

SECTION '2' – Applications meriting special consideration

**Application No :** 14/01717/FULL1

**Ward:**  
**Kelsey And Eden Park**

**Address :** David Lloyd Leisure Stanhope Grove  
Beckenham BR3 3HL

**OS Grid Ref:** E: 536638 N: 167969

**Applicant :** Mr John Mullen

**Objections :** YES

**Description of Development:**

New outdoor swimming pool, pool terrace, reconfiguration of existing car park area and associated external works

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Urban Open Space

**Proposal**

The application seeks consent to construct a new outdoor swimming pool and pool terrace, to be used in association with the leisure club and within the parameters of the existing hours of operation of the site. The development would include the reconfiguration of the existing car park and result in the net loss of 5 car parking spaces. The pool will be 20m x 8m x 1.2m (depth), and the paved terrace will provide a seating area for users of the pool. The submitted plans also include provision of a 5.0m x 5.0m x 2.7m (height) plant room, positioned to the side of the new pool, at the western edge of the car park.

A 2.4m high perimeter fence will surround the pool to provide security and privacy, and additional soft landscaping is also proposed.

Additional information in the form of a parking survey considering the impact of the loss of car parking spaces was received on 17th July at the request of the Councils Highways Engineer.

**Location**

David Lloyd Beckenham is accessed via Stanhope Grove, Beckenham and covers a site area of 3.3ha. The southern boundary of the site abuts the railway line, and the site is designated as Urban Open Space

## **Comments from Local Residents**

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

- the pool will lead to increased traffic
- the club already has an indoor pool
- reduction in parking spaces
- noise and disturbance arising from the development
- the pool will be visible from nearby residential properties
- loss of trees
- the positioning of the pool is not ideal

## **Comments from Consultees**

The Councils Highways Engineer requested a Parking Survey form the applicants in order to assess the likely impact of the loss of 5 car parking spaces. This was received on 17th July 2014, and indicates that the car park is not currently operating near to capacity. The loss of 5 spaces is not considered to have a material impact on parking availability at the site, and therefore no objection is raised.

The Councils Environmental Health Officer has also inspected the file and raises no objections in principle. Conditions relating to noise attenuation measures are suggested, should planning consent be granted.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and other Means of Enclosure
- G8 Urban Open Space
- L9 Indoor Recreation and Leisure
- T3 Parking
- T18 Road Safety

The Councils adopted SPG guidance is also a consideration in the determination of the application.

At a regional level, London Plan policy 3.19 (Sports Facilities) is also relevant.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

## **Planning History**

The site has a detailed planning history. Applications of relevance to this application are:

00/00666/OUT - permission was granted for partial demolition of existing buildings and single and two storey extensions to provide health and fitness club comprising indoor swimming pools, gymnasium, 4 squash courts, 6 indoor tennis courts and other facilities with 2 outdoor tennis courts.

In 2013, under ref. 13/02384, consent was granted for an inflatable seasonal tennis court covering over existing double external tennis courts.

## **Conclusions**

The proposed outdoor swimming pool would relate to the existing use of the site as a gym/sports club, and is considered to support outdoor recreation in line with part (i) and (ii) of Policy G8 in relation the Urban Open Space designation of the host site.

The proposal would result in the loss of 5 car parking spaces. The current car park can accommodate 250 vehicles, therefore the loss of these spaces would equate to a loss of 2%. The Councils Highways Engineer has inspected the file and raise no objection, on the basis that it is considered that the development will not have a material impact on parking availability at the club.

As the development will take place in the existing car park, it is considered that there will be no material impact on the current level of openness of the Urban Open Space, and any harm that may occur is outweighed by the sporting and community benefits of the proposal.

Some local objections have been received, with some concerns that the proposal will result in increased noise and disturbance to nearby residents. Members will note that the proposed location of the new pool is some 150m away from the residential properties in Stanhope Grove, and around 90m from properties to the south (also separated by the railway line). The proposed plant room will be positioned to the west of the pool itself, screened by a new fence. The pool itself is also proposed to be enclosed by a new 2.4m high fence for security and privacy.

The Councils Environmental Health Officer has inspected the file and raises no objection in principle, but has suggested acoustic fencing be utilised for the perimeter fence around the pool and plant room to minimise noise breakout. This can be secured by way of an appropriate planning condition. A further condition relating to noise attenuation relating to the proposed pool plant is also suggested.

On balance, Members may consider that the significant separation from nearby properties, and context of the existing site is such that the development will not result in a significant increase in impact on nearby amenities. While the proposed swimming pool may be visible from those properties closest to the site, the proposed screening and landscaping will ensure that the visual impact is not at a level that would warrant refusal of planning permission.

Other concerns relating to the removal of a tree to facilitate the development have been noted, however correspondence between the applicant and the Councils Tree Officer (available on the file) indicates that the removal of the oak stump on site can be carried out without formal notice being served to the Council. This tree was formally covered by a TPO, although previous applications to the Council in 2012 agreed the removal of the tree following its death. This is therefore not considered relevant to the determination of this application.

On balance, therefore, Members may agree that the proposal represents appropriate development given the context of the site, without resulting in any significant additional harm to nearby amenities or the surrounding highway network. On this basis, and subject to the attached planning conditions, the recommendation is that planning consent be granted.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

as amended by documents received on 17.07.2014

#### **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      ACC07      Materials as set out in application  
ACC07R      Reason C07
- 4      ACH03      Satisfactory parking - full application  
ACH03R      Reason H03
- 5      ACK01      Compliance with submitted plan  
ACK05R      K05 reason
- 6      Details of acoustic fencing for the pool terrace perimeter and plant/storage area shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed as approved prior to the use commencing and shall be permanently maintained as such thereafter.

**Reason:** In the interests of the amenities of nearby properties and in order to comply with Policy BE1 of the Unitary Development Plan.

- 7      The noise level from swimming pool plant in terms of dB(A) must remain at all times 10 decibels below the relevant minimum background noise level (LA90 15mins) when measured at the boundary of any residential receptor. If the plant has a distinctive tonal or intermittent nature the plant noise level shall be increased by a further 5dBA for comparison with the background level.

**Reason:** In the interests of the amenities of nearby properties and in order to comply with Policy 7.15 of the London Plan.

- 8 The development hereby permitted shall not be used outside of the hours of operation of David Lloyd Leisure, Beckenham without the prior approval of the Local Planning Authority.

**Reason:** In the interests of the amenities of nearby properties and in order to comply with Policy BE1 of the Unitary Development Plan.

#### INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

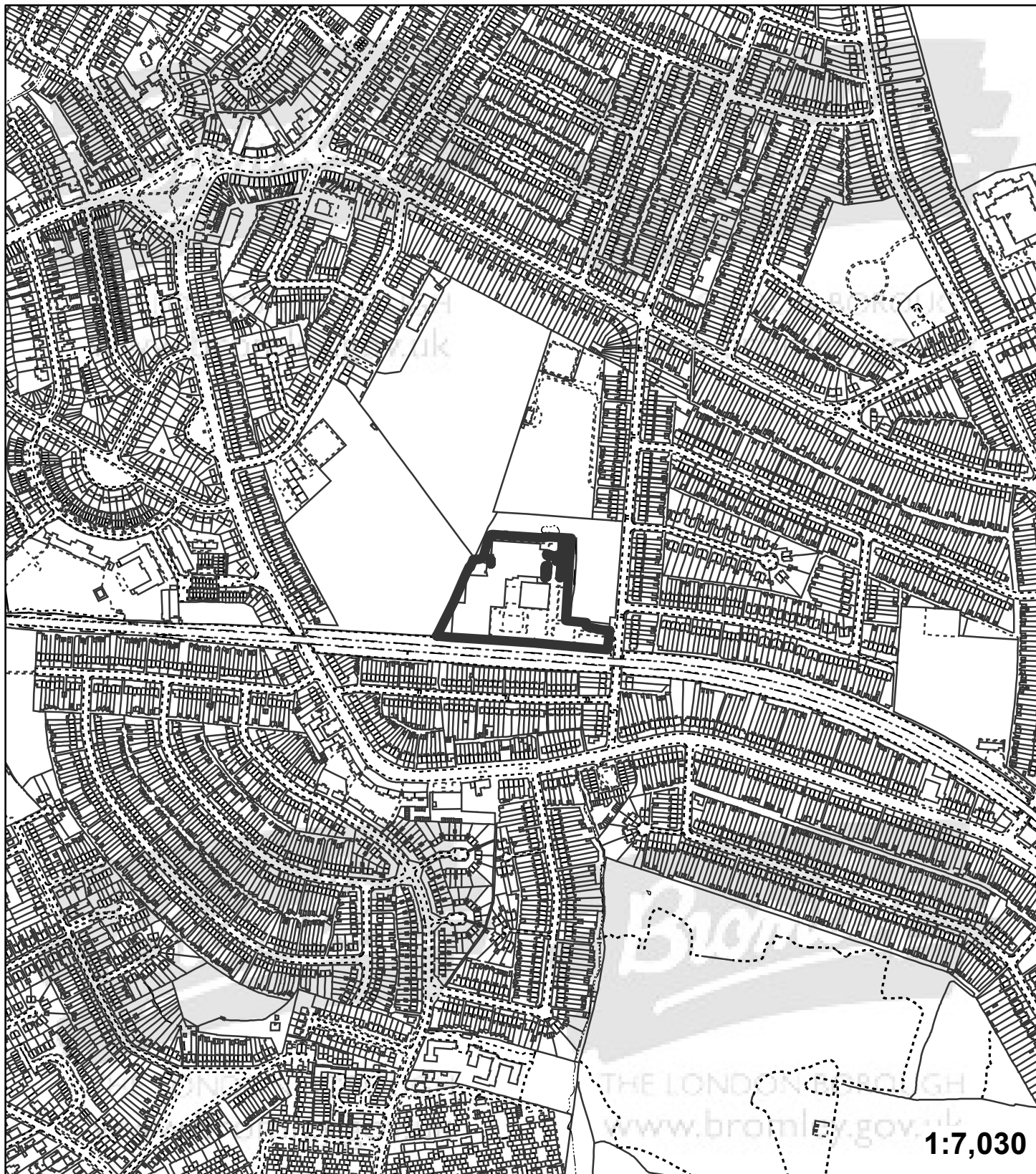
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 2 Before the works commence, 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.
- 3 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.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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