

Application No : 11/02140/OUT

**Ward:
Copers Cope**

**Address : Kent County Cricket Ground Worsley
Bridge Road Beckenham**

OS Grid Ref: E: 537216 N: 170872

Applicant : Kent County Cricket Club

Objections : YES

Description of Development:

3 detached buildings for use as indoor cricket training centre/ multi-function sports/ leisure facility, health and fitness centre and conference centre. Spectator stand for 2000-3000 people. Car parking. All weather/ floodlit pitches. 48 detached houses
OUTLINE

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Metropolitan Open Land

This application was originally reported to Members of Development Control Committee at the meeting held on 17th November 2011. Members deferred the application in order to give further consideration to the submitted documents, including the financial viability assessment.

The applicants have responded to the deferral as follows:

KCCC (received 29th November 2011)

- KCCC were encouraged by the lively and high standard of debate at Committee as well as the level of support that exists for this very exciting project
- although the club have had cash flow problems operating the Beckenham site, some memorable fixtures have been hosted including against the West Indies
- if the scheme is approved it will be much more viable to host additional matches there, having the benefit of the spectator stand and the ancillary facilities required at a first class sporting venue
- it is anticipated that the number of members within South East London and Bromley will increase, to be complemented by the other facilities that will be created

- many members from within the Beckenham have already confirmed that they are looking forward to attending cricket fixtures which will be played at the ground
- KCCC believe this development to be their opportunity to establish what will become a financially viable, top class cricket ground
- the plans include increasing the number of fixtures and it is intended to incorporate a 4 day county match if the ECB fixture policy does not change
- KCCC is now anxious to move forward quickly, subject to the approval of Committee – indeed Beckenham staff at present face an uncertain future and this is very unsettling for them
- KCCC has first class staff and their groundsmen have created a wonderful pitch which has won the County Out Ground of the Year Award
- for the past 10 years KCCC has invested significantly in maintaining the ground, and in the employment and training of staff, which has represented an investment approaching a six figure sum each year
- if the scheme is approved, many more will be employed which will be of enormous benefit to the local economy, whilst the redeveloped ground will undoubtedly act as a catalyst for economic regeneration in Beckenham
- the scheme will involve not only the large initial investment in the buildings but a vast increase in annual running costs in terms of employment, supplies and outside services – KCCC are committed and look forward to this with enthusiasm and excitement
- KCCC has already made a significant financial commitment to Beckenham, which will increase very substantially as a result of the proposed development
- the Club, the vast majority of residents and everyone who loves and enjoys playing and watching sport are wholeheartedly behind these proposals and look forward in anticipation to the opening of what will be one of the most impressive sporting venues in South East England
- Members are respectfully asked to allow the club to make this a reality

Leander (received 5th December 2011)

- Hopefully KCCC's letter contains the answers that the Members require but Leander would also like to respond further to the points that led to the deferral, in hoping that Members' concerns and fears can be allayed
- the Council's appointed auditor, GVA Grimley has now confirmed that they agree with the financial appraisals and viability and accept that the plan put forward will create financial sustainability in the years ahead
- it is important for Members to be aware that the financial figures in respect of the development and its ongoing operation have now been comprehensively analysed and confirmed to be correct
- concerning the new lease and contract with KCCC, this will form part of the Legal Agreement if planning permission is granted; this will also regulate and combine the completion dates for the residential element together with the new sports and leisure facilities
- although KCCC have already written to confirm their future commitment to Beckenham, it is important to also consider that the scheme includes the construction of a permanent spectator stand for several thousand people

- the stand is a very expensive structure and it is believed that this demonstrates the firm intention of both the Club and Leander in seeing much increased first class cricket played at the ground, and will provide the facilities expected of a county ground hosting cricket at the very highest level – indeed when Kent played the West Indies there was not enough seating to accommodate the number of spectators
- with regard to Sport England, Leander are using their best endeavours to respond to the comments and it is believed that four of the five issues have been resolved
- the question of affordable housing was raised – it was explained that the value of the residential element only contributes approximately two thirds of the total costs of the remaining sports/leisure/business hub/spectator stand, with the balance of funds being provided by the company
- no capital sum is being derived from the project but a return will be forthcoming on the flow of income i.e. a return on Leander's investment over a number of years
- it is for this reason that the proposal does not allow funds to be available for affordable housing, to do so would mean building more houses and less sports and leisure which would result in reduced income flows and prevent KCCC from achieving financial sustainability

The original report is repeated below, updated as necessary.

Proposal

Outline planning permission is sought for the development described above. All matters are reserved for subsequent approval and accordingly the layout, appearance and scale of the buildings proposed have yet to be determined, although upper and lower limits of the dimensions of the buildings have been provided. Accesses are indicated to be as described below.

The full details of the proposal are as follows.

Residential element

The proposed residential element of the scheme will comprise 48 detached houses, located against the southern edge of site, adjoining existing residential development on Worsley Bridge Road, Gainsborough Close and Ashfield Close. The dwellings would be a mix of 4 and 5 bedroom units and a maximum of two storeys in height, with some single storey units proposed. A new vehicular access is proposed onto Worsley Bridge Road with a cul-de-sac estate road. It is indicated that the houses would be designed to comply with Lifetime Homes standards. The density of the development would be approx. 23.8 units/ha.

As part of this element, the part of the southern site boundary is proposed to be re-positioned 2m within the site, with this narrow strip of land retained for the benefit of the owners of adjoining properties.

The residential element is submitted to be the 'enabling' development which would part fund the sporting, leisure and conference facilities.

Sports Centre proposal

To the north of the residential part of the site, new all weather pitches are proposed. Beyond this, 3 detached buildings will be sited, which together with a new spectator stand would encircle the main cricket ground. Between these buildings and the Worsley Bridge Road and Copers Cope Road frontages, car parking spaces would be provided (together with an overflow area in reinforced grass).

The buildings would comprise the following:

Building B – Indoor Cricket Academy (2 storey, maximum height 16m, maximum width 45m, maximum depth 52m)

Building C – Health and Fitness Centre (2 storey, maximum height 16m, maximum width 45m, maximum depth 38m)

Building D – Conference Facility (2 storey, maximum height 16m, maximum width 45m, maximum depth 36m)

Building E – Spectator Stand (single storey, open construction, capacity 2000-3000 people)

Remainder of site

The remainder of the site would be retained in its current condition, including the main cricket pitch and existing clubhouse.

The application is accompanied by a Design and Access Statement, which also contains a Transport Assessment as an appendix, and a Statement of Community of Involvement. The Design and Access Statement sets out the Applicant's case in support of the proposed development, including a case for special circumstances, and the potential benefits to the community and the local economy.

An addendum to the Design and Access Statement was received on 20th October 2011, which includes an Energy Strategy, Flood Risk and Surface Water Assessment, Tree Survey and Arboricultural Report, and further details relating to compliance with Secured by Design, external lighting to the all weather pitch, the quality of the residential development, childrens play space, inclusive design, climate change, biodiversity and urban design. This information was submitted following initial concerns expressed by the GLA, TfL and Sport England.

The Flood Risk Assessment was updated with an addendum received 15th November 2011.

An updated Transport Assessment was received on 24th October and an Outline Green Travel Plan was received on 17th November 2011.

An amended site layout plan was also received on 20th October 2011, which indicates an alteration to the car parking layout, to incorporate an area of

reinforced grass surface to accommodate overflow parking in the northern corner of the site.

A Planning Statement and a Financial Viability Assessment (submitted confidentially) were also received on 24th October 2011. The main points of the Planning Statement can be summarised as follows:

Overview:

- At present, KCCC play cricket from three locations, including Beckenham, and notwithstanding the high level of support from the community, the Beckenham ground runs at a loss.
- The current lease has expired and KCCC is 'holding over' – unless additional revenue funding can be secured, then the use of the ground by KCCC will cease along with all other uses of the site.
- In conjunction with the freehold owners of the site, Leander Sports and Leisure Ltd ('Leander'), KCCC has reviewed the scope for development at the Beckenham ground with a view to providing additional capital funding to improve the facilities, which can also provide additional revenue support to the Club.
- This scheme includes a new residential development to provide enabling funding, together with new seating, sports and leisure facilities. On the basis that a viable scheme can be secured, KCCC will enter into a new long lease with Leander, and thus ensure the continued long term presence of KCCC at Beckenham and the social and community benefits it brings.
- The scheme represents the optimum scheme from the Club's point of view, providing a source of revenue in tandem with enhanced sporting facilities.
- No affordable housing is proposed, on the basis that this would require further cross-subsidy, thus increasing the amount of enabling development required.
- The application is accompanied by a financial appraisal, which in conjunction with this statement, seeks to further support the case for very special circumstances to allow inappropriate development on Metropolitan Open Land (MOL) and to justify the lack of affordable housing.
- In short, the scheme will secure the continued use of the Beckenham ground by KCCC (being only one of three County standard wickets in London) and the provision of a new indoor facility, a new and enhanced all-weather pitch, conference facilities and a health and leisure club.
- The ambition of KCCC and Leander is to secure the long term use and occupation of the ground by KCCC, and the provision of new and enhanced sporting and associated facilities of benefit to the wider community.

KCCC and Beckenham Today:

At present, the Beckenham Ground provides the following:

- KCCC county matches and Beckenham Festival (full details of County matches and attendance provided as appendix to Planning Statement)

- The ground also includes an astro-turf pitch (can accommodate full size football or hockey pitch), and a grass football pitch which are available for hire, with a second gassed area disused and not laid out (details of the bookings of these facilities also provided as appendix to Planning Statement). This use will cease.
- The grass playing areas have principally been booked/used by Balgowan FC, Dulwich Hamlet FC and to a lesser degree Elite FC. The use of the pitches is limited by weather conditions and the degree of intensity of use that the pitches can sustain. The pitches are managed by KCCC and any revenue received goes to support the overall site. It is not considered that the intensity of the use of these elements can be increased.
- The astro-turf pitch represents a more viable option – existing clubs would continue to be accommodated in the new scheme. The current level of use of the astro-turf facility is limited by the quality of the pitch which is in need of replacement. The new facility will attract a higher level of use and act as a revenue source to support KCCC.

Financial Performance:

- A financial appraisal has been submitted to accompany the application, which assesses the viability of the existing use and as proposed. The appraisal sets out details of revenue received to date and seeks to demonstrate that the continuation of the existing use is not viable. Because of the commercially sensitive nature of the information contained in such appraisals whether on this application or any other they have to be treated in confidence. However, in all cases where a financial viability assessment is provided the Council seeks independent advice on the submission. In this case the Council instructed GVA Grimley to independently appraise the submitted material. This was reported verbally to Members of Development Control Committee on 17th November 2011. Reference to this is included where appropriate in the Planning Considerations and Conclusions of this updated report
- At present, the use continues due to the generous support of benefactors and the freehold owners. There is therefore a need to place the continued use of the site on a sound financial footing to ensure the continuation of KCCC at Beckenham and associated uses in the long term.

Planning Policy Review (overview):

- The development plan confirms the same level of protection to MOL as enjoyed by Green Belt. Accordingly, other than essential development associated with continued sporting use of the site, very special circumstances must be demonstrated. Viability can constitute a very special circumstance, while it is noteworthy that the draft National Planning Policy Framework (NPPF) refers to the provision of 'appropriate' facilities for outdoor sport as exceptional development, rather than 'essential' facilities as is currently the case in policy terms.
- The applicant acknowledges the GLA's view that the all-weather pitch and seating area could be considered appropriate development if the scale is appropriate for the facilities that take place on the site. The other elements

proposed, the conference and banqueting centre, the leisure and health club, indoor cricket centre, associated car parking and the 'enabling' residential element are considered to constitute 'inappropriate development', which the applicant appears to accept.

Options for development:

It is clear that continued presence of KCCC at Beckenham cannot be secured without additional funding and revenue. Two options can be identified:

- Cease the use of the Beckenham Ground – the current likely course of action, whereby KCCC would not renew the lease and cease all involvement at Beckenham. County matches would be played at St Lawrence Ground in Canterbury and the Nevill Ground in Tunbridge Wells. All use of the soft playing areas and the astro-turf pitches would cease. The only alternative option is to generate additional funding and revenue support by way of enabling development to support the continued use.
- The KCCC Brief – KCCC wish to continue playing at Beckenham, the brief was therefore to enhance the level of facilities with a view to increasing revenue, enabled by residential development to generate the necessary capital injection. The financial appraisal tests the benefits of the scheme proposed; the addendum Design and Access Statement sets out the evolution of the scheme and how the configuration of development was determined.

The proposed scheme:

Proposed elements of proposal are as follows:

- New Seating to provide 2-3000 seats – the attendance levels appended show that this level of attendance is sustainable
- Gym and Leisure – Leander has identified market demand for a 'high-end' sports and leisure facility, which would operate as a private members' club to provide additional revenue to support the continued use of the site.
- Conference and Banqueting – consultation with Members and the community has identified an aspiration for conferencing facilities, as at present LB Bromley is poorly served by conferencing facilities. The KCCC ground provides a destination in its own right, as well as providing further match day marketing and revenue generating opportunities.
- New All Weather Playing Surface: booking information set out as an appendix shows a consistent high level of usage of the astro-turf pitch. The level of revenue generated by the new facility would increase over and above that secured at present.
- Residential Development – identified as the optimum and most likely means of securing additional capital revenue, with the brief of providing the maximum level of revenue with the minimum amount of built development.
- Affordable Housing – not proposed as this would require further cross subsidy to be generated by the private sale residential development, resulting in more development and built form to enable the development.

- Legal Agreement – proposed that KCCC and Leander enter into a legal agreement to provide for the delivery of the scheme, with a limitation placed upon the delivery of the residential element and the leisure club to ensure implementation of the all-weather pitch, indoor cricket facility and seating, to include the grant of a new long lease to KCCC. In addition, a financial contribution will be made of an agreed amount to fund the enhancement of existing sports pitches in the area.
- Business Plan – the financial appraisal tested the viability of the existing use and the development as proposed, finding that the existing facilities run at a loss, with no profit for KCCC and Leander receiving only nominal rent (indeed supporting the club). The proposed scheme would generate sufficient capital support to fund the implementation of the scheme and sufficient income to provide a market return over the medium to long term, albeit with losses in the short term. The scheme would be unviable without the leisure club and/or the conference facilities as a consequence of the reduction in revenue, while a reduction in the level of residential development (or reduction in the return arising) would result in a shortfall in capital funding. The resultant loan or mortgage would be required to fund the shortfall would so adversely affect cash flow and returns as to render it unviable.

Summary and Conclusions: The Very Special Circumstances Case

- Despite seeking to maximise revenue lettings from the existing pitches at the ground, the KCCC continues to make an annual loss at Beckenham. The use has continued to date due to the generosity of private benefactors and the freehold owner, Leander. This is not a sustainable solution and the use will cease unless additional revenue support can be generated. The application represents a unique opportunity to secure the long-term presence of KCCC at Beckenham and the continued use of the site for sport.
- The application seeks to achieve this by proposing new Indoor Cricket facilities, enhanced all-weather pitch, conference facility and a leisure club, to provide further revenue support to KCCC and to support the continued use of the ground for sporting purposes. The scheme has been the subject of a full financial appraisal which demonstrates that continuation of the existing use is not sustainable and that, the proposed scheme generates a minimal level of return, commensurate with that which can be expected arising from a sports ground.
- Without the enabling development the use of the site will cease.
- If consented, the scheme will secure the continued use of the Beckenham ground by KCCC, being one of only 3 County standard wickets in London; provision of a new indoor cricket facility; provision of a new and enhanced all-weather pitch and provision of conference facilities and Leisure Health Club.

Location

The application site comprises approx. 6.3ha of Metropolitan Open Land (MOL), which fronts Worsley Bridge Road and Copers Cope Road, Beckenham. The site

is host to Kent County Cricket Club, which has been established at the ground since 2002. The Club also has grounds at Canterbury (St Lawrence Ground) and Tunbridge Wells (The Nevill Ground).

At present the site is predominantly open in character, with a two storey pavilion building located to the south of the main cricket pitch, which is served by a relatively small car park to the east, accessed from Worsley Bridge Road. To the south is an existing floodlit grass sports pitch, with an all-weather floodlit pitch beyond, and to the west of this is an area indicated as 'unused open land' on the site plan and appears to be slightly overgrown at present, but which appears to have been in use as sports pitches fairly recently.

The immediate surrounding area is mixed in character. Areas to the south, east and north-east are broadly residential in character, excluding the adjacent Worsley Bridge Junior School (designated Urban Open Space) which is located at the junction with Worsley Bridge Road and Brackley Road, while to the west is the adjacent Crystal Palace FC Training Ground (designated MOL), flatted residential accommodation at Gallery House and Pavilion House (and dwellings beyond on the opposite side of Copers Cope Road). To the north-west on the opposite side of Copers Cope Road is the former NatWest sports ground, which is now host to an indoor play centre, a 5-a-side football centre and a gym/leisure centre.

Comments from Local Residents

The owners/occupiers of nearby residential properties were notified of the application by letter, site notices were displayed at various positions around the perimeter of the site and an advert was published in the local press.

At the time of writing a total of 184 responses had been received, comprising 125 in support, 56 objections and 3 neither objecting to nor supporting the development.

Comments made in support can be summarised as follows:

- development will encourage KCCC to play additional games at the ground allowing more people to enjoy county cricket in the area
- indoor cricket facility is needed, and would provide coaching facilities for younger players
- development would provide additional employment and benefit local residents
- proposal would provide improved sports facilities in the community
- youth engagement
- new all weather pitch would benefit local hockey clubs
- concern that site will become derelict if application is not successful and KCCC are forced to leave
- proposal would provide much needed family homes in the area
- the benefits of the scheme far outweigh any detrimental impacts
- youth and local schools would benefit
- excellent way of providing additional new homes

- proposal will benefit Beckenham and the borough of Bromley as a whole
- opposition is short term and ignores the longer term benefits of the scheme.

Objections raised can be summarised as follows:

- proposal would involve development on MOL and no very special circumstances have been demonstrated
- objection in principle to residential development and 'business' uses on MOL
- land should be preserved as open space
- negative impact to Green Chain and Green Chain Walk
- site makes positive contribution to area in current form – proposal would be harmful to visual amenities
- proposal would result in the loss of sports fields (rugby/football pitches), which is contrary to policy which promotes outdoor sport and recreation
- siting of buildings along Worsley Bridge Road frontage would be detrimental to openness of site and amenities of nearby properties, and result in negative visual impact
- increased pollution and harm to the environment
- impact to existing trees on the site
- loss of wildlife habitat
- possibility of flooding in the area
- impact to residential amenities including loss of outlook, loss of view, overlooking, loss of light and noise and disturbance (from both residential and leisure elements of scheme)
- proposed dwellings too close to neighbouring properties
- proposals would result in a loss of value to nearby properties
- various concerns raised relating to increased demand for parking in the area and harm to conditions of road safety as a result of increased traffic (already a problem with nearby Worsley Bridge School)
- proposal would result in an increase in demand for local services, including education and public transport
- demand for leisure facilities insufficient, particularly in view of similar existing facilities in the area
- housing element of scheme is intensive and would result in an overdevelopment
- housing element is not small scale
- objection to absence of affordable housing
- the site is not well used by KCCC and therefore additional facilities are difficult to justify
- no need for permanent spectator stand
- proposal does not secure KCCC's continued future at the site
- previous residential development at the site was supposed to fund the club's long term future at the site
- site is well used by local sporting clubs, including the part of the site marked as 'unused'
- if permission is granted it will be difficult to resist similar proposals elsewhere

- overall footprint of built development on the site (including car parking) is far greater than indicated in the supporting documentation
- impact of increased traffic a concern.

Comments were received from the Halcyon Residents Group (representing Gallery House and Pavilion House which are located on Copers Cope Road overlooking the Ground) which can be summarised as follows:

- planning application should be granted as it is an excellent plan and an exciting opportunity to develop a sports facility, and most importantly to keep KCCC at the ground
- the alternative, that Kent and Leander leave the ground, will open up opportunities for the ground to fall into disrepair, inviting unwanted 'tenants' which would have a very serious effect on these properties.

The Chairman of the Gallery and Pavilion Residents Association has confirmed that the association is in full support of the proposal.

Comments were received from the Copers Cope Area Residents' Association, which can be summarised as follows:

- would not object in principle
- special circumstances were previously accepted in relation to the earlier development at the site (clubhouse and apartment blocks) relating to on-going deterioration of site – this must be taken into consideration in this application in this case in light of the possibility of KCCC vacating the site
- should outline permission be granted, would hope that there are safeguards in place to protect the remaining open spaces within the site, which could contribute to a great sporting legacy in the ward
- height, bulk and appearance of buildings must be given close scrutiny at later stage.

Further comments received from the Copers Cope Area Residents' Association following the deferral of the application can be summarised as follows:

it is clear that there are a wide range of views both in favour and against the scheme

it is of concern that the representations made at Committee, including those of two of the three ward Members were not reflective of the views and opinions of the wider community

the association believes that insufficient debate took place at the meeting with regard to the VSC case, to allow for full consideration either of their particular nature or their significance in taking a decision

would also like to be sure that all DC Members are aware of the state of dereliction, trespass and vandalism that followed the departure of Lloyds Bank Social Club from the site in the early 1990s

there is a concern that such deterioration, should KCCC leave the site, might lead to a development application similar to that on the former Blue Circle Sports Ground on Bromley Common where consent was given at appeal for around 850 units in the Green Belt.

Comments were also received from the Palgrave Estate (representing residents from the residential blocks at Porchester Mead which overlook the ground) following the deferral, which echo the points made by the Copers Cope Area Residents' Association summarised above.

Any further comments received will be reported verbally at the meeting.

Comments from Consultees

From the technical Highways perspective, no objections were raised subject to the submission of an updated travel plan (received 17th November 2011). Various conditions are recommended.

Transport for London (TfL) provided initial comments on the application, which raised concerns regarding parking provision, and advised that a revised Transport Assessment would need to be submitted in order to allow the likely impact of the proposal to the strategic transport network to be fully assessed.

The Environment Agency raise no objection to the proposal subject to the imposition of conditions.

The Greater London Authority (GLA) provided a 'Stage 1' response, which recommended that the proposal does not comply with the London Plan in that the proposed construction of 48 houses, the indoor cricket training centre/sports hall, health and leisure club and conference facility are inappropriate development for which the applicant must identify 'very special circumstances'. Those put forward by the applicant are not sufficient to justify the harm to the openness and character of MOL caused by the inappropriate development, while the proposal would result in the considerable loss of playing fields which is unacceptable. Furthermore, the GLA consider that the design and layout of the scheme is such that the character of the area, which is currently defined by the unobstructed openness of the cricket ground and surrounding playing fields, would be significantly impacted upon. However, the GLA have recommended that the proposal could comply with the London Plan if additional supporting information is provided and the scheme be re-designed to a more compact form to minimise the impact upon the MOL. The applicant has sought to respond to the concerns raised by the GLA and provided a body of further information in support of the application.

Sport England advise that the application could usefully be deferred until such time as the applicant provides a full and detailed Playing Field Mitigation Strategy, however advise that if Members are minded to grant permission, it is respectfully requested that it be subject to the prior completion of a s106 agreement and appropriately worded planning conditions which robustly secure the following:

- Continuity of access to the existing cricket pitch and pavilion during the course of construction
- The submission of a full and detailed Playing Field Mitigation Strategy to include:

- The location and size of any existing off site playing field land to be upgraded or improved
 - Fully costed details of any proposed offsite improvement works to existing playing field land
 - The level of financial contribution to be committed [by the applicant] to secure the mitigation measures identified in the Strategy
- The submission of details of the layout and design of the spectator stand, indoor cricket facility and all weather pitch to the local planning authority for approval in consultation with Sport England prior to the commencement of development
 - Provisions which ensure the indoor cricket facility, spectator stand and all weather pitch are fully constructed and made operational prior to the occupation of the first residential unit
 - Financial contribution (level to be determined by the findings of the Playing Field Mitigation Strategy)

Sport England has formally requested the opportunity to comment on the draft S106 prior to completion to ensure the interests of sport are fully represented.

The Football Association (FA) object to the application on the grounds that the loss of pitches would constitute a major negative impact on local sports provision and would have a detrimental impact on grass roots football. The FA further advise that the applicant should submit a mitigation strategy to the Council that makes adequate provision for replacement pitches of a suitable quantity and quality within the Borough, which could include upgrading existing grass pitches to enable them to be used more frequently, or providing new all-weather pitches, or a combination of the two.

The Council's Housing division note that the scheme triggers the requirements within policy to provide affordable housing, however no such housing is proposed as part of this scheme and no justification had been provided. Accordingly a financial viability assessment was sought and has now been received.

With regard to archaeology, English Heritage recommend a standard condition requiring a programme of archaeological work to be submitted/implemented.

The Metropolitan Police Crime Prevention Design Advisor recommended that a 'Secured by Design' condition be imposed on any approval to require certification (rather than seeking to achieve certification).

The Council's in-house drainage advisor requires a standard condition to be imposed requiring details of foul drainage to be provided, and require a petrol interceptor to the outlet of car parking area.

Thames Water advise that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development, and therefore recommend that a condition be imposed requiring a study to be carried out to determine the magnitude of any new additional capacity required in the system and a suitable connection point, prior to development commencing.

Planning Considerations

The application falls to be considered against the following policies:

Unitary Development Plan

- BE1 Design of New Development
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees
- G2 Metropolitan Open Land
- G7 South East London Green Chain
- L1 Outdoor Recreation and Leisure
- L6 Playing Fields
- L9 Indoor Recreation and Leisure

The London Plan

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 3.19 Sports Facilities
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.17 Metropolitan Open Land

Planning Policy Statements/Guidance Notes

- PPS 1 Delivering Sustainable Development
- PPG 2 Green Belts
- PPS 3 Housing
- PPS 25 Development and Flood Risk

PPG 17 'Planning for Open Space, Sport and Recreation' advises that careful consideration should be given to any planning applications involving development on playing fields and sets out the requirement (in conjunction with Statutory Instrument 1996 No. 1817) for local planning authorities to consult Sport England about developments that affect land used as playing fields.

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 2011. 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.

The applicants submitted a viability assessment in support of their application. The Council instructed GVA to review the applicant's intentions to use the capital receipt generated by the sale of the property with planning consent for residential development to subsidise the cost of building new sports facilities at the ground.

In GVA's opinion the applicants approach to taking "sports field" values as the current use value of the site is acceptable. Having reviewed the applicant's figures for market conditions and sales values, GVA found the figures assumed to be reasonable. As regards leisure facility rental values, GVA found the assumptions used by the applicants to be broadly sound. On development costs, GVA consider the overall assumed costs to be competitive and reasonable. That conclusion assumes the applicant is building the development to Code for Sustainable Homes Level 4.

In summary, GVA checked and verified the assumptions made by the applicants in producing a GLA toolkit to accompany the viability report and the build cost assumptions for the construction of the sports facilities and concluded that none of the assumptions used were so unreasonable as to have a significant impact on the outcome of the toolkit. The effect of this is that the value of the residential site pays for approximately two thirds of the remaining sports, leisure and business facilities with the balance being provided by the applicants.

Planning History

There is extensive planning history at the site. The following applications are considered to be of relevance to the current proposal:

00/03131/OUT – outline planning permission granted for the demolition of the existing buildings, excluding the façade of the pavilion, and construction of 3 storey development (including façade) comprising 42 flats with car parking spaces, and two storey sports pavilion building with car parking spaces on Worsley Bridge Road

frontage. This development was allowed, in part, to enable the site to be brought back into sporting use for Kent County Cricket Club. KCCC's use of the site was safeguarded for a period of 10 years in accordance with the terms of the legal agreement.

Details pursuant to the above permission were approved under ref. 01/02978/DET, and 02/01532/DET.

02/02290/FULL1 – permission granted for formation of earth bund.

03/00719/FULL1 – permission granted for detached single storey building for score board.

07/00779/FULL1 – permission granted for siting of detached scoreboard.

Conclusions

The application site comprises Metropolitan Open Land (MOL) within which there is a presumption in policy terms against inappropriate development, unless very special circumstances can be demonstrated which clearly outweigh the harm by reason of inappropriateness or any other harm.

The existing use of the site is predominantly for outdoor sport and recreation (which is an appropriate use of MOL), operating as a 'satellite' ground for Kent County Cricket Club (KCCC) who play a limited number of county games at the ground each year, as well as providing playing fields and an all-weather pitch which are used by local clubs for football, hockey and cricket, as well as providing significant sporting and community benefits. The applicant submits, however, that the cost of running the ground exceeds any income and consequently that it runs at a loss each year (and has done since 2002), and that these losses can no longer be sustained.

As a consequence of their financial situation, the proposed development has been put forward by KCCC in conjunction with the owners of the ground, in seeking to provide enhanced facilities for county cricket matches in the form of a spectator stand and additional car parking, along with three detached buildings to provide a complementary indoor cricket training centre, together with a health and fitness centre and conference centre which would provide alternative revenue streams to support the club. In addition, a new all-weather pitch would be provided to replace the existing facility. The proposal would be delivered by way of an 'enabling' development of 48 private houses on part of the site.

Whilst certain elements of the scheme may be considered 'appropriate' development on MOL in the form essential facilities for outdoor sport and recreation, the remainder would constitute 'inappropriate' development and would require the demonstration of very special circumstances to outweigh the harm by reason of inappropriateness (or indeed any other harm) in order to be accepted. Specifically, the spectator stand which would appear to be of a scale appropriate for county cricket matches played at the site, and the all-weather pitch which would replace an existing all-weather facility in need of improvement, would appear to be

acceptable development within MOL. Conversely, the indoor cricket centre, conference centre, health and leisure centre and housing development would be 'inappropriate' development.

It will therefore be a case of balancing the benefits of KCCC remaining at the ground, against the harm that would arise to the openness and visual amenities of the MOL as a result of the inappropriate development having regard to the case for very special circumstances (VSC) set out by the applicant (and detailed at the beginning of this report), in considering whether the proposed development can be acceptable. In addition, Members will need to consider the acceptability of the loss of playing fields, and whether the absence of any affordable housing as part of the residential element of the scheme can be accepted in this case.

In short the VSC case centres on the current financial situation at the ground, the importance of retaining a first class cricket square and the playing of first class games, and submits that in order for KCCC to remain at the ground alternative revenue streams must be secured to support the continued sporting use of the site. The housing development would effectively fund the rest of the scheme, which would result in enhanced facilities for the ground, and a complementary indoor cricket centre, health/leisure centre and conference centre to provide alternative revenue streams and allow KCCC to remain at the site in the medium to long term. It is submitted that the inappropriate development would facilitate the continued use of the remainder of the site for outdoor sport and recreation including cricket, football and hockey, with the alternative being that KCCC would be forced to leave the ground, resulting in all uses of the site ceasing. The applicant has submitted a financial viability assessment in support of the case for very special circumstances, and to seek to demonstrate that the development proposal would involve the minimum amount of 'enabling' development to allow the proposal to go ahead with a reasonable operating profit, which would secure KCCC's future at the ground.

The submitted financial viability assessment has been independently appraised, and it has been confirmed by the auditors to be reasonable. The value of the residential element of the proposal funds approximately two thirds of the remaining sports, leisure and business facilities with the balance being provided by the applicants. Whilst there is no immediate return, the future flow of income from the operation of the conference/health and fitness centres would generate a return commensurate with the applicant's original investment in the development over the lifetime of the scheme being promoted in the application.

While the VSC case and the desire for KCCC to remain at the site is noted, the proposed development would result in the loss of just over half of the open space on the site. The residential development of 48 houses and the three detached buildings along the Worsley Bridge Road frontage (together with the areas retained for landscaping and car parking) would fundamentally alter the open character of the site, affecting views into the site and seriously compromising the openness and visual amenities of the MOL. In this case, the harm to the MOL by reason of inappropriateness is compounded by the amount of development and its siting, scale and form. The residential element of the scheme would comprise a relatively low density development of large detached dwellings, which would not represent the optimum amount of 'enabling' development for this sensitive site in terms of its

built form and the degree of site coverage. The three detached buildings for the indoor cricket centre, health and fitness centre and conference centre would be of significant scale and be highly visible along the Worsley Bridge Road frontage, giving rise to a very apparent loss of openness, compromising views into the site and harming the visual amenities of the MOL.

Members will be aware of the balancing exercise that needs to be undertaken in this case, in determining whether the case for VSC put forward by the applicant is sufficient to clearly outweigh the harm to the openness and character of the MOL by reason of inappropriateness and other harm, as identified in the preceding paragraph.

In addition to the impact to the openness and visual amenities of the MOL, the development would result in the loss of playing fields, including almost half of the existing cricket field, and the grassed area to the west of the existing all-weather pitch. In policy terms it is possible to consider the re-provision of playing fields elsewhere in order to mitigate any loss, and the applicant has indicated that were planning permission to be granted a financial contribution would be put forward as part of a legal agreement to enhance existing sports pitches in the area. However, details of the size and location of these local pitches have not been provided in order to enable an assessment as to how this might mitigate against the loss proposed in this case. Any further comments in respect of this matter, particularly from the applicant and Sport England will be reported at the meeting.

With regard to the impact of the proposed development to the amenities of neighbouring residents, it is clear that the proposal would alter views into the site as a result of the amount and scale of development proposed. However, assessing this impact as a residential amenity issue (rather than a public amenity issue such as the openness of MOL), it is not considered that the impact of the proposal to views from neighbouring properties could constitute grounds for the refusal of planning permission. Regarding the residential development, this would be located adjacent to a number of existing residential properties on Worsley Bridge Road, Ashfield Close and Gainsborough Close. Again while there would be likely to be a degree of impact to these properties, the indicative separation between these adjacent properties and the proposed dwellings would appear to be acceptable (at a minimum of approx. 22m back-to-flank and 27m back-to-back), and it is highly likely that the proposed dwellings could be designed to ensure that no undue overlooking or loss of privacy would arise.

Regarding affordable housing, the Council's policies require 35% provision on housing sites capable of providing 10 or more dwellings. In this case, no affordable housing is proposed as part of the residential element of the scheme on the basis that this would require further cross subsidy to be generated by the private sale residential development, resulting in more development and built form to enable the remainder of the development. Members will need to consider this issue carefully in the context of the findings of the independent appraisal of the submitted financial viability assessment. On the basis that the housing development funds approximately two thirds of the remaining elements of the scheme, and the scheme is reliant upon further investment from the applicant, the scheme as submitted could not sustain any affordable housing contribution.

Concerning the highways aspect of the development, the technical objections initially raised have been lifted in light of the additional information provided in the form of the updated Transport Assessment and Outline Green Travel Plan.

Finally with regard to the impact of the development on flood risk, the Environment Agency raises no objection in light of the submitted Flood Risk Assessment.

Background papers referred to during production of this report comprise all correspondence on files refs. 00/03131, 01/02978, 02/01532, 02/02290, 03/00719, 07/00779 and 11/02140, excluding exempt information.

as amended by documents received on 20.10.2011 24.10.2011 15.11.2011
17.11.2011

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

D00002 If Members are minded to grant planning permission, any resolution to be subject to Direction from the Mayor and to evidence being supplied to the Council of an agreement for a lease or of a lease to KCCC for a period of not less than 20 years at a nominal rent that confers rights and benefits to enable KCCC to operate the KCCC facilities and provides for construction of the KCCC elements and their operation.

The following S106 heads of terms are suggested:

1. Prior to the implementation of the permission, details of the reserved matters shall be submitted to and approved by LBB for the KCCC uses (seating, indoor cricket facility, conference facility, leisure club, all weather pitch and KCCC sports ground).
2. Prior to the occupation of the first dwelling, a scheme for construction of KCCC elements, including phasing and programme, shall be submitted to and approved by LBB in writing. The scheme as approved by the Council shall be implemented.
3. Prior to the occupation of the 28th residential dwelling; the indoor cricket facility will be completed. Prior to the occupation of the 37th residential dwelling, the astro-turf pitch will be completed. Prior to the occupation of the 45th residential dwelling, the spectator stand will be completed. No further dwelling shall be occupied until this requirement is met.
4. The all-weather pitch shall be made available for hire to the public, subject to normal terms and conditions.
5. The Pavilion and Playing Fields shall remain available for recreational use by KCCC. Future maintenance of Playing Fields and the all-weather pitch and the spectator stand shall be on terms which are acceptable to and agreed in writing by KCCC, or in default the Council, and the obligation in respect of future maintenance should be for a period of 20 years from the

date of the Agreement between KCCC or in default the developer and the Council.

6. The terms of the future maintenance of the Playing Fields, all-weather pitch and the spectator stand shall be agreed prior to occupation of the last remaining house.
7. A financial contribution of £xxxx will be made to LBB to fund the enhancement of sports pitches in the local area in discussion with Sport England.
8. Prior to occupation of first dwelling, the owner shall write to the owners of adjoining residential properties offering to transfer a 2m strip of land alongside the southern site boundary. In respect of those properties that accept the offer the 2m strip shall only be used as residential curtilage in connection with the property it shall be transferred to in accordance with the offer.

Subject to the following conditions:

- | | | | |
|----|--------|--|---------|
| 1 | ACA02 | Details req. pursuant outline permission | access, |
| | | appearance, landscaping, layout and scale | |
| | ACA02R | Reason A02 | |
| 2 | ACA03 | Compliance with landscaping details | |
| | ACA03R | Reason A03 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACK08 | Archaeological access | |
| | ACK08R | K08 reason | |
| 5 | ACI21 | Secured By Design | |
| | ACI21R | I21 reason | |
| 6 | ACD04 | Foul water drainage - no details submit | |
| | ADD04R | Reason D04 | |
| 7 | ACD06 | Sustainable drainage system (SuDS) | |
| | ADD06R | Reason D06 | |
| 8 | ACJ23 | Details of floodlights | |
| | ACJ23R | J23 Reason | |
| 9 | ACI20 | Lifetime Homes Standard/wheelchair homes | |
| | ADI20R | Reason I20 | |
| 10 | ACI02 | Rest of "pd" Rights - Class A, B,C and E | |
| | | Reason: In order to comply with Policy BE1 of the Unitary Development Plan. | |
| 11 | ACH01 | Details of access layout (2 insert) | |
| | ACH01R | Reason H01 | |
| 12 | ACH02 | Satisfactory parking - no details submit | |
| | ACH02R | Reason H02 | |
| 13 | ACH21 | Car parking to be for customers/employee | |
| | ACH21R | Reason H21 | |
| 14 | ACH22 | Bicycle Parking | |
| | ACH22R | Reason H22 | |

- | | | | | |
|----|--|---------------------------------------|------------|----|
| 15 | ACH12 | Vis. splays (vehicular access) (2 in) | 2.4m x 38m | 1m |
| | ACH12R | Reason H12 | | |
| 16 | ACH16 | Hardstanding for wash-down facilities | | |
| | ACH16R | Reason H16 | | |
| 17 | ACH29 | Construction Management Plan | | |
| | ACH29R | Reason H29 | | |
| 18 | ACH30 | Travel Plan | | |
| | ACH30R | Reason H30 | | |
| 19 | ACH32 | Highway Drainage | | |
| | ADH32R | Reason H32 | | |
| 20 | ACH23 | Lighting scheme for access/parking | | |
| | ACH23R | Reason H23 | | |
| 21 | No loose materials shall be used for surfacing of the parking and turning area hereby permitted. | | | |

Reason: In order to comply with Policy T18 of the Unitary Development Plan.

22 Details of a surface water drainage system (including storage facilities where necessary and a petrol interceptor to the outlet of the car parking area) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

ADD02R Reason D02

23 Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

24 Prior to commencement of the development hereby permitted, a full and detailed Playing Field Mitigation Strategy shall be submitted to the Local Planning Authority for approval in consultation with Sport England. The Strategy shall include:

- The location and size of any replacement playing field land
- The location and size of any existing off site playing field land to be upgraded or improved
- Fully costed details of any proposed offsite improvement works to existing playing field land
- The level of financial contribution to be committed [by the applicant] to secure the mitigation measures identified in the Strategy

Reason: To ensure the satisfactory re-provision of playing fields locally and to comply with Policy L6 of the Unitary Development Plan, Policy 3.19 of the Unitary Development Plan and PPG 17 'Planning for Open Space, Sport and Recreation'.

- 25 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Gilmour Infrastructure Ltd. (Report Ref. C955/DR/EAJ/U0422) and the following mitigation measures detailed within the FRA:
- (i) During detailed design the Geo-environmental Site Investigation is to include soakage testing in accordance with BRE 365 at locations to be agreed with the LPA and the Environment Agency in order to determine the suitability of infiltration based SUDS measures for inclusion with the surface drainage strategy (Refer to Section 2.0 of FRA Addendum);
 - (ii) Run-off rates from the proposed drainage strategy will be limited to the Mean Annual Greenfield rate (QBAR) of 30l/s for all events up to and including the 1 in 100 year plus climate change critical duration storm event (Refer to Section 4.0 and 6.0)

Note: In the event that the site investigation results confirm that infiltration based SUDS are deemed unsuitable, the detailed design shall be based on the proposed drainage strategy as set out within the Shepherd Gilmour Infrastructure Limited Drg. C955-204 Rev A

Reason: To reduce the impact of flooding both to and from the proposed development and third parties.

INFORMATIVE(S)

- 1 RDI16 Contact Highways re. crossover
- 2 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed indoor cricket centre, health and leisure centre and conference centre, together with the residential development of 48 dwellings would constitute inappropriate development within Metropolitan Open Land by definition, and would seriously harm the openness and visual amenities of this prominent site by reason of the number and size/type of dwellings proposed, the scale and siting of the three detached buildings and the associated car parking and landscaping areas along the Worsley Bridge Road frontage. No very special circumstances exist to warrant the setting aside of normal policy requirements, and in the absence of which the proposal would be contrary to Policy G2 of the Unitary Development Plan, Policy 7.17 of the London Plan and PPG 2 'Green Belts'.
- 2 The proposed residential development of 48 dwellings does not include affordable housing, and no evidence has been provided to justify the setting aside of normal policy requirements, and in the absence of which the proposal would be contrary to Policies H2 and H3 of the Unitary Development Plan and Policies 3.11 and 3.12 of the London Plan.

- 3 The proposed development would result in the loss of playing fields on the site, and no information has been submitted to demonstrate that this loss can be mitigated by appropriate re-provision elsewhere. The proposal would therefore be contrary to Policy L6 of the Unitary Development Plan, Policy 3.19 of the London Plan and PPG 17 'Planning for Open Space, Sport and Recreation'.

Application:11/02140/OUT

Address: Kent County Cricket Ground Worsley Bridge Road
Beckenham

Proposal: 3 detached buildings for use as indoor cricket training centre/
multi-function sports/ leisure facility, health and fitness centre and
conference centre. Spectator stand for 2000-3000 people. Car parking. All
weather/ floodlit pitches. 48 detached houses OUTLINE

