

SECTION '2' – Applications meriting special consideration

Application No : 18/02246/FULL1

Ward:
Shortlands

Address : Park Langley Tennis Club 44A Wickham
Way Beckenham BR3 3AF

OS Grid Ref: E: 538019 N: 168250

Applicant : Park Langley Tennis Club

Objections: YES

Description of Development:

Extension to existing building comprising a new gallery bar, terraces and staircase.

Key designations:

Smoke Control SCA 21
Smoke Control SCA 9

Proposal

The application seeks consent for the extension to the existing building comprising a new gallery bar, with terraces and staircase.

Location and Key Constraints

The application relates to a leisure facility, which is located on the western side of Wickham Way, broadly at the rear of Nos. 24-48 Wickham Way. The site comprises a complex of buildings in use as a tennis club, with indoor and outdoor tennis courts and ancillary buildings. The primary buildings of the club, including the outdoor court, immediately adjoin the Park Langley Conservation Area (CA) to the east and north, with the vehicular and pedestrian access of the site falling directly within the CA. The club and ancillary buildings are also designated as Urban Open Space. The proposed development would be located at the southern end of the main building, which is west of the tennis courts and to the north of the car park.

Comments from Local Residents and Groups

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

- The tennis club is located in a residential area and all its activities affect location residents. From car parking to social events.
- There are covenants that the total membership shall not exceed 1756 at any one time. The club has grown exponentially since this time with no regard to the Covenant and further expansion will allow more space for functions. This will have a negative impact on surrounding roads.

- Neutral comments from the Park Langley Residents Association. Whilst no objections to new gallery bar, there are concerns that that this addition, together with the recently permitted squash court will increase the numbers of people attending the facility but with no provision for associated parking.
- This will probably lead to more parking in Wickham Way and adjacent roads. Wickham Way is a very busy road. There needs to be minimal obstruction to maintain safe traffic flow.
- Concerns extension will lead to increased usage of bar/social facilities with associated increase in number of vehicles being parked on adjoining streets.
- At the time of the clubs last redevelopment (around the Millennium) it undertook to provide a minimum number of parking spaces. Since then the club has grown significantly and vehicles now park on the streets.
- Planning should confirm whether the minimum number of parking spaces relating to the Clubs Covenant, namely membership should not exceed 1756.
- Do not believe that the development would not lead to a further increase in membership numbers.
- Members of the club consider the car park too restrictive/congested particularly when young children are being carried. The result is increased on-street parking. This is a more popular option following the clubs decision to upgrade pedestrian walkway.
- Many properties surrounding the walkway are severely and dangerously inconvenienced by vehicles parking too close.
- Reduced sight lines down Wickham Way. Issues with highway safety.
- Club is aware of issues and should ensure there is adequate onsite parking.
- The Club Covenanted on 07/07/2000 before planning permission was given to bind the land as follows: Membership shall not exceed 1756 at any one time. However I have been assured by the club that this new development would not add to an increase in membership with further parking pressure in Wickham Way. I change my objection to neutral

Comments from Consultees

Highways: No objections. The D&A statement makes it clear that this application would not increase the need for on-site parking and I am inclined to agree given the nature of the proposal. In this case Wickham Way is a relatively wide street, not subject to waiting restrictions, does not have a significant accident history and can thus accommodate on-street parking without any significant detriment to the free flow of traffic or conditions of safety in the street.

Such clubs often have popular times/events when the background level of parking is insufficient and parking occurs beyond their limits on surrounding streets.

Additional on-site car parking can thus be a benefit to neighbours in reducing the impact of on-street parking. Therefore if the Club were looking to be neighbourly they could investigate the possibility of providing additional on-site parking. However, I do not consider the Council could reasonably expect this as part of the current application, especially given the recent permission reducing the number.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination In Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

Policy 4.6 Supporting a successful and diverse retail sector and related entertainment

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater Infrastructure

Policy 5.15 Water use and supplies

Policy 6.9 Cycling

Policy 6.13 Parking

Policy 7.2 An inclusive environment

Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
7.18 Protecting open space and addressing deficiency
Policy 8.3 Community infrastructure levy

Unitary Development Plan

BE1 Design of New Development
BE13 Development Adjacent Conservation Areas
BE14 Trees in Conservation Areas
G8 Urban Open Space
L9 Indoor recreation and leisure
NE2 Development and Nature Conservation Site
NE7 Development and Trees
ER10 Light pollution
S7 Retail and leisure development - outside existing centres
T3 Parking
T7 Cyclists
T18 Road Safety

Emerging Local Plan

Policy 30 Parking
Policy 34 Highway Infrastructure Provision
Policy 37 General Design of Development
Policy 42 Development Adjacent to conservation areas
Policy 55 Urban Open Space
Policy 73 Development and Trees

Planning History

The relevant planning history relating to the application site is summarised as follows:

85/01267/OUT - Erection of a single storey sports hall. Permission dated 11.07.1985

86/02212/FULL - Single storey building for badminton hall. Refusal dated 23.10.1986

87/00169/FULL - New sports hall with ancillary facilities. Permission 12.03.1987

89/00918/FULL - Detached building for tennis hall and 76 parking spaces. Permission dated 20.07.1989

90/01173/OTH - Detached building for tennis hall and 76 parking spaces. Revision - siting size and roof treatment. Permission 28.06.1990

90/02783/FUL - Part one/two storey extension to existing clubhouse comprising one additional squash court together with the relocation of car parking. Permission dated 31/01.1991

91/02535/OTH - Re-siting of car parking spaces adjacent to restored tennis court. Revision to 90.02783 for a part one/two storey club house. Permission dated 18.12.1991

93/01882/OTH - Continued use of tennis courts flood lighting without complying with condition 02 of application 782769 limiting use to between October and march and reduction in height. Refused 26.10.1995

99/00999/OUT - Extension and alterations to provide replacement and additional facilities including squash, badminton courts/aerobics studio/changing rooms/storage offices/social facilities and kitchen. Permission dated 18.11/1999

00/02326/DET - Details pursuant to outline permission 99/00999 granted for the extension and alterations to provide replacement and additional facilities including squash, badminton courts/aerobics studio/changing rooms/storage offices/social facilities. Approval dated 28.9.2000

00/02674/FULL1 - Provision of hard surface to two existing grass tennis courts, with nine 8m high floodlight columns. Permission dated 29.09.2000

00/03444/FULL1 - Replacement badminton hall and elevational alterations to scheme permitted under refs 99/00999 and 00/02326 for extensions and alterations to club buildings, to reduce ridge height and increase floor area of kitchen. Permission subject to Legal Agreement dated 09/01/2001

09/03608/FULL1 Single storey extension for junior common room. Permission

13/02831/FULL1 Single storey extension to gymnasium and alterations to car parking. Permission

17/05298/FULL1 - An extension comprising a new squash court with access and viewing areas. Permission.

Considerations

The main issues to be considered in respect of this application are the principle of development together with the highway impact and neighbouring amenity.

In relation to Policy G8 the proposal would result in additional built development within the designated Urban Open Space. However, it would be set against the backdrop of the existing main building and the upper floor would partially utilise the roof area of an existing ground floor projection. The extension would provide an additional bar and terrace, which is associated with the existing function/members area. It is noted there is also an extant permission for an extension to the north of this proposal and the two developments would adjoin, however this extension is

considered to be modest and given its location it is not considered its scale, siting or size would result in undue harm to the openness of the site. The proposal is therefore considered to be in accordance with Policy G8.

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The extension would be located along the southern elevation of the main building facing the tennis courts. It would encompass part of an existing ground floor addition. A further extension would be added to this existing element and this would be built into a recess. This would have a depth 0.7m. The first floor extension would extend out further, but this would be above set above pillars creating a covered walk-way below. Due to the staggered line of the existing building this would have a maximum projection of 3.5m when including the depth of a recess, and then also a minimum depth of 2.7m. This first floor area would provide two external terraces, staircase and internal bar. However, it is noted that the new 'quiet bar' at first floor level is utilising a large area of existing balcony space. The applicant has highlighted that this to provide a 'quiet' area for members when sporting events are being televised in the main bar on the ground floor. The extant squash court extension has been highlighted on the plans for information purposes but the two developments are separate and are not dependent on the other being built out.

The extension would utilise matching materials and would extend up to the existing line of the tennis courts. The scale of development, its design and choice of materials are in keeping with the existing character and appearance of the building. The development is set well within the confines of the site and given its limited extent it is not considered that there would be significant harm to the character and appearance of the host building or area in general. The development is outside of the Conservation area and given its limited extent and position it would preserve its character and appearance.

In relation to the highway impact, the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The site has 22 parking spaces, however if the extant permission were to be implemented this would be reduced to 20 but at the time of that application this reduction was considered to be acceptable due to an increase in the number of motorcycle spaces and new bicycle parking.

With regards to the current application, no parking is proposed. Concerns have been raised by interested parties regarding the potential for increased parking demand and the overspill onto surrounding streets. The applicant has highlighted that the proposal would not require additional parking provision as this seeks to

provide a quiet bar area for when sporting events are televised in the main bar. The applicant highlights that the access needed across the existing bar to stairs will be result in the loss of an area already used for seating. Additionally the highways officer has not objected to the scheme. Wickham Way is considered to be a relatively wide street, which is not subject to waiting restrictions and according to the Highway officer is does not have a significant accident history and therefore can accommodate on-street parking without any detriment to the free flow of traffic or conditions of safety.

A Section 106 Agreement was signed by the Club dated 25th April 2001 and this relates to Planning ref: DC/00/03444/FULL1. This restricts club membership to 1756 persons at any one time. Objections have highlighted that the club exceeds this level of Membership. However if this is the case then this would need to be investigated by the Council's Enforcement team.

With regards to neighbouring amenity Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The extension would be set well away from neighbouring residential properties and as such no loss of amenity is expected in respect of an overbearing impact, loss of light or loss of outlook. The scheme would create two outdoor terraces at first floor level. Given the elevated position there could be some additional noise, however they terraces are not overly large and there is likely to be a degree of background noise associated with the existing use. The northern terrace is closer to the boundary with Bucknall Way to the west. There is a degree of screening along this boundary, furthermore if the extant permission were to be built out this would effectively screen this terrace. The set-back from the properties along Bucknall way is approximately 40m. As such, no loss of privacy is anticipated.

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

Conclusion

In summary the proposed development is considered to be acceptable in principle, it would not result in harm to character and appearance of the area or amenities of neighbouring residents and there are no highways objections.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1** The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

- 2** Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.