

SECTION '2' – Applications meriting special consideration

Application No : 19/02722/FULL1

Ward:
West Wickham

Address : Old Beccehamian Rugby Football Club
Sparrows Den Sports Ground
Corkscrew Hill West Wickham BR4 9BB

Objections: Yes

OS Grid Ref: E: 538747 N: 165216

Applicant : Mr Nigel Putner

Description of Development:

Part one/two storey extension including first floor balcony and terrace, elevational alterations, amended external staircase and internal reconfiguration to clubhouse to provide additional facilities.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

Planning permission is sought for a part one/two storey extension to the existing sports clubhouse.

At ground floor level the extension would measure approx. 19.6m in width, almost doubling the overall width of the structure. The front elevation which faces the first sports pitch would align with the existing south eastern front elevation. At the rear the extension would align with the main rear elevation of the existing building facing the car park for a length of approx. 4.7m before stepping in for the remaining rear elevation of the extension which at this point would face onto the car park.

At first floor level the extension would be approx. 4.7m wide. The remaining roof above the ground floor extension would be used as a terrace area/viewing platform. In front of the building it is proposed to provide a 2m deep balcony for the full length of the resultant building, supported by pillars. The balcony/terrace would be enclosed by railings with a balustrade which would be approx. 1m high.

On the western flank elevation a replacement staircase would be provided which would lead to the first floor hall area. The terrace would be accessible from within the bar area as well as via stairs leading from ground floor level.

The proposed enlarged accommodation would provide a larger bar area with seating at first floor level and at ground floor level the provision of additional changing areas, a physio room, showers, toilets and an externally accessible store. The proposal would allow the internal reconfiguration of the ground floor space to allow the provision of a lift for disabled access to the first floor facilities.

The proposal would incorporate a flat roof to match the main building and the materials used for the external elevations of the building would match the existing

The application was supported by the following documents:

- Design and Access statement
- Proposal summary
- Copy of lease

Further supporting information was provided in the way of a Management of Terrace and Balcony Usage Guidelines (BRFC-BTU-01) and Noise Assessment Report (ref. 9694.RP01.NAR.2 Rev. 2) on 6/11/19.

Location and Key Constraints

The application site lies within the Green Belt and comprises a rugby club and sports pavilion with extensive open playing fields given over to outdoor recreation.

The site is bounded to the north west by a car sales/showroom and associated land. Dwellings fronting Wood Lodge Lane back onto the pitch and putt golf course next to the rugby club. To the west lies open land and woodland. To the north east the site fronts onto Corkscrew Hill. The nearest residential dwellings to the application site are located 85 m to the east/north east fronting and on the other side of Corkscrew Hill and to approx. 95m to the north west fronting Wood Lodge Lane.

The site lies in an Area of Archaeological Significance.

Comments from Local Residents and Groups

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

Objections

- Concern expressed regarding the use of the terrace in terms of noise and disturbance and in conjunction with the hiring of the premises for functions.
- Loss of privacy associated with the terrace
- The noise and disturbance will occur outside of the playing season and after matches have finished
- Overdevelopment within the green space
- Concern regarding the aesthetics of the building (existing and proposed) and visual impact

- Car park and neighbouring roads are already congested on match days and consideration of alternative or enlarged car parking provision off-site is suggested
- Reference to the licensing objectives (the protection of children from harm, the prevention of nuisance and crime and disorder and public safety)

Neutral

- There needs to be consideration of noise from terrace/balcony from events during the evenings. Query regarding how this might be managed

Support

A large number of supporting comments were received from local residents and users of the application site's sports facilities. The comments received can be summarised as follows:

- The club serves the local community and provides a facility which has a positive impact on health
- Will allow the club to be accessible to all
- Will encourage more women and girls to become involved in the sport
- The old building needs to be updated
- The roof terrace will generate income through the provision of refreshments and dining outside
- There will be minimal impact on the surrounding area and no impact on the environment

Comments from Consultees

Sport England (summarised):

Sport England supports the application. The proposal would meet exception 2 of the Sport England Playing Fields policy in that the proposal is for ancillary facilities which support the principal use of the site as a playing field and does not affect the quantity or quality of the playing pitches and does not otherwise adversely affect their use. Beccehamians RFC is a key Club and Sport England supports the club in bringing forward plans to improve the facilities of this community sport facility.

Environmental Health Pollution Officer (summarised):

Initial comments expressed reservations regarding the use of the terrace area and the potential impact on nearby residents. It was recommended that the applicant carry out a comprehensive Acoustic Assessment and then potentially to submit a Noise Management Plan. The additional information was required to be provided in the course of the application rather than by way of condition in order that the information could be considered by residents and to ensure that the scheme would be practicable within the limitations of any noise management plan.

Additional information was received on 6/11/19 comprising:

Management of Terrace and Balcony Usage Guidelines (BRFC-BTU-01)
Noise Assessment Report (ref. 9694.RP01.NAR.2 Rev. 2)

The Noise Assessment Report was undertaken from 18th - 21st October at 2 locations near the clubhouse (24 Corkscrew Hill and 96 Wood Lodge Lane).

In response to the additional information provided further comments from the EHO were sought and comments received concurring with the conclusions in the Noise Assessment report and raising no objections to the requirement for a Noise Management Plan being substituted by the "Management of Terrace and Balcony Usage Guidelines" submitted by the applicant.

Drainage Engineer:

Please be aware that Sparrows Den area experienced a major groundwater flooding in 2000/2001 and 2013/2014. As such we will not accept any additional discharge to the public sewers in Corkscrew Hill, so the applicant is required to make his own arrangement as how to dispose of surface water run-off.

Highways (summarised):

The site is located in an area with PTAL rate of 2 on a scale of 0 - 6b, where 6b is the most accessible. Vehicular & parking arrangements will remain as existing the applicant is stating that "It is not expected that BRFC membership will increase as a result of the proposed changes". Further information received on 5th August (parking layout) - no objection in principle subject to conditions relating to vehicle and cycle parking and a construction management plan.

Arboricultural Manager (Neighbourhood Management) (summarised):

The tree adjacent to the existing building is T.705 (Acer Campestre). It is located within the grounds of Sparrows Den which is an LBB owned and maintained site. The tree is in good condition with no significant defects identified at this time. It is recommended that permission be refused based on the required removal of this tree. If permission is granted and the tree is removed or damaged, the Council will seek compensation by way of the CAVAT value of the tree.

Further information was received on 31/10/19 where the applicant offered the planting of 5 medium field maples approx. 10/12ft in height and 10/12cm in girth to be locate along the area between the car parking and the 1st XV pitch. The comments of the Arb. Manager were sought in respect of this offer. In response it was stated that the objection to the loss of the tree is sustained, and that considerate re-design of the extension would be sought where the proposal would not impact on trees and that mitigation would not address the concerns expressed from the perspective of the loss of the asset tree.

Trees Officer:

The proposal will involve the removal of a field maple tree. This is a Council asset (705) and has not been acknowledged in any of the submitted plans. The tree

needs to be addressed as a constraint. The Council Arboricultural officers will need to be consulted due to the fact the tree is a Council asset.

In the absence of an impact assessment that addresses the tree, minded to recommend refusal. The application is contrary to Policies 37, 73 and 74 of the Bromley Local Plan (adopted January 2019).

Crime Prevention Officer

If permission is granted please impose a Secured by Design condition due to the nature and location of the building.

Historic England

Comments have been sought and will be updated verbally.

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

London Plan Policies

- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.16 Green Belt

Bromley Local Plan

Policy 20 Community Facilities

Policy 21 Opportunities for Community Facilities
Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access for All
Policy 37 General Design of Development
Policy 46 Ancient Monuments and Archaeology
Policy 49 The Green Belt
Policy 57 Outdoor Recreation and Leisure
Policy 58 Outdoor Sport, Recreation and Play
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees and Woodlands

Supplementary Planning Guidance

SPG1 General Design Principles

Planning History

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

Planning permission was refused in 1996 under reference 96/0408 for 8 x 12m floodlighting columns, and an appeal against the refusal of permission was subsequently dismissed.

In 1998 a Lawful Development Certificate was granted for the use of 10m high mobile floodlights on the basis that they were removed and stored at the end of each game.

Under reference 99/01545 retrospective planning permission was refused for 14 floodlights which had been erected on the pavilion building. An appeal against the subsequent enforcement notice was allowed.

Planning permission was refused under reference 99/02394 for the erection of an extension on grounds relating the appropriateness of the balcony element within the green belt and its impact on the amenities of nearby residents through increased noise and disturbance.

Under reference 05/01437 planning permission was granted for development to the extreme east of the application site between the sports pitches and Corkscrew Hill for the erection of a control kiosk, 4.7m high vent column, hardstanding and formation of vehicular access (in connection with proposed foul sewage storage tank and pumping station as part of flood alleviation scheme).

08/02221/FULL1 - Planning permission was granted for replacement fire escape to south western elevation of existing club house.

10/01838/FULL1 - Planning permission granted for the siting of storage container.

12/02649/FULL1: Planning permission granted for replacement external cladding to clubhouse.

13/00766/FULL1: Planning permission granted for four 15m high floodlighting columns to pitch 2, and details pursuant to condition 5 of the permission were approved under reference 13/00766/CONDIT.

15/02643/FULL1: Planning permission granted for the siting of metal container for storage of sports equipment.

Considerations

The main issues to be considered in respect of this application are:

- Green Belt
- Community Facilities
- Design
- Highways
- Neighbouring amenity
- Trees
- Other matters
- CIL

Green Belt

Paragraphs 133 - 147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraphs 143 - 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with limited exceptions including "(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it."

The proposal would relate to the existing outdoor sports use of the site, and would provide facilities in conjunction with this on-going use. It is considered that the proposal would not comprise inappropriate development in the Green Belt by virtue of exception (b) of paragraph 145 of the NPPF so long as the proposal would preserve the openness of the Green Belt and would not conflict with the stated purposes of Green Belt designation.

The proposed extension would almost double the ground floor footprint of the building. However, it would be sited to the side of the existing clubhouse, towards

the periphery of the site and in context with the existing (retained) car parking area. It would not encroach to the west or south into the open playing fields. At first floor level the extension would be of more limited scale, and the provision of an open terrace would not have a detrimental impact on openness or the purposes of Green Belt designation.

Taking into account the siting, design and use of the proposed extension in relation to the existing outdoor sports use of the site as well as the internal provision of improved changing facilities for women and girls as well as disabled access to the first floor clubhouse it is considered that the proposal would comprise appropriate development and would not be harmful to openness or the purposes of Green Belt designation. It would support the longer term and enhanced use of the existing playing fields for outdoor sport and recreation.

Community Facilities

Policy 20 of the Bromley Local Plan states that development meeting an identified need for community facilities (including recreation, sports and play facilities) will normally be permitted provided that it is accessible to the members of the community it is intended to serve by a full range of transport modes.

Policy 21(d) of the BLP states that the Council will support the maximisation of opportunities for the enhancement of social infrastructure, to address the needs of existing and future residents of all ages, in part by supporting the provision and enhancement of sports and recreational facilities especially where there are recognised deficiencies.

The application development would enlarge and improve the existing club house associated with the outdoor sports and recreation use of the site, including providing access to the upper level within a lift as well as separate changing facilities for women and girls. The application is supported by Sport England and it is considered that the proposal would contribute to the aim of Policy 20 of the BLP which relates to the promotion of the quality of life and health and well-being of those living and working in the Borough.

Design

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually

attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed clubhouse extension would utilise materials to match the existing building and would be of a design and built form which would complement the existing somewhat utilitarian structure. While the extension would significantly enlarge the ground floor footprint as is the case with the existing structure the ground floor elevation would be constructed mainly of brick with limited window and door openings which limits the visual impact of the extension. The extension would replace existing storage containers adjacent to the clubhouse building.

The southern elevation would incorporate a 2m deep balcony supported by pillars and this element would provide some visual relief at the junction of the ground and first floors of the building which as existing has a quite boxy appearance.

The first floor extension is more modest than the ground floor extension and would complement in materials and design the existing structure, including a flat roof to match the host building.

Highways

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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

No technical objections are raised to the proposals. If permission is granted it is recommended that conditions relating to the provision of cycle parking and a construction management plan be imposed.

Neighbouring amenity

Policy 37 of the Bromley Local Plan 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.

Due to the siting of the development in relation to the nearest neighbouring properties the proposal would not result in any significant impact associated with overshadowing, loss of light or visual impact. However, the proposal incorporates the provision of a large terrace area which would be used in conjunction with the main first floor recreational facilities, including the bar and hall area. The use of the terrace must be carefully considered in relation to the potential that this might result in unacceptable loss of privacy or general noise and disturbance that would be detrimental to neighbouring amenity. Concerns have been expressed by neighbouring residents regarding the impact of the proposal on the residential amenities of neighbouring dwellings.

Additional information provided by the applicant on 12/8/19 referred to the intention to install an additional gate on the balcony so as to restrict direct access from the hall straight through to the terrace without going through the Members bar area. The gate would be open when the balcony is in use for the viewing of matches or for general BRFC members including daytime functions or lunches within the hall. If permission is granted it could be subject to a condition requiring that details of this gate be provided and approved prior to the first use of the extension.

A plan for the management of the terrace and balcony (usage guidelines) has been provided which states that the terrace/Members Bar Balcony will close at 10pm throughout the year. The Hall Balcony area would close 30 minutes prior to the close of clubs licensing hours (which would include when a license extension has been granted for an event).

A Noise Assessment was undertaken in response to the initial Environmental Health comments. No technical EH objections are raised following the submission of this Noise Assessment and it is considered that the impact of the proposal relating to noise and disturbance could be managed through the imposition of a condition relating to the usage of the balcony and terrace.

The proposed terrace would be sited approx. 80m from the front of the nearest dwellings on the other side of Corkscrew Hill. The terrace would be separated from these properties by the depth of the existing car park and the road itself, as well as the frontages of the nearest residential dwellings. Taking into account the distance between the extension/terrace and the properties fronting Corkscrew Hill it is not considered that the proposal would result in an undue sense of overlooking or unacceptable loss of privacy.

With regards to the relationship with the back gardens of dwellings fronting Wood Lodge Road it is noted that the proposed terrace would be separated from these properties by the mini-golf business, then the neighbouring car dealership/repairs/servicing commercial site and by a quite dense line of trees, with

the separation to the rear gardens being a minimum of approx. 80m with separation to the houses themselves in the region of 100m.

Taking into account the separation between the proposed terrace and building and the nearest neighbouring residential dwellings it is not considered that the proposed use of the terrace would result in a significant impact in terms of noise and disturbance and there would be no significant impact in terms of loss of privacy. The site is separated from the Corkscrew Hill dwellings by the roadway and from the dwellings fronting Wood Lodge Lane by a line of trees and each of these features would mitigate the noise impact of the proposal.

If permission is granted it would be appropriate in view of the size of the terrace to impose a condition tying the use of the terrace/balcony to the management plan. Such a condition would be reasonable in terms of limiting late night noise which might coincide with a lowering of ambient noise levels associated with the street and to ensure that the amenities of neighbouring residents are appropriately safeguarded.

It is noted that representations have referred to anti-social behaviour associated with the use of the club premises. The applicant has contacted the former West Wickham ward police officer who confirmed that there has been no anti-social behaviour reported to them between 2006 and 2017. It is acknowledged that there may have been minor parking and traffic issues associated with rugby tournaments. It is commented that the club have worked with Bromley Council, residents and the police to minimise any parking issues.

Trees

A field maple tree located where the extension would be constructed would be lost as a consequence of the development. When the previous application was refused planning permission under reference 99/02394 in 1999 the reasons for refusal did not refer to the tree, which has since that date matured and grown to a more substantial height, with greater contribution to the visual amenity of the site resulting from its increased size/maturity.

It is noted that mitigation proposed by the agent would provide several trees in a location to be agreed should planning permission be granted resulting in the loss of the existing single tree. However, notwithstanding this offer, objections are maintained to the development from a trees perspective, by both the Arboricultural Manager and the Principal Trees Officer.

The agent has confirmed that the construction of the extension to the other side of the building was considered, but RFU constraints regarding encroachment on the pitches as well as the internal layout made this impracticable. It was also considered that an extension to the west would block off the Pitch and Putt café and their terrace from views of the park land. The applicant has offered in an email dated 31/10/19 to plant replacement trees approx. 10/12ft in height and 10/12cm in girth along the area between the car park and the 1st XV pitch. However objections are still maintained from the Trees Officers to the loss of the existing mature field maple tree.

The comments from the trees officers are a material planning consideration in the assessment of the proposal and it falls to consider whether if in all other respects the application would be acceptable, the objection to the loss of the field maple would outweigh the public benefits of the development and whether the mitigation proposals referred to would be acceptable. Policy 73 of the Bromley Local Plan refers to Development and Trees and states that development proposals will be required to take account of existing trees on the site which in the interests of visual amenity are considered desirable to be retained. It goes on to state that when trees have to be felled, the Council will seek suitable replanting.

It is noted that as a separate private matter, as landowners the Council would attribute a financial value to the tree and could seek financial imbursement for the calculated Capital Asset Value of the tree (CAVAT). This is not a consideration material to the assessment of the merits of this proposal, as is the case also with the need for separate consent from the Council as landowner for the development to proceed, which would be subject to separate consideration by the appropriate portfolio Committee.

If permission was granted for the development it would be appropriate to impose a condition requiring the pre-commencement submission of details of replacement tree planting, including sizes and siting.

On the basis that the Council's tree officers have raised objections to the loss of the tree it is recommended that planning permission be refused for the proposed development. The site is open in character and the siting and size of the tree results in it providing a visual screening to the end of the building as well as softening the appearance of the host building. On balance while the planting of replacement trees may eventually perform a similar function and make a similar contribution to visual amenity in the long-term, this would not mitigate the visual impact of the proposal in the shorter term.

Other matters

It is noted that the application site lies within an Area of Archaeological Significance and no desktop Archaeological Assessment has been provided. This was similarly the case in the previous application for planning permission which was refused on grounds relating to the impact of the proposal on the Green Belt and residential amenity. The views of Historic England have been sought regarding the proposal. If Members are minded to refuse planning permission a reason for refusal relating to the lack of information relating to the archaeological impact of the proposal could be added.

CIL

The Mayor of London's CIL is a material consideration. CIL may be payable on this application as a consequence of the size of the internal floorspace provided.

Conclusion

It is noted that planning permission was refused in 1999 for an extension incorporating a terrace. That application elicited a large number of local representations expressing concern regarding the terrace at first floor level, relating to noise and disturbance. Likewise in this application a number of representations have been received referring to the potential impact of the terrace and its use on the amenities of neighbouring residents. A large number of representations have been received in support of the application.

In this application the applicant has provided a noise assessment and there is a strategy in place to mitigate the potential impact of the proposal on residential amenity. On balance, due to the passage of time including a changed policy framework since the previous refusal, and taking into account the comments from the Environmental Health Officer it is not considered that the refusal of planning permission on the grounds of the impact on residential amenity would be warranted. However, in view of the potential use of the terrace in conjunction with the bar/clubhouse building it would be reasonable to impose a condition limiting the use of the outside terrace.

The proposal would provide improved accessible facilities which would broaden the extent to which the building can accommodate women and girls as well as providing first floor lift access through the installation of a lift. These improvements are considered to significantly support the long term use of the open site for the provision of outdoor sports facilities. The application is supported by Sport England. The proposal would allow for the enhancement of the sports and recreation provision at the site.

The development would not have a significant impact on the openness of the green belt and would comprise appropriate development in view of its relationship with and support of outdoor sports and recreation.

Notwithstanding the conclusions above in respect of the impact of the proposal on residential amenity and the openness of the Green Belt, consultation responses have elicited objections to the development on the basis that the proposal would result in the loss of the healthy field maple tree which is located in the footprint of the proposed extension. It is acknowledged that mitigation in the planting of replacement trees has been offered by the applicant and that the applicant has justified the reasoning behind the siting of the extension. However, taking into account the health and visual amenity contribution of the tree in context with the Green Belt location and extent to which the tree is clearly visible from the open site, it is recommended on balance that planning permission be refused on this basis.

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.

as amended by documents received on 05.08.2019 31.10.2019 06.11.2019

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

The proposal would result in the loss of a mature tree which contributes to the visual amenities of the area and would therefore be contrary to Policies 37, 73 and 74 of the Bromley Local Plan