrimental impact on highway and pedestrian safety
- congestion during events at neighbouring schools
- proposed hours of use are excessive
- club and users may ignore planning restrictions
- proposal has changed little from previous application
- already adequate five-a-side facilities in surrounding area
- detrimental impact on wildlife.

Comments from Consultees

There are no technical highways objections.

There are no objections from the Council's in-house drainage consultant.

There are no objections in terms of Environmental Health issues.

Any further responses to consultations will be reported verbally at the meeting.

Planning History

Planning permission was granted under application ref. 08/03343 for 90 permanent and 27 temporary car parking spaces. Condition 3 of the permission required that the use of the tennis courts/five-a-side pitches for overspill car parking must cease upon completion of the new car parking.

Planning permission was refused in May 2010 for a single storey detached building to provide changing rooms 2 all weather 5 a side football pitches with 6 floodlights (8.3m high) and 3.1m high timber/ mesh fencing around perimeter (application ref. 09/02760). The grounds of refusal were as follows:

The proposal is inappropriate development detrimental to the openness and visual amenities of Metropolitan Open Land and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G2 of the Unitary Development Plan.

The proposal will result in harm to the amenities of occupants of nearby residential dwellings by reason of light pollution and increased noise and disturbance contrary to Policies BE1 and ER10 of the Unitary Development Plan.

A subsequent appeal was dismissed in January 2011 due to the harm arising from the siting of the proposed changing room block. The following is an excerpt from the Inspector's report:

'The proposal would entail new all-weather surfacing by way of astroturf but this would not materially affect the openness of the site. As regards the associated facilities for the pitches, floodlighting is already in place. The proposal would result in a reduction in the number of lights from eight to six and the columns would be lower. In this respect, therefore, openness would be slightly improved. The existing court area is also enclosed by a high wire mesh fence. This would be removed and a smaller area (about two-thirds the size) enclosed with a lower perimeter fence. Unlike the current fence, the new one would comprise timber kickboards for the first 1.3m with mesh above. Solid timber in place of mesh would have some impact on openness but the overall effect would be minimal, bearing in mind that a smaller area would be enclosed with a lower fence. At the Hearing, it was said that it was also intended to have netting about 3m high between the two pitches but this would be within the area enclosed by fencing and moveable in any case when not required. The courts are also partly enclosed by high boundary vegetation now, to an extent greater than shown on the submitted plans.

Overall, therefore, I consider that the pitches, lighting and fencing proposed would maintain the openness of the MOL and would thus not be inappropriate development.

For the reasons given above, I do not consider that the pitches, lighting or fencing would be materially harmful to the openness or visual amenity of the MOL.

The six floodlights proposed appear to be the minimum required for the purpose of lighting the pitches and the floodlighting report submitted with the application suggests that light spillage would taper off well away from the nearest residential properties. Moreover, conditions could require prior approval of details such as the power, intensity, orientation and screening of the lamps and also control the hours during which the floodlighting was in

use. At the Hearing, it was agreed that use could cease at 10pm during the week and 9pm at weekends. This compares with the proposed end-time of 11pm every day (and no control at present). On the above basis, and having regard to the distance to neighbouring properties and the intervening vegetation, I consider that there would be no material harm to residential amenity from light pollution. I note that the Council's environmental health officer (EHO) raised no objection on light grounds.

Use of the five-a-side pitches would inevitably give rise to some noise, though the EHO did not object on noise grounds either. The distance to the nearest residential properties and intervening vegetation would limit the effects and additional landscaping could be provided to give further mitigation. Controls on finishing times on the lines of those mentioned above would also limit disturbance later in the evening and, at the Hearing, a weekend start of 9am was agreed (rather than the 8.30am proposed). Overall, therefore, I consider that the proposal would not give rise to excessive noise and disturbance.'

Planning Considerations

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- L1 Outdoor Recreation and Leisure
- G2 Metropolitan Open Land.

In strategic terms the most relevant London Plan policies are:

- 3.16 Protection and enhancement of social infrastructure
- 3.19 Sports facilities
- 7.3 Designing out crime
- 7.4 Local character
- 7.17 Metropolitan Open Land.

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the

scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

Conclusions

The main issues to be considered in this case are the impact of the proposal on the openness and visual amenity of MOL and the impact on the residential amenities of nearby dwellings.

The proposed five-a-side pitches remain unchanged from the scheme that was previously considered at appeal, and which was dismissed on the basis of harm arising from the siting of the changing room block. A changing room block is no longer proposed. The Inspector considered that no harm would result in MOL terms from the five-a-side pitches and floodlights and that there would be no undue harm to the amenities of the occupants of nearby residential dwellings by reason of noise or light pollution. The proposal is therefore acceptable.

Background papers referred to during the production of this report comprise all correspondence on files refs. 08/03343, 09/02760 and 11/01343, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACA08 Boundary enclosures - implementation
 ACA08R Reason A08
- 4 ACH22 Bicycle Parking
 ACH22R Reason H22
- 5 ACH27 Arrangements for construction period
 ACH27R Reason H27
- 6 ACH30 Travel Plan
 ACH30R Reason H30
- 7 ACJ23 Details of floodlights
 ACJ23R J23 Reason
- 8 The development hereby permitted shall not be used until the permanent car parking spaces permitted under planning application reference 08/03343 are available for use.

Reason: In order to ensure adequate car parking provision and to comply with Policy T3 of the Unitary Development Plan.

- 9 The five-a-side football pitches and floodlights shall only be used between 0830 hours and 2200 hours on Mondays to Fridays and between 0900 hours and 2100 hours on Saturdays and Sundays.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan and the London Plan:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- NE3 Development and Nature Conservation Sites
- NE7 Development and Trees
- L1 Outdoor Recreation and Leisure
- G2 Metropolitan Open Land.

London Plan

- 3.16 Protection and enhancement of social infrastructure
- 3.19 Sports facilities
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.17 Metropolitan Open Land.

The development is considered to be satisfactory in relation to the following:

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the impact of the proposal on the openness and visual amenities of the Metropolitan Open Land
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the design policies of the development plan
- (f) the transport policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site .If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:11/01643/FULL1

Address: Langley Park Sports And Social Club Hawksbrook Lane Beckenham BR3 3SR

Proposal: 2 all weather 5 a side football pitches with floodlights (8.3m high) and 3.1m high timber/ mesh fencing around perimeter

